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**MEETING MINUTES**  
**CAPITAL INVESTMENT COMMITTEE**  
**CITY OF FRANKLIN, TENNESSEE**  
**CITY HALL BOARDROOM**  
**THURSDAY, APRIL 12, 2012, 4:00 PM**

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**Committee Members**

Alderman Clyde Barnhill, Chair P  
Alderman Pearl Bransford, Vice Chair P  
Alderman Margaret Martin P  
Alderman Dana McLendon P

**Other Attendees**

Eric Stuckey, City Administrator P  
David Parker, City Engineer/CIP Executive P  
Paul Holzen, Interim Engineering Director P  
Mark Hilty, Water Management Director P  
Joe York Streets Director P  
Alderman Brandy Blanton P  
Alderman Michael Skinner P  
Lanaii Benne, Assistant City Recorder P  
Sarah Sappington, Administrative Assistant  
Linda Fulwider, Board Recording Secretary P

**1. Call to Order**

Clyde Barnhill, Chair, called the meeting to order at 4:00 p.m.

**2. Approval of Minutes**

*Alderman Barnhill moved to approve the March 8, 2012 minutes as presented. Seconded by Alderman McLendon. Motion carried unanimously.*

**3. Discussion Concerning the Purchase of the Danny Ray Jones and Mary Helen Luck Property (310 Fifth Avenue North) as Part of the Hillsboro Road Improvements Project**

**David Parker, City Engineer/CIP Executive**

Mr. Jones and Ms. Luck were present. In February staff met with the property owners and at that time the appraised value of the property was \$245,000. After the meeting staff agreed to raise the offer approximately 10% to \$270,000. The owners have asked if the City would consider raising the offer to \$285,000 based on the following information. The property is in the floodplain; however, water does not have an effect on the merchandise they sell. They have been looking at property to purchase but so far most comparable properties are at least two or three times more than the City's original offer. It will be difficult for them to relocate to another part of town and continue with the business.

Alderman Barnhill asked how they could justify asking for \$285,000 after the City offered 10% (\$270,000) over the appraised value of \$245,000. Ms. Luck responded that she wants to relocate her concrete business but cannot find property they can afford and they are asking for only \$15,000 more and would appreciate it if the City could do that.

Alderman Martin asked what relocation costs would be. David Parker said he didn't know, but the process would entail the owners submitting a certified copy of the cost to the City. The City would then pay for that in addition to the property. Alderman Bransford was in favor of the staff recommendation of \$270,000 with the addition of moving expenses.

Ms. Luck asked if they could keep the property and keep the business open there since it is such a convenient location for her customers. They recently reroofed, put in hardwood floors and added a room. Alderman Martin responded that she appreciated what Mrs. Luck was saying and that she is a customer; however, the property is fragile and everybody in that corridor has a story and a problem. She hoped Mrs. Luck could see the predicament for the Board.

For the business to remain at that location and sell just the portion needed for the Hillsboro Road project, would eliminate pull off access and parking. If the City didn't buy the entire property there would have to be a new appraisal. It was asked if the business could have customers park on City-owned property that is close by. Alderman McLendon pointed out if the business would stay at that location, there would be no parking, the property would be devaluated and could cause an inverse condemnation. The curb and gutter on the new road would be right to their front door. He said he has sympathy for those displaced by the project and by the flood but if the City starts settling cases by sympathy and niceness it will have a complicated system. It would set a precedent in dealing with all other property owners and they would have to say yes to everyone else and then explain it to the taxpayers.

*Alderman Martin moved to offer \$270,000 plus moving expenses and forward recommendation to BOMA. Seconded by Alderman Bransford. Motion carried unanimously.*

**4. Consideration of Amendment No. 1 to the Professional Services Agreement with CDM Smith for the Jackson Lake Dredging Improvements Project (COF Contract No. 2011-0037) for Additional Services with an Additional Not to Exceed Cost of \$15,500.00**

**David Parker, City Engineer/CIP Executive**

Due to complications and disputes with this project, staff recommends a proposal from CDM Smith for additional operational review and on-going general services during construction of this project. The subcontractor is taking significantly longer than the contract specified to do this project.

