



## Meeting Minutes

### Work Session

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**Tuesday, September 12, 2023**

**5:00 PM**

**Board Room**

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#### **CALL TO ORDER**

Mayor Moore called the meeting to order at 05:00 PM

Board Members Present: Clyde Barnhill, Jason Potts, Patrick Baggett, Matt Brown, Brandy Blanton, Beverly Burger, Ann Petersen

Board Members Absent: Brandy Blanton, Gabrielle Hanson

Staff Present: Eric Stuckey, Shauna Billingsley, Mark Hilty, Vernon Gerth, Kristine Brock, Angie Skarp (Johnson)

#### **CITIZEN COMMENTS**

Comments on agenda items may be made in person at City Hall or by emailing [recorder@franklinton.gov](mailto:recorder@franklinton.gov) before noon on the day of the meeting. Comments will be submitted for the record.

#### **WORK SESSION DISCUSSION ITEMS**

1. **\*Consideration Of Ordinance 2023-28, An Ordinance To Rezone 7.88 Acres From Civic Institutional (CI) To Residential 4 (R4) District For The Property Located South Of Battle Avenue And West Of Cannon Street, Currently Addressed As 1406 Cannon Street, 319 Battle Avenue, 401 Battle Avenue, And 403 Battle Avenue. Establishing A Public Hearing On October 10, 2023**

**Sponsors:** Emily Wright, Amy Diaz-Barriga, Joseph Bryan

Ms. Diaz-Barriga stated that this item is a rezoning request from Civic Institutional (CI) District to Residential 4 (R4). Envision Franklin guidelines for the area support contextual development, and the zoning for the area is R4, which supports the proposed zoning change.

*The item is on the September 12, 2023 Board of Mayor and Aldermen Meeting for First Reading.*

2. **\*Consideration Of Ordinance 2023-31, An Ordinance To Rezone 104.07 Acres From Civic Institutional (CI) District To Planned (PD 207,500) District For The Property Located South Of Mack Hatcher Memorial Parkway And West Of Daniel McMahon Lane. (Franklin First United Methodist Church PUD Subdivision). Establishing A Public Hearing For October 10, 2023**

**Sponsors:** Emily Wright, Amy Diaz-Barriga, Joseph Bryan

Ms. Diaz-Barriga stated that the applicant has submitted a rezoning request to rezone from Civic Institutional (CI) to Planned (PD 207,500) District to accommodate the revised development for the Franklin First United Methodist Church PUD. The emergency response station that is being proposed with the accompanying development plan meets the recommendations of Envision Franklin.

The applicant stated that he is in support of the conditions and would be glad to answer any questions.

Alderman Baggett asked what was specifically changed to accommodate the road access.

Ms. Diaz-Barriga stated that the change was a condition of approval but explained that Staff designated where the right-of-way would be. Prior to this, it was just an access easement. Staff looked at the cross-section to make sure the standards were met.

*The item is on the September 12, 2023 Board of Mayor and Aldermen Meeting for First Reading.*

3. **Consideration Of Resolution 2023-56, A Resolution Approving A Revised Development Plan For Franklin First United Methodist Church PUD Subdivision, For The Property Located South Of Mack Hatcher Memorial Parkway And West Of Daniel McMahon Lane, Located At 110 Aldersgate Way. Establishing A Public Hearing On October 10, 2023**

**Sponsors:** Emily Wright, Amy Diaz-Barriga, Joseph Bryan

Alderman Burger asked what the uses of the property would be.

Ms. Diaz-Barriga explained that the property is proposed to be zoned as a PUD from CI. The uses include those of the Church and now the EMS facility.

*The item is on the October 10, 2023 Board of Mayor and Aldermen Meeting for consideration.*

4. **\*Consideration Of Special Event Permit For Centennial High School Homecoming Parade In Cool Springs On September 29, 2023**

**Sponsors:** Milissa Reiersen, Monique McCullough

*The item was acknowledged and is on the September 12, 2023 Board of Mayor and Aldermen Meeting for consideration.*

5. **Consideration Of COF Contract No. 2023-0201, With Franklin Housing Authority For The Reimbursement Of \$300,000 In Community Development Block Grant Funds For The Cost Of Infrastructure Within Cherokee Place**

**Sponsors:** Tom Marsh, Kathleen Sauseda

Kathleen Sauseda, Housing Development Coordinator, stated that the request is for \$300,000 for the Cherokee Place portion of the FHA development that would provide one-, two-, and three-bedroom units for a total of 76 affordable housing units. The Community Development Block Grant (CDBG) funds have been allocated for public infrastructure.

