



Meeting Minutes

Work Session

Tuesday, September 26, 2023

4:30 PM

Board Room

CALL TO ORDER

Mayor Moore called the meeting to order at 04:30 PM

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

Board Members Absent: None

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

CITIZEN COMMENTS

Comments on agenda items may be made in person at City Hall or by emailing recorder@franklintn.gov before noon on the day of the meeting. Comments will be submitted for the record.

WORK SESSION DISCUSSION ITEMS

1. Sustainability Commission Report

Sponsors: Andrew Orr

Staff noted that the annual Litter Survey was completed in the last year along with the finalization and endorsement of the Waste Reduction Policy Guide and Transportation Policy Guide. Looking forward to next year, the Committee will continue to investigate glass recycling, finalize the EECBG Project, evaluate energy monitoring options, and stay involved with energy discussions for the new city hall.

Alderman Burger noted that this Commission, first established by Mayor Moore as an alderman, works diligently to save the taxpayers money through sensible projects, such as use of native grasses and flowers that reduces the amount of mowing and maintenance.

2. Discussion Regarding Special Assessment Districts

Sponsors: Mark Hilty, Shauna Billingsley

Mr. Stuckey introduced a couple of recent requests for a possible special assessment for failing septic systems on Hamlet Drive (Westfield neighborhood) and for roadway improvements on private streets to allow them to be accepted as public streets in the Fieldstone Farms area (Walden Glen and Maytime). This discussion aims to provide an understanding of special assessments to the Board of Mayor and Alderman as requested by Alderman Brown.

Mr. Hilty explained that a special assessment, provided by the Tennessee Legislature, is a way to finance public improvements such as streets, alleys, or other public places. The property owner is required to pay no less than 2/3 of the total project cost, but no more than 50 percent of the market value for the property improvements.

Ms. Billingsley explained that in 2008 a few smaller neighborhoods approached the city for assistance with their failing septic systems and expressed their willingness to be annexed into the city to receive sewer

services. The Board determined that a special assessment would be the way to address the issues coupled with long-term payment plan for the homeowner to cover the "homeowners' portion of the expense." As time went on and sewer services were granted, the homeowners' properties became more valuable, and people began to sell their homes. The special assessment details were not disclosed to the new homeowners, which led to a class action lawsuit of 188 properties.

Mr. Stuckey noted that, at this time, there are only 10% of the properties from 2008 that continue to pay for the special assessment as many homeowners applied for home equity loans to pay for the fees or were able to otherwise pay-off the special assessment.

Ms. Billingsley recommended that the special assessment fees be due by the next property tax assessment date or due by the tax assessment date plus one year in accordance with State Law.

Mr. Stuckey added that the long-term payment plans historically created administrative difficulties and confusion. Of the 5 districts that had special assessments with long-term payments, 170 special assessments have been paid in full, and 17 special assessments are still active.

Mr. Hilty stated that a special assessment requires a design plan, bid specifications, a period for public bidding, and construction management.

Alderman Brown emphasizes that there are three unique situations in which the homeowners need assistance with daunting projects on the horizon. They are Westfield/Hamlet Drive, Walden Glen, and Maytime. In these situations, it would be nice to present citizens with possible solutions to help them navigate their current problem.

Mr. Stuckey thinks there is a way to help without the formality, structure, and cost of a special assessment. The city can work closely with the HOA's, as was done with Trent Park in Fieldstone Farms, to advise and consult, so that private property can be converted to an acceptable public asset without the burden of a special assessment. By designating a project for a special assessment, it creates a public project that requires more time and formality.

Alderman Brown believes that even though a special assessment would add time to a project, it is important to let the Homeowner's Associations make their own informed decision on how to address their issue. It is important for citizens to know what options and tools are available.

Mr. Stuckey contends that consideration of the administrative burden involved for essentially a "private" project must be accurately accounted for along with appropriate money allotted for the project.

Mr. Hilty suggested that the Hamlet Drive project be an in-house project with counsel from city engineers as opposed to a special assessment project. For the other two projects, staff will pull together all the details including design costs and bidding specifics.

Alderman Burger noted that the special assessment for High Gate (sanitary sewer) went well back in 2006.

Alderman Baggett stated that he is in full support of administrative efficiency but noted that each project be treated fairly. In other words, all homeowners should understand each route available to them as citizens to complete their projects.

