



Meeting Agenda

Work Session

Tuesday, May 14, 2024

5:00 PM

Board Room

CALL TO ORDER

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. Presentation Of Visit Franklin

Sponsors: Maureen Haley Thornton

2. Development Activity Report

Sponsors: Vernon Gerth, Katherine Harelson

3. *Consideration Of Resolution 2024-23, A Resolution Making Certain Adjustments For Retirees Electing Coverage In Option II
Pension 3/25/24, 5-0

Sponsors: Kristine Brock, Sara Sylvis

4. Consideration Of DRAFT Resolution 2024-38, A Resolution Providing A Cost Of Living Adjustment To The Monthly Benefit For Retired Recipients Of The Closed Pension Plan, Effective July 2024

Sponsors: Kristine Brock, Sara Sylvis

5. *Consideration Of Ordinance 2024-15, An Ordinance To Remove 0.18 Acres Out Of The Central Franklin Overlay District (CFO) And Zone Into The Columbia Avenue Overlay District 1 (CAO1- Urban Commercial Development Sub-District) For The Property Located South Of South Margin Street And West Of Cummins Street, Located At 314 Cummins Street. Establishing A Public Hearing On June 11, 2024
FMPC 4/25/24, 8-0

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

6. *Consideration Of Ordinance 2024-14, An Ordinance To Rezone 1.11 Acres From Residential 4 (R4) To Office Residential (OR) District For The Property Located North Of West Main Street And West Of Roberts Street, At 1138 And 1142 West Main Street. Establishing A Public Hearing On June 11, 2024
FMPC 4/25/24, 8-0

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

7. Williamson County Growth Plan Update

Sponsors: Eric Stuckey

8. Consideration Of Resolution 2024-15, A Resolution Of The City Of Franklin, Tennessee Designating The City Of Franklin As A Bee City USA Affiliate

Sponsors: Emily Wright, Kelly Dannenfelser, Andrew Orr

9. *Consideration Of Resolution 2024-35, A Resolution To Reject All Construction Bids For The Water Reclamation Facility Rehabilitation And Resilience Improvements Project (COF Project No. 2023-015)

Sponsors: Michelle Hatcher, Brian Goodwin

10. Consideration Of COF Contract No. 2023-0346, With Pull-Tight Players, Inc., For Lease Agreement Extension

Sponsors: Eric Stuckey

11. Consideration Of Resolution 2024-22, A Resolution To Implement The Jackson Law In The City Of Franklin, Tennessee, Regarding Landfills And Solid Waste Processing Facilities

Sponsors: Mark Hilty

12. Consideration Of DRAFT Resolution 2024-39, A Resolution To Adopt A Five-Year Rate Plan And Cost Of Service Study For The Sanitation And Environmental Services Fund, Fiscal Year 2025 Through Fiscal Year 2029

Sponsors: Mark Hilty, Jack Tucker, Nate Ridley, Chris Franklin

13. Consideration Of DRAFT Ordinance 2024-11, An Ordinance To Amend Appendix A - Comprehensive Fees And Penalties, Chapter 17 Refuse And Trash Disposal, Of The Franklin Municipal Code To Increase The Fees For Collection Of Garbage And Refuse

Sponsors: Mark Hilty

14. Discussion Of Board Of Mayor And Aldermen Pay
WS 2/13/24

Sponsors: Alderman Beverly Burger

OTHER BUSINESS

ADJOURN

Anyone needing accommodations due to disabilities please contact the ADA Coordinator at 615-791-3277 at least 24 hours prior to the meeting.



File #: 21-093

DATE: April 16, 2024

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Vernon Gerth, Asst. City Administrator Community Development
Katherine Harelson, Development Services Analyst

SUBJECT:

Development Activity Report

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning the first quarter development activity report for 2024.

BACKGROUND/STAFF COMMENTS:

Every quarter, the Board of Mayor and Aldermen is presented with a development activity report. This report details the planning, permitting, and building activity in Franklin. The first quarter report is a small snapshot of activity from January to March 2024. A more detailed report will come in the second quarter, which will include data halfway through the calendar year activity as well as FY2024 data.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends that the Board of Mayor and Aldermen acknowledge this presentation.

1st Quarter Development Activity Report

BOMA WORK SESSION – MAY 14TH, 2024

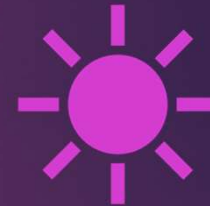
Background



Based on monthly reports generated
from the Building and Neighborhood
Services Department



Snapshot of development activity
from January – March 2024



The fiscal year report will be covered
in late summer

1st Quarter Activity



Building Permits: 1,678



Dwelling Units Permitted: 454



Permit Fees: \$782,712



Construction Valuation: \$280 million

Three Year Trends

	2024	2023	2022	2021	2020
Building Permits	1,678	1,235	1,391	1,552	1,462
Dwelling Units	454	89	107	153	113
Permit Fees	\$782,712.00	\$409,487.00	\$507,129.00	\$512,811.00	\$477,790.00
Road Impact Fees	\$3,452,668.00	\$663,934.00	\$1,059,850.00	\$1,219,431.00	\$1,768,644.00
Water and Sewer Impact Fees	\$2,532,032.55	\$517,280.00	\$653,103.26	\$998,165.00	\$738,131.64
Construction Valuation	\$280,204,464.15	\$74,986,523.00	\$97,810,752.00	\$70,923,628.00	\$96,290,486.27

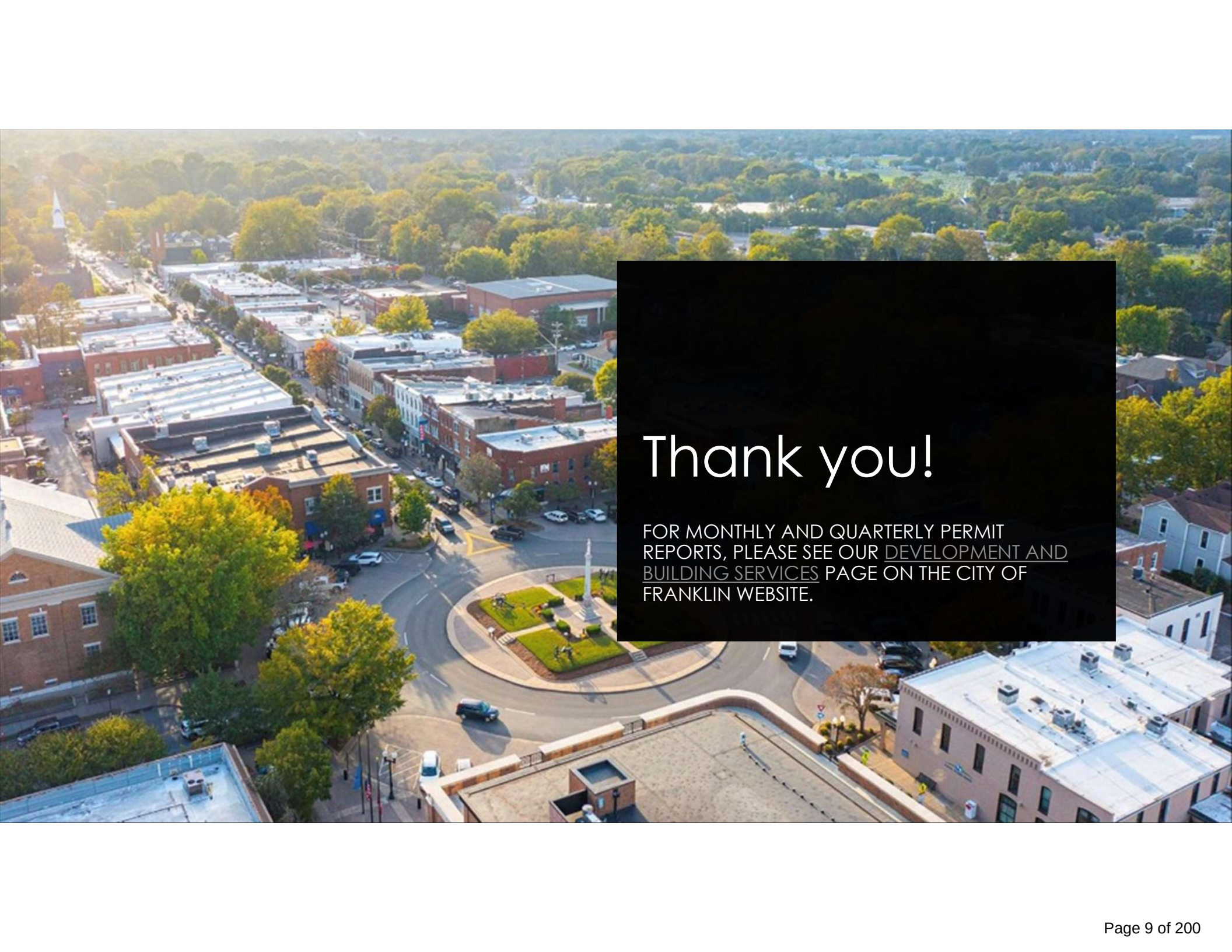


Summary

This is the most 1st quarter development activity the City of Franklin has seen in the last five years.

Largest increases were seen in residential development. Other larger projects like Optima and Canteen on Carothers were also permitted in early 2024.

Staff will continue to monitor activity as the year progresses. This is a great start, but it will take more time to see if this is an upward trend.



Thank you!

FOR MONTHLY AND QUARTERLY PERMIT
REPORTS, PLEASE SEE OUR [DEVELOPMENT AND
BUILDING SERVICES](#) PAGE ON THE CITY OF
FRANKLIN WEBSITE.



File #: 21-045

DATE: April 17, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Kristine Brock, Asst. City Administrator/CFO
Sara Sylvis, Benefits Manager

SUBJECT:

*Consideration Of Resolution 2024-23, A Resolution Making Certain Adjustments For Retirees Electing Coverage In Option II
Pension 3/25/24, 5-0

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning Resolution 2024-23, a resolution making certain adjustments for retirees electing coverage in Option II.

BACKGROUND/STAFF COMMENTS:

Staff routinely reviews the retiree health benefit program for opportunities to modify plan design in ways that are both beneficial to employees and feasible financially to the City. At the March 25, 2024 meeting of the Employee Pension and Trust Committee, staff presented a proposal to modify the retiree health benefit plan (Option II) in the following areas:

- Annual Deductibles and Out of Pocket Maximum Amounts to become aligned with the Active Employee PPO plan. Currently, the retiree plan has higher amounts.
- Increase the employer (city) portion of the premium paid to 55%, which is an increase from 50%.
- Establish a sick leave conversion program.

FINANCIAL IMPACT:

Analysis by staff shows the changes above may be incorporated within existing appropriation for employee health benefits. Changes in the City's Other Post Employment Benefit (OPEB) liability will next be calculated in mid 2025, per generally accepted accounting principles.

RECOMMENDATION:

Staff recommends that the Board of Mayor and Aldermen approve Resolution 2024-23.

RESOLUTION 2024-23

A RESOLUTION MAKING CERTAIN ADJUSTMENTS FOR RETIREES ELECTING COVERAGE IN OPTION II

WHEREAS, the City of Franklin (“City”) offers an Option II Health Care Plan (the “Plan”) for its retirees, of which 35 retirees are currently enrolled; and

WHEREAS, the City currently contributes 50% of the monthly premium for retirees enrolled in Option II, and the contribution percentage was last changed in 2023 from 40%; and

WHEREAS, the City Administrator, Human Resources Director, Assistant City Administrator/CFO and key staff have reviewed the existing terms of Option II and recommend adjustments to the Plan effective July 1, 2024; and

WHEREAS, the Employee Pension & Trust Committee met on March 25, 2024 and unanimously recommended approval of said changes by the Board of Mayor and Aldermen; and

WHEREAS, the Board of Mayor and Aldermen wish to acknowledge modifications to Plan as proposed and believe such modifications to be in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, the following changes to the Plan:

A: That the calculation of the monthly premium for Option II Retiree Health Care include a 55% City (employer) contribution, with the remaining 45% to be borne by the retiree; and

B: That the design for the retiree plan, including the PPO network, annual deductible and annual out of pocket maximum amounts, be the same as for active employees; and

C: For full time employees hired on or after January 1, 2017, and members of the Tennessee Consolidated Retirement System (“TCRS”) Legacy Defined Benefit Pension Plan, eligibility criteria for the Plan are:

- 1) 25 years of TCRS service, with a minimum of 10 years at the City
- 2) Minimum age of 55, and
- 3) Coverage ends at age 65.

D: Establishment of a Sick Leave Conversion Program as described below:

- 1) Upon retirement, should an employee have accrued sick leave hours above the maximum amount allowed for payment, the balance may be converted into the number of work days for their position.
- 2) For each 15 days of remaining sick leave, the employee may receive one month of retiree health insurance at the same monthly premium rate as active employees.
- 3) Maximum number of conversion months from sick leave reserve is 12.

E: Adjustments become effective with the fiscal year starting July 1, 2024.

RESOLVED FURTHER, that the officers and agents of the Board are hereby directed to take all such steps as may be necessary to accomplish the foregoing; and

RESOLVED FURTHER, that the officers of the Municipality are hereby authorized and directed to take all such steps as may be necessary to accomplish the foregoing.

IT IS SO RESOLVED and approved this ____ day of _____, 2024.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
Eric S. Stuckey
City Administrator

By: _____
Dr. Ken Moore
Mayor

Approved as to form by:

Shauna R. Billingsley
City Attorney

Retiree Health Plans- Current and Proposed

	Retiree Health Plan I	Retiree Health Plan II	*Proposed* Retiree Health Plan II
Plan Design	Same PPO as Actives	PPO with Higher Deductibles & Out of Pocket Max than Actives	PPO with Same Annual Deductible & Out of Pocket Max as Actives
Eligibility Requirements (Age/Years of Service)	-Min Age 62 & 20+ Years of service -End of Coverage at age 65	-25 Years of Service - No Minimum Age -End of Coverage at age 65	-No Change for Closed Plan Members -For TCRS Members, Min Age 55 & 25 years of TCRS Service, w/ 10 at COF - End of Coverage at age 65
Retiree Share of Premiums	Same as Actives	50% of Cost	45% of Cost
Retiree Sick Leave Conversion Option	None	None	Yes

Plan Design- Current & Proposed

	Current Plan II- In Network	Proposed Plan II- In Network
Annual Deductible	\$750 Single \$2,750 Family	\$500 Single \$1,000 Family
Out of Pocket Annual Maximum	\$3,750 Single \$8,750 Family	\$1,500 Single \$3,000 Family

Proposed Plan II Annual Deductible and Out of Pocket Maximum shows above are rates for Active Employees for Fiscal Year 2024. Staff proposal is to match Retirees and Actives with the same plan design for annual deductible and out of pocket maximum amount.

Monthly Premiums- Current & Proposed

Category of Coverage	Retiree Health Plan II- Current 50% Employee Share	*Proposed* Retiree Health Plan II 45% Employee Share
Single Coverage	\$358.59	\$351.53
Employee + Spouse	\$763.00	\$746.97
Employee + Children	\$670.32	\$655.70
Family Coverage	\$1,083.91	\$1,063.04

Premiums shown above based on FY 2024 health insurance rates.

Proposed Sick Leave Conversion Plan

- Currently, retirees (40 hour week employees) are paid for up to 960 hours of unused sick leave upon retirement. Sick leave balances above 960 hours are forfeited.
- Proposed Conversion Plan- For every 15 days of sick leave above 960 hours, an employee may purchase an additional month of retiree health insurance at the active employee premium up to a maximum of 12 months.
 - For example, an employee retires with 1,200 hours in sick leave balance. 960 hours are paid at the regular rate of pay. 240 hours converts to two months of additional health insurance at the active employee rate.



File #: 21-0159

DATE: May 1, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Kristine Brock, Asst. City Administrator/CFO
Sara Sylvis, Benefits Manager

SUBJECT:

Consideration Of Resolution 2024-38, A Resolution Providing A Cost Of Living Adjustment To The Monthly Benefit For Retired Recipients Of The Closed Pension Plan, Effective July 2024

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning Resolution 2024-38, providing a cost of living adjustment to the monthly benefit for retired recipients of the closed pension plan, effective July 2024.

BACKGROUND/STAFF COMMENTS:

The Board of Mayor and Aldermen approved a Cost of Living Policy for the Closed Plan by Resolution 2022-79, which establishes a framework for determining a rate of increase based upon the factors of 1) change in the Consumer Price Index ("CPI") as a percentage year over year, 2) the most recent funded ratio as calculated by a licensed actuary in accordance with the City's Funding Policy and actuarial best practices and 3) a maximum and minimum cost of living percentage in line with other well funded pension plans including the Tennessee Consolidated Retirement System ("TCRS") and in accordance with the State of Tennessee Public Employee Defined Benefit Financial Security Act of 2014 as codified in TCA Title 9, Chapter 3, Part 5.

The City's actuary has certified the current funding ratio of the closed plan as 68.83%, which in accordance with Section 1 of Resolution 2022-79 results in a maximum cost of living increase of 2.5%.

FINANCIAL IMPACT:

Based on the most recent monthly payment to closed plan retirees of \$712,895, an adjustment of 2.5% results in additional monthly expense of \$17,822, or \$213,868 annualized.

RECOMMENDATION:

Staff recommends that the Board of Mayor and Aldermen approve Resolution 2024-38.



S. Kevin Sullivan, FSA
USI Consulting Group
5301 Virginia Way, Suite 400
Brentwood, TN 37027
629.895.7855

May 1, 2024

Kristine Brock, CPFO
City of Franklin
Assistant City Administrator/CFO
109 Third Avenue South
Franklin, TN 37064

Kristine,

The purpose of this letter is to provide the funded ratio of the City of Franklin Employees' Pension Plan as of January 1, 2024. Below are the key measures of assets and liabilities and the resulting funding ratio.

Measured as of January 1, 2024

<i>Entry Age Normal Past Service Liability</i>	\$	237,729,906
<i>Actuarial Value of Assets</i>		163,626,923
<i>Funded Ratio of the Plan</i>		68.83%

We hope this information is helpful. Please let me know if you have any questions or need additional information.

