
MINUTES OF THE *WORK SESSION*
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, APRIL 28, 2009 – 5:00 P.M.

Board Members

Mayor John Schroer	P	Alderman Dana McLendon	P
Alderman Clyde Barnhill	P	Alderman Ken Moore	P
Alderman Pearl Bransford	P	Alderman Ann Petersen	P
Alderman Beverly Burger	P	Alderman Michael Skinner	P
Alderman Dan Klatt	P		

Department Directors/Staff

Eric Stuckey, City Administrator	P	Mark Hilty, Water/Wastewater Director	P
Vernon Gerth, ACA Community & Economic Development	P	Gary Luffman, Interim Planning Director	P
Russell Truell, ACA Finance & Administration	P	Tom Marsh, Interim Codes Director	P
David Parker, City Engineer	P	Joe York, Streets Director	P
Shauna Billingsley, Interim City Attorney	P	Brad Wilson, Facilities Project Manager	P
Rocky Garzarek, Fire Chief	P	Lanaii Benne, Assistant City Recorder	P
Jackie Moore, Police Chief	P	Kevin Comstock, ITS Project Manager	P
Fred Banner, MIT Director	P	Michael Lepore, Sign & Design Administrator	P
Becky Caldwell, Solid Waste Director	A	Clay Matthews, Housing Development Coord.	P
Lisa Clayton, Parks Director	A	Steve Sims, Assistant City Recorder	P
Eric Gardner, Engineering Director	P	Linda Fulwider, Board Recording Secretary	P
Shirley Harmon, HR Director	P		

1. Call to Order

Mayor John Schroer called the BOMA Work Session to order on Tuesday, April 28 2009 at 5:12 p.m. in the City Hall Boardroom.

2. Citizen Comments

None

WORK SESSION DISCUSSION ITEMS

Item Taken Out of Order

- 17.* Consideration of Award of the Construction Contract to Civil Constructors, Inc. for the State Route 96 (Murfreesboro Road) and Royal Oaks Boulevard intersection Improvements in the Amount Bid of \$3,095,222.55**

David Parker, City Engineer

Per discussion at the April 14 Work Session, staff consulted with TDOT and developed an expected timeline for the potential rebidding of this project. The result is a significant delay in bidding (6 months) and completion of the project (10 months later).

Since that meeting, additional information received from the MPO regarding the distribution of ARRA (stimulus) funds regarding funded projects. At the April 14th meeting staff indicated additional funds would be available for the Franklin ITS project increasing its funding from \$544,000 to \$1 million. This based on information from the MPO that one of the communities with a higher ranked project was not going to move their project forward. Subsequently, staff learned that community and all communities ranked above the ITS project, plan to move forward with the ARRA-funded projects. As a result, the ITS funding remains at \$544,000. Should the City choose to award the bid (rejecting ARRA funding for the Royal Oaks/SR 96 project), it will be able to capture approximately \$456,000 of ARRA funding for the ITS project, increasing its funding to \$1 million.

Staff recommendation: In consideration of the 10-month delay that is expected from TDOT participation in a rebidding process and due to the fact that the City can gain nearly half of the federal funds (\$456,000) forgone, staff recommends that the construction bid for the Royal Oaks/SR 96 intersection project be awarded. Mr. Stuckey related because of what transpired he now supports the recommendation to award the construction bid to Civil Constructors. He added that tonight's meeting is the last one before the bid expires. The City is too far along on this project to take a backward step in the process. Mayor Schroer said TDOT indicated stimulus money could not be used for this project under any circumstance.

3. Continued Discussion of Temporary Sign Definitions, Permits, and Regulations

Vernon Gerth, ACA Community & Economic Development

Mr. Gerth and Mike Lepore addressed the duration and frequency of temporary signs. It is proposed human directional signs be "displayed" no more than 30 consecutive days. Frequency would be one 30-day permit for each 90-day period for a total of four permits per year. Going out of business signs could be up to 90 days prior to closing of the business once time per year. Discussion ensued regarding perpetual going out of business signs. Mayor Schroer clarified this is for signage on private property. These signs are not allowed on public property. Other temporary signs were touched on as well. The minimum fee for a temporary sign permit is \$30.

After staff meets with local business owners, property managers, and sign/marketing company representatives an ordinance amendment will be presented to the Board for consideration.

4. Report on the Cool Springs Area Traffic Signal Optimization Study

Kevin Comstock, ITS Project Manager

Mr. Comstock related the timing improvements exceeded the 21% goal for an overall reduction of 45.8% in commute delays. Fuel economy and pollution improved as well. Holiday timings installed on December 2, 2008, and normal commute timings installed February 2, 2009.