*Alderman Bransford moved to approve Amendment No. 1 and forward recommendation to BOMA. Seconded by Alderman Martin. Motion carried unanimously.*

**5. Consideration of Sewer Availability Request for Deerfield Section 2, Lot 40 (Map 52 Parcel 38)**

**David Parker, City Engineer/CIP Executive**

This request for 1000 Scramblers Knob is for 1 SFUE through a ¾" domestic water meter. The property is off Spencer Creed Road within the City's UGB.

Options:

- 1) Annex the Deerfield Subdivision, create a special assessment district and extend sewer service to the entire subdivision (43 homes).
- 2) Approve Sanitary Sewer Availability, annex a single property within the subdivision and require the property owner to extend the sewer mainline, at their cost, per the City's master plan (approximately 1,200 LF mainline extension)
- 3) Deny availability

Property owner Kerry Cash was present.

Alderman McLendon asked if anyone in the subdivision was clamoring to be on sewer and be annexed. Unless there is consensus he is not in favor.

David Parker responded there are two requests for sewer availability. Because of the layout of the

subdivision, it could be set up with multiple areas serviced, not all going to one point and coming out at one point, however. The County will not allow expansion on the existing property as there is no room to expand the septic system.

Discussion:

- ✗ Can the City annex these lots one at a time for the two applicants?
- ✗ Are the two properties contiguous to City property?
- ✗ David Parker indicated the two properties are; however, the two properties are not together
- ✗ Mr. Cash would have to get easements from other properties and would be required to pay for the system without any recovery unless other property owners wanted sewer as well.
- ✗ Cost estimates would be based on several hundred feet of 8" line at \$70-\$75 per foot plus the cost of manholes
- ✗ Mr. Cash related the homeowners he talked to do not want to be annexed
- ✗ Mr. Cash moved off the property two years ago. He had no idea what he was getting into until he tried to get septic expansion and couldn't because of the contour of the lot; 4 acres wooded and hilly. Prefers not to annex the property.
- ✗ There is a manhole at the back of the property in the cul-de-sac that belongs to Fieldstone Farms. Mr. Cash is prepared to pay for a 300 ft. line to the manhole in the cul-de-sac. This appears to be the only option to sell the property.
- ✗ David Parker noted the installation of a service line would allow service to one home.
- ✗ Alderman McLendon was not opposed to the service line if Mr. Cash agreed to pay for it. His only objection would be condemnation of privately held property for one sewer line.
- ✗ Mr. Cash reported the HOA said they cannot restrict him from running a line to the manhole

*Alderman McLendon moved to conditionally approve the request for the service line to the manhole in close proximity to Mr. Cash's property if it can be done without condemnation of privately held property and provided it is adequate for future use. Seconded by Alderman Bransford. Motion carried unanimously and recommendation will be forwarded to BOMA.*

**6. Consideration of Sewer Availability Request for Deerfield Section 2, Lot 1 (Map 52 Parcel 22)**  
**David Parker, City Engineer/CIP Executive**

A simple service line cannot be done for this request for 100 Deerfield Lane. Paul Holzen related the applicant wants to build out but was told by the County the City must first address the request. Deferred the request to the next meeting with the owner present.

**7. Mack Hatcher Parkway (SR 397) Extension Project (Northwest Quadrant) Project Update**  
**David Parker, City Engineer/CIP Executive**

Mr. Parker submitted a list of TDOT issues to be resolved.

