

**MINUTES OF THE SPECIAL WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, DECEMBER 9, 2008 – 5:00 P.M.**

Board Members

Mayor John Schroer	P	Alderman Dana McLendon	A
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

Russell Truell, Interim City Administrator	P	Shirley Harmon, HR Director	P
Vernon Gerth, ACA Community & Economic Development	P	Mark Hilty, Water/Wastewater Director	P
David Parker, ACA Public Works & Utilities	P	Gary Luffman, Codes Director &	P
Shauna Billingsley, Interim City Attorney	A	Interim Planning Director	--
Rocky Garzarek, Fire Chief	P	Joe York, Streets Director	P
Jackie Moore, Police Chief, David Rahinsky, Deputy Chief	P	Becky Caldwell, Assistant Director Solid Waste	P
Fred Banner, MIT Director	P	Lanaii Benne, Assistant City Recorder	P
Lisa Clayton, Parks Director	P	Linda Fulwider, Board Recording Secretary	P
Eric Gardner, Engineering Director	P		

1. Call to Order

Mayor John Schroer called to order the Special Work Session of the Board of Mayor and Aldermen, City of Franklin, Tennessee, Tuesday, December 9, 2008 at 5:15 p.m. in the City Hall Boardroom.

2. Citizen Comments

None

WORK SESSION DISCUSSION ITEMS

3. Consideration of Adjustments to City Organizational Chart

Russell Truell, Interim City Administrator

The Mayor distributed copies of a new organizational chart.

Mayor Schroer gave a brief history of changes made during the year he and the new aldermen have been in office. Initial changes were early on when City Administrator Jay Johnson and Deputy City Administrator Randy Wetmore left. At that time, Assistant City Administrators Russell Truell, Vernon Gerth, and David Parker took on additional duties.

The Mayor stated he has felt all along, even prior to his election that administration was top-heavy and adjustments could and should be made. He waited to introduce these thoughts, one, because it's taken awhile to get to this point and, two, he wanted to wait until the new City

Administrator was selected and on board with the modifications and changes. He related he talked with Eric Stuckey, the incoming City Administrator early on, even before he was offered the position, about the organizational makeup of the City. Mayor Schroer said they had looked at this intensely with several different eyes. This chart is his recommendation of how the City should be organized corporately, with the complete agreement of Mr. Stuckey.

The Mayor's first recommendation was that the number of Assistant City Administrators be reduced from three to two: Russell Truell, ACA Finance and Administration, and Vernon Gerth, ACA Community and Economic Development. As part of this, they are moving David Parker to City Engineer.

Mayor Schroer said he felt all along there has been some disconnect, especially when it had to do with Planning and Engineering. They have seen that a lot of different times and occasions. He has always felt an important part of Planning was when someone brought a project to the City they needed a one report to entity. We were disjointed; they went to both Engineering and Planning. It was frustrating for many people. He sees a better streamline here. On the chart under *Planning*, is *Engineering Plan Review (Current Projects)* which means current things being done by outside development. The Planning Department will have complete control and oversight of that. The other part of that is there is a single contact person if there is an issue and that will be Vernon Gerth.

The Mayor referred to the chart (see below) and said they had talked to all department heads about this. This is on the consent agenda for vote on at tonight's BOMA meeting. If it is approved, he expects the reorganization to go into effect January 2 when Eric Stuckey begins.