5. Consideration of Termination of Contract with Studio Eight Design for Professional Services for Jim Warren Park Facilities (Concessions Building, Announcer's Tower and Pavilion)

Lisa Clayton, Parks Director

Eric Stuckey related this project is not moving forward as far as construction. Funds could be freed for other uses. When funding is available for construction, the City will contract any needed additional services.

6. Discussion of Viability of Creating an Assessment District and/or a Tax Increment Financing District for Columbia Avenue Enhancement Project

Russ Truell, ACA Finance & Administration

Per memo from Mr. Stuckey and Mr. Truell, dated April 21, 2009, when first proposed numerous sources of funding were cited as revenue sources for the project. Some sources did not materialize and others were significantly altered due to the disruptions in the economy. A second memo, dated April 24, 2009, provided information regarding the capacity of various funding sources that could be used for the project. The memo addressed the following: Matching Funding Sources with Project Components, Special Assessment Estimate, Tax Increment Financing (TIF), and Central Business District Models.

Special assessment districts and TIF both have distinct limitations. Spreadsheets show estimates of what each party would be assessed in an assessment district as well as TIF assumptions. Mr. Stuckey noted the Central Business District TIF models capture a larger area with two scenarios. Information on the area that includes all properties within Mack Hatcher is forthcoming. They are in the process of matching projects with funding sources.

Discussion

- Outside the Columbia Avenue, Hillsboro Road and the downtown core would encompass many parcels and may not be feasible for a TIF. The same could be true taking Columbia Avenue on to Mack Hatcher
- TIF would include the County if the County would agree. Undeveloped land has the most potential for corridor roads that lead to Mack Hatcher
- Alderman Petersen: Third and Fifth Avenue improvements include stormwater, sewer/water components, underground utilities and streetlights. It appears Columbia Avenue does not get infrastructure improvements and little undergrounding. It seems to be beautification. The enhancements to individual properties (\$4 million on properties with a total appraised value of \$10 million) should be paid by the property owners, thus the reason for an assessment district. Otherwise, the City will pay for the landscaping work and irrigation system in addition to paying for the water used to irrigate. Alderman Barnhill concurred.
- Russ Truell said the first question to answer is what really belongs in which category to see if an assessment district is feasible with a cap of 15% of the property value.
- Alderman McLendon questioned if this project should be done at this time or not at all. Maybe the phases of the project should be reordered. He supports Hillsboro Road as an assessment district because only 10-14% of the improvements are not infrastructure. However, spending \$4 million of \$10 million appraised value property with maximum potential of \$500,000 raises the question if it should be done.
- Alderman Bransford: Many constituents understand the need to do infrastructure improvements downtown and in the older neighborhoods, but may not understand why relatively little infrastructure is being done down Columbia Avenue.
- Columbia Avenue could be bid in July. Hillsboro Road is not yet ready to bid.

Mayor Schroer noted the item for vote at a future BOMA meeting is whether to do this and how to fund it, special assessment or TIF.

7. **Consideration of Agreements to Award Two Community Based Development Organizations Community Development Block Grants in the Amount of \$50,000 to Hard Bargain/Mt. Hope, and \$75,000 to United Community Resource Foundation for the Purpose of Supporting the Construction and Sale of Four Single-Family Dwellings to Low or Moderate Income Families**

Vernon Gerth, ACA Community & Economic Development

Vernon Gerth and Clay Matthews addressed this item. Two homes were built last year. This year they will build four houses with the money.

8. **Consideration of RESOLUTION 2009-12, A Resolution Approving the 2007-2010 Consolidated Plan and Annual Action Plan for 2009-10 and Authorizing a Request for Housing and Urban Development CDBG Program Funds**

Vernon Gerth, ACA Community & Economic Development

July 1 begins the third year of the consolidated plan. They are eligible for \$270,000 in funds. The amount is similar to last year with the exception of \$15,000 added for Housing Counseling. BOMA will vote on the resolution May 12.

9. **Consideration of Approval of Fund Balance Policy (Budget & Finance Committee 4/16/09)**

Russ Truell, ACA Finance & Administration

Lauren Lowe and Lisa Daniel from PFM were present to discuss draft four of the Fund Balance Policy.