Design Issues

1. MHP SR397/SR96 Intersection Layout
  - a. Roundabout versus Signalized
  - b. Additional traffic analysis
  - c. Signal design/intersection re-design/plans revisions
2. Landscape design revisions
  - a. Roadway
  - b. Bridge
  - c. Other
3. Temporary bridge and haul road for contractor access
  - a. Preliminary design/cost analysis
  - b. Final Design/plans revisions
  - c. Permit Sketches

4. Erosion prevention and sediment control plans revisions
  - a. Revise plans to incorporate TDOT general comments
  - b. Revise plans to add Phase III erosion control per TDEC-CGP (issued May 23, 2011)
5. TDOT pavement design approval received after final construction plans submitted
  - a. Incorporate into plans and revised typical sections and quantities
6. Coordination between MHP project and Hillsboro Road project and potential plans revision related to utilities<sup>(i)</sup>
7. Meetings – Public Meetings to review design changes; BOMA briefing; Context Sensitive Citizen Design Team, Stakeholders, etc.
8. Potential other TDOT design review comments not yet received and their impact on project schedule/design

Other Issues

- A. ROW status and impact on project schedule and design
- B. Project funding status i.e. MPO's LRTP/TIP and TDOT 3-Year Plan the impact on project schedule/design

Next Steps

1. Schedule meeting with TDOT/City of Franklin/CDM Smith to review outstanding issues once RPM (TDOT on-call consultant) findings are issued on traffic analysis of roundabout at intersection of MHP (SR397) and SR96

*Note:*

- (i) *Coordination between the City of Franklin and TDOT on how to show the City's Hillsboro Road Widening project in the MHP plans. In the MHP Plans, the Hillsboro Project is shown as existing. The funding for this project did not develop as anticipated and thus it has not been constructed.*

City staff met with TDOT and told TDOT they need to pay for changes since the City paid for the design. Eric Stuckey said he talked to the commissioner yesterday, and the Mack Hatcher extension is not on their three-year plan. They added the additional widening of I-65 to SR 840 and the Goose Creek Interchange. Alternatives can be discussed at another meeting. TDOT agrees with City staff that pedestrian pathways and bicycle trails will remain in the project as that coincides with the overall plan.

Alderman Barnhill wondered what could be eliminated to get the road built, the roundabout, monuments, curb and gutter. It is a \$90 million project with \$8 million cost for enhancements. The State will get an analysis from RPM. Over \$5 million was saved on right-of-way from what TDOT estimated.

**8. Consideration of the Purchase of the Property Located at 1846 Wilson Pike for the McEwen Drive at Wilson Pike Intersection Improvements in the Amount of \$310,000.00**

**David Parker, City Engineer/CIP Executive**

The appraiser on the project valued the property at \$312,950. Staff negotiated a price of \$310,000 with the property owner. The property is vacant; therefore, no relocation costs would be incurred.

*Alderman Martin moved to approve staff recommendation to purchase the entire property for the negotiated amount of \$310,000 and forward recommendation to the Board. Seconded by Alderman Bransford. Motion carried unanimously.*

**9. Consideration of the Purchase of Easements from Rochford Reality and Construction Company for the Hillsboro Road Improvements Project in the Amount of \$58,020.00**

**David Parker, City Engineer/CIP Executive**

Three options were offered by staff:

- 1) Settle for the appraised value (\$53,020)
  - 2) Settle for \$58,020 as requested by the property owner (loss of two large overhead signs)
  - 3) Continue negotiations with the property owner with the hopes of a mutually agreed upon settlement.
- If a settlement cannot be reached then the City will proceed with condemnation.

Staff recommends Option 2.

*Alderman Bransford moved to approve Option 2, \$58,020 as requested by the property owner, and forward recommendation to BOMA. Seconded by Alderman Martin. Motion carried unanimously.*

**10. Status Update for the Hillsboro Road Improvements Project**

**David Parker, City Engineer/CIP Executive**

ROW plans were completed in late 2009. Construction Plans are being finalized and the City's consultant will have a review set of plans for staff review by April 30, 2012. To get a portion of Hillsboro Road to construction as soon as possible staff looked at the design and determined the section between SR96 to just North of Independence Square (City Project) can be bid first. Because of utilities and roadway drainage the remaining sections of Hillsboro will be bid at a later date after receiving approval from TDOT Local Programs office. Construction Phase on the City Project is estimated to begin in December 2012 and be completed in April 2014.

