



Meeting Minutes

Work Session

Tuesday, November 14, 2023

5:00 PM

Board Room

CALL TO ORDER

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

Board Members Present: Brandy Blanton, Patrick Baggett, Beverly Burger, Jason Potts, Clyde Barnhill, Ann Petersen, Alderman-Elect Greg Caesar

Board Members Absent: Gabrielle Hanson resigned from the Board of Mayor and Aldermen at 11:59PM November 13, 2023.

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

CITIZEN COMMENTS

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

WORK SESSION DISCUSSION ITEMS

1. Discussion Of Hamlet Drive Sanitary Sewer Special Assessment

Sponsors: Mark Hilty

Mr. Stuckey stated that this ongoing project is a special assessment to provide six property owners in Westfield Subdivision sanitary sewer access. All six residents expressed consent for the special assessment at a meeting on October 20, 2023. Staff looked at other options to provide sanitary sewer access for the homeowners, but the special assessment was the most efficient option.

Mr. Hilty expressed the urgency associated with this project. One of the homeowner's septic system is beginning to fail. He explains that the quickest way to provide service is for the work to be done in-house by the city. The homeowners were provided a cost estimate of \$30,000 to provide a low-pressure sanitary sewer collection system. The special assessment costs will be divided between the property owners based on the ratio of each property's assessed value relative to the assessed value of all six properties. Costs to decommission the current septic systems are to be paid and negotiated by the homeowners with a plumbing contractor at an estimated cost of \$13,000. The final cost to the homeowner would be the impact fees of \$3,544 (prior to January 1, 2024). After January 1, 2024, the assessed impact fees would be \$5,964. The homeowners will have one year to pay the city for the special assessment.

Alderman Brown and Alderman Blanton both agreed that the homeowners should be grandfathered into the current impact fee of \$3,544 for a period of time.

2. Development Activity Report

Sponsors: Vernon Gerth, Katherine Harelson

Ms. Harelson presented the Development Activity Report. She explains that there are noticeable decreases in the third quarter compared to 2022 because fewer multifamily and commercial permits are being issued. Those types of projects see the most impact on the infrastructure and have higher impact fees. When comparing the last five years of permits, permit fees and construction valuations, a consistent downward trend

can be noted. However, it is within normal limits. Third quarter impact fee collections are consistent with past years when considering 2022 as an outlier year. There have been several types of permits issued, such as remodels, additions, or renovations. Dwelling units for single family homes and townhomes are consistent compared to the last few years. No multifamily permits were issued. There is a Development and Building Services page on the website where all the documents can be found.

Alderman Brown noted his concerns about the number of projects being approved that do not appear to be making it onto the market. The Board has extended vesting rights for several projects, and there are projects in the pipeline to be approved. What approved projects are going to see completion and how can these numbers be tracked? Is the Board approving the right kind of projects? A lot of time is spent approving projects that are not making it to the market.

Answer: Trends over the last 10-15 years for multifamily dwellings are consistent with what the city reports show for the last 2-3 years. The city approves development projects based on land use goals and how the community is divided. Staff can provide the board with a report for the last 10-15 years to view trends on a larger scale.

Alderman Burger notes that there are significant multifamily projects in the pipeline. There should be a healthy mix of rental properties along with for-sale units.

Alderman Baggett suggested a schedule of projects for the next two to three years, so the Board can carefully review them.

3. ***Consideration Of Resolution 2023-76, A Resolution Authorizing The Use Of A Competitively Sealed Proposal Procurement Method For The Franklin Transit Authority's Operation And Maintenance Of Transportation Services**

Sponsors: Eric Stuckey, Vernon Gerth

The item was acknowledged and is planned for the November 14, 2023 Board of Mayor and Aldermen Meeting for consideration.