Sincerely,

S. Kevin Sullivan, F.S.A.
Vice President & Senior Consulting Actuary

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RESOLUTION 2022-79

A RESOLUTION TO ADOPT A POLICY FOR THE AMENDED AND RESTATED EMPLOYEES' PENSION PLAN DATED EFFECTIVE AS OF JANUARY 1, 2018 FOR POST-RETIREMENT BENEFIT INCREASES OR COST OF LIVING ADJUSTMENTS

WHEREAS, the City of Franklin (the "City") has previously established and currently maintains the City of Franklin Employees' Pension Plan (the "Plan"); and

WHEREAS, the City has amended and restated the plan effective as of January 1, 2018; and

WHEREAS, the City approved that certain First Amendment to the Plan by Resolution dated the 14th day of August, 2018; and

WHEREAS, the City approved that certain Second Amendment to the Plan by Resolution dated the 14th day of December, 2021; and

WHEREAS, while the City, by and through its elected Board of Mayor and Aldermen (the "Board"), retains the right to amend the Plan, there are times when a policy is in the best interest of the Plan and employees; and

WHEREAS, the Plan provides that the Board can on an annual basis consider a cost of living increase for retirees and beneficiaries receiving monthly retirement benefits from the Plan. The amount of such increase, if any, is recorded in City's Board of Aldermen Minutes Book; and

WHEREAS, without binding the Plan to a Plan Amendment mandating a cost of living increase in any specific year, or any years, the Board of Mayor and Aldermen wish to adopt guidelines which they can use in consideration of any such cost of living increase. The Board intends these guidelines to provide some uniformity in how the Board can determine an appropriate amount of any such increase. The Board also intends these guidelines to provide a method by which the Board can determine increases for retirees while at the same time protecting the funding status and funding requirements for the Plan. These guidelines then set parameters within which the Board, with the recommendation of the City Administrator, can propose cost of living increases without adverse impact on the Plan; and

WHEREAS, these guidelines are intended for use by the Board, these guidelines are not a Plan Amendment or a promise of any cost of living increase or any specific amount of cost of living in any specific Plan Year. The Board retains its discretion under the current provisions of the Plan to determine on an annual basis whether or not to provide a cost of living increase and the amount of any such increase; and

WHEREAS, the Board of Mayor and Aldermen believes it is in the best interest of the City of Franklin to adopt a policy that sets forth a framework for post-retirement benefit increases or cost of living adjustments.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE, AS FOLLOWS:

Section 1. If as of the Plan Year immediately preceding the effective date for any proposed cost of living increase for retirees' pensions the ratio of the market value of Plan assets to the actuarial accrued liability ("AAL") of the Plan (based on the assumptions and methods selected by the City in determining the Actuarial Determined Contribution ("ADC") and consistent with Tenn. Code Ann. 9-3-504 and reported in the Actuary Valuation Report by the actuary providing services to the Plan (the 'Funded Ratio')), equals or exceeds the amounts set forth in the table below, the Board will consider increasing the monthly retirement benefits of Retired Participants or other Participants or Beneficiaries receiving monthly benefits under the Plan by the applicable twelve (12) month percentage change in the Consumer Price Index (U.S. city average for all urban consumers (CPI-U)), excluding food and energy, published by the U.S. Department of Labor, Bureau of Labor Statistics for the March immediately preceding the effective date for any such proposed increase but subject to the following maximum and minimum limits in the table below:

Funded Ratio of the Closed Plan	Maximum Cost of Living Percentage Increase	Minimum Cost of Living Percentage Increase
≥80%	3.5%	1%
60%≥79%	2.5%	1%
≤59%	0%	0%

Any approved increase shall be effective for the first monthly payment in the July following the determination of such increase as provided above and shall be recorded in City's Board of Aldermen Minutes Book.

Section 2. Defined words in Section 1 above shall have the same meaning as set forth in the Plan. No terms of the Plan are amended by this resolution.

IT IS SO RESOLVED AND DONE on this 10th day of January, 2023

ATTEST:

By: Eric S. Stuckey
Eric S. Stuckey
City Administrator

CITY OF FRANKLIN, TENNESSEE:

By: Dr. Ken Moore
Dr. Ken Moore
Mayor

Approved as to Form:

By: Shauna R. Billingsley
Shauna R. Billingsley
City Attorney

FY 2025 Cost of Living Adjustment for Closed Pension Plan

May 14, 2024

Cost of Living Policy for Closed Pension Plan

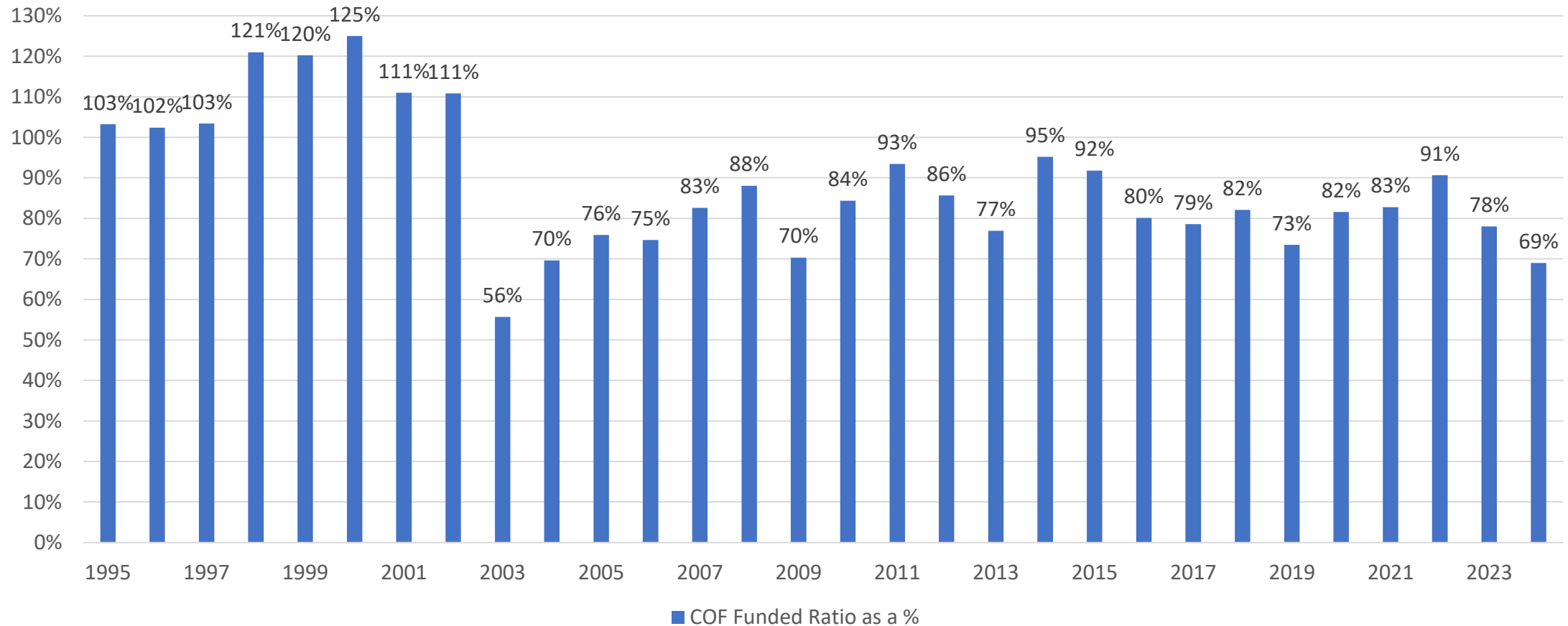
- Resolution 2022-79, adopted January 10, 2023, provides a policy for determining an annual cost of living increase for the single employer closed defined benefit pension plan.
- The change in the Consumer Price Index from the period of March 2023 to March 2024 is 3.48%.
- The Funded Ratio as of January 1, 2024, is 68.83%.

Cost of Living Increase for Fiscal Year 2025, effective July 2024

Section 1. If as of the Plan Year immediately preceding the effective date for any proposed cost of living increase for retirees' pensions the ratio of the market value of Plan assets to the actuarial accrued liability ("AAL) of the Plan (based on the assumptions and methods selected by the City in determining the Actuarial Determined Contribution ("ADC") and consistent with Tenn. Code Ann. 9-3-504 and reported in the Actuary Valuation Report by the actuary providing services to the Plan (the 'Funded Ratio")), equals or exceeds the amounts set forth in the table below, the Board will consider increasing the monthly retirement benefits of Retired Participants or other Participants or Beneficiaries receiving monthly benefits under the Plan by the applicable twelve (12) month percentage change in the Consumer Price Index (U.S. city average for all urban consumers (CPI-U)), excluding food and energy, published by the U.S. Department of Labor, Bureau of Labor Statistics for the March immediately preceding the effective date for any such proposed increase but subject to the following maximum and minimum limits in the table below:

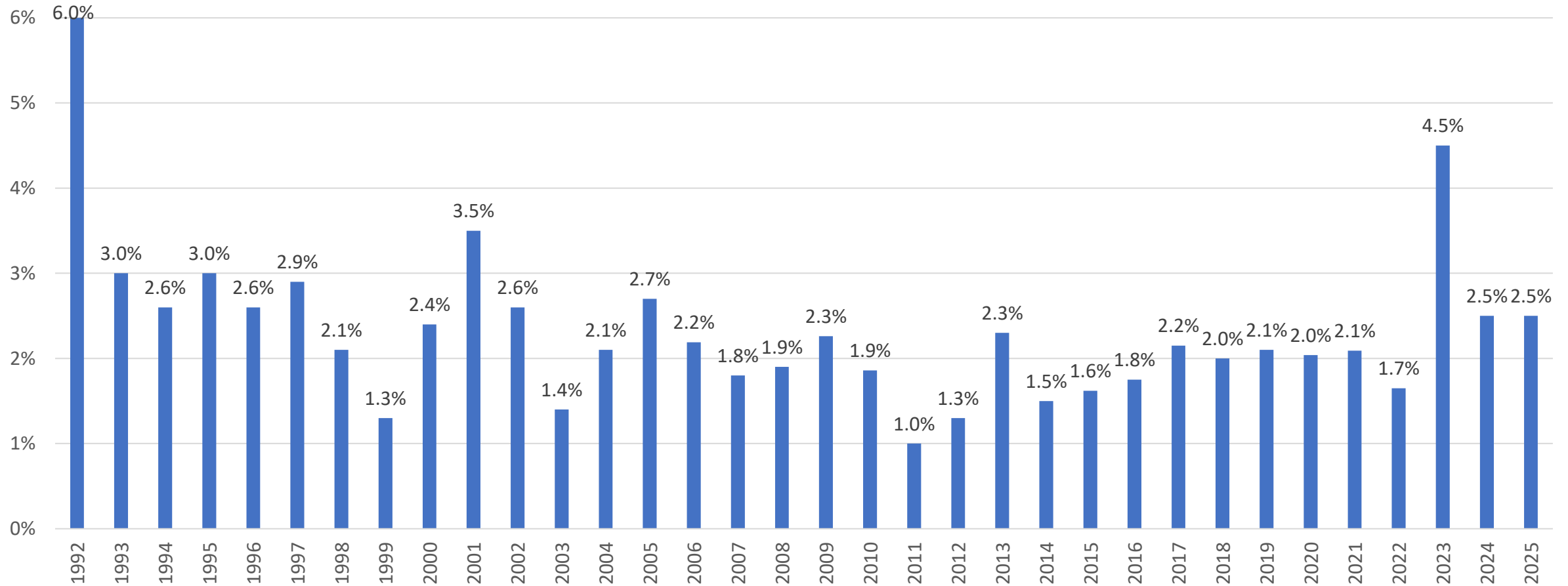
Funded Ratio of the Closed Plan	Maximum Cost of Living Percentage Increase	Minimum Cost of Living Percentage Increase
≥80%	3.5%	1%
60%≥79% 68.83%	2.5%	1%
≤59%	0%	0%

Funded Ratio of Closed Plan Fiscal Years 1995-2024



The highest funded ratio in the modern era was 125% in FY 2000, which was prior to the increase in the benefit multiplier from 1% to 2%. There have been 9 years in the period when the ratio was higher than 60% but less than 80%. A Funded Ratio of 80% or higher is recognized as the benchmark of well funded pension plans.

Cost of Living Adjustments FY 1992-2025



Numbers shown above are rounded to the nearest tenth of a percent. The average annual increase over this period has been 2.33%.

Next Steps

- May 28th, 2024- Consideration of Resolution 2024-38 to provide for a cost of living increase for the closed pension plan at the rate of 2.5%.
- June 2024- HR Department notifies recipients and prepares file for paying agent.
- July 2024- COLA is effective with July disbursement.

RESOLUTION 2024-38

A RESOLUTION OF THE BOARD OF MAYOR AND ALDERMEN FOR THE CITY OF FRANKLIN EMPLOYEES' PENSION PLAN, PROVIDING A COST-OF-LIVING ADJUSTMENT TO THE MONTHLY BENEFIT FOR RETIRED RECIPIENTS, EFFECTIVE JULY 2024.

WHEREAS, the City of Franklin periodically adopts a cost-of-living adjustment for recipients of benefits from the single employer closed City of Franklin Employees' Pension Plan ("Plan"); and

WHEREAS, the Board of Mayor and Aldermen wishes to approve a cost of living increase to maintain the purchasing power of retiree benefit payments;

WHEREAS, the Board of Mayor and Aldermen approved a Cost of Living Policy for the Plan by Resolution 2022-79, which establishes a framework for determining a rate of increase based upon the factors of 1) change in the Consumer Price Index ("CPI") as a percentage year over year, 2) the most recent funded ratio as calculated by a licensed actuary in accordance with the City's Funding Policy and actuarial best practices and 3) a maximum and minimum cost of living percentage in line with other well funded pension plans including the Tennessee Consolidated Retirement System ("TCRS") and in accordance with the State of Tennessee Public Employee Defined Benefit Financial Security Act of 2014 as codified in TCA Title 9, Chapter 3, Part 5'; and

WHEREAS, the change in CPI for the period of March 2023 to March 2024 was 3.48% and the funded rate of the Plan as of 1/1/2024 was 68.83%, which in accordance with Section 1 of Resolution 2022-79 results in a cost of living increase of 2.5%.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN FOR THE CITY OF FRANKLIN AS FOLLOWS:

Section 1. That the paying agent, which is currently the Tennessee Consolidated Retirement System, for the single employer closed City of Franklin Employees' Pension Plan be instructed to make effective the month of July 2024 a cost-of-living adjustment at a rate of 2.5%.

Section 2. That this Resolution shall be effective on July 1, 2024.

IT IS SO RESOLVED AND DONE on this ____ day of May, 2024.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
Eric Stuckey
City Administrator

By: _____
Dr. Ken Moore
Mayor

Approved as to Form:

Shauna R. Billingsley
City Attorney



File #: 21-056

DATE: April 26, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Emily Wright, Director of Planning and Sustainability
Amy Diaz-Barriga, Asst Director of Planning Development
Joseph Bryan, Principal Planner

SUBJECT:

*Consideration Of Ordinance 2024-15, An Ordinance To Remove 0.18 Acres Out Of The Central Franklin Overlay District (CFO) And Zone Into The Columbia Avenue Overlay District 1 (CAO1-Urban Commercial Development Sub-District) For The Property Located South Of South Margin Street And West Of Cummins Street, Located At 314 Cummins Street. Establishing A Public Hearing On June 11, 2024
FMPC 4/25/24, 8-0

PURPOSE:

PROJECT INFORMATION

COF Project Number: 8450
Applicant: Matthew Taylor
Owner: Ken Polk, AIG Franklin LLC

BACKGROUND/STAFF COMMENTS:

The applicant is requesting to remove 0.18 acres from the Central Franklin Overlay District (CFO) and zone that property into the Columbia Avenue Overlay District 1 (CAO1-Urban Commercial Development Sub-District). The subject property is located at 314 Cummins Street and is currently zoned in the Central Commercial District (CC). Overlay districts are in addition to the base zoning district and provide additional regulations to maintain the established character of the district. The Columbia Avenue Overlay District is intended to "Enhance the character and function of the Columbia Avenue gateway into Franklin." The CAO1 includes properties along Columbia Avenue between Five Points and Fowlkes Street and is characterized by a mix of one and two-story commercial buildings built over time, two historic residential buildings and shallow front building setbacks with some variation. Most properties in the CAO1 district span from Columbia to Cummins Street. However, this is one property that does not touch Columbia, yet is surrounded by the existing CAO1 Overlay district. The CAO1 District rezoning is compatible with the surrounding properties that are already within the CAO1 and will provide a more cohesive design for future development.

PROCEDURAL REQUIREMENTS:

1. The City's project identification number shall be included on all correspondence with any City department relative to this project.

FINANCIAL IMPACT:

Unknown

RECOMMENDATION:

Franklin Municipal Planning Commission recommends approval of Ordinance 2024-15 by a vote of 8-0.

Staff recommends that the Board of Mayor and Aldermen approve Ordinance 2024-15.

ORDINANCE 2024-15

AN ORDINANCE TO REMOVE 0.18 ACRES OUT OF THE CENTRAL FRANKLIN OVERLAY DISTRICT (CFO) AND ZONE INTO THE COLUMBIA AVENUE OVERLAY DISTRICT 1 (CAO1-URBAN COMMERCIAL DEVELOPMENT SUB-DISTRICT) FOR THE PROPERTY LOCATED SOUTH OF SOUTH MARGIN STREET AND WEST OF CUMMINS STREET, LOCATED AT 314 CUMMINS STREET

WHEREAS, the City of Franklin, Tennessee, encourages responsible growth and the sensible transition of land uses and densities; and

WHEREAS, the Columbia Avenue Overlay District 1 (CAO1-Urban Commercial Development Sub-District) provides zoning for land uses compatible with both the Franklin Land Use Plan and surrounding development; and

WHEREAS, the zoning has been reviewed and approved by BOMA after a public hearing and a recommendation by the Franklin Municipal Planning Commission.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE, AS FOLLOWS:

SECTION I. That the following described property shall be, and is hereby, zoned out of the Central Franklin Overlay District (CFO) and zoned into the Columbia Avenue Overlay District 1 (CAO1-Urban Commercial Development Sub-District):

PREMISES CONSIDERED

Map-Parcel	Acres
078F C – 16.00	0.18
Total	0.18

SECTION II. That the attached Location Map and Survey shall serve the purpose of further delimiting the geographical boundaries as described by this Ordinance.

SECTION III. BE IT FINALLY ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that this Ordinance shall take effect from and after its passage on third and final reading, the health, safety, and welfare of the citizens requiring it.