Questions posed by the aldermen were answered by Mr. Holzen and Mr. Parker.

**11. Consideration of RESOLUTION 2012-21, A Resolution Authorizing Condemnation for the Acquisition of Property for the Hillsboro Road Project from Highway 96 to North of Independence Square**

**David Parker, City Engineer/CIP Executive**

The City received notice to proceed from TDOT on the portion of Hillsboro Road from SR96 West to Joel Cheek Boulevard. Staff is making offers and negotiating the required right-of-way and easements for this portion of the project. Of the 43 properties in this section, 32 offers have been made, 20 of those have made agreements with the City. To complete the acquisition in a timely manner, staff recommends approval of Resolution 2012-21 that authorizes the use of condemnation (as a last resort).

*Alderman Martin moved to approve Resolution 2012-21 and forward recommendation to BOMA. Seconded by Alderman McLendon. Motion carried unanimously.*

**12. Report on the Efforts of Staff Regarding the City's Review of Stream Names and Needed Revisions**

**David Parker, City Engineer/CIP Executive**

Crystal Bishop gave a progress report on the process. A total of 97 Hydrologic Determinations were performed; of which 54 were determined to be streams. Staff listed potential names for the 54 streams using topographic maps, deed records and registered landmarks as references. The next step is to host a Public Meeting for citizens to provide input on the suggested names. The Public Meeting will be May 10, 2012 at 6:00 p.m., following the Capital Investment Committee meeting. Staff anticipates presenting a Resolution to rename the streams at the June 14, 2012, CIC meeting, and to BOMA on June 26, 2012. David Parker asked committee members for their preferences.

Alderman Bransford stated she would like to see one of the unnamed streams along Old Carter's Creek Road named for the Reverend William Scruggs. Regulations will be reviewed as there may be a restriction that a person must be deceased at least five years prior to a memorial name designation.

Ms. Bishop told the committee to send suggestions to her along with background information as to why the name is being submitted.

**13. Consideration of Amendment No. 3 to the Professional Services Agreement (PSA) with Benesch (COF Contract No. 2010-0152) for the SR-252 (Wilson Pike) & McEwen Drive Intersection Improvements Project in an Amount Not to Exceed \$10,400.00**

**David Parker, City Engineer/CIP Executive**

The amendment is to cover several additional design items that are outside the scope of the original agreement. Included are design and permitting for relocation of existing City sanitary sewer force main, addition of Intelligent Transportation System (ITS) conduits to the bridge structure for future use, and design of shared access driveway and associated signal modifications for property owners whose existing

driveways are in direct conflict with the proposed traffic signal. Paul Holzen noted this project is on schedule for the original deadline.

*Alderman Bransford moved to approve Amendment No. 3 and forward recommendation to BOMA. Seconded by Alderman Martin. Motion carried unanimously.*

14. **Consideration of the Professional Services Agreements (COF Contract No. 2012-0050 for Water at \$39,000.00 and COF Contract No. 2012-0051 for Sanitary Sewer at \$21,000.00) with Hethcoat & Davis, Inc. for the Utility Relocations for the I-65 Widening Project from North of SR 840 to North of SR 248 (Goose Creek Interchange); TDOT Project No. 94002-2181-44; in an Amount Not to Exceed \$60,000.00**

**David Parker, City Engineer/CIP Executive**

*Alderman Martin moved to approve the PSA and forward recommendation to BOMA. Seconded by Alderman Bransford. Motion carried unanimously.*

15. **Consideration of the Professional Services Agreement (COF Contract No. 2012-0052) with Gresham, Smith and Partners for the West Main Water and Sewer Rehabilitation Project from Fair Street to Fifth Avenue North in an Amount Not to Exceed \$44,900.00**

**David Parker, City Engineer/CIP Executive**

Additional redesign and improvements are to take care of problems with these very old lines. It is a rate-funded capital project.