4. ***Consideration Of Certificate Of Compliance For Wine In Grocery Store For Circle K #4703914, Mac's Convenience Stores LLC. Located At 1501 New Hwy 96 West, Franklin, TN, 37064 Managing Agent Stephen Stem And Angela Wells; Executive Officers Kathleen K. Cunningham [President], Melissa A. Duncan [Assistant Secretary], Debra A. Gooldy [Assistant Secretary]**

Sponsors: Angie Skarp

Ms. Skarp stated that these Certificates of Compliance are necessary due to new ownership of the properties. These were originally Mapco locations and are now Circle K.

The item is planned for the November 14, 2023 Board of Mayor and Aldermen Meeting for consideration.

5. ***Consideration Of Certificate Of Compliance For Wine In Grocery Store For Circle K #4703910, Mac's Convenience Stores LLC. Located At 1501 Murfreesboro Rd, Franklin, TN, 37067 Managing Agent Sandra Marsh; Executive Officers Kathleen K. Cunningham [President], Melissa A. Duncan [Assistant Secretary], Debra A. Gooldy [Assistant Secretary]**

Sponsors: Angie Skarp

This item was heard concurrently to Item 4.

The item is planned for the November 14, 2023 Board of Mayor and Aldermen Meeting for consideration.

6. ***Consideration Of Certificate Of Compliance For Wine In Grocery Store For Circle K #4703907, Mac's Convenience Stores LLC. Located At 1100 Hillsboro Rd, Franklin, TN, 37064 Managing Agent Sandra Marsh; Executive Officers Kathleen K. Cunningham [President], Melissa A. Duncan [Assistant Secretary], Debra A. Gooldy [Assistant Secretary]**

Sponsors: Angie Skarp

This item was heard concurrently to Item 4.

The item is planned for the November 14, 2023 Board of Mayor and Aldermen Meeting for consideration.

7. ***Consideration Of Executive Order 2023-01 Regarding The Declaration By The Mayor Of The City Of Franklin For An Emergency Water Shortage Status 1**

Sponsors: Michelle Hatcher

Mr. Stuckey states that the city monitors certain drought thresholds of the reservoir through the State of Tennessee approved Drought Management Plan. Currently, the mayor issued an Emergency Water Shortage Status 1 based on those thresholds. Emergency Status 1 prohibits water use for all non-essential activities. No action is needed from the Board if everyone is comfortable with the status level.

Ms. Hatcher recommends maintaining Status 1 with ongoing updates at upcoming Work Sessions. Williamson County is in an extreme drought. Based on new findings, staff will modify the Drought Management Plan as part of the requirements from TDEC. The City of Franklin pulls water from two sources: the Harpeth River and the Cumberland River (unrestricted access). Staff are working on ways to move more water from the Harpeth Valley Utility District (Cumberland River source) into Franklin's water system. Staff has submitted the results of the demonstration facility to TDEC with a meeting planned in December to go over the results. At the December Board of Mayor and Alderman meeting, the water engineering department will submit a preliminary report on the new water facility.

The item is planned for the November 14, 2023 Board of Mayor and Aldermen Meeting for consideration.

8. ***Consideration To Deny Sewer Availability For 4180 Columbia Pike (Map 105, Parcel 01602)**

Sponsors: Michelle Hatcher, Scott Andrews

Staff recommends the denial of sewer availability to this area because it is not feasible for the city to provide sewer services at this address. A sewer denial letter was sent to the applicant to allow immediate repair of the septic system.

The item is planned for the November 14, 2023 Board of Mayor and Aldermen Meeting for consideration.

9. ***Consideration Of Resolution 2023-08, A Resolution Adopting Revised General Requirements And Technical Specifications, Water Management Department, City Of Franklin, Tennessee, As Adopted By Reference In Title 18 Of The Franklin Municipal Code**

Sponsors: Michelle Hatcher, Brian Goodwin, Patricia McNeese

Ms. Hatcher explains that this is a routine adoption of technical updates as required by TDEC.

The item is planned for the November 14, 2023 Board of Mayor and Aldermen Meeting for consideration.