*The item is on the September 26, 2023 Board of Mayor and Aldermen Meeting for consideration.*

6. **\*Consideration Of COF Contract No. 2023-0219 Between The City Of Franklin And Columbia State Community College For The Reimbursement Of Up To \$81,000.00 In Community Development Block Grant Coronavirus (CDBG-CV) Funds In Consideration Of Expenses Incurred To Prevent, Prepare For And Respond To The Coronavirus (COVID-19)**

**Sponsors:** Tom Marsh, Kathleen Sauseda

Ms. Sauseda stated that this request is a continuation of a partnership between the City of Franklin and Columbia State to create and continue a Certified Clinical Medical Assistant Program. The program has a 90% success rate and after discussions with the Mayor and Mr. Stuckey, it was determined that this money

would help support and continue the success of the program.

Mr. Stuckey stated that this item is on both agendas as the academic term at Columbia State is underway, so the funds can be applied as soon as possible.

*The item is on the September 12, 2023 Board of Mayor and Aldermen Meeting for consideration.*

**7. Consideration To Deny Sanitary Sewer For 2051 Wilson Pike And A Discussion On The Urban Growth Boundary And Request For Guidance To Move Forward In Mayes Creek Basin**

**Sponsors:** Vernon Gerth, Michelle Hatcher, Scott Andrews

Scott Andrews, Utilities Engineer, explained that the applicant has requested the denial of sewer services for his 116 acres of land located outside of the city limits but in the UGB and in the Mayes Creek Basin. The most recent update to the Mayes Creek Basin sewer plan, which consists of 9,900 acres, occurred in 2013 and includes more representational lines of service. Denial of sewer services to the applicant's 116-acre property directly affects the ability of the city to supply sewer services to 1,246 acres (22% of the basin) because of the location of the applicant's land. Staff recommends deferral of the item until a completely updated Mayes Creek Basin sewer plan is completed, which includes preliminary profiles and layouts where the actual sewer infrastructure will be placed. Mr. Andrews explained that the Water Management Department (WMD) along with consultants could have the plan completed by February 2024 and ready for presentation to the Board in March 2024.

Mr. Stuckey emphasized that 22% of the Mayes Creek Basin land depends on how the applicant's property is handled. Due to the extensive amount of affected land, it is crucial to have a solid understanding of how sewer services will be provided for this area, for the applicant, and future landowners. A key part of the recommendation, and why any decision making is premature, is that the city staff need an updated plan to make the best decisions for the future of all property owners in the Mayes Creek Basin. The applicant has mentioned alternative systems to meet his sewer needs, but the city has additional responsibilities from the state that must be considered. The city would also like to understand more about how the applicant would like to use the land.

Alderman Burger stated that the Mayes Creek Basin update is overdue, and decisions should be made once the update is complete. More information from Staff regarding alternative sewer solutions would be helpful.

Alderman Brown stated that the applicant's land has a large impact on the future of east Franklin and decisions should not be made prematurely, but he would like to understand what alternative options are available to meet the applicant's needs in a timely manner.

Mr. Andrews explained that part of the update to the basin plan would address alternative ways to meet sewer service needs.

Mr. Stuckey further explained that allowing time for an updated plan would give the city time to consider building primary interceptor lines in advance and to study how those lines would sync with the South Plant coming online in the next 10 years and with alignment of the collection systems at the new treatment facility.

Alderman Baggett also supports waiting on making any final decisions until the updated basin plan is completed. Considering the Envision Franklin updates, the timing is perfect to complete the update in anticipation of more development requests.

Alderman Peterson also noted that the Highway 96 East updates will encourage development in the east part of Franklin.

Dean White, the applicant, explained that his plan/legacy project and for the property is to create a family farm environment. It would have 58 units for a rural retreat. Visitors would have access to equestrian and agricultural activities. Mr. White expressed his frustration of being in "limbo" due to lack of sewer services and

the inability to receive approval for sewer denial. Ultimately, Mr. White is concerned he will not see a resolution for the property in his lifetime.

Mayor Moore explained that denying sewer services to Mr. White's property would deny sewer services to a significant portion of the Mayes Creek Basin affecting many landowners in Franklin's UGB. The city staff have been focused on providing the best recommendation to the Board that takes into consideration all landowners in the Mayes Creek Basin, as well as Mr. White's urgency for a resolution.