IT IS SO ORDAINED AND DONE on this ____ day of _____, 2024.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
Eric Stuckey
City Administrator

By: _____
Dr. Ken Moore
Mayor

Approved as to form by:

Shauna R. Billingsley
City Attorney

PLANNING COMMISSION RECOMMENDED:

PASSED FIRST READING:

PUBLIC HEARING HELD:

PASSED SECOND READING:

PASSED THIRD READING:

314 CUMMINS STREET ORDINANCE 2024-15

Project Information

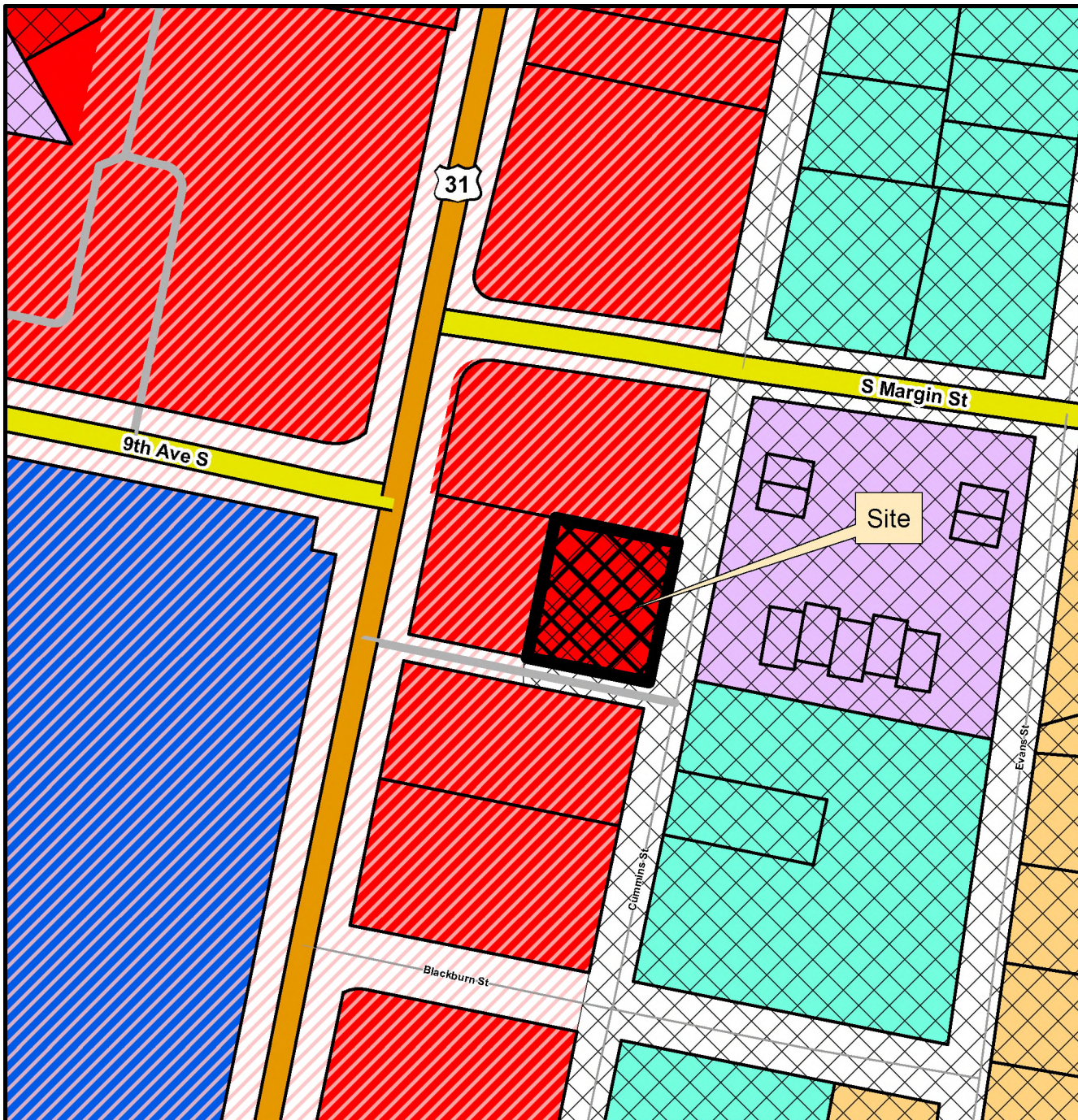
Existing Zoning: CC (CFO District)
Proposed Zoning: CC (CAO-1 District)
Overlay Districts: CFO
Site Acreage: 0.18 acres

Legend

-  314 Cummins Street
-  Central Franklin Overlay

Zoning Overlay Districts

-  Columbia Avenue Sub-District 1
-  Columbia Avenue Sub-District 2
-  Columbia Avenue Sub-District 3
-  Columbia Avenue Sub-District 4
-  Columbia Avenue Sub-District 5
-  AG Agricultural District
-  ER Estate Residential District
-  R1 Residential 1 District
-  R2 Residential 2 District
-  R3 Residential 3 District
-  R4 Residential 4 District
-  R6 Residential 6 District
-  MR Mixed Residential District
-  PD Planned District
-  OR Office Residential District
-  CI Civic Institutional District
-  NC Neighborhood Commercial
-  CC Central Commercial District
-  DD Downtown District
-  1ST Avenue District
-  5TH Avenue District
-  RC6 Regional Commerce 6 District
-  RC12 Regional Commerce 12 District
-  GO General Office District
-  LI Light Industrial District
-  HI Heavy Industrial District



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It was compiled from the most authentic information available.
The City is not responsible for any errors or omissions contained hereon.
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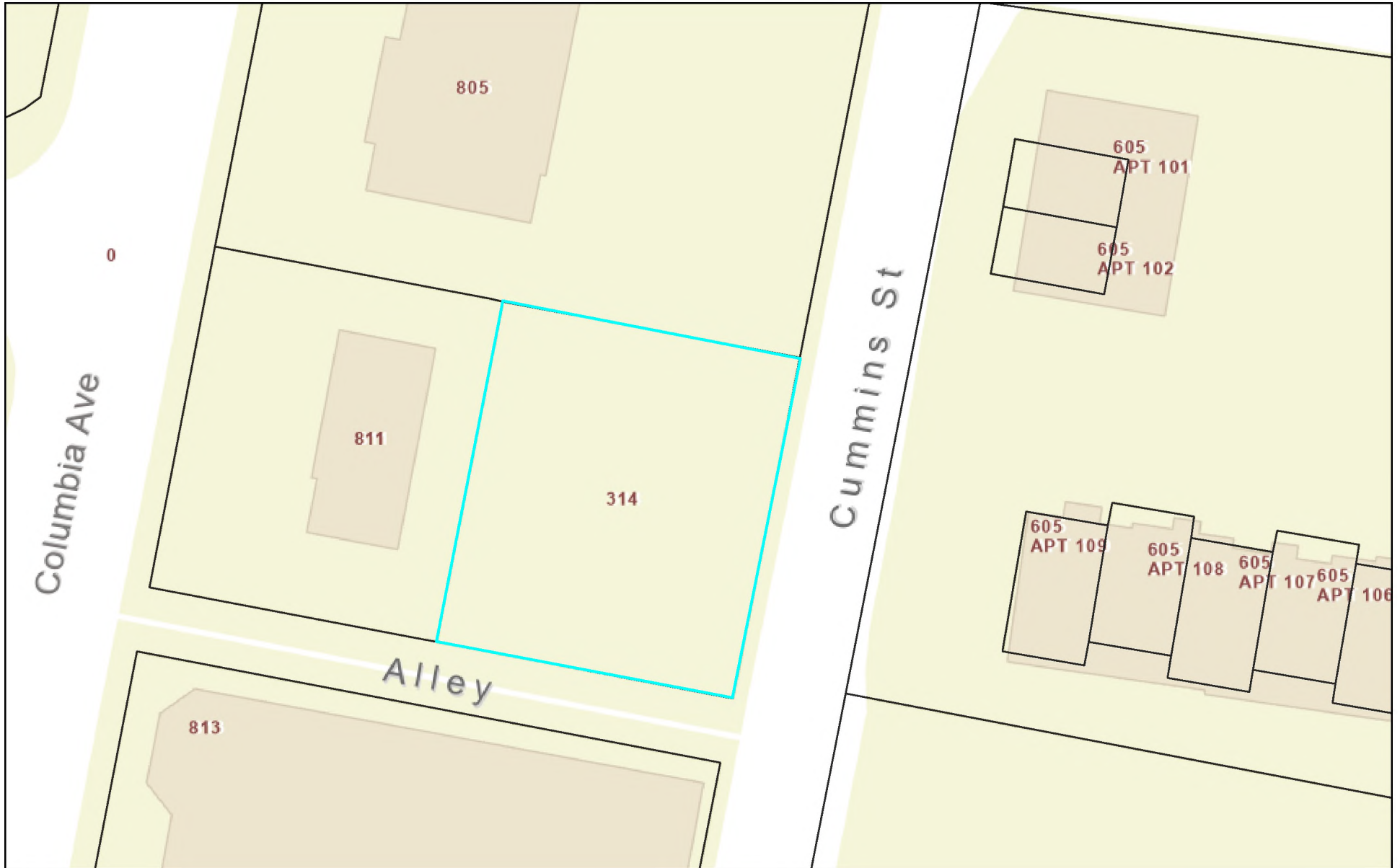


0 250 500 1,000
Feet



HISTORIC
FRANKLIN
TENNESSEE

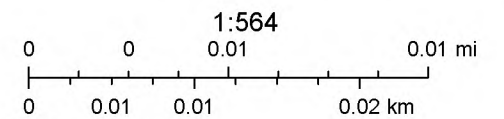
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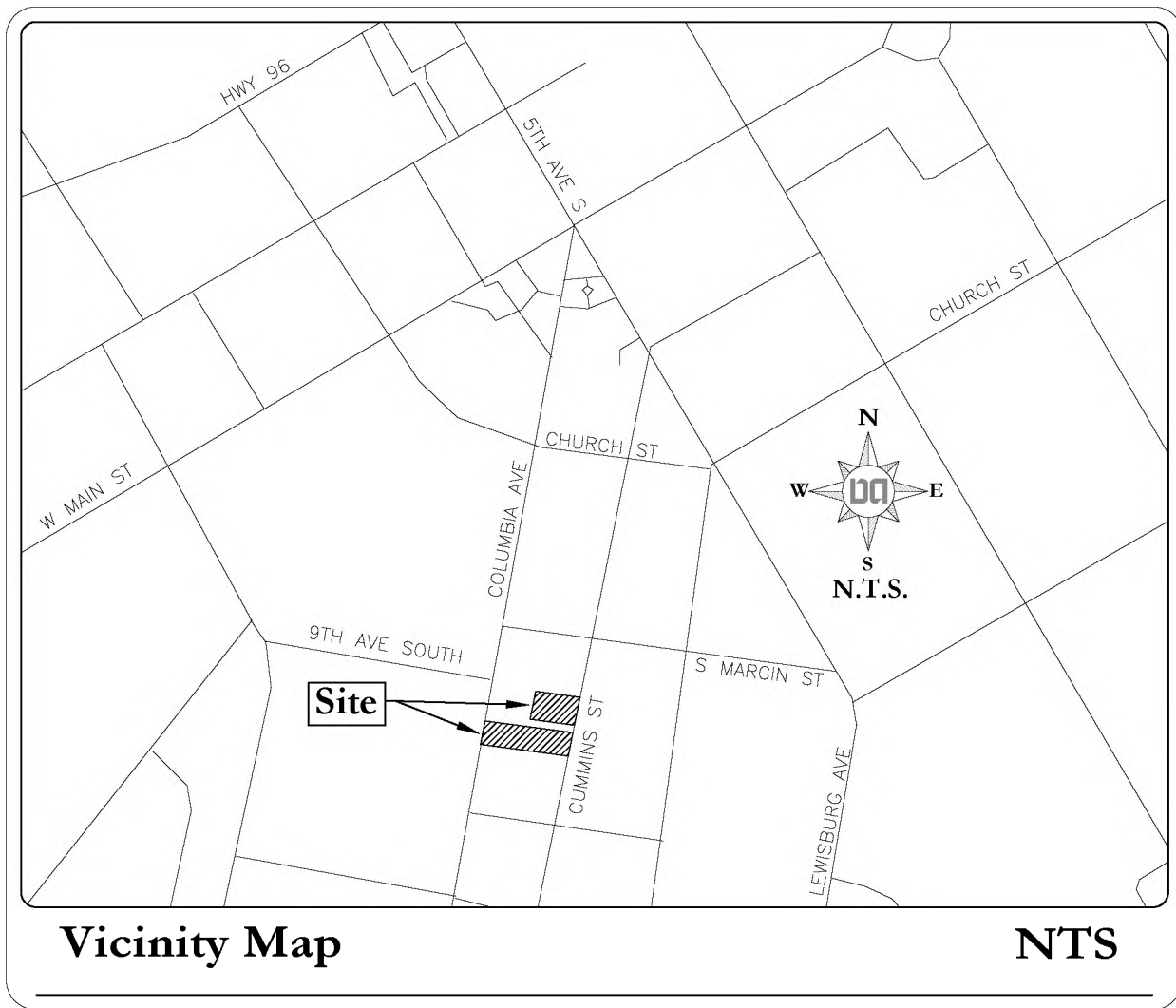
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Parcels

County Tax Grid



Maxar, Microsoft, City of Franklin GIS Dept.



Area	Acres	Sq. Feet
813 Columbia Ave	0.30	12948.73
314 Cummins St	0.18	7656.09

LEGAL DESCRIPTION
TRACT 1:

LAND SITUATED AND BEING IN THE TOWN OF FRANKLIN, THE NINTH CIVIL DISTRICT OF WILLIAMSON COUNTY, TENNESSEE, TO WIT:

FRONTING EIGHTY (80) FEET ON THE EASTERLY SIDE OF COLUMBIA AVENUE AND RUNS BACK FROM OUTSIDE OF CONCRETE WALK BETWEEN PARALLEL LINES 173 FEET, MORE OR LESS, TO THE WESTERLY MARGIN OF CUMMINS STREET, AND BOUNDED GENERALLY AS FOLLOWS: ON THE NORTH BY AN ALLEY; EAST BY CUMMINS STREET; SOUTH BY PROPERTY OF R.R. LUNN AND WEST BY COLUMBIA AVENUE.

INCLUDED IN THE ABOVE DESCRIPTION, BUT EXPRESSLY EXCLUDED THEREFROM IS THE PROPERTY CONVEYED TO THE STATE OF TENNESSEE IN BOOK 441, PAGE 830, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH BOUNDARY OF WILLIAM H. WALKER AND N.Y. WALKER, JR., AND THE EAST MARGIN OF COLUMBIA AVENUE (STATE ROUTE 6); THENCE WITH THE SAID EAST MARGIN NORTH 11 DEGREES 04 MINUTES EAST 80 FEET MORE OR LESS TO A POINT; THENCE WITH THE SOUTH MARGIN OF AN ALLEY SOUTH 78 DEGREES 31 MINUTES EAST 5.5 FEET TO A POINT; THENCE WITH THE PROPOSED RIGHT-OF-WAY SOUTH 11 DEGREES 04 MINUTES WEST 80 FEET MORE OR LESS TO A POINT; THENCE WITH THE SAID NORTH BOUNDARY NORTH 78 DEGREES 56 MINUTES WEST 5.5 FEET TO THE POINT OF BEGINNING AND CONTAINING 454 SQUARE FEET AND BEING PART OF THE PROPERTY CONVEYED TO THIRD NATIONAL BANK, TRUSTEE TO THOMAS R. RIDLEY, AND WIFE, ALMA E. RIDLEY OF RECORD IN BOOK 185, PAGE 951, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE.

ALSO INCLUDED IN THE ABOVE DESCRIPTION, BUT EXPRESSLY EXCLUDED THEREFROM IS THE PROPERTY CONVEYED TO THE CITY OF FRANKLIN, TENNESSEE IN BOOK 4556, PAGE 663, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EASTERLY PRESENT RIGHT-OF-WAY LINE OF COLUMBIA AVENUE AT ITS INTERSECTION WITH THE SOUTHERLY PRESENT RIGHT-OF-WAY LINE OF AN ALLEY, SAID POINT BEING THE NORTHWEST CORNER OF WENDY KURLAND AS EVIDENCED BY DEED OF RECORD IN BOOK 949, PAGE 942, REGISTER'S OFFICE OF WILLIAMSON COUNTY, TENNESSEE, SAID KURLAND PROPERTY BEING SHOWN AS PARCEL 13 ON MAP 078F, CONTROL MAP 078F, GROUP B, SAID POINT BEING LOCATED AT STA. 121+09.18, 25.14 FEET RIGHT OF THE PROPOSED CENTERLINE OF COLUMBIA AVENUE AS ESTABLISHED BY E.G. & G. INC. FOR THE FRANKLIN CORRIDOR AND CONNECTOR STREETS ECONOMIC DEVELOPMENT PROJECT, SEGMENT ONE, PROJECT NO. 24012.12, THENCE WITH SAID SOUTHERLY PRESENT RIGHT-OF-WAY LINE OF ALLEY, SOUTH 78°49'00" EAST 18.50 FEET TO STA. 121+09.29, 43.64 FEET RIGHT OF PROPOSED CENTERLINE; THENCE WITH A NEW LINE, ACROSS SAID KURLAND, SOUTH 11°32'24" WEST 7.50 FEET STA. 121+01.79, 43.63 FEET RIGHT OF PROPOSED CENTERLINE; THENCE SOUTH 56°32'28" WEST 12.62 FEET TO STA. 120+92.87, 34.71 FEET RIGHT OF PROPOSED CENTERLINE; THENCE SOUTH 11°32'24" WEST 19.66 FEET TO STA. 120+73.21, 34.70 FEET RIGHT OF PROPOSED CENTERLINE; THENCE 332°7'31" EAST 10.50 TO STA. 120+65.78, 42.13 FEET RIGHT OF PROPOSED CENTERLINE; THENCE SOUTH 11°32'24" WEST 36.5 FEET TO THE NORTHERLY LINE OF TRACT 43 OF SAID PROJECT AT STA. 120+29.28, 42.12 FEET RIGHT OF PROPOSED CENTERLINE; THENCE WITH SAID NORTHERLY LINE OF TRACT 43, NORTH 78°49'00" WEST 17.00 FEET TO SAID EASTERLY PRESENT RIGHT-OF-WAY LINE OF COLUMBIA AVENUE AT STA. 120+28.18, 25.12 FEET RIGHT OF PROPOSED CENTERLINE; THENCE WITH SAID EASTERLY PRESENT RIGHT-OF-WAY LINE, NORTH 11°32'24" EAST 80.80 FEET TO THE POINT OF BEGINNING, CONTAINING 1171 SQUARE FEET, OR 0.027 ACRE, MORE OR LESS.