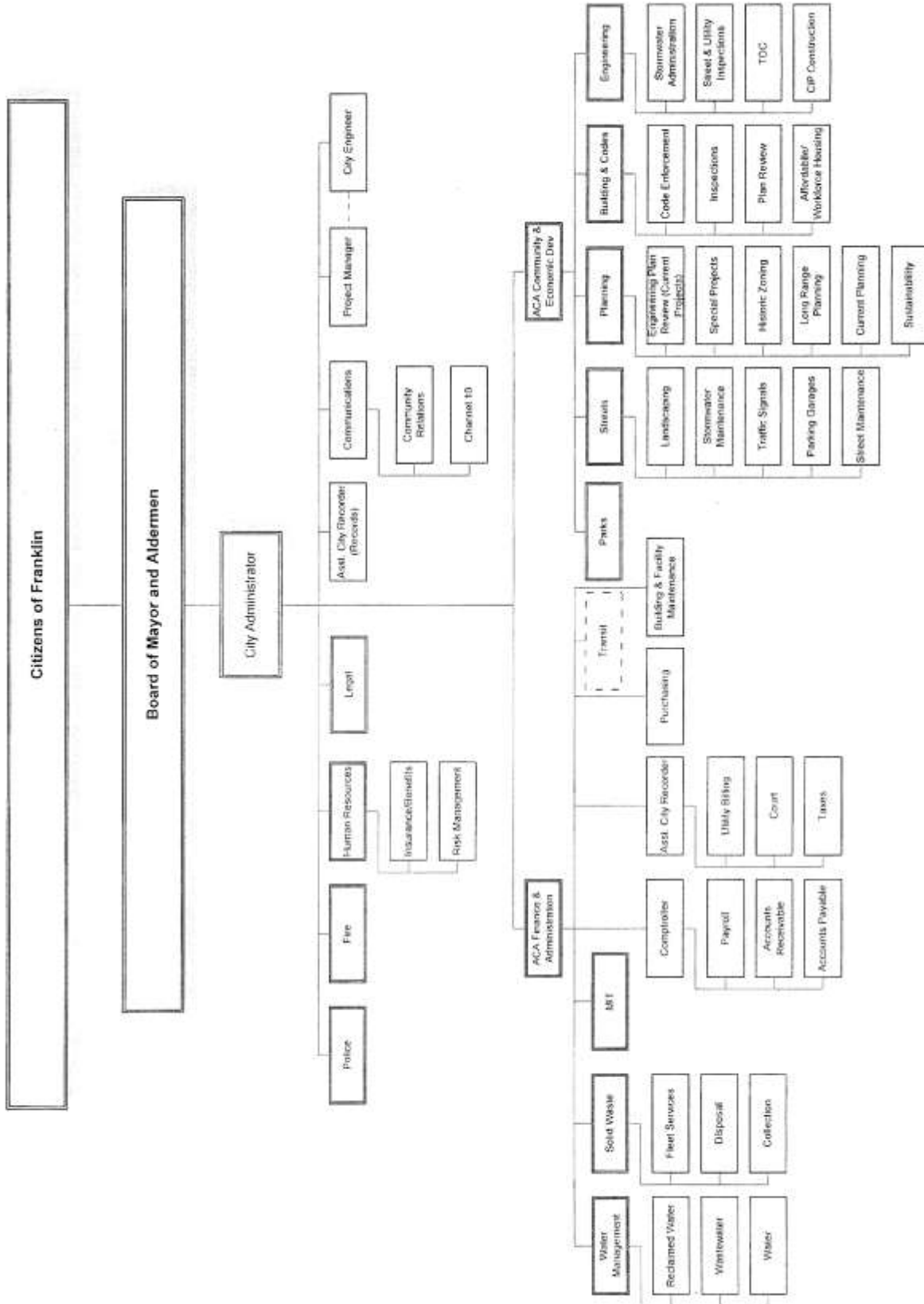
Mayor Schroer said, under the City Engineer, one of the important things they have done in the last year, is that we have started and continue to develop a Capital Improvements Plan. The Mayor related he was going to change that to Capital Investment Plan because he believes it is an investment in the community and not necessarily just improvements. There are a lot of projects being done. Mr. Parker is being pulled in many, many different directions through administrative matters, and we need to focus on those particular projects. Thus, this plan. He thinks it will help and will streamline a lot of things going on in the City. It will streamline contacts from those that are using the City for projects and it will help overall in the Capital Improvement Plan.