Alderman Blanton asked: what is the difference, expense wise, for a single homeowner who would like to tap into the sewer system versus a whole subdivision tapping into the sewer system?

Answer: Mr. Stuckey explained that the financial responsibility falls on the homeowner to bear the costs for sewer access whether it is after the home is built or during the development of a subdivision. Sewer connection fees are the responsibility of the homeowner, not the taxpayer/ratepayer.

Alderman Brown explained the specific complications of the six homes that need sewer service. Each project has distinctive needs.

Alderman Blanton noted the experience gained through the previous Monticello sewer project could be utilized in how to explain the costs and the process to the homeowner.

Mr. Hilty stated that the priority will be the Hamlet Drive homes in need of sewer access.

3. ***Consideration Of The Ethics Commission Findings And Recommendation Regarding Alderman Gabrielle Hanson**

Sponsors: Ethics Commission Counsel

This item was deferred from the August 22, 2023 Work Session. Ms. Billingsley stated that a resolution has not been made by the judge at this time, and the writ of certiorari will be heard on November 30, 2023.

Public Comment:

Peggy Kingsbury, 220 Winter Hill Road, Franklin, TN, urged the Board of Mayor and Alderman to follow the Ethics Commission's unanimous ruling and censure Alderman Hanson. Alderman Hanson's letter to BNA caused discord in the African American community, and it is the responsibility of the Board to lead the healing by censuring Alderman Hanson.

Damon Rogers, 431 Boyd Mill Avenue, Franklin, TN, urged the Board to follow the Ethic Commission ruling and censure Alderman Hanson, so that the community focus is on love over hate and civility over defamation.

Diane Chenard, Jewell Avenue, Franklin, TN, explained that Alderman Hanson is the most accessible alderman among the Board members. She has spoken out and voiced concerns about the increasing operational debt of the city, attempted to shield children from transsexual exhibitions in public, and has rejected high density projects. Ms. Chenard explained that the ethics complaint is a "hit" piece by some who are afraid to engage Alderman Hanson on the issues.

Valerie Baldes Franklin, TN, spoke on behalf of Alderman Hanson and stated that Ms. Hanson spends much of her time caring for those in need. According to Ms. Baldes, the same six people continue to write letters alleging that Ms. Hanson violated the Ethics Code. Ms. Baldes questioned the Code of Conduct for city meetings, as she explained that people have been allowed to yell at Ms. Hanson.

Dwight Wagner, 742 Willow Springs Boulevard, Franklin, TN, stated that this country was founded on free speech, and it would be un-American and unfair to censure Ms. Hanson. People should be allowed to express their opinions and ideas.

Bud Carman, 3109 St Stephens Way, Franklin, TN, stated that the City of Franklin has not had proper leadership over the years and should not censure Alderman Hanson. The action to censure Ms. Hanson would ignore what has been going on in city government over the years.

Daniel Horwitz, Gabrielle Hanson's attorney, asked the Board to respect the ethics process established by this body. As Ms. Billingsley stated, nothing has changed since the last time this item was discussed. The process is ongoing, so he asks the Board not to respond prematurely or before Ms. Hanson has had a chance to exercise her rights in court.

Board Comments:

Alderman Baggett asked what will be learned after the court proceeding on November 30, 2023.

Ms. Billingsley explained that the Ethics Commission issued a recommendation to censure Alderman Hanson, and the recommendation has been appealed. After the court proceeding on November 30, 2023, the judge will rule whether the Ethics Commission ruling will stand.

Mr. Stuckey explained that the Ethics Commission is the avenue through which citizens can challenge elected

officials. The Board can choose to censure or not outside of what is going on in court.

Alderman Potts asked Ms. Billingsley to address the timeline and how the October election results may or may not affect the Board's ruling on censureship.

Ms. Billingsley will prepare a brief to address any questions regarding the election timeline and the Ethics Commission recommendation.

Alderman Burger reminded the Board that the City Charter allows the Board to decide on censureship with or without a recommendation from the Ethics Commission. However, it would be judicious to wait until after the November 30, 2023 hearing. She asked: is it possible for a Board member to bring up a motion to censure? Answer: A resolution or ordinance is not needed or required to address a motion on censureship.