10. ***Consideration Of Amendment 1 To COF Contract No. 2022-0289, With CDM Smith For A Professional Services Agreement For The Franklin Water Reclamation Facility Post Expansion Upgrades Being Funded Under The Non-Competitive TDEC ARPA Grant Program**

Sponsors: Michelle Hatcher, Chris Franklin

Mr. Franklin explains that specific language is needed to comply with the TDEC ARPA Grant Program. A stipulation of the ARPA program is that federal procurement guidelines be used when contracting work related to the federally funded program. This contract amendment addresses that stipulation.

The item is planned for the November 14, 2023 Board of Mayor and Aldermen Meeting for consideration.

11. **Consideration Of Change Order 3 To COF Contract No. 2022-0182, With Haren Construction For WTP Valve Access Improvements Project**

Sponsors: Michelle Hatcher, Brian Goodwin, Patricia McNeese

Ms. Hatcher explains that this change order relates to the necessary construction of a mezzanine level and stair modifications. This allows access to valves at the Water Treatment Plant.

The item is planned for the November 28, 2023 Board of Mayor and Aldermen Meeting for consideration.

12. **Consideration Of COF Contract No. 2023-0318, With C&T Engineering And Inspection, LLC For Harpeth River Stream Monitoring And Data Management**

Sponsors: Michelle Hatcher

Ms. Hatcher explains that this is an annual contract with C&T Engineering to monitor the ambient stream conditions for TDEC. C&T is a valuable resource that assists staff in identifying and assessing calibration readings.

The item was acknowledged and is planned for the November 28, 2023 Board of Mayor and Aldermen Meeting for consideration.

13. ***Consideration Of Ordinance 2023-36, An Ordinance To Establish A No-Parking-Anytime Zone Along The Southerly Extents Of Westwind And Eastwind Court**

Sponsors: Paul Holzen, Adam Moser

Mr. Holzen introduced the item. The owner of the storage facility asked for the no parking zone to enable turnaround access in the cul-de-sac where cars park along the roadway. Typically, the traffic calming program is used to declare no parking zones. However, this situation is for an individual location, so a petition was not required.

The item is planned for the November 14, 2023 Board of Mayor and Aldermen Meeting for consideration.

14. ***Consideration Of Resolution 2023-69, A Resolution Declaring A Portion Of Right-Of-Way On Cherokee Place As Surplus Property**

Sponsors: Paul Holzen, Jimmy Wiseman

Mr. Holzen explained that construction improvements were accidentally built in a right-of-way. After discussion with the Housing Authority, it was determined that the most sensible course of action was to keep

the improvements and abandon the right-of-way.

The item is planned for the November 14, 2023 Board of Mayor and Aldermen Meeting for consideration.

15. Consideration Of Amendment 1 To COF Contract No. 2019-0221, With Southbrooke, LLC For Road Impact Fee Reimbursement Agreement

Sponsors: Vernon Gerth, Jimmy Wiseman

Mr. Holzen introduced the item. The city requested that the developer take on a larger intersection improvement plan, so that interruption of the intersection did not happen multiple times. In turn, the city would reimburse the road impact fees to the developer.

Ahead of the upcoming report to road impact fees, Mr. Gerth highlighted situations where developers have been willing to partner with the city for road improvements. There are developers who want to do their part in road improvements. As part of the report, the Board can look forward to a comparison of development scenarios using current impact fee rates as opposed to higher impact fee rates.

Alderman Baggett emphasizes that careful consideration and creative distribution of fees will be necessary for commercial developments if road impact fees are increased. Developers of single-family homes are in a position to easily pass the costs to homeowners.

The item is planned for the November 28, 2023 Board of Mayor and Aldermen Meeting for consideration.