They will work on finalizing responsibilities in the next couple of weeks. Mayor Schroer said this is the layout everybody agreed to, at least the Mayor and Mr. Stuckey have, and Mr. Truell and Mr. Gerth as well. He is comfortable the City can operate more efficiently and economically than in the past. The Deputy City Administrator is not being replaced and that will make a difference in how we continue to operate the City.

Mayor Schroer asked if there were questions. He noted the charts were distributed to the aldermen previously, but not to anyone else until he had the opportunity to talk with the employees involved. He thinks it is a good change for the City and thinks they will see a difference in how things operate both externally and internally with this makeup.

Alderman Barnhill asked if the new City Administrator is in agreement with all the changes. Mayor Schroer responded that Mr. Stuckey absolutely agrees, without question 100%. They moved some things around with his input. There are some direct reports to the City Administrator and they tried to break this out in the appropriate manner. He is comfortable with it and comfortable with the people involved.

***Items with a single asterisk indicate the item will be voted on at the 12/9/08, 7pm meeting**



4.* Consideration of Inter-local Agreement with Metro-Davidson Government Regarding Fuel Hedging

Russell Truell, Interim City Administrator

In July, the State passed a general law that allows cities, counties and school districts to enter financial hedging arrangements. Mr. Truell has been working on an arrangement to hedge prices on gasoline and diesel fuel with Metro Nashville. Metro Nashville would sign all the agreements with the banks. The City wants an inter-local agreement to take a percentage of the fuel. A safe percentage, 50-75%, of expected needs would be requested. The agreement would give the Mayor and City Administrator authority to hedge the prices of gasoline and diesel fuel one year at a time on a trial basis. Mr. Truell noted it is somewhat like having insurance.

5.* Consideration of RESOLUTION 2008-41, A Resolution Supporting Efforts Pursuing Dedicated Funding for Public Transportation in The Greater Nashville Region

Russell Truell, Interim City Administrator

Mayor Schroer serves on a regional task force for the Nashville Area Metropolitan Planning Organization (MPO) with area mayors. The Resolution is to support efforts to pursue dedicated funding for public transportation in the Greater Nashville Region. All communities in the region are being asked to approve this resolution that will be sent to the State legislature for review.

The Mayor noted everyone expects a stimulus package to be approved early in President-Elect Obama's presidency with funds filtering back to states pursuing public transportation. Tennessee will miss out if it does not have a dedicated funding source for regional transportation.

6.* Consideration of RESOLUTION 2008-42, A Resolution Approving the Fourth Amendment to The City of Franklin Employee's Pension Plan

Shirley Harmon, Human Resources Director

Shirley Harmon explained outside counsel for the City's pension plan recommends adoption of the amendment to comply with Internal Revenue Service guidelines. The amendment adopts the default definition of compensation that can be used for the pension plan.

7. Review and Discussion of ORDINANCE 2008-63, An Ordinance Amending The City of Franklin Municipal Code Title 14, Section 101 Relative to Membership of The Franklin Municipal Planning Commission

Shauna Billingsley, Interim City Attorney

The amendment allows the Mayor to appoint a designee to serve in his place on the Franklin Municipal Planning Commission. The following statement will be deleted: "~~Two (2) of these shall be the mayor and an alderman selected by the board of mayor and aldermen~~". Amendment: "*Two (2) of these shall be the mayor (or his designee) and an alderman selected by the board of mayor and aldermen*".

8. Review and Discussion of ORDINANCE 2008-57 To Be Entitled: "An Ordinance to Amend Chapter 4, Section 4 of The Franklin Zoning Ordinance to Create Section 4.4 that Establishes a Process that Authorizes the Board of Mayor and Aldermen to Consider Special Permits for Permitted Uses that are Restricted to Planned Unit Developments (PUD) but With Special Conditions and Term Limitations Assigned to the Operation May be Located on a Non-PUD Parcel" (FMPC 11/20/08)

Vernon Gerth, ACA Community & Economic Development

Vernon Gerth explained this concerns permitted uses that normally would not be allowed in a district. He cited an example of a business operated from a home.