4. ***Consideration Of Procurement Award To Carbon Activated Corporation Of Blasdel, New York In The Total Lump-Sum Amount Of \$149,500.00 For Granular Activated Carbon (GAC) Exchange For The Water Treatment Division Of The Water Management Department (Purchasing Office Procurement Solicitation No. 2024-003; Contract No. 2023-0294)**

Sponsors: Michelle Hatcher

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

5. ***Consideration Of Resolution No. 2023-66, A Resolution Authorizing The Use Of The Competitive Sealed Proposal Procurement Method For Choosing The Service Provider For Firefighter Annual Physical Medical Exam Services For Uniformed Personnel Of The Franklin Fire Department For A Term Of Award (Purchasing Office Procurement Solicitation No. 2024-005)**

Sponsors: Glenn Johnson

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

6. ***Consideration Of COF Contract No. 2023-0210, With CDM Smith For Mayes Creek Basin Planning**

Sponsors: Michelle Hatcher

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

7. **Consideration Of COF Contract No. 2023-0281, With Michael McLaughlin For The Design Contract For The Harlinsdale Pedestrian Bridge Artist**

Sponsors: Lisa Clayton, Heather Eusebio, Monique McCullough

Ms. Clayton began by stating that there will be four vacant panels on the Harlinsdale Pedestrian Bridge that can be utilized for a public art exhibition.

Ms. Eusebio explained that there was a nationwide search for an artist to design the panels of the bridge. Out of the ten artists that applied, three artists were interviewed. The finalist is Michael McLaughlin, a bronze sculptor from Connecticut.

The next step in the process is to design what will be put on the panels, which will be determined in a collaborative effort by the Franklin Public Arts Commission and Mr. McLaughlin. The design should be completed at the same time as the bridge.

Ms. Clayton stated that the design contract allows the design process to begin. At some point in the design process via the Arts Commission, the artist will be present for public input.

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

8. Consideration Of Ordinance 2023-32, An Ordinance To Amend Appendix A, Comprehensive Fees And Penalties, Chapter 20 - Miscellaneous Of The Franklin Municipal Code To Include A Fee Structure For The Purchase Of Compost From The City

Sponsors: Mark Hilty, Aahil Rajpari

Mr. Rajpari explained the ordinance fee structure and compost types that will be available through the city. The city has sold screened compost consisting of a fine texture (collected organic curbside material) for \$20 per yard since 2013. The city is proposing to add unscreened organic compost which will consist of larger organic pieces for \$20 per yard and the screened compost would be sold for \$30 per yard.

Composting provides a service to the city and citizens that is competitively priced. Leaves are diverted from the landfill, and it is good environmental stewardship.

Alderman Blanton mentioned that Todd King spearheaded the composting project.

Alderman Burger stated that it is a great service that benefits the city and the citizens.

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

9. Consideration Of Resolution 2023-60, A Resolution Adopting An Amended Customer Service Policy For The City Of Franklin

Sponsors: Kristine Brock, Jessica Davey

Ms. Davey highlighted minor changes to the customer service policy. The changes are listed:

- Fee amounts will now be strictly listed in the ordinance.
- The approval tiers were updated for payment arrangements.
- Sales tax fees can be adjusted if a sales tax exemption form is provided.
- Leak adjustments will be determined by the average usage over a 12-month period. If 12 months of usage are not available for the customer, the city-wide average will be used.

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

10. Consideration Of COF Contract No. 2023-0116, With DLO Title, LLC, For Title Searches And Reports Used For City Of Franklin's Acquisition Of Real Estate By Voluntary Purchase And Eminent Domain

Sponsors: Bill Squires

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

11. Discussion Regarding Capital Investment Plan Update

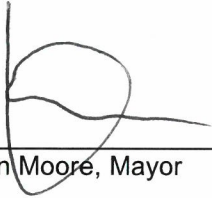
Sponsors: Paul Holzen

The following Capital Investment Program projects were discussed:

- Long Lane Overpass
- Old Liberty Pike
- Goose Creek Bypass and Carothers Parkway
- Aspen Grove/Seaboard Lane
- Carothers Parkway Project
- Lewisburg Pike

OTHER BUSINESS**ADJOURN**

Work Session Adjourned @ 6:44 PM



Dr. Ken Moore, Mayor

Minutes Prepared by Eydie Hassell and Reviewed by Sarah Schilling, Assistant Deputy City Recorder, City Administrator's Office - 9/27/23, 8:30 AM