Alderman Burger stated the importance of bringing the landowners together to discuss financial solutions and the importance of making the basin update a priority.

Mr. White requested a legal opinion from the City Attorney concerning the maintenance of property in the UGB for 23 years without providing sanitary sewer services and noted the importance of prioritizing the basin update.

Staff noted that the parties were provided contact information and that the basin update would provide options for services that would be available.

Alderman Baggett stated that he empathizes with Mr. White and would like to see all landowners achieve their goals within the boundaries of the city's overall plan.

Vice Mayor Barnhill asked what information will be provided once the consultants have completed the basin update.

Answer: The consultants have begun working on the update with completion planned for the end of November or beginning of December. At that point, following the appropriate channels required by the city, staff will present the findings at the first work session. The report will show exact lines of sewer service throughout the basin along with possible alternative sewer solutions for landowners.

#### **8. Consideration Of COF Contract No. 2023-0236, With Hazen And Sawyer For Cost Of Services And Dynamic Rate Analysis**

**Sponsors:** Michelle Hatcher

Mr. Stuckey explained that the city has been doing five-year rate studies for the last 13-14 years. Staff evaluated consultants who can provide the best service for an updated 5-year rate study. It was determined that Hazen and Sawyer could provide the best service as they are familiar with the city processes.

Ms. Hatcher explained that the city will own the model that creates scenarios for dynamic rate analysis. Staff will not be required to contact the consultant to create different scenarios.

*The item is on the September 26, 2023 Board of Mayor and Aldermen Meeting for consideration.*

#### **9. Review Of Traffic Impact Analysis (TIA) Survey Results And Initial Discussion About Potential Revisions To The City Of Franklin's TIA Manual**

**Sponsors:** Vernon Gerth, Paul Holzen, Adam Moser

Mr. Holzen explained that a Traffic Impact Analysis (TIA) survey was sent to the Board members in July to facilitate feedback and additional discussions for TIA guidelines updates. Based on the results, Staff will continue to evaluate and make recommendations when additional impact fees should be provided to a development. Staff will consistently ask three questions when additional impact fees are considered for a development:

1. Do the proposed improvements improve and add capacity to the overall Arterial or Collector roadway system?

2. Does the city have the additional funding available?
3. Is this a location where the city should invest additional funding? (ex. Clovercroft Rd. vs. Market St. extension)

Also, if developers are not willing to complete offsite improvements, staff will automatically recommend disapproval of the application.

Mr. Holzen summarized that developments in high growth areas that have 100+ peak hour trips shall be required to study a 1 mile radius unless otherwise determined by the City Traffic Engineer. Also, Staff will continue to inform the Board when overall intersection delays are greater than 80s in high growth areas. BOMA will need to continue evaluating these developments on a case-by-case basis. Lastly, outside of high growth areas, staff will not make any changes to the TIA guidelines.

Alderman Burger stated that when considering a TIA, she would like to understand "what" is creating the traffic (a school, business, assisted living facility, neighborhood development). Safety, congestion, and economic development are also important factors to understand when considering a TIA.

Alderman Baggett stated that evaluation of the three questions is important when additional impact fees are needed for a development, but the expectation should be that the applicant is responsible.

Mayor Moore noted that one of the items to be considered on the meeting agenda for tonight is a request for additional money for a project.

Mr. Gerth explained that the purpose of the survey was to facilitate discussion and ultimately give staff more specific parameters to provide predictable and equitable recommendations to the Board relating to traffic standards. Implementation of the short-term changes will be required. There is work to be done in relation to the required responsibilities of developers.

10. **\*Consideration Of Contract No. 2023-0297 Memorandum Of Understanding Between The City, Franklin Preservation Partners, LLC, And First United Methodist Church of Franklin, Inc. To Purchase And Transfer Property Related To The Racetrack Parcel And The Creekside Properties**

**Sponsors:** Eric Stuckey, Shauna Billingsley

Mr. Stuckey stated that a Memorandum of Understanding between the City of Franklin, Franklin Preservation Partners and First United Methodist Church has been drafted listing the conditions in which the City of Franklin would acquire 34 acres north of Harlinsdale Farm that connects to 53 acres owned by the city (Water Treatment Facility), 25 acres located at the southeast corner of Franklin Road and Mack Hatcher, and 17 acres east of the railroad. This is a total of 76 acres for cost of \$6.2 million. A supplemental agreement relating to the initial installment of \$2 million, to be made in September, has been drafted that would grant the City Administrator and City Attorney the authority to execute the agreement substantially in the form of the draft agreement before the Board. Any significant changes would come back to the Board of Mayor and Alderman for approval. The purchase of this property would allow the city to provide open green space for parks and other recreational development over time for generations to come. Should the Board choose to move forward with the agreement, the item is on both agendas for tonight.