BEING PART OF THE SAME PROPERTY CONVEYED TO SHELTON KURLAND AND WIFE, BARBARA KURLAND BY WARRANTY DEED FROM THOMAS R. RIDLEY AND WIFE, ALMA E. RIDLEY OF RECORD IN BOOK 548, PAGE 99, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE, DATES AUGUST 28, 1985, AS TO TRACT 1. (VALUE OR CONSIDERATION SHOWN IN AFOREMENTIONED DEED \$165,000.00.)

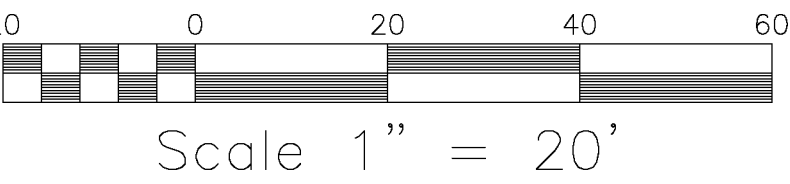
BEING PART OF THE SAME PROPERTY CONVEYED TO GAY LISA LEVINE, TRUSTEE BY QUITCLAIM DEED FROM SHELTON KURLAND AND WIFE, BARBARA KURLAND OF RECORD IN BOOK 949, PAGE 942, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE, DATED DECEMBER 02, 1991 AND RECORDED ON JANUARY 27, 1992, AND WITHIN THE SAME DEED THE SAID GAY LISA LEVINE, TRUSTEE CONVEYED HER INTEREST IN THE SUBJECT PROPERTY TO WENDY KURLAND, AS TO TRACT (VALUE OF CONSIDERATION SHOWN IN AFOREMENTIONED DEED \$0.00.)

TRACT 2:

A CERTAIN TRACT OR PARCEL OF LAND IN WILLIAMSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A STAKE IN THE NORTH BOUNDARY LINE OF FARNSWORTH LOT PURCHASED FROM THE NOLEN HEIRS, WHICH STAKE IS 86 1/2 FEET EAST OF NORTHWEST CORNER OF SAID LOT, RUNNING THENCE IN AN EASTERLY DIRECTION WITH NORTH BOUNDARY LINE OF SAID LOT 86 1/2 FEET TO CUMMINS STREET; THENCE IN A SOUTHERLY DIRECTION AND WITH SAID CUMMINS STREET 94 1/2 FEET TO AN ALLEY, BEING THE SOUTHWEST CORNER OF SAID LOT PURCHASED BY S.E. FARNSWORTH FRO, THE NOLEN HEIRS; THENCE WITH SAID ALLEY IN A WESTERLY DIRECTION 82 1/2 FEET TO A STAKE IN SAME, WHICH STAKE IS 86 1/2 FEET EAST OF THE SOUTHEAST CORNER OF SAID LOT PURCHASED FROM THE NOLEN HEIRS; THENCE IN A NORTHERLY DIRECTION AND PARALLEL WITH COLUMBIA AVENUE 94 1/2 FEET TO THE BEGINNING AND BEING THE EASTERLY PORTION OF THE LOT CONVEYED TO S.E. FARNSWORTH, ET UX., BY DEED OF PORTER NOLEN, ET AL., RECORDED IN DEED BOOK 84, PAGE 204, REGISTER'S OFFICE OF WILLIAMSON COUNTY, TENNESSEE.

BEING THE SAME PROPERTY CONVEYED TO WENDY ANNE KURLAND BY WARRANTY DEED FROM SARA STEPHENS ISAACS AND LAZINKA STEPHENS DEBOW OF RECORD IN BOOK 845, PAGE 180, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE, DATED APRIL 19, 1990 AND RECORDED ON APRIL 26, 1990, AS TO TRACT 2. (VALUE OR CONSIDERATION SHOWN IN AFOREMENTIONED DEED \$51,000.00)

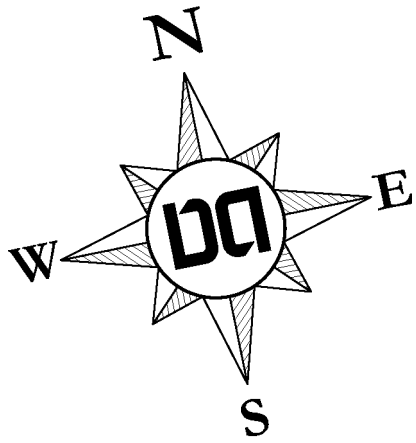


813 COLUMBIA AVENUE

DEED REFERENCE
TO: WENDY KURLAND
RECORD: BOOK 949, PAGE 942, R.O.W.C., TENNESSEE
TAX MAP REFERENCE
BEING PARCEL 013.00 ON TAX MAP 78F, GROUP B

314 CUMMINS STREET

DEED REFERENCE
TO: WENDY ANNE KURLAND
RECORD: BOOK 845, PAGE 180, R.O.W.C., TENNESSEE
TAX MAP REFERENCE
BEING PARCEL 016.00 ON TAX MAP 78F, GROUP B



Survey Description of Tract 2

Land situated in the ninth civil district of Franklin, Williamson County, Tennessee, and being more particular described as follows;

Commencing at the approximate centerline intersection of Cummings Street, and South Margin Street, thence in a southerly direction 225.84+/- feet to a 5/8" iron rod set by Dale and Associates having a pink cap, at the northwest intersection, on the northerly margin of an alley and the westerly margin of Cummings Street, at approximate Tennessee state plane coordinate location of N:578,944.86, E:1,710,387.49, being the southeast corner of the subject property and the point of beginning of herein described land;

thence with the northerly margin of an alley, North 79°03'34" West, a distance of 81.28 feet to a 5/8" iron rod set by Dale and Associates having a pink cap, at the southeast corner of Pewitt Family Trust of record in deed book 1105, page 849, in the Register's Office for Williamson County, Tennessee, (R.O.W.C., TN);

thence with said line, North 11°31'31" East, a distance of 94.50 feet to a 5/8" iron rod set by Dale and Associates having a pink cap on the southerly line of Main Street Capital, LLC, of record in deed book 8223, page 51, R.O.W.C., TN;

thence with said line, South 79°03'39" East, a distance of 80.76 feet a 5/8" iron rod found, by Dale and Associates having a pink cap, on the westerly margin of Cummings Street;

thence with said margin, South 11°12'39" West, a distance of 94.50 feet to the point of beginning of herein described land, having an area of 7656.09 square feet or 0.18 acres more or less;

This description was prepared Dale and Associates under the supervision of Steven C. Matthews, Tennessee Registered Land Surveyor Number 2352, on February 28, 2022, and is based on survey work conducted on December 2021 & February 2022, under project number 20081;

Being part of the same property conveyed to Wendy Anne Kurland, by Warranty deed, dated April 19, 1990, from Sara Stephens Isaacs and Lazinka Stephens DeBow of record in deed book 845, page 180, in the Register's Office for Williamson County, Tennessee;

Survey Description Tract 1

Land situated in the ninth civil district of Franklin, Williamson County, Tennessee, and being more particular described as follows;

Commencing at the approximate centerline intersection of Cummings Street, and South Margin Street, thence in a southerly direction 235.78+/- feet to a mag-spike set, by Dale and Associates with a washer, at the southwest intersection, of the southerly margin of an alley and the westerly margin of Cummings Street, at approximate Tennessee state plane coordinate location of N:578,944.86, E:1,710,387.49, being the northeast corner of the subject property and the point of beginning of herein described land;

thence with the margin of Cummings street, South 11°12'39" West, a distance of 79.80 feet to a mag-spike set, by Dale and Associates with a washer, on the northerly line of Renasant Bank, of record in deed book 6639, page 326, in the Register's Office for Williamson County, Tennessee, (R.O.W.C., TN);

thence with said line, North 79°08'09" West, a distance of 148.69 feet to a mag-nail found, by Ragan Smith and Associates with a washer, at the northwest corner of Renasant Bank, on the easterly margin of Columbia Avenue, (State Route 6);

thence, North 79°03'29" West, passing on 5/8" iron rod found having no cap at 7.29 feet for a total distance of 13.58 feet to a mag-spike set, by Dale and Associates with a washer, on the easterly margin of Columbia Avenue, (State Route 6);

thence with said margin, North 11°31'31" East, a distance of 80.00 feet to a mag-spike set, by Dale and Associates with a washer, at the northwest intersection to the southerly margin of an alley and the easterly margin of Columbia Avenue, (State Route 6);

thence with the southerly margin of the alley, South 79°03'33" East, a distance of 161.83 feet to the point of beginning of herein described land, having an area of 12948.73 square feet or 0.30 acres more or less;

This description was prepared Dale and Associates under the supervision of Steven C. Matthews, Tennessee Registered Land Surveyor Number 2352, on February 28, 2022, and is based on survey work conducted on December 2021 & February 2022, under project number 20081;

Being part of the same property conveyed to Wendy Kurland in the same deed that Gay Lisa Levin, Trustee, her successors on assigns, by Quitclaim deed, dated December 2, 1991, from Sheldon Kurland and wife Barbara Kurland of record in deed book 949, page 942, in the Register's Office for Williamson County, Tennessee;

GPS NOTE
RTK GPS (UTILIZING THE TDOOT GNSS REFERENCE NETWORK) WAS USED ON THIS PROJECT.
POSITIONAL ACCURACY – SPECTRA PRECISION SPB – GNSS RECEIVER
RTK HORIZONTAL: 8 MM (0.026 FT) + 1 PPM
RTK VERTICAL: 15 MM (0.049 FT) + 1 PPM
DATES OF SURVEY – NOVEMBER 4, 2020 & NOVEMBER 24, 2021
GPS LOCATIONS USED FOR THIS SURVEY WERE ESTABLISHED USING A VRS (VIRTUAL REFERENCE STATIONS) HORIZONTAL DATUM – NAD 83 (CORS 96), EPOCH 2002
VERTICAL DATUM – NAVD88 [GEOID03]

GENERAL NOTES

1. THIS SURVEY CONFORMS TO THE GUIDELINES SET FORTH IN THE STANDARDS OF PRACTICE CHAPTER 0820-3-05 FOR A CATEGORY 1 SURVEY HAVING A RATIO OF PRECISION EXCEEDING 1:10,000 AS SHOWN HEREON.
2. DISTANCES SHOWN WERE MEASURED BY ELECTRONIC MEASURING EQUIPMENT AND HAVE BEEN ADJUSTED FOR TEMPERATURE.
3. THE NORTHEASTERLY CORNER OF THE PROPERTY IS 187.9+/- FROM THE APPROXIMATE CENTERLINE INTERSECTION OF COLUMBIA AVENUE AND 9TH AVENUE SOUTH.
4. PROPERTY IS ZONED CC (CENTRAL COMMERCIAL DISTRICT). SETBACKS ARE PER THE CITY OF FRANKLIN, TENNESSEE ZONING CODE.
5. THE PROPERTY SHOWN IS NOT INCLUDED IN AREAS DESIGNATED AS "SPECIAL FLOOD HAZARD" ON THE MOST CURRENT FLOOD INSURANCE MAP AVAILABLE TO THIS OFFICE BEING PANEL NO. 47187C0211 G. EFFECTIVE DATE: DECEMBER 22, 2018.
6. UTILITIES SHOWN ARE FROM FIELD LOCATED VISIBLE APPURTENANCES, MAPS OBTAINED FROM CONSULTATION WITH VARIOUS UTILITY COMPANIES, OR OTHER DRAWINGS. THIS SURVEYOR MAKES NO GUARANTEE THAT 1) THE UNDERGROUND UTILITIES, EITHER CURRENTLY IN SERVICE OR ABANDONED, COMPRISE ALL OF SUCH UTILITIES IN THE SUBJECT AREA AND THAT 2) THEY ARE IN THE EXACT INDICATED LOCATION AS SHOWN. SURVEYOR DID NOT PHYSICALLY LOCATE UNDERGROUND UTILITIES
7. BEARINGS SHOWN ARE RELATIVE TO TENNESSEE STATE PLANE COORDINATES NAD83 [CORS96 EPOCH2002].
8. ELEVATIONS SHOWN ARE RELATIVE TO NAVD 1988.
9. CONTOURS ARE SHOWN ON A 2 FOOT INTERVAL DERIVED FROM GROUND SHOTS.
10. ISSUED BY CHICAGO TITLE INSURANCE COMPANY. COMMITMENT NUMBER: P21-4023-WE-1. COMMITMENT DATE: NOVEMBER 11, 2021 AT 8:00 AM, WAS PROVIDED TO THIS SURVEYOR

SCHEDULE B SECTION II (EXCEPTIONS):

9. RIGHT OF WAY DEED OF RECORD IN BOOK 441, PAGE 830, IN THE REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE, (TRACT 1) DEDICATION, DOES NOT AFFECT, THIS AREA FALLS WITHIN THE RIGHT OF WAY OF COLUMBIA AVENUE. 3 FOOT TEMPORARY CONSTRUCTION EASEMENTS, MAY NOT AFFECT, CONSTRUCTION HAS BEEN COMPLETED.
10. AGREED FINAL JUDGMENT FOR EASEMENT OF RECORD IN BOOK 4556, PAGE 663, IN THE REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE, (TRACT 1). AS SHOWN ON SURVEY.
11. RIGHT OF WAY'S OF COLUMBIA AVENUE, CUMMINS STREET AND ALLEYWAY. (TRACT 1) TRACT 1 HAS ACCESS TO PUBLIC RIGHT OF WAY OF ALL THREE.
12. RIGHT OF WAY'S OF CUMMINS STREET AND AN ALLEYWAY. (TRACT 2) TRACT 2 HAS ACCESS TO PUBLIC RIGHT OF WAY OF BOTH.

OPTIONAL TABLE "A" ITEMS: MORE SPECIFICALLY DESCRIBED:

1. MONUMENTS SET OR REPLACED.
2. 813 COLUMBIA AVENUE, FRANKLIN, TN 37064
3. 314 CUMMINS STREET, FRANKLIN, TN 37064
3. SEE GENERAL NOTE #5, SUBJECT TO MAP SCALE UNCERTAIN.
4. IN UPPER LEFT HAND CORNER UNDER THE VICINITY MAP.
5. SEE GENERAL NOTES #8-9 & GPS NOTE
- 7(B1): AS SHOWN ON THE SURVEY.
- 7(B2): AS SHOWN ON THE SURVEY.
- 7(C): AS SHOWN ON THE SURVEY
8. SUBSTANTIAL FEATURES SHOWN ON SURVEY.
9. THERE ARE NO PARKING SPACES ON SITE.
11. AS SHOWN ON SURVEY
13. AS SHOWN ON SURVEY
14. SEE GENERAL NOTE #3.

SURVEYOR'S CERTIFICATE

CERTIFY TO: CHICAGO TITLE INSURANCE COMPANY;
AIG, LLC, & WENDY KURLAND, AS TO TRACT 1, AND
WENDY ANNE KURLAND, AS TO TRACT 2

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH SCHEDULE B-II REQUIREMENTS FOR NEW/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-5, 7B1, 7B2, 7C, 8, 9, 11, 13 & 14 ON TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON FEBRUARY 25, 2022. THE DRAWING WAS COMPLETED ON FEBRUARY 28, 2022.

February 28, 2022
DATE



STEVEN C. MATTHEWS TN. RLS #2352

ALTA/NSPS Land Title Survey

813 Columbia Ave & 314 Cummins St
Being Parcel 13 & 16 on Tax Map 78F, Group B
Franklin, Williamson County, Tennessee

Owner /Developer:

Wendy Anne Kurland
1805 Kingsbury Drive
Nashville, TN 37215

Rev:

Date: February 28, 2022

Dale & Associates

516 Heather Place
Nashville, Tennessee 37204
(615) 297-5166



Consulting Civil Engineering
Land Planning & Zoning
Landscape Architecture
Surveying

Project # 20081

Sheet I of 1

314 CUMMINS STREET ORDINANCE 2024-15

Project Information

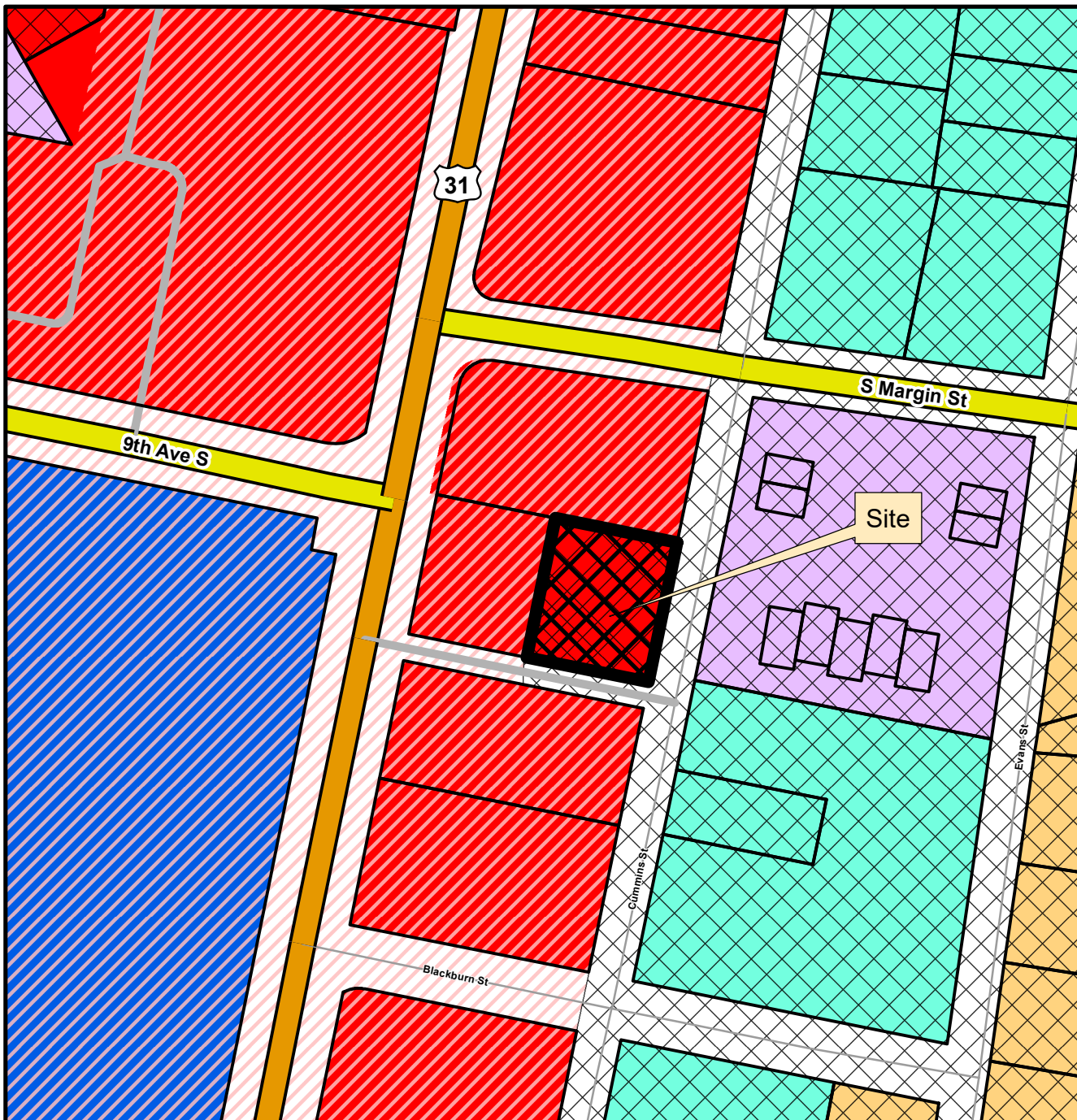
Existing Zoning: CC (CFO District)
Proposed Zoning: CC (CAO-1 District)
Overlay Districts: CFO
Site Acreage: 0.18 acres

Legend

-  314 Cummins Street
-  Central Franklin Overlay

Zoning Overlay Districts

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-  MR Mixed Residential District
-  PD Planned District
-  OR Office Residential District
-  CI Civic Institutional District
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-  CC Central Commercial District
-  DD Downtown District
-  1ST Avenue District
-  5TH Avenue District
-  RC6 Regional Commerce 6 District
-  RC12 Regional Commerce 12 District
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-  LI Light Industrial District
-  HI Heavy Industrial District



This map was created by the Franklin Planning Department.
It was compiled from the most authentic information available.
The City is not responsible for any errors or omissions contained hereon.
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0 250 500 1,000
Feet



HISTORIC
FRANKLIN
TENNESSEE



March 15, 2024

Margin District

S8D Project No. 2007.03

CoF Project No. 8450

Below and attached is the requested documentation for the proposed rezoning of 314 Cummins Street. Three-fourteen Cummins Street is currently listed under the CC Zoning District and the CFO Overlay District. We propose to maintain the CC Zoning District and change the Overlay District for CAO-1 to match the surrounding parcels.