Alderman Petersen expressed concern there could be unintended consequences. Mr. Gerth said technically, it is not a permitted use and it is just for PUDs. This type ordinance is good when an area is in transition. He added the key is it takes three readings and a meeting with residents based on the operation. Non-compliance equals revocation of the special permit. Many communities do this. Alderman Petersen said she wanted it investigated.

9. **Review and Discussion of ORDINANCE 2008-59 To Be Entitled: “An Ordinance to Amend Chapter 5, Section 5.3, of The Franklin Zoning Ordinance to Create Section 5.3.11 that Authorized Planning Commission to Approve Design Modifications Under Certain Conditions”** (FMPC 11/20/08)

Vernon Gerth, ACA Community & Economic Development

Mr. Gerth said this is under the current zoning ordinance. It was addressed at a joint meeting of BOMA and The Planning Commission.

10. **Consideration of the Proposed Agreement for Construction of Detention Areas – South Carothers Parkway Project – With South Carothers Partners, LLC**
David Parker, ACA Public Works & Utilities

This pertains to the development known as Nichol Bend. They want to work with the City to upsize the piping designed. In return, they would grant easements without getting offsets.

Alderman Petersen asked if this was one of the CIP priorities not set for this year and was it put ahead of some others. Mayor Schroer responded it is part of the authorized overall design plan.

11. **Consideration of the Proposed South Carothers Parkway, Roadway Design, Supplement #3 with SEI in an Amount Not to Exceed \$61,000.00**
David Parker, ACA Public Works & Utilities

The design supplement is to allow Milcrofton Utility District to hang a 16” water line from the bridge rather than tunnel under the river. It would save money for them and for ratepayers. Milcrofton would pay for any upgrades to the City’s structure. Structure analysis, redesign and coordination \$33,000, Redesign related to addition of Nichols Bend Ponds \$28,000, for a total of \$61,000.

12. **Consideration of the Final Change Order for the Downs Boulevard at State Route 96 Whitetopping Project with Civil Constructors for an Increase in the Contract Amount of \$35,733.50**

David Parker, ACA Public Works & Utilities

The additional quantity was necessary to ensure all areas resurfaced achieved a minimum of 8 inches of concrete depth. This will aid in the integrity of the road over time. The money for the increase of concrete was within the Streets Department whitetopping budget for the project.

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- 13.* Consideration of the Request from Wilbur Smith Associates for Additional Services to the Professional Services Agreement for the Design of Mack Hatcher Parkway in an Amount Not to Exceed \$7,000**

David Parker, ACA Public Works & Utilities

A sinkhole was discovered necessitating exploration to determine the formations and depth of it.

- 14. Consideration of the Sanitary Sewer Recovery Agreement with Drees Homes in the Amount \$43,815.77 for the Hurstbourne Subdivision**

David Parker, ACA Public Works & Utilities

Per City request for downstream off-site sewer lines to incorporate future development.

- 15. Consideration of a Professional Services Agreement with Gresham Smith and Partners (GS&P) for the Design of the Carter Street Area Water and Sanitary Sewer Upgrades in an Amount Not to Exceed \$90,000**

David Parker, ACA Public Works & Utilities

For subdivision approved for Habitat. Undersized infrastructure does not meet standards. It is better to upgrade the area rather than street by street. It is not part of the water/sewer CIP at this time. Cost for the entire project is \$700,000. Engineering services \$90,000.

Mayor Schroer mentioned that as a part of redirection, he wants to start two new committees at the first of the year – Finance Committee (operative) and Capital Investments Committee (capital) with four aldermen on each committee. Work Sessions will continue. This will better prepare the Board for financial decisions. A project such as this would go to Committee and if approved, the CIP would be modified.