16. Consideration of Resolution 2023- 71, A Resolution Initiating The Annexation Process And Draft Plan Of Services, For The Annexation Of 32.36 Acres, Located North Of Murfreesboro Road And West Of John Williams Road, Located At 4038 And 4040 Clovercroft Road. Establishing A Public Hearing For December 12, 2023

Sponsors: Emily Wright, Amy Diaz-Barriga, Chelsea Randolph

Ms. Randolph introduced the item. It is the intention of the applicant to develop single-family residential homes using the land at 4038 Clovercroft Road along with a portion of the land at the 4040 Clovercroft property. The remainder of the 4040 Clovercroft Road is to remain a church. The properties are in the Franklin UGB and lie within the Milcrofton Utility District with sanitary sewer needed across Clovercroft Road. Staff recommends that the Board of Mayor and Aldermen approve Resolution 2023-71. Contextual elements and transitioning from neighboring properties will need to be addressed by staff and can be provided to the Board before the hearing.

Public Comment:

John Williams, 1041 John Williams Road, Franklin, TN, expressed his concerns about the number of homes (40) the applicant proposes to build. There are traffic and safety concerns all along Clovercroft Road. Mr. Williams requested that the Board not consider annexing the properties into Franklin and to allow the properties to remain in the county and under the county development requirements.

Applicant Comment:

Hank Robson and Brian Wright, applicants, noted that the goal is to preserve the large magnolia trees on the property along with the existing pond. The development is considering 40 single family homes on 17 acres.

Mayor Moore states that there may be some misunderstanding regarding the Thales Academy application by the public. Will staff please review and explain what happened?

Answer: The applicant (Thales Academy) was recommended for sewer availability by CIC and in July of 2022, it was recommended for discussion at the August 9, 2022 Work Session. At the August 9, 2022 Work Session, the applicant requested deferral to the October 11, 2022 Work Session, but never requested to have the item put back on an agenda. Nothing else has since happened with the application.

Alderman Burger stated that the applicant reached out and said they were re-evaluating the use of the property. Then, the applicant told her that they had decided that single family homes would be a better use of the land since the property was not going to meet the needs of the school. The property will be listed for sale.

Alderman Baggett thinks it is time to propose a road improvement plan in partnership with the city.

Then, Alderman Burger follows-up by explaining that the location of the property is closer to Highway 96 and is in the FSSD, which would send traffic south to Highway 96 instead of east on Clovercroft. The applicant could possibly partner with the church for a shared entrance and exit, and the applicant would be required to improve Clovercroft Road by providing a turn lane.

Mr. Stuckey reminds the Board that part of the annexation process involves a Plan of Services that will include necessary improvements and impacts to the area.

The item is planned for the December 12, 2023 Board of Mayor and Aldermen Meeting for consideration.

17. Consideration Of Resolution 2023-72, A Resolution Initiating The Annexation Process And Draft Plan Of Services, For The Annexation Of 35.95 Acres, Located South Of South Berrys Chapel Road And East Of Echo Lane, Located At 2247 South Berrys Chapel Road. Establishing A Public Hearing For December 12, 2023

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

Mr. Bryan states that there are no major concerns about infrastructure or providing services to the property. However, connectivity to the parcels to the southeast of the annexation request is vitally important to the future development of property in the City of Franklin's Urban Growth Boundary.

Alderman Petersen asks: considering the hillside/hillcrest overlay and the wetlands, how much buildable space is available?

Answer: Looking at the map, the hillside buffer is a large part of what is visible. If the property is annexed, it would automatically be zoned as ER (estate residential).

Alderman Brown states that the owners of the property have indicated that the plan is to create a family compound. This would include large lots working around the wetlands and the hillside/hillcrest overlay.

The item is planned for the December 12, 2023 Board of Mayor and Aldermen Meeting for consideration.

18. Consideration Of Amendment 2 To Contract No. 2019-0258, With Franklin Housing Authority For Payment In Lieu Of Taxes (PILOT) To Add Additional Properties To The Current Agreement Including The Addition Of Low Income Housing Tax Credit Developments Developed And Operated By The Local Authority

Sponsors: Tom Marsh, Kathleen Sauseda

Ms. Sauseda introduced the item. This amendment is a continuation of the pilot programs already in place with updates of new properties and projected properties that FHA will develop in the future. Wood Duck Court is now in partnership with Almington Development and Franklin Housing Authority.

Alderman Baggett disclosed that one of the members of Almington Development is a client of his but will not affect his ability to vote on the project.