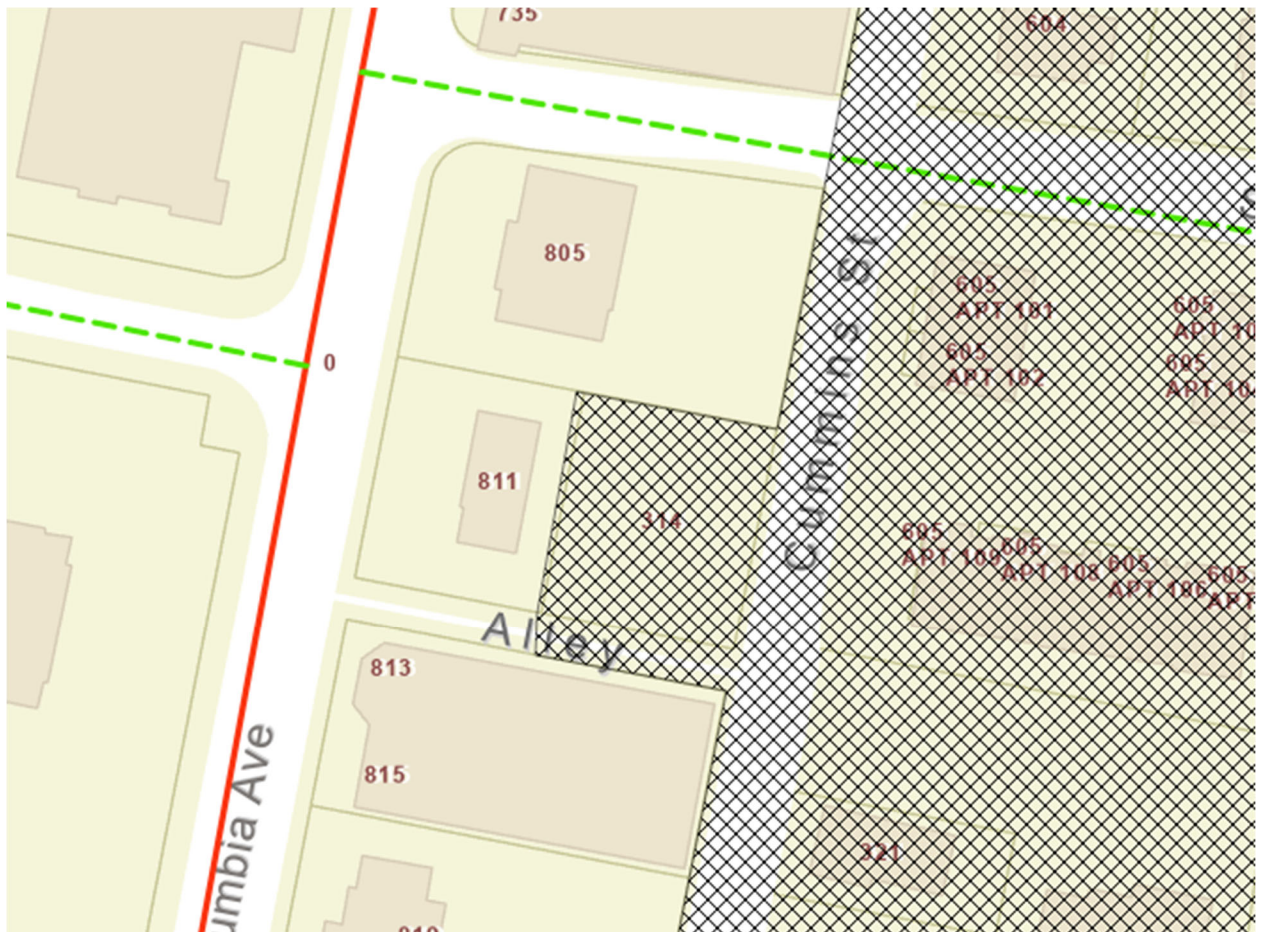
REZONING CHECKLIST

1. See attached signed and notarized Owner Affidavit. Public Notice Affidavit will follow once letters have been sent to the neighbors.
2. This property is part of a mixed-use development that will encompass portions of the 700 and 800 blocks on the east side of Columbia Avenue.
3. The City OF Franklin Project Number is 8450.
4. Landowner Name: AIG Franklin, LLC
Landowner Address: 2000 Morris Avenue, Suite 1300, Birmingham, Alabama, 35203
5. Architect Name: Matt Taylor
Architect Company: Studio 8 Design
Architect Address: 56 Lindsley Avenue, Nashville, Tennessee, 37210



6. Not Applicable
7. See attached Tax Map. The site address is: 314 Cummins Street, Franklin, Tennessee, 37064. The site parcel number is: 078F B 01600 00009078F.

8. The Vicinity Map is shown in the upper left-hand corner of the attached Survey.
9. Three-fourteen Cummins Street is currently listed under the CC Zoning District and the CFO Overlay District. We propose to maintain the CC Zoning District and change the Overlay District for CAO-1 to match the surrounding parcels.
10. See attached Survey.
11. See attached Survey.
12. See attached Survey.
13. See attached Survey.
14. Existing Zoning District: CC
Existing Overlay District: CFO
Proposed Zoning District: CC
Proposed Overlay District: CAO-1
15. The Envision Franklin Design concept for this parcel is Neighborhood Mixed Use.
16. The CFO Overlay encompasses the entirety of 314 Cummins Street.



17. See attached Survey.
18. The attached Survey was completed in 2022. Since that time ownership of the surrounding parcels has changed to:

805 Columbia Avenue

Owner: AIG Franklin, LLC
Parcel ID: 078F B 01500 00009078F
Deed Book: 9009
Deed Page: 820
Zoning District: CC
Overlay District: CAO-1

811 Columbia Avenue

Owner: AIG Franklin, LLC
Parcel ID: 078F B 01400 00009078F
Deed Book: Blank
Deed Page: Blank
Zoning District: CC
Overlay District: CAO-1

813 Columbia Avenue

Owner: AIG Franklin, LLC
Parcel ID: 078F B 01300 00009078F
Deed Book: 9009
Deed Page: 824
Zoning District: CC
Overlay District: CAO-1

19. See attached Survey.

OWNER AFFIDAVIT

City of Franklin, Tennessee

We/I AIG Franklin LLC

(Please print Name/Names in Full)

being duly sworn, depose and say(s) that (I am)/(we are) the owner(s) of the property described as:

078F B 01600 00009078F

(Property Parcel/Tax ID Number)

and located at:

314 Cummins Street, Franklin, Tennessee 37064

(Street Address)

am fully aware of the request for development approval in the City of Franklin, Tennessee. Furthermore, (I)/ (we) hereby appoint

Matthew K. Taylor

(Please print Name/Names in Full)

to act as my/our authorized agent on my/our behalf on all matters pertaining to the processing and obtaining the application with the exception of legal documents for recording purposes.

Matthew K. Taylor as Authorized Representative
Signature

2000 Morris Ave., Ste 1300

Property Owner Mailing Address

Birmingham, Alabama 35203

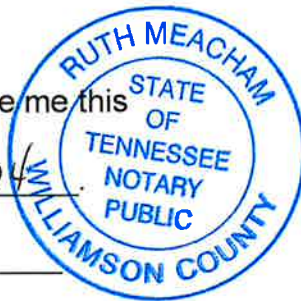
City, State & Zip

Subscribed and sworn to before me this

15th day of March, 2024

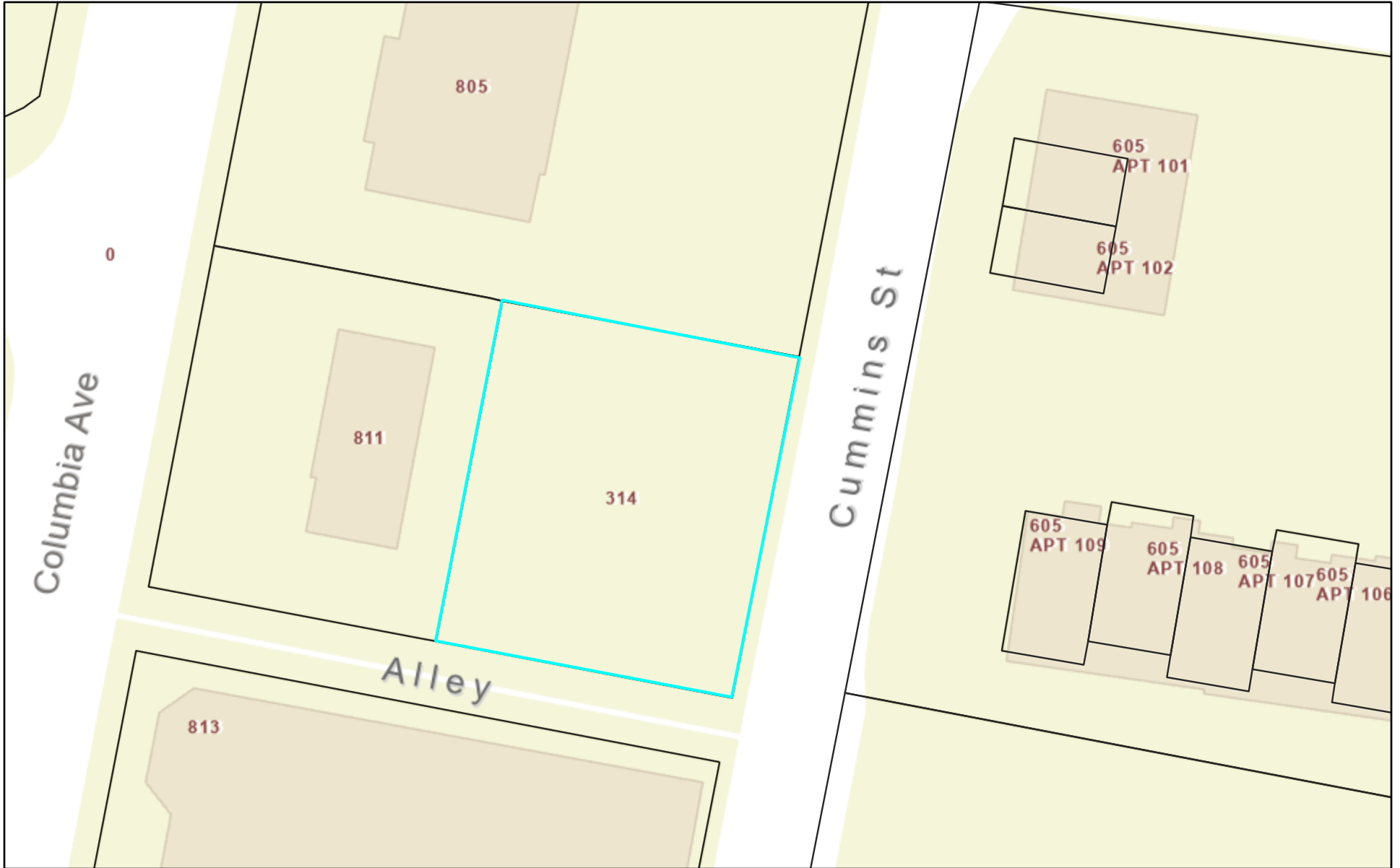
Ruth Meacham

Notary Public



My Commission Expires: 09/25/24

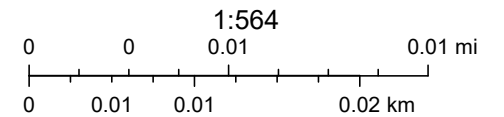
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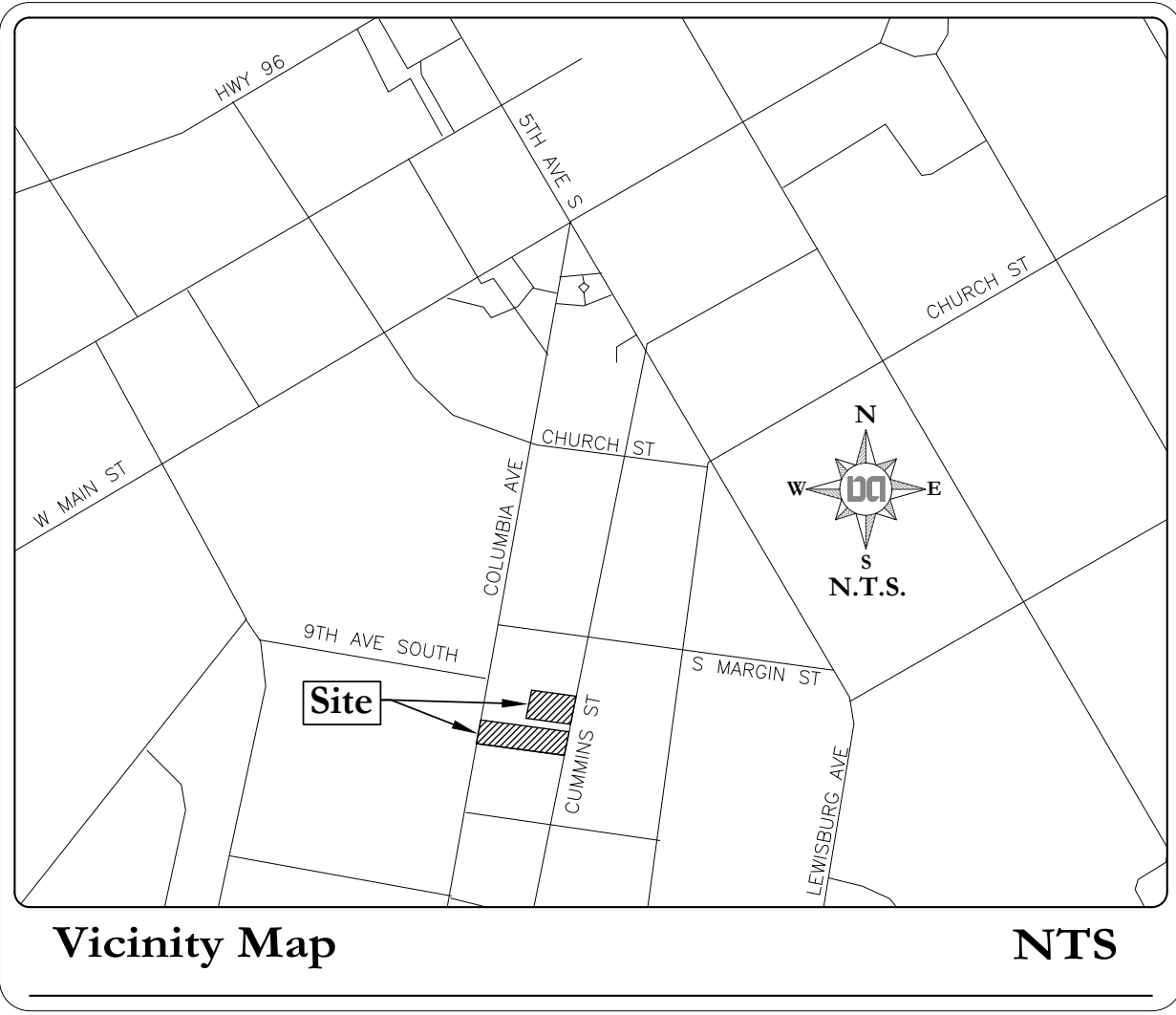
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Parcels

County Tax Grid



Maxar, Microsoft, City of Franklin GIS Dept.



Area	Acres	Sq. Feet
813 Columbia Ave	0.30	12948.73
314 Cummins St	0.18	7656.09

LEGAL DESCRIPTION

TRACT 1:

LAND SITUATED AND BEING IN THE TOWN OF FRANKLIN, THE NINTH CIVIL DISTRICT OF WILLIAMSON COUNTY, TENNESSEE, TO WIT:

FRONTING EIGHTY (80) FEET ON THE EASTERLY SIDE OF COLUMBIA AVENUE AND RUNS BACK FROM OUTSIDE OF CONCRETE WALK BETWEEN PARALLEL LINES 173 FEET, MORE OR LESS, TO THE WESTERLY MARGIN OF CUMMINS STREET, AND BOUNDED GENERALLY AS FOLLOWS: ON THE NORTH BY AN ALLEY; EAST BY CUMMINS STREET; SOUTH BY PROPERTY OF R.R. LUNN AND WEST BY COLUMBIA AVENUE.