**Citizen Comments:**

Torrey Barnhill, 1228 Buckingham Circle, is in support of this agreement and commends the City for pursuing these properties.

Ed Silva, 123 Fifth Avenue North, Franklin, TN, is in support of this agreement and commends the City for pursuing these properties.

Rachael Finch, representing the Heritage Foundation of Williamson County, is in support of this agreement and commends the City for pursuing these properties.

Mindy Tate, 115 Carnton Lane A4, Franklin, TN, representing Franklin Tomorrow, is in support of this agreement and commends the City for pursuing these properties.

Alderman Brown asked for more specifics regarding the easements that will connect city-owned properties.

Rod Heller, representing Franklin Preservation Partners, explained that Franklin Preservation Partners are obligated, as part of the contract, to meet the easement requirements that will connect the parcels to one another. Once the city and First United Methodist come to an agreement, the property will be subject to a perpetual easement. The Land Trust of Tennessee has agreed to participate as the long-term easement holder. The Creekside easement will be set up like a historic property where it would remain open space with no additional facilities to be built. Mr. Heller finished by stating that Franklin Preservation Partners will transfer the property with the easements regardless of a full resolution of their investment.

Mr. Stuckey noted an access easement on the parcel east of Franklin Road (the Creekside Home) will be determined over time.

Alderman Baggett stated that many hours have been spent in discussion about the Creekside property and how the city could acquire and preserve this last open green space. Special thanks to First United Methodist Church for seeing the vision and being willing to work with the city and Franklin Preservation Partners to make this acquisition exceptional for the city of Franklin. It is priceless to think that kids and families will be able to walk from Cool Springs Boulevard over Roper's Knob to Harlinsdale Park, then to Williamson County Recreation Center without ever leaving the park. This has been a difficult concept to grasp for the city, but many people and organizations (Preservation Partners, Friends of Franklin Parks, Heritage Foundation, BOMA) have come together for the good of Franklin.

Alderman Potts reiterated his thanks to the countless people and organizations who have pulled together to see this preservation project to completion without additional fees to the citizens of Franklin.

Mr. Stuckey explained that the Board will work through the exact funding of this project through the Capital Investment Program. Also, it is anticipated that the general obligation debt issue could be used to fund the purchase along with available cash options. There are likely to be a combination of funds that will pay for this project including hotel taxes and parkland funding.

Alderman Burger also thanked numerous people in the community who have supported the Creekside project and projects of the past such as the Eastern Flank Battlefield, Franklin Theater, and Harlinsdale Farm. Franklin is a generous community and Alderman Burger challenges the community to financially support Creekside. Checks can be made payable to Friends of Franklin Parks, attention Creekside Project. Alderman Burger stated she would be writing a check tomorrow.

Mr. Heller stated that Franklin Preservation Partners is a group of eight people who committed substantial funds to support and preserve Creekside. Those people are Tyler Berry, Lloyd Crockett, Eslick Daniel, Greg Gamble, Calvin Lehew, Tony McAlister, Bob Ravener and (me) Rod Heller, manager of the group.

Alderman Baggett explained that it is important for people to understand that any net profit realized by Franklin Preservation Partners, from the sale of the property, shall be equally paid or donated to the City of Franklin and First United Methodist Church.

*The item is on the September 12, 2023 Board of Mayor and Aldermen Meeting for consideration.*

#### **11. Discussion Regarding Special Assessment Districts**

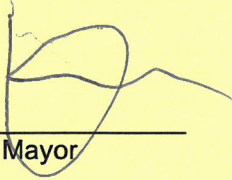
**Sponsors:** Mark Hilty, Shauna Billingsley

*This item will be on the September 26, 2023 Work Session for discussion.*

**OTHER BUSINESS**

**ADJOURN**

Meeting Adjourned @ 6:51 PM

A handwritten signature in blue ink, appearing to be 'Ken Moore', is written over a horizontal line.

Dr. Ken Moore, Mayor

Minutes Prepared by Eydie Hassell and Reviewed by Sarah Schilling, Assistant Deputy City Recorder, City Administrator's Office - 9/13/2023, 8:41 AM