The item is planned for the November 28, 2023 Board of Mayor and Aldermen Meeting for consideration.

19. Consideration Of COF Contract No. 2023-0248, With Stryker Sales, LLC For The Purchase Of Five Lifepak 15 Cardiac Monitors To Replace The Oldest Five Monitors Due For Replacement

Sponsors: Glenn Johnson

The item was acknowledged and is planned for the November 28, 2023 Board of Mayor and Aldermen Meeting for consideration.

20. Report On A Grant Agreement Between The United States Department Of The Interior, National Park Service And The City Of Franklin, Tennessee, Pursuant To The Battlefield Acquisition Grant Program Of The American Battlefield Protection Program In The Amount Of \$1,980,050 To Fund The Acquisition, In Part, Of 1224 Columbia Avenue

Sponsors: Kristine Brock, Mike Lowe

This area is known as the Williams Property near Carter Hill Park. The City would function as a pass-through entity to help facilitate the reclamation of the Battlefield. There is no direct financial obligation from the city.

Alderman Baggett announces that through Franklin's Charge, the Columbia Avenue Battlefield reclamation has had enough private donations to complete Carter Hill Park.

21. Williamson County Growth Plan Update

Sponsors: Eric Stuckey, Emily Wright, Andrew Orr

On June 13, 2023, the Coordinating Committee of various Williamson County municipalities was formed to update the eight Urban Growth Boundaries and related growth plans. Public hearings were held November 7, 2023 and November 15, 2023 at the Williamson County Administrative Complex. Meetings will continue through the end of the month to discuss exactly what the amended UGB will look like. Each municipality and Williamson County will be following the same process and procedures as the City of Franklin to determine updated UGB's. The Coordinating Committee will submit a formally approved plan by December 13, 2023. Each jurisdiction must unanimously agree before ratification of the growth plan is complete and certified by the Local Government Planning Advisory Council. If a unanimous decision is not reached, the Coordinating Committee can reconvene and vote to make changes or revert back to the original UGB.

Update on the Ozzad Property (A-1 Builders):

If the property were to remain in Williamson County, as the Board recommended to the Coordinating Committee, the one-acre lot recommendation would remain with no road improvements. If the property were to be moved to the Thompson's Station UGB, the overall number of homes would be similar, but would be developed differently. Development of the Ozzad Property in the Thompson's Station UGB would occur in a cluster and include road improvements.

Property owner tensions stem from those living in and around Thompson's Station UGB. Some property owners do not want to be included in the UGB. The UGB guidelines set in place 25 years ago focused on property owner preference, rather than consideration of future drainage basin and infrastructure plans. The goal now is to put good planning practices in place along with sensitivity to homeowners' wishes.

Ms. Billingsley notes that the public can access the recorded Coordinating Committee meetings and documents through the city's website and Williamson County's website.

Alderman Baggett asks how Williamson County responded to the Board's recommendation to keep the Ozzad Property in Williamson County?

Answer: Keeping the property in the county is one possible outcome and a motion can be made by the Board to keep the Ozzad Property in the county. This is what prompted the previously stated comparison of how the property would be developed in Thompson's Station and how it would be developed if the property remained

in the county.

Ms. Wright explains that the UGB update process affects the Envision Franklin update as staff try to plan for the next growth horizon. Without the UGB update, properties will need to be removed from Envision Franklin and added back in once the update is agreed upon or reverts back to the original UGB. A-1 Builders have been having discussions with Thompson Station longer than the COF may have realized.

Mr. Stuckey concludes that Franklin's UGB is being reduced in some areas where services cannot realistically be provided and expanded, where infrastructure is in place and can support development.

OTHER BUSINESS

ADJOURN

Work Session Adjourned @ 6:42 PM



Dr. Ken Moore, Mayor

Minutes Prepared by Eydie Hassell and Reviewed by Sarah Schilling, Assistant Deputy City Recorder, City Administrator's Office - 11/21/2023, 3:53 PM