INCLUDED IN THE ABOVE DESCRIPTION, BUT EXPRESSLY EXCLUDED THEREFROM IS THE PROPERTY CONVEYED TO THE STATE OF TENNESSEE IN BOOK 441, PAGE 830, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE POINT OF INTERSECTION OF THE NORTH BOUNDARY OF WILLIAM H. WALKER AND N.Y. WALKER, JR., AND THE EAST MARGIN OF COLUMBIA AVENUE (STATE ROUTE 6); THENCE WITH THE SAID EAST MARGIN NORTH 11 DEGREES 04 MINUTES EAST 80 FEET MORE OR LESS TO A POINT; THENCE WITH THE SOUTH MARGIN OF AN ALLEY SOUTH 78 DEGREES 31 MINUTES EAST 5.5 FEET TO A POINT; THENCE WITH THE PROPOSED RIGHT-OF-WAY SOUTH 11 DEGREES 04 MINUTES WEST 80 FEET MORE OR LESS TO A POINT; THENCE WITH THE SAID NORTH BOUNDARY NORTH 78 DEGREES 56 MINUTES WEST 5.5 FEET TO THE POINT OF BEGINNING AND CONTAINING 454 SQUARE FEET AND BEING PART OF THE PROPERTY CONVEYED TO THIRD NATIONAL BANK, TRUSTEE TO THOMAS R. RIDLEY, AND WIFE, ALMA E. RIDLEY OF RECORD IN BOOK 185, PAGE 951, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE.

ALSO INCLUDED IN THE ABOVE DESCRIPTION, BUT EXPRESSLY EXCLUDED THEREFROM IS THE PROPERTY CONVEYED TO THE CITY OF FRANKLIN, TENNESSEE IN BOOK 4556, PAGE 663, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE EASTERLY PRESENT RIGHT-OF-WAY LINE OF COLUMBIA AVENUE AT ITS INTERSECTION WITH THE SOUTHERLY PRESENT RIGHT-OF-WAY LINE OF AN ALLEY, SAID POINT BEING THE NORTHWEST CORNER OF WENDY KURLAND AS EVIDENCED BY DEED OF RECORD IN BOOK 949, PAGE 942, REGISTER'S OFFICE OF WILLIAMSON COUNTY, TENNESSEE, SAID KURLAND PROPERTY BEING SHOWN AS PARCEL 13 ON MAP 078F, CONTROL MAP 078F, GROUP B, SAID POINT BEING LOCATED AT STA. 121+09.18, 25.14 FEET RIGHT OF THE PROPOSED CENTERLINE OF COLUMBIA AVENUE AS ESTABLISHED BY E.G. & G. INC. FOR THE FRANKLIN CORRIDOR AND CONNECTOR STREETS ECONOMIC DEVELOPMENT PROJECT, SEGMENT ONE, PROJECT NO. 24012.12; THENCE WITH SAID SOUTHERLY PRESENT RIGHT-OF-WAY LINE OF ALLEY, SOUTH 78°49'00" EAST 18.50 FEET TO STA. 121+09.29, 43.64 FEET RIGHT OF PROPOSED CENTERLINE; THENCE WITH A NEW LINE, ACROSS SAID KURLAND, SOUTH 11°32'24" WEST 7.50 FEET STA. 121+01.79, 43.63 FEET RIGHT OF PROPOSED CENTERLINE; THENCE SOUTH 56°32'28" WEST 12.62 FEET TO STA. 120+92.87, 34.71 FEET RIGHT OF PROPOSED CENTERLINE; THENCE SOUTH 11°32'24" WEST 19.66 FEET TO STA. 120+73.21, 34.70 FEET RIGHT OF PROPOSED CENTERLINE; THENCE SOUTH 10°50'12" EAST 10.50 TO STA. 120+65.78, 42.13 FEET RIGHT OF PROPOSED CENTERLINE; THENCE SOUTH 11°32'24" WEST 36.5 FEET TO THE NORTHERLY LINE OF TRACT 43 OF SAID PROJECT AT STA. 120+29.28, 42.12 FEET RIGHT OF PROPOSED CENTERLINE; THENCE WITH SAID NORTHERLY LINE OF TRACT 43, NORTH 78°49'00" WEST 17.00 FEET TO SAID EASTERLY PRESENT RIGHT-OF-WAY LINE OF COLUMBIA AVENUE AT STA. 120+29.18, 25.12 FEET RIGHT OF PROPOSED CENTERLINE; THENCE WITH SAID EASTERLY PRESENT RIGHT-OF-WAY LINE, NORTH 11°32'24" EAST 80.80 FEET TO THE POINT OF BEGINNING, CONTAINING 1171 SQUARE FEET, OR 0.027 ACRE, MORE OR LESS.

BEING PART OF THE SAME PROPERTY CONVEYED TO SHELTON KURLAND AND WIFE, BARBARA KURLAND BY WARRANTY DEED FROM THOMAS R. RIDLEY AND WIFE, ALMA E. RIDLEY OF RECORD IN BOOK 548, PAGE 99, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE, DATES AUGUST 28, 1985, AS TO TRACT 1. (VALUE OR CONSIDERATION SHOWN IN AFOREMENTIONED DEED \$165,000.00.)

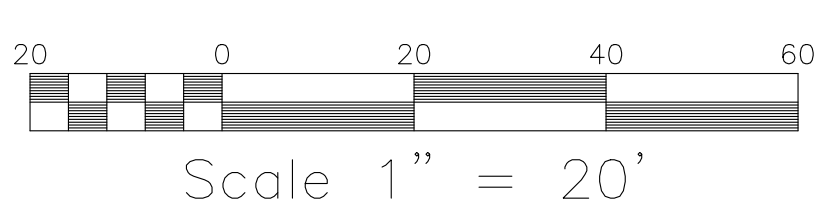
BEING PART OF THE SAME PROPERTY CONVEYED TO GAY LISA LEVINE, TRUSTEE BY QUITCLAIM DEED FROM SHELTON KURLAND AND WIFE, BARBARA KURLAND OF RECORD IN BOOK 949, PAGE 942, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE, DATED DECEMBER 02, 1991 AND RECORDED ON JANUARY 27, 1992, AND WITHIN THE SAME DEED THE SAID GAY LISA LEVINE, TRUSTEE CONVEYED HER INTEREST IN THE SUBJECT PROPERTY TO WENDY KURLAND, AS TO TRACT (VALUE OF CONSIDERATION SHOWN IN AFOREMENTIONED DEED \$0.00.)

TRACT 2:

A CERTAIN TRACT OR PARCEL OF LAND IN WILLIAMSON COUNTY, STATE OF TENNESSEE, DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT A STAKE IN THE NORTH BOUNDARY LINE OF FARNSWORTH LOT PURCHASED FROM THE NOLEN HEIRS, WHICH STAKE IS 86 1/2 FEET EAST OF NORTHWEST CORNER OF SAID LOT, RUNNING THENCE IN AN EASTERLY DIRECTION WITH NORTH BOUNDARY LINE OF SAID LOT 86 1/2 FEET TO CUMMINS STREET; THENCE IN A SOUTHERLY DIRECTION AND WITH SAID CUMMINS STREET 94 1/2 FEET TO AN ALLEY, BEING THE SOUTHWEST CORNER OF SAID LOT PURCHASED BY S.E. FARNSWORTH FRO, THE NOLEN HEIRS; THENCE WITH SAID ALLEY IN A WESTERLY DIRECTION 82 1/2 FEET TO A STAKE IN SAME, WHICH STAKE IS 86 1/2 FEET EAST OF THE SOUTHEAST CORNER OF SAID LOT PURCHASED FROM THE NOLEN HEIRS; THENCE IN A NORTHERLY DIRECTION AND PARALLEL WITH COLUMBIA AVENUE 94 1/2 FEET TO THE BEGINNING AND BEING THE EASTERLY PORTION OF THE LOT CONVEYED TO S.E. FARNSWORTH, ET UX., BY DEED OF PORTER NOLEN, ET AL., RECORDED IN DEED BOOK 84, PAGE 204, REGISTER'S OFFICE OF WILLIAMSON COUNTY, TENNESSEE.

BEING THE SAME PROPERTY CONVEYED TO WENDY ANNE KURLAND BY WARRANTY DEED FROM SARA STEPHENS ISAACS AND LAZINKA STEPHENS DEBOW OF RECORD IN BOOK 845, PAGE 180, REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE, DATED APRIL 19, 1990 AND RECORDED ON APRIL 26, 1990, AS TO TRACT 2. (VALUE OR CONSIDERATION SHOWN IN AFOREMENTIONED DEED \$51,000.00.)



813 COLUMBIA AVENUE

DEED REFERENCE
TO: WENDY KURLAND
RECORD: BOOK 949, PAGE 942, R.O.W.C., TENNESSEE
TAX MAP REFERENCE
BEING PARCEL 013.00 ON TAX MAP 78F, GROUP B

314 CUMMINS STREET

DEED REFERENCE
TO: WENDY ANNE KURLAND
RECORD: BOOK 845, PAGE 180, R.O.W.C., TENNESSEE
TAX MAP REFERENCE
BEING PARCEL 016.00 ON TAX MAP 78F, GROUP B



Survey Description of Tract 2

Land situated in the ninth civil district of Franklin, Williamson County, Tennessee, and being more particular described as follows:

Commencing at the approximate centerline intersection of Cummings Street, and South Margin Street, thence in a southerly direction 225.84+/- feet to a 5/8" iron rod set by Dale and Associates having a pink cap, at the northwest intersection, of the southerly margin of an alley and the westerly margin of Cummings Street, at approximate Tennessee state plane coordinate location of N:578,954.67, E:1,710,389.43, being the southeast corner of the subject property and the point of beginning of herein described land;

thence with the northerly margin of an alley, North 79°03'34" West, a distance of 81.28 feet to a 5/8" iron rod set by Dale and Associates having a pink cap, at the southeast corner of Pewitt Family Trust of record in deed book 1105, page 849, in the Register's Office for Williamson County, Tennessee, (R.O.W.C., TN);

thence with said line, North 11°31'31" East, a distance of 94.50 feet to a 5/8" iron rod set by Dale and Associates having a pink cap on the southerly line of Main Street Capital, LLC, of record in deed book 8223, page 51, R.O.W.C., TN;

thence with said line, South 79°03'39" East, a distance of 80.76 feet a 5/8" iron rod found, by Dale and Associates having a pink cap, on the westerly margin of Cummings Street;

thence with said margin, South 11°12'39" West, a distance of 94.50 feet to the point of beginning of herein described land, having an area of 7656.09 square feet or 0.18 acres more or less;

This description was prepared Dale and Associates under the supervision of Steven C. Matthews, Tennessee Registered Land Surveyor Number 2352, on February 28, 2022, and is based on survey work conducted on December 2021 & February 2022, under project number 20081;

Being part of the same property conveyed to Wendy Anne Kurland, by Warranty deed, dated April 19, 1990, from Sara Stephens Isaacs and Lazinka Stephens DeBow of record in deed book 845, page 180, in the Register's Office for Williamson County, Tennessee;

Survey Description Tract 1

Land situated in the ninth civil district of Franklin, Williamson County, Tennessee, and being more particular described as follows;

Commencing at the approximate centerline intersection of Cummings Street, and South Margin Street, thence in a southerly direction 235.78+/- feet to a mag-spike set, by Dale and Associates with a washer, at the southwest intersection, of the southerly margin of an alley and the westerly margin of Cummings Street, at approximate Tennessee state plane coordinate location of N:578,944.86, E:1,710,387.49, being the northeast corner of the subject property and the point of beginning of herein described land;

thence with the margin of Cummings street, South 11°12'39" West, a distance of 79.80 feet to a mag-spike set, by Dale and Associates with a washer, on the northerly line of Renasant Bank, of record in deed book 6639, page 326, in the Register's Office for Williamson County, Tennessee, (R.O.W.C., TN);

thence with said line, North 79°08'09" West, a distance of 148.69 feet to a mag-nail found, by Ragan Smith and Associates with a washer, at the northwest corner of Renasant Bank, on the easterly margin of Columbia Avenue, (State Route 6);

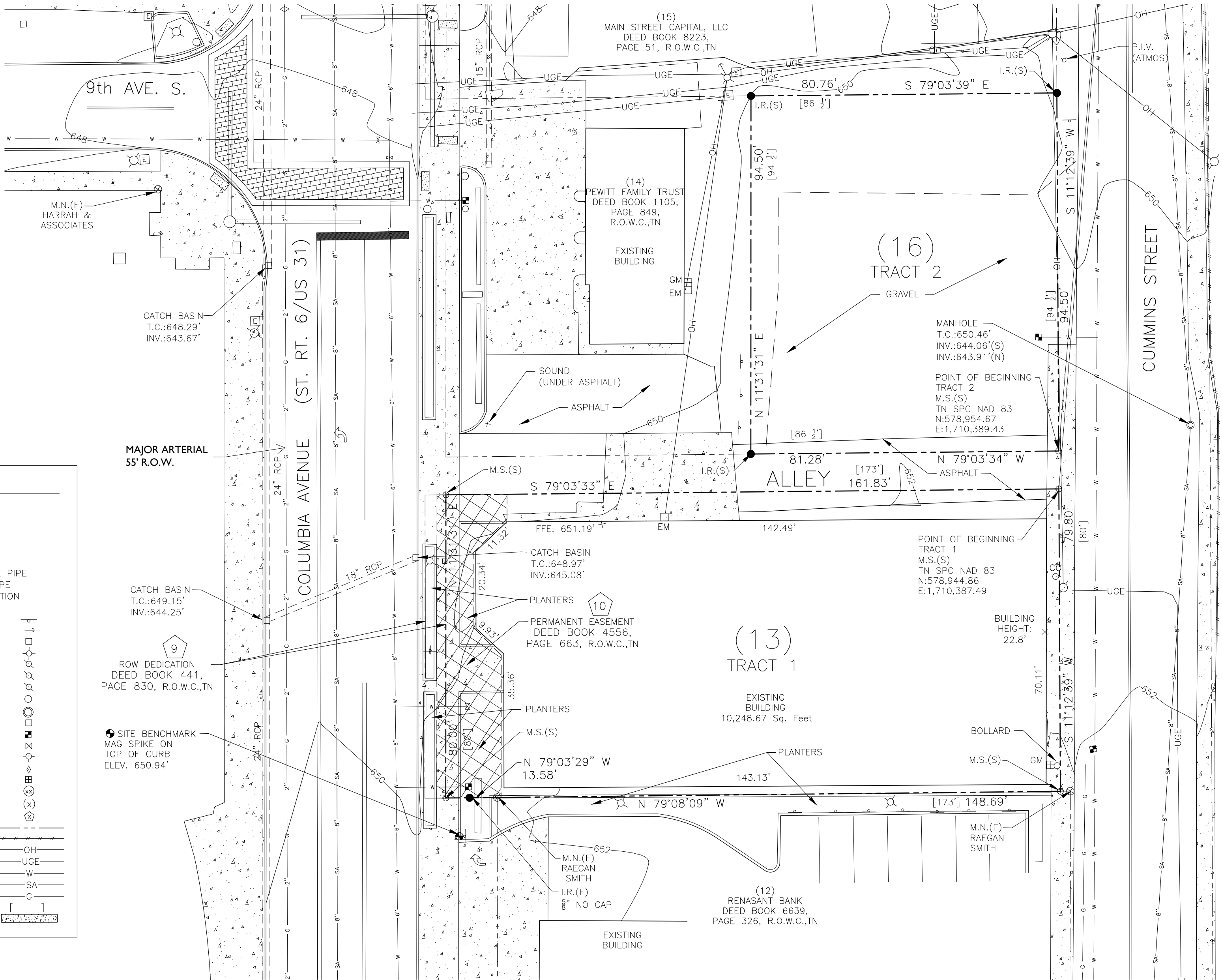
thence, North 79°03'29" West, passing on 5/8" iron rod found having no cap at 7.29 feet for a total distance of 13.58 feet to a mag-spike set, by Dale and Associates with a washer, on the easterly margin of Columbia Avenue, (State Route 6);

thence with said margin, North 11°31'31" East, a distance of 80.00 feet to a mag-spike set, by Dale and Associates with a washer, at the northwest intersection to the southerly margin of an alley and the easterly margin of Columbia Avenue, (State Route 6);

thence with the southerly margin of the alley, South 79°03'33" East, a distance of 161.83 feet to the point of beginning of herein described land, having an area of 12948.73 square feet or 0.30 acres more or less;

This description was prepared Dale and Associates under the supervision of Steven C. Matthews, Tennessee Registered Land Surveyor Number 2352, on February 28, 2022, and is based on survey work conducted on December 2021 & February 2022, under project number 20081;

Being part of the same property conveyed to Wendy Kurland in the same deed that Gay Lisa Levin, Trustee, her successors on assigns, by Quitclaim deed, dated December 2, 1991, from Sheldon Kurland and wife Barbara Kurland of record in deed book 949, page 942, in the Register's Office for Williamson County, Tennessee;



LEGEND	
M.S.(S)	MAG-SPIKE (SET)
M.S.(F)	MAG-SPIKE (FOUND)
M.N.(F)	MAG-NAIL (FOUND)
I.P.(F)	IRON PIPE (FOUND)
I.R.(F)	IRON ROD (FOUND)
I.R.(S)	IRON ROD (SET)
RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE
F.F.E.	FINISHED FLOOR ELEVATION
P.O.B.	POINT OF BEGINNING
SIGN	
ANCHOR	
E.M.	ELECTRIC METER
L.P.	LIGHT
P.P.	POWER POLE
S.P.	SERVICE POLE
T.P.	TELEPHONE POLE
C.O.	CLEAN OUT
M.H.	SANITARY MANHOLE
A.D.	INLET
W.M.	WATER METER
W.V.	WATER VALVE
F.H.	FIRE HYDRANT
G.V.	GAS VALVE
G.M.	GAS METER
LOT NUMBER	
PARCEL NUMBER	
SCHEDULE B-II	PROPERTY LINE
FENCE LINE	
OVERHEAD UTILITIES	
UNDERGROUND ELECTRIC	
WATER LINE	
SANITARY LINE	
GAS LINE	
PLAT BEARING/DISTANCE	
CONCRETE	