Mayor Schroer related the City has not had a Fund Balance Policy heretofore. He sees the Fund Balance as a benchmark, not a floor, to be used only when needed for a valid reason. There was lengthy discussion at the Budget & Finance Committee meeting on a Supplemental Reserve Account, a designated percentage above the Fund Balance. One element of the recommendation is not to allow the use of more than 7% of reserves annually. He disagrees. Use that money as a tool, with the guidance of the Financial Advisor and staff. It may be best used if the City adopts pay as you go. Mayor Schroer referred to page two of the draft, paragraph on Supplemental Reserve Account, and suggested the last sentence be struck; ~~Any discretionary use of supplemental reserves cannot exceed more than seven (7) percent of the Undesignated/Unreserved Fund Account in a single year.~~ He prefers the policy be fluid without some of the arbitrary handcuffs.

Alderman Moore said the Committee felt comfortable with draft four and the 7% spend-down limit is not a sacred cow. The 7% does not completely handcuff, but gives pause to think about the spending.

Alderman Petersen stated designated reserves should not go lower than 40% of revenues. She added four out of five peer cities have more than 40%. The two in Tennessee do not rely on sales tax, as does Franklin.

Mayor Schroer added that money is for capital expenditures. If something is not done with the money and the fund grows, return it to the taxpayers. He would like to bring the policy for vote at the May 12 BOMA meeting if everyone is comfortable with the policy.

10. **Consideration of Approval of Contingency Modification for Gas and Plumbing Revisions to the New Franklin Police Headquarters. Request is for \$12,820.00 to be Funded from the Project Contingency**
Brad Wilson, Facilities Project Manager

Original plans called for a 50-gallon hot water tank. Due to the size of the facility it was decided a 100-gallon gas heated water tank was the better choice.

There was discussion on the use of tankless water heaters; however, Mr. Wilson indicated that option is not feasible in this situation.

- 11. Consideration of Approval of Contingency Modification for Revisions to the Office Floor Plan at the New Franklin Police Headquarters. Request is for \$4,332.28 to be Funded from the Project Contingency.**

Brad Wilson, Facility Projects Manager

The modifications requested are to accommodate staff and organizational changes that transpired after the drawings were issued. These changes warrant the build out of additional offices in areas originally programmed for future expansion.

Alderman Moore said they were told all along that there would be shell space to give room for growth. Mr. Wilson indicated there would still be some unfinished spaces. He added it would be good to get drywall in those areas to cut down on dust when expansions are done.

- 12. Consideration of Approval of Contingency Modification for the New Franklin Police Headquarters North Parking Deck Bridge Light Fixtures. Request is for \$1,868.00 to be Funded from the Project Contingency**

Brad Wilson, Facility Projects Manager

The specified exterior lighting on the deck was found to be inadequate. Alderman Moore asked if the lighting could be LED. Mr. Wilson said he would check on that.

- 13. Consideration for Approval of Contingency Modification for the New Franklin Police Headquarters Community Room Regarding Additional Data and Power Connections. Request is for \$5,435.00 to be Funded from the Project Contingency**

Brad Wilson, Facility Projects Manager

This is a change to allow additional power and data circuitry within the Emergency Operations Center (EOC) located in the community meeting room.

- 14. Consideration of a ~~\$40,000~~ \$36,245.95 Savings through Additional Value Engineering for the New Franklin Policy Headquarters**

Brad Wilson, Facility Projects Manager

Mr. Wilson advised the correct amount is \$36,245.95.

- 15. Report of a Savings of Approximately \$18,700 in Services on the New Franklin Police Headquarters**
Brad Wilson, Facility Projects Manager

Changes in the professional services agreement resulted in a reduction of \$18,700.

- 16. Status Update on Various City of Franklin Projects**

Brad Wilson, Facility Projects Manager

- **Franklin Police Headquarters**

There was no contaminated soil found when the underground tanks were removed. Columbia Avenue sidewalks are being finished. There will be some utility modifications. They are running 20 days behind because of work on Ninth Avenue. It is now one way from Columbia to Acton. An extra well was drilled, as there is an old cistern beneath. Underground lines will be used to help with flushing, etc. Cost is approximately \$8,500.

- **Station 6 Fire Hall**

The faulty slab was replaced.

- **Liberty Park Facilities Building**

Punch list completed. Will meet with the architect next week. Very close to wrap-up. He will report on financials at the next meeting.

- **Five Points Building**

Build outs in the basement started.

- **Other Various Projects**

Harlinsdale: Main roadway being paved

ADJOURN

Work Session adjourned 6:38 p.m.

Mayor John C. Schroer

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office – 5/18/2009 8:43 AM