*Alderman Bransford moved to approve the PSA and forward recommendation to BOMA. Seconded by Alderman Martin. Motion carried unanimously.*

16. **Consideration of Change Order No. 7 for the McEwen Drive Phase e Project (COF Contract No. 2011-0003) for an INCREASE in the Contract Amount of \$70,495.02**

**David Parker, City Engineer/CIP Executive**

Majority of the cost is for rebuilding the monument/sign at Turning Wheel Lane and other additions, such as guard rails. Ribbon cutting to open the road scheduled for Friday, April 13, 2012 @ Noon.

*Alderman Martin moved to approve Change Order 7 and forward recommendation to BOMA. Seconded by Alderman Bransford. Motion carried unanimously.*

17. **Consideration of Final Change Order (Change Order No. 6) for the Franklin ITS ARRA Project (COF Contract No. 2010-0091) for a DECREASE in the Contract Amount of \$140,479.63**

**David Parker, City Engineer/CIP Executive**

*Alderman Bransford moved to approve Final Change order for a DECREASE in the contract amount and forward recommendation to BOMA. Seconded by Alderman Martin. Motion carried unanimously.*

18. **CIP Project Status - Street Projects**

- a. **Mack Hatcher Parkway NW Extension**
- b. **Hillsboro Road Improvements (SR 96W to Independence Square)**
- c. **Hillsboro Road Improvements (Independence Square to Mack Hatcher Parkway)**
- d. **McEwen Drive, Phase III Improvements**
- e. **Third Avenue Extension PSA near future**
- f. **South Carothers Parkway Extension**
- g. **Carlisle Lane/Boyd Mill @ SR 96 West Signalization**
- h. **Nichol Mill Lane**

Open this week. Project complete.

- i. **TOC Phase 3 Infrastructure and Upgrades Project**
- j. **McEwen Drive and Wilson Pike Intersection Improvements**
- k. **Mack Hatcher Parkway Northeast Widening Project**
- l. **Access Road to the Public Works Facility (across Lasko)**

Reports filed with minutes.

19. **CIP Project Status - Water and Sewer Projects**

a. **Franklin Integrated Water Resources Plan**

Mark Hilty noted the low-head dam will be removed in late summer or early fall.

He received a memo from Dorene Bolze of the Harpeth River Watershed Association about the last IWRP discussion at a BOMA Work Session. Mr. Hilty reviewed the memo and pointed out inaccurate statements made throughout the memorandum. It appeared the statements made were based on a 7-year old study model. Mr. Hilty will respond to HRWA in writing.

b. **Water, Wastewater and Reclaimed Water Specifications**

c. **West Main Street Water and Sewer Rehabilitation**

d. **Mack Hatcher Northwest Extension Water and Sewer Line Relocations**

Reports filed with minutes

20. **CIP Project Status - Stormwater Projects**

a. **Jackson Lake Dredging Improvements Project**

b. **Buckingham Park Stream Restoration Project**

c. **Green Branch Stream Restoration Project**

d. **Ralston Creek (Victoria Court) Stream Restoration Project**

Reports filed with minutes

- ✓ Neighborhood meeting April 26 @ 6:00 p.m. at the Ag Center concerning the widening of I-65 and the Goose Creek Interchange.

**ADJOURN**

*Alderman Martin moved to adjourn. Alderman Barnhill seconded. Motion carried unanimously.*

Meeting adjourned 5:59 p.m.

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Clyde Barnhill, Chair

Minutes prepared by Linda Fulwider, Board Recording Secretary, City Administrator's Office - 6/1/2012 10:22 AM