GPS NOTE
RTK GPS (UTILIZING THE TDOT GNSS REFERENCE NETWORK) WAS USED ON THIS PROJECT.
POSITIONAL ACCURACY – SPECTRA PRECISION SP8 – GNSS RECEIVER
RTK HORIZONTAL: 8 MM (0.026 FT) + 1 PPM
RTK VERTICAL: 15 MM (0.049 FT) + 1 PPM
DATES OF SURVEY – NOVEMBER 4, 2020 & NOVEMBER 24, 2021
GPS LOCATIONS USED FOR THIS SURVEY WERE ESTABLISHED USING A VRS (VIRTUAL REFERENCE STATIONS) HORIZONTAL DATUM – NAD 83 (CCRS 96), EPOCH 2002
VERTICAL DATUM – NAVD88 [GEOID03]

GENERAL NOTES

1. THIS SURVEY CONFORMS TO THE GUIDELINES SET FORTH IN THE STANDARDS OF PRACTICE CHAPTER 0820-3-05 FOR A CATEGORY 1 SURVEY HAVING A RATIO OF PRECISION EXCEEDING 1:10,000 AS SHOWN HEREON.
2. DISTANCES SHOWN WERE MEASURED BY ELECTRONIC MEASURING EQUIPMENT AND HAVE BEEN ADJUSTED FOR TEMPERATURE.
3. THE NORTHEASTLY CORNER OF THE PROPERTY IS 187.9+/- FROM THE APPROXIMATE CENTERLINE INTERSECTION OF COLUMBIA AVENUE AND 9TH AVENUE SOUTH.
4. PROPERTY IS ZONED CC (CENTRAL COMMERCIAL DISTRICT). SETBACKS ARE PER THE CITY OF FRANKLIN, TENNESSEE ZONING CODE.
5. THE PROPERTY SHOWN IS NOT INCLUDED IN AREAS DESIGNATED AS "SPECIAL FLOOD HAZARD" ON THE MOST CURRENT FLOOD INSURANCE MAP AVAILABLE TO THIS OFFICE BEING PANEL NO. 47187C0211 G, EFFECTIVE DATE: DECEMBER 22, 2016.
6. UTILITIES SHOWN ARE FROM FIELD LOCATED VISIBLE APPURTENANCES, MAPS OBTAINED FROM CONSULTATION WITH VARIOUS UTILITY COMPANIES, OR OTHER DRAWINGS. THIS SURVEYOR MAKES NO GUARANTEE THAT 1) THE UNDERGROUND UTILITIES, EITHER CURRENTLY IN SERVICE OR ABANDONED, COMPRISE ALL OF SUCH UTILITIES IN THE SUBJECT AREA AND THAT 2) THEY ARE IN THE EXACT INDICATED LOCATION AS SHOWN. SURVEYOR DID NOT PHYSICALLY LOCATE UNDERGROUND UTILITIES
7. BEARINGS SHOWN ARE RELATIVE TO TENNESSEE STATE PLANE COORDINATES NAD83 [CORS96 EPOCH2002].
8. ELEVATIONS SHOWN ARE RELATIVE TO NAVD 1988.
9. CONTOURS ARE SHOWN ON A 2 FOOT INTERVAL DERIVED FROM GROUND SHOTS.
10. ISSUED BY CHICAGO TITLE INSURANCE COMPANY, COMMITMENT NUMBER: P21-4023-WE-1, COMMITMENT DATE: NOVEMBER 11, 2021 AT 8:00 AM, WAS PROVIDED TO THIS SURVEYOR

SCHEDULE B SECTION II (EXCEPTIONS):

9. RIGHT OF WAY DEED OF RECORD IN BOOK 441, PAGE 830, IN THE REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE, (TRACT 1) DEDICATION, DOES NOT AFFECT, THIS AREA FALLS WITHIN THE RIGHT OF WAY OF COLUMBIA AVENUE, 3 FOOT TEMPORARY CONSTRUCTION EASEMENTS, MAY NOT AFFECT, CONSTRUCTION HAS BEEN COMPLETED.
10. AGREED FINAL JUDGMENT FOR EASEMENT OF RECORD IN BOOK 4556, PAGE 663, IN THE REGISTER'S OFFICE FOR WILLIAMSON COUNTY, TENNESSEE, (TRACT 1), AS SHOWN ON SURVEY.
11. RIGHT OF WAY'S OF COLUMBIA AVENUE, CUMMINS STREET AND ALLEYWAY. (TRACT 1) TRACT 1 HAS ACCESS TO PUBLIC RIGHT OF WAY OF ALL THREE.
12. RIGHT OF WAY'S OF CUMMINS STREET AND AN ALLEYWAY. (TRACT 2) TRACT 2 HAS ACCESS TO PUBLIC RIGHT OF WAY OF BOTH.

OPTIONAL TABLE "A" ITEMS: MORE SPECIFICALLY DESCRIBED:

1. MONUMENTS SET OR REPLACED.
2. 813 COLUMBIA AVENUE, FRANKLIN, TN 37064
3. 314 CUMMINS STREET, FRANKLIN, TN 37064
3. SEE GENERAL NOTE #5, SUBJECT TO MAP SCALE UNCERTAIN.
4. IN UPPER LEFT HAND CORNER UNDER THE VICINITY MAP.
5. SEE GENERAL NOTES #8-9 & GPS NOTE
- 7(B1): AS SHOWN ON THE SURVEY.
- 7(B2): AS SHOWN ON THE SURVEY.
- 7(C): AS SHOWN ON THE SURVEY
8. SUBSTANTIAL FEATURES SHOWN ON SURVEY.
9. THERE ARE NO PARKING SPACES ON SITE.
11. AS SHOWN ON SURVEY
13. AS SHOWN ON SURVEY
14. SEE GENERAL NOTE #3.

SURVEYOR'S CERTIFICATE
CERTIFY TO: CHICAGO TITLE INSURANCE COMPANY;
AIG, LLC, & WENDY KURLAND, AS TO TRACT 1, AND
WENDY ANNE KURLAND, AS TO TRACT 2
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH SCHEDULE B-II WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-5, 7B1, 7B2, 7C, 8, 9, 11, 13 & 14 ON TABLE A THEREOF. THE FIELDWORK WAS COMPLETED ON FEBRUARY 25, 2022. THE DRAWING WAS COMPLETED ON FEBRUARY 28, 2022.

February 28, 2022
DATE
STEVEN C. MATTHEWS, TN, RLS #2352

ALTA/NSPS Land Title Survey

813 Columbia Ave & 314 Cummins St
Being Parcel 13 & 16 on Tax Map 78F, Group B
Franklin, Williamson County, Tennessee

Owner /Developer:
Wendy Anne Kurland
1805 Kingsbury Drive
Nashville, TN 37215
Rev:
Date: February 28, 2022

Dale & Associates
516 Heather Place
Nashville, Tennessee 37204
(615) 297-5166
Project # 20081
Consulting Civil Engineering
Land Planning & Zoning
Landscape Architecture
Surveying
Sheet 1 of 1



April 1, 2024

CoF Project No.: 8450

Public Notice

This letter is written to provide public notice that the Franklin Municipal Planning Commission (FMPC) will be considering a proposed Rezoning for the property located at 314 Cummins Street, Franklin, Tennessee. The request will be heard by the FMPC on April 25, 2024, at 7pm.

Applicant:

Matt Taylor, Studio Eight Design

Email: mtaylor@s8-design.com

Phone: 615-250-8150

Application Type:

Rezoning

Date, Time, and Place of Public Meeting:

April 25, 2024, at 7pm in the City Hall Board Room, 109 3rd Avenue South, Franklin, Tennessee, 37064.

Subject Property:

314 Cummins Street, Franklin, Tennessee 37064.

Nature and Scope of the Application Request:

The submittal is a Rezoning, which proposes to change the Overlay District of the property from the Central Franklin Overlay (CFO) to the Columbia Avenue Overlay-1 (CAO-1). The property is currently zoned within the Central Commercial District and that will remain unchanged. Three-fourteen Cummins Street is part of a mixed-use development that will encompass portions of the 700 and 800 blocks on the east side of Columbia Avenue. The proposed Rezoning would align the Overlay District with that of the surrounding properties.

Where to View the Application:

The application may be viewed in the Planning and Sustainability Department, 109 3rd Avenue South, Franklin, Tennessee 37064.

Where the Public Can Be Heard:

The public may appear at the public meeting on April 25, 2024, at 7pm. To be heard, submit written comments with respect to the application. Written comments may be directed to the City of Franklin Planning and Sustainability Department via email at planningintake@franklin.gov and will be collected until noon on the day prior to the meeting. All written comments will be included with the item as part of the Planning Commission agenda.

Informational Only	For Mailing Labels				
ADDRESS	owner1	own_street	own_city	own_state	own_zip
705 COLUMBIA AVE	PEWITT CLYDE FAMILY TRUST	700 VERNON RD	FRANKLIN	TN	37067
601 CHURCH ST	TIREY MARGIE RITZI	2211 OAKBRANCH CIR	FRANKLIN	TN	37064
713 COLUMBIA AVE	AIG FRANKLIN LLC	2000 MORRIS AVE #1300	BIRMINGHAM	AL	35203
717 COLUMBIA AVE	W & W INVESTMENTS	717 COLUMBIA AVE	FRANKLIN	TN	37064
731 COLUMBIA AVE	AIG FRANKLIN LLC	2000 MORRIS AVE #1300	BIRMINGHAM	AL	35203
604 S MARGIN ST	BRENT CATHERINE HARDISON	604 S MARGIN	FRANKLIN	TN	37064
225 CUMMINS ST	CUMMINS VENTURES LLC	198 E MAIN ST #101	FRANKLIN	TN	37064
219 CUMMINS ST	PIRECKI EDWARD B	219 CUMMINS ST	FRANKLIN	TN	37064
517 CHURCH ST	WELLSPRING PROPERTIES LLC	517 CHURCH ST	FRANKLIN	TN	37064
515 CHURCH ST	ARLINGTON NASHVILLE RE LLC	2000 MORRIS AVE #1300	BIRMINGHAM	AL	35203
712 EVANS ST	VAILLANCOURT MARY JO	1015 FAIR ST	FRANKLIN	TN	37064
714 EVANS ST	AYERS NELL KEY	P O BOX 172	FRANKLIN	TN	37065
600 S MARGIN ST	REYNOLDS W FRED	4030 NATURES LANDING DR	FRANKLIN	TN	37064
510 S MARGIN ST	COMER JOHN HENRIK	510 S MARGIN ST	FRANKLIN	TN	37064
711 EVANS ST	MOORE ROBERT N JR	2020 FIELDSTONE PKWY #900-527	FRANKLIN	TN	37069
202 5TH AVE S	HARBAUGH G FOUNDATION	202 5TH AVE S	FRANKLIN	TN	37064
210 5TH AVE S	SANDERS BRENT M	4654 HARPETH-PEYT RD	THOMPSON STA	TN	37179
216 5TH AVE S	GUFFEE BARBARA H	2212 MORRISWOOD RD	FRANKLIN	TN	37064
218 5TH AVE S	STOVER JEREMY	218 5TH AVE S	FRANKLIN	TN	37064
220 5TH AVE S	WILSON PERRY	220 5TH AVE S	FRANKLIN	TN	37064
222 5TH AVE S	HICKS REBECCA ANN ODEN	209 NORTHRIDGE CIR	NASHVILLE	TN	37221
226 5TH AVE S	CAIN R DOUGLAS	226 5TH AVE S	FRANKLIN	TN	37064
504 S MARGIN ST	WATKINS DEBORAH DENISE	PO BOX 50846	SANTA BARBARA	CA	93150
508 S MARGIN ST	VON DEM BUSSCHE CARL F SR	508 S MARGIN ST	FRANKLIN	TN	37064
123 7TH AVE S	BAISDEN ROBERT B	123 7TH AVE S	FRANKLIN	TN	37064
117 7TH AVE S	HAN KYUNG	399 EDDY LN	FRANKLIN	TN	37064
111 7TH AVE S	JONES HARMON H III FAMILY TRUST	3625 BEAR CREEK LN	THOMPSONS STA	TN	37179
706 COLUMBIA AVE	CHHM PROPERTIES LLC	900 BRIARWOOD CREST	NASHVILLE	TN	37221
708 COLUMBIA AVE	CITY OF FRANKLIN	P O BOX 305	FRANKLIN	TN	37065-0305
722 COLUMBIA AVE	FRANKLIN SYNERGY BANK	722 COLUMBIA AVE	FRANKLIN	TN	37064
130 9TH AVE S	ARTESA GROUP LLC	130 9TH AVE S #200	FRANKLIN	TN	37064
900 COLUMBIA AVE	CITY OF FRANKLIN	P O BOX 305	FRANKLIN	TN	37065
926 COLUMBIA AVE	HILL H G REALTY CO	3011 ARMORY DR #130	NASHVILLE	TN	37204-1503
933 COLUMBIA AVE	AUTOZONE DEV LLC	123 S FRONT ST 3RD FLR	MEMPHIS	TN	38103
919 COLUMBIA AVE	J D PROPERTIES LLC	109 WESTPARK DR #400	BRENTWOOD	TN	37027
915 COLUMBIA AVE	KREIDER JAMES S	3807 NEW HWY 96 W	FRANKLIN	TN	37064
901 COLUMBIA AVE	CAMERON PROPERTIES	1503 COLUMBIA AVE	FRANKLIN	TN	37064-0000
815 COLUMBIA AVE	RENASANT BANK	1820 WEST END AVE	NASHVILLE	TN	37203
813 COLUMBIA AVE	AIG FRANKLIN LLC	2000 MORRIS AVE #1300	BIRMINGHAM	AL	35203
811 COLUMBIA AVE	AIG FRANKLIN LLC	2000 MORRIS AVE #1300	BIRMINGHAM	AL	35203
805 COLUMBIA AVE	AIG FRANKLIN LLC	2000 MORRIS AVE #1300	BIRMINGHAM	AL	35203
314 CUMMINS ST	AIG FRANKLIN LLC	2000 MORRIS AVE #1300	BIRMINGHAM	AL	35203
321 CUMMINS ST	SCALES-TINGAS SCARLETT WINTON	601 EASTVIEW CIR	FRANKLIN	TN	37064
605 S MARGIN ST	PERKINS HUBERTA H REV LIV TRUST	5520 SADDLEWOOD LN	BRENTWOOD	TN	37027
605 S MARGIN ST	PAINTER ALESIA DIANE	605 S MARGIN ST #104	FRANKLIN	TN	37064

605 S MARGIN ST	LISELLA VIRGINIA PACK	605 S MARGIN ST #5	FRANKLIN	TN	37064
605 S MARGIN ST	PETERSON JULIET W LIV TR	605 S MARGIN ST STE 106	FRANKLIN	TN	37064
605 S MARGIN ST	NOTARIANO FRANCINE C REV TRUST #1	605 S MARGIN ST #107	FRANKLIN	TN	37064
605 S MARGIN ST	REYNOLDS W FRED	4030 NATURES LANDING DR	FRANKLIN	TN	37064
605 S MARGIN ST	FREEMAN HOMER	1540 CHARLIE HOWELL RD	LEOMA	TN	38468
605 S MARGIN ST	WHITE KRISTINA S	605 S MARGIN ST UNIT 102	FRANKLIN	TN	37064
605 S MARGIN ST	JOHNSON SARAH JEAN LE	135 BUNKERS TRAIL	WARNER ROBBINS	GA	31088
319 CUMMINS ST	BELLSOUTH TELECOMMUNICATIONS INC	333 COMMERCE ST 11TH FLOOR	NASHVILLE	TN	37201-3300
403 CUMMINS ST	TARTER BRETT J	403 CUMMINS ST	FRANKLIN	TN	37064
902 EVANS ST	KOFORD DALE E HOME TRUST	1200 LIPSCOMB DR	BRENTWOOD	TN	37027
908 EVANS ST	KUSS FRANK E	908 EVANS ST	FRANKLIN	TN	37064
906 EVANS ST	GARRISON W LEWIS JR	4341 OLD BROOK TRL	BIRMINGHAM	AL	35243
407 CUMMINS ST	PEWITT WILLIAM L JR	407 CUMMINS ST	FRANKLIN	TN	37064
411 CUMMINS ST	BARR RICHARD C JR	411 CUMMINS ST	FRANKLIN	TN	37064
910 EVANS ST	CALABRACE BETSY A	141 DANFORD DR	CLARKSVILLE	TN	37043
423 CUMMINS ST	HUNTER MARY	423 CUMMINS ST	FRANKLIN	TN	37064
417 CUMMINS ST	TIREY MARGIE RITZI	2211 OAKBRANCH CIR	FRANKLIN	TN	37064
817 EVANS ST	HOUSE JAMES E	817 EVANS ST	FRANKLIN	TN	37064
813 EVANS ST	SHEA PETER	813 EVANS ST	FRANKLIN	TN	37064
809 EVANS ST	ALLAN GEORGE C	6 DARTMOOR	COTO DE CAZA	CA	92679
509 S MARGIN ST	DAHL BRADEN	509 S MARGIN ST	FRANKLIN	TN	37064
507 S MARGIN ST	MADDEN PATRICK	507 S MARGIN ST	FRANKLIN	TN	37064
505 S MARGIN ST	OGILVIE JAMES F	204 3RD AVE N #B	FRANKLIN	TN	37064
501 S MARGIN ST	STEWART LILLIAN CAMPBELL	201 LEWISBURG AVE	FRANKLIN	TN	37064
102 LEWISBURG AVE	CREMIN DANIEL	102 LEWISBURG AVE	FRANKLIN	TN	37064
104 LEWISBURG AVE	HOLLOWAY HOUSE LLC	1204 SUNCAST LN #2	EL DORADO HILLS	CA	95762
106 LEWISBURG AVE	RAILROAD TRUST	106 LEWISBURG AVE	FRANKLIN	TN	37064
108 LEWISBURG AVE	LAHEY VANCE P TR	108 LEWISBURG AVE	FRANKLIN	TN	37064
819 EVANS ST	HANNAH PAUL	819 EVANS ST	FRANKLIN	TN	37064
821 EVANS ST	SMITH MARNE VICTORIA	821 EVANS ST	FRANKLIN	TN	37064
901 EVANS ST	GARNER SUZANNE REV TRUST	901 EVANS ST	FRANKLIN	TN	37064
905 EVANS ST	WARREN FRANKLIN STEWART	905 EVANS ST	FRANKLIN	TN	37064



City of Franklin

109 3rd Ave S.
Franklin, TN 37064
(615) 791-3217

File #: 21-058

DATE: April 26, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Emily Wright, Director of Planning and Sustainability
Amy Diaz-Barriga, Asst Director of Planning Development
Joseph Bryan, Principal Planner

SUBJECT:

*Consideration Of Ordinance 2024-14, An Ordinance To Rezone 1.11 Acres From Residential 4 (R4) To Office Residential (OR) District For The Property Located North Of West Main Street And West Of Roberts Street, At 1138 And 1142 West Main Street. Establishing A Public Hearing On June 11, 2024
FMPC 4/25/24, 8-0

PURPOSE:

PROJECT INFORMATION

COF Project Number: 8439
Applicant: James and Shelly Luckett
Owner: James and Shelly Luckett

BACKGROUND/STAFF COMMENTS:

The applicant is requesting to rezone two properties consisting of 1.11 acres from Residential 4 (R4) District to Office Residential (OR) District located at 1138 and 1142 West Main Street. The subject property currently consists of two single family residential lots and are Lots 17 and 18 of the Petway Place Subdivision. Envision Franklin places these parcels in the Neighborhood Mixed Use Design Concept, which provides specific language for new development inside Mack Hatcher Parkway, which states "The small-town identity of the area should be preserved through special attention to massing and scale of new development. Historic structures are important community resources and should be preserved and protected. New buildings should be designed to be compatible with the predominant character along the street and should be sensitive to nearby buildings."