Mr. Parker noted the City serves seven mobile homes on properties and those can be handled with what is now in place. The \$700,000 would be for areas beyond Habitat. Mark Hilty advised the schedule for design would take it into the next fiscal year.

- 16. Consideration of the Proposed Changes in the Design of the Boyd Mill Improvements Project from Downs Boulevard to the Franklin Green Subdivision Entrance**

David Parker, ACA Public Works & Utilities

At the Design Public Hearing it was suggested the grass strip be reduced to three feet and the sidewalk on the north side of Boyd Mill be removed. The reduction is to reduce property acquisition and limit impact to existing trees and rock walls. This is a change to the City's standards.

- 17. Consideration of Creating an Ordinance to Revise and Establish New Regulations Pertaining to the Use of Temporary Signs Within The City of Franklin**

Vernon Gerth, ACA Community & Economic Development

Mayor Schroer related there are major issues with signage around the mall with sign-holders trying to get motorists' attention. If they are on private property, the owners may not know their permission is required.

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Michael Lepore, sign and design administrator, compiled information on past sign policies, definitions, and ordinances. Reasons for temporary sign regulation discussed in relation to costumes, acrobatics, tacky signs and the overall aesthetics of the community. Codes recently adopted policies on temporary signs without time limits. Employees are trying to address violations.

- 18. Consideration of ORDINANCE 2008-64, An Ordinance to Amend Chapter Six of Title Fifteen, Section 15-606, of The Franklin Municipal Code to Regulate Time Restrictions on Parking in Certain Areas, Reinstating the Offense of Removal of Chalk Marks**
Russell Truell, Interim City Administrator

This restores the clause on tampering or altering chalk marks that was omitted when the ordinance was changed.

- 19. Consideration of Proposal to Construct Entrance and Parking Lot at Base of Roper's Knob** (continued from WS 11/25/08)
David Parker, ACA Public Works & Utilities

Because of a request from TDOT, the owner of the property west of Mack Hatcher Parkway across from Cool Springs Boulevard wants to construct a short extension of Cool Springs Boulevard to complete the intersection. BOMA members indicated they do not want this done.

CONSENT ITEMS**

All items under the Consent Agenda are deemed non-controversial and routine in nature by the governing body. The items on the Consent Agenda will not be discussed. Any member of the governing body desiring to discuss an item on the Consent Agenda may request that it be removed from the Consent Agenda and be placed on the Regular Work Session Agenda. It will then be considered at that time. Items Numbers 20-24 are on the Consent Agenda

- 20.* Consideration of Bid Award for the Supply, Delivery, Planting and Related Contract Services for a Lot of 64 Trees at Jim Warren Park, for the Parks Department**
No discussion
Lisa Clayton, Parks Director
- 21.* Consideration of Bid Award for the Supply, Delivery, Planting and Related Contract Services for a Lot of Trees at the Jim Warren Park Skate Park, for the Parks Department**
No discussion
Lisa Clayton, Parks Director
- 22.* Consideration of Bid Award for the Supply, Delivery, Planting and Related Contract Services for a Lot of Trees at the Jim Warren Park Football Fields, for the Parks Department**
No discussion
Lisa Clayton, Parks Director
- 23.* Consideration of Contract Award for Financial Advisor Contract Services, for the Finance Department**
Russell Truell, Interim City Attorney

Item will be pulled from the BOMA agenda as another option is being pursued.

24.* Consideration of Sole-Source Purchase of Traffic Signal Equipment, Hardware, Parts and Supplies from Temple, Inc of Decatur, Alabama, for the Traffic Division of the Streets Department

Joe York, Streets Director

Alderman Petersen requested an explanation. Joe York advised Temple is the only supplier available for traffic signal equipment, hardware, parts and supplies. The City has been buying from them for years.

25. Reports from Assistant City Administrators

No Reports

ADJOURN

Work Session adjourned 6:33 p.m.

Mayor John C. Schroer

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 1/16/2009 3:11 PM

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