The properties are located along West Main Street across from commercially zoned properties and adjacent to established residential subdivisions. The recommendations of the Neighborhood Mixed-Use Design Concept supports Zoning Districts with high activity and retail opportunities, such as Central Commercial. However, the Office Residential Zoning District provides a more contextual and transitional district that allows for both residential and limited nonresidential opportunities that maintain the recommendations and principles of the Neighborhood Mixed-Use Design Concept. The applicant has not submitted any additional plans for redevelopment at this time. However, any new

development would be limited to the 'House' building type to be compatible with the established neighborhood and the height would be limited to a 2-story maximum. The properties are also within the Central Franklin Overlay (CFO) which provides additional regulations for new development in the central core of the City.

PROJECT CONSIDERATION:

The sanitary sewer at this location must be evaluated for increased sewer flows to accommodate any future re-development.

PROCEDURAL REQUIREMENTS:

1. The City's project identification number shall be included on all correspondence with any City department relative to this project.

FINANCIAL IMPACT:

Unknown

RECOMMENDATION:

Franklin Municipal Planning Commission recommends approval of Ordinance 2024-14 by a vote of 8-0.

Staff recommends that the Board of Mayor and Aldermen approve Ordinance 2024-14.

ORDINANCE 2024-14

AN ORDINANCE TO REZONE 1.11 ACRES FROM RESIDENTIAL 4 (R4) TO OFFICE RESIDENTIAL (OR) DISTRICT FOR THE PROPERTY LOCATED NORTH OF WEST MAIN STREET AND WEST OF ROBERTS STREET, AT 1138 AND 1142 WEST MAIN STREET

WHEREAS, the City of Franklin, Tennessee, encourages responsible growth and the sensible transition of land uses and densities; and

WHEREAS, the Office Residential (OR) District provides zoning for land uses compatible with both the Franklin Land Use Plan and surrounding development; and

WHEREAS, the zoning has been reviewed and approved by BOMA after a public hearing and a recommendation by the Franklin Municipal Planning Commission.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE, AS FOLLOWS:

SECTION I. That the following described property shall be, and is hereby, rezoned from its present zoning classification of Residential 4 (R4) District to Office Residential (OR) District:

PREMISES CONSIDERED

Map-Parcel	Acres
78G A – 1.00	0.35
78G A – 2.00	0.76
Total	1.11

SECTION II. That the attached Location Map and Survey shall serve the purpose of further delimiting the geographical boundaries as described by this Ordinance.

SECTION III. BE IT FINALLY ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that this Ordinance shall take effect from and after its passage on third and final reading, the health, safety, and welfare of the citizens requiring it.

IT IS SO ORDAINED AND DONE on this ____ day of _____, 2024.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
Eric Stuckey
City Administrator

By: _____
Dr. Ken Moore
Mayor

Approved as to form by:

Shauna R. Billingsley

City Attorney

PLANNING COMMISSION RECOMMENDED:

PASSED FIRST READING:

PUBLIC HEARING HELD:

PASSED SECOND READING:

PASSED THIRD READING:

PETWAY PLACE SUBDIVISION, LOTS 17 AND 18 ORDINANCE 2024-14

Project Information

Existing Zoning: R4

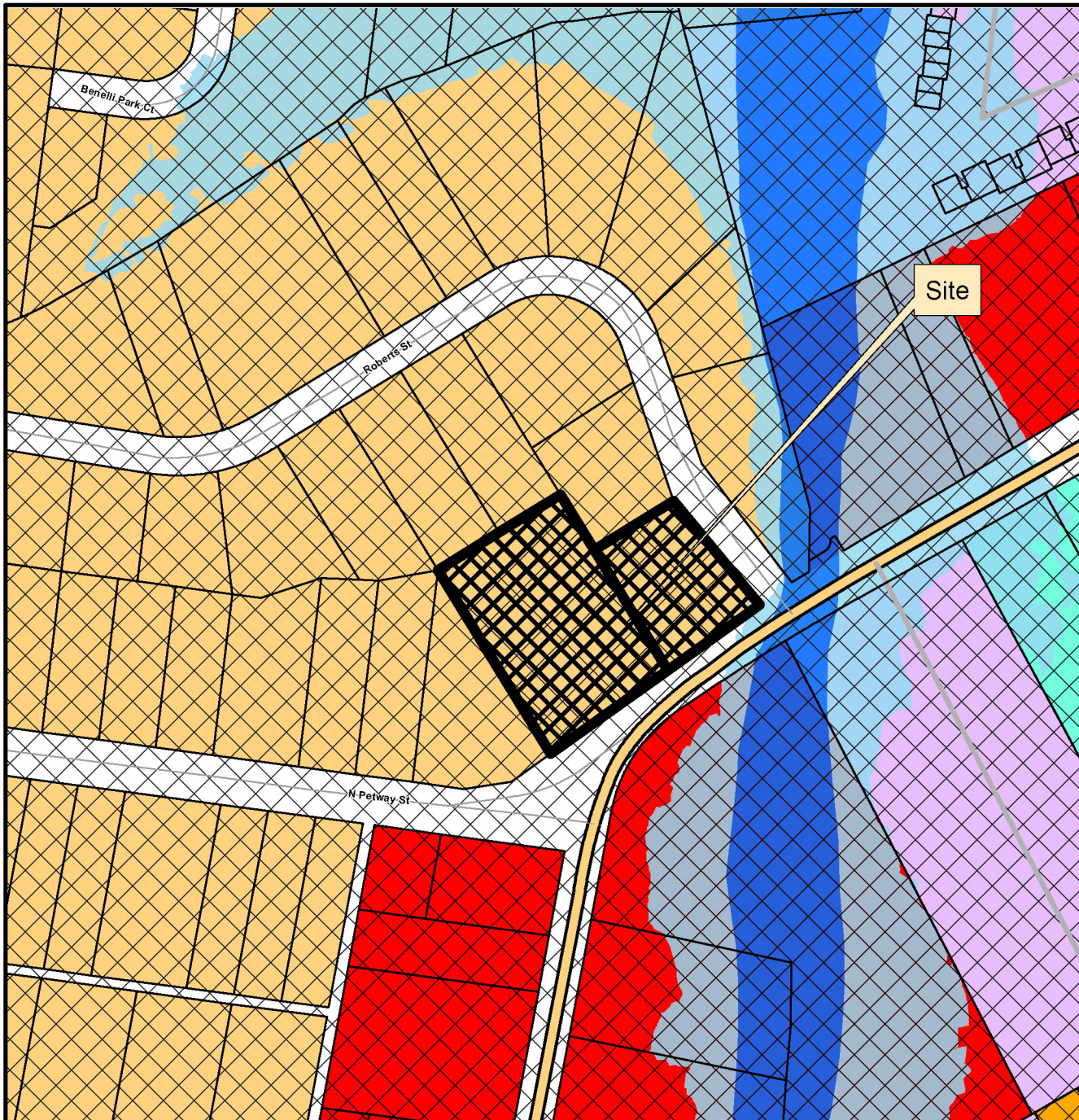
Proposed Zoning: OR Office Residential

Overlay Districts: CFO, FFO

Site Acreage: 1.11 acres

Legend

-  Petway Place Subdivision, Lots 17 and 18
-  Central Franklin Overlay
-  Floodway Fringe Overlay
-  Floodway Overlay
-  AG Agricultural District
-  ER Estate Residential District
-  R1 Residential 1 District
-  R2 Residential 2 District
-  R3 Residential 3 District
-  R4 Residential 4 District
-  R6 Residential 6 District
-  MR Mixed Residential District
-  PD Planned District
-  OR Office Residential District
-  CI Civic Institutional District
-  NC Neighborhood Commercial
-  CC Central Commercial District
-  DD Downtown District
-  1ST Avenue District
-  5TH Avenue District
-  RC6 Regional Commerce 6 District
-  RC12 Regional Commerce 12 District
-  GO General Office District
-  LI Light Industrial District
-  HI Heavy Industrial District



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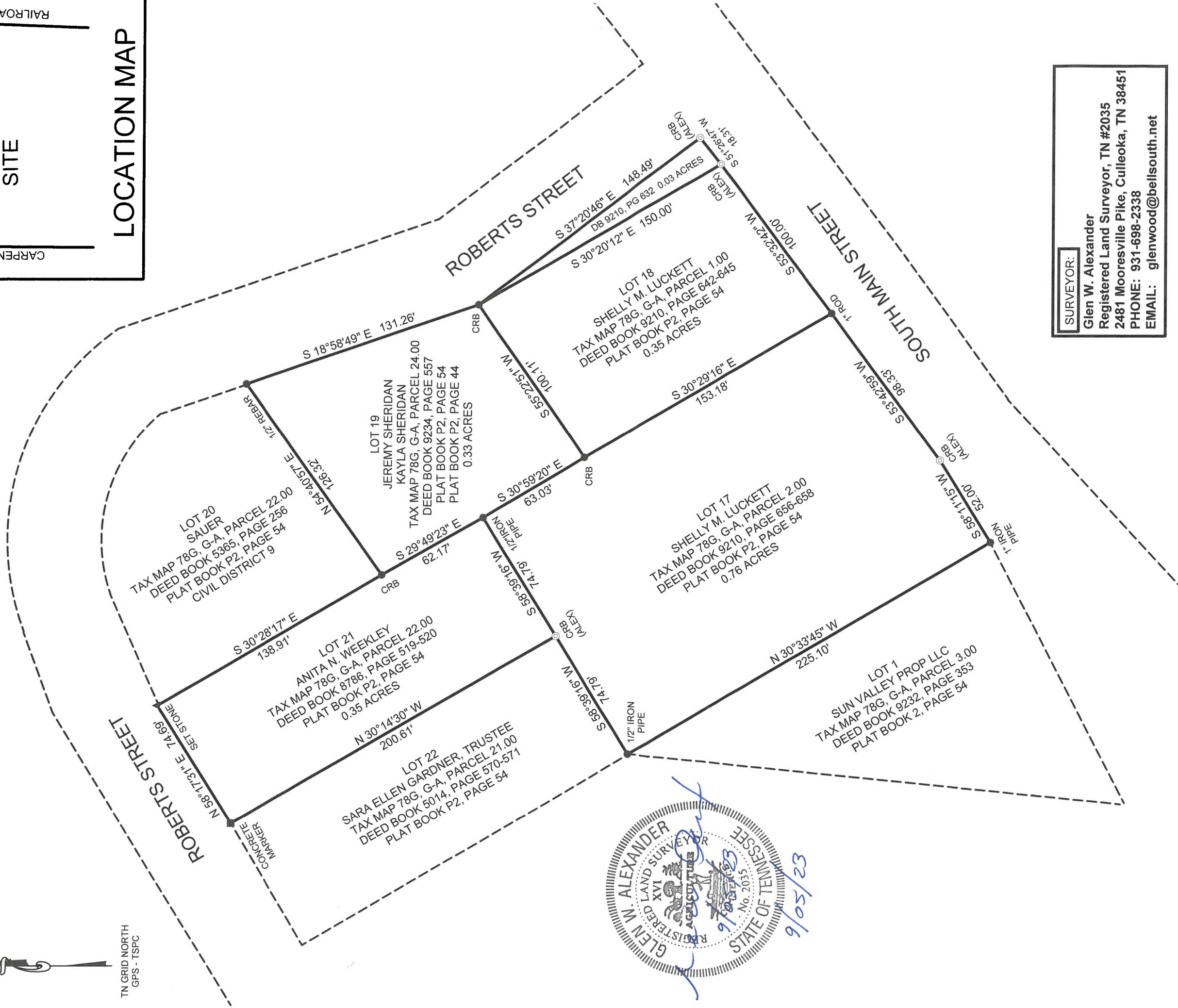


0 250 500 1,000
Feet



HISTORIC
FRANKLIN
TENNESSEE

A location map showing a street grid. A vertical street is labeled 'CROSS AVE'. Two horizontal streets intersect it: 'CARPENTER STREET' at the bottom and 'RAILROAD STREET' at the top. The area between Carpenter Street and Railroad Street on Cross Ave is labeled 'SITE'.



Glen W. Alexander
Registered Land Surveyor, TN #2035
2481 Mooresville Pike, Culleoka, TN 38451
PHONE: 931-698-2338
EMAIL: glenwood@bellsouth.net

CERTIFICATE OF ACCURACY

I HEREBY CERTIFY THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS IS A TRUE AND ACCURATE SURVEY OF THE PROPERTY SHOWN HEREON. THE RATIO OF PRECISION OF THE UNADJUSTED SURVEY IS 1:7500' AS SHOWN HEREON.

DATE 9/03/23

GLEN W. ALEXANDER R. L. S. TN 2035

LOT 17 & 18

**SHELLY M. LUCKETT
2085 CARTER CREEK PIKE
FRANKLIN, TN 37064**

**TAX MAP 078G, G-A, PARCEL 1.00 & 2.00
LOT 17 & 18 OF PETWAY PLACE SUB**

R: **LOT 21**
ANITA N WEEKLY
409 ROBERTS STREET
FRANKLIN, TN 37064

TAX MAP 078G, G-A, PARCEL 22.00

OWNER:

**ANITA N WEEKLY
409 ROBERTS STREET
FRANKLIN, TN 37064**

TAX MAP 078G, G-A, PARCEL 22.00

Page 52 of 200

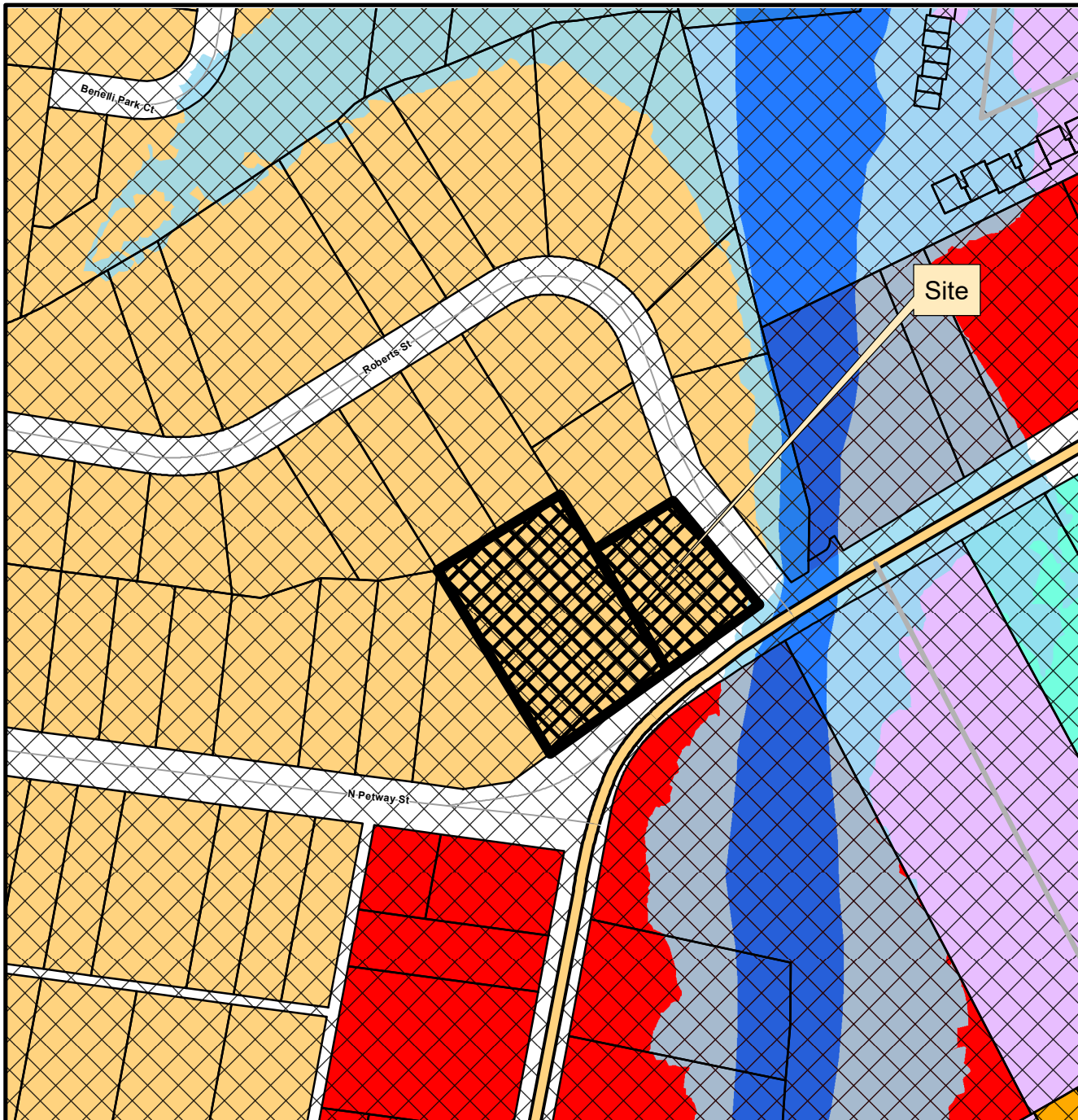
PETWAY PLACE SUBDIVISION, LOTS 17 AND 18 **ORDINANCE 2024-14**

Project Information

Existing Zoning: R4
 Proposed Zoning: OR Office Residential
 Overlay Districts: CFO, FFO
 Site Acreage: 1.11 acres

Legend

-  Petway Place Subdivision, Lots 17 and 18
-  Central Franklin Overlay
-  Floodway Fringe Overlay
-  Floodway Overlay
-  AG Agricultural District
-  ER Estate Residential District
-  R1 Residential 1 District
-  R2 Residential 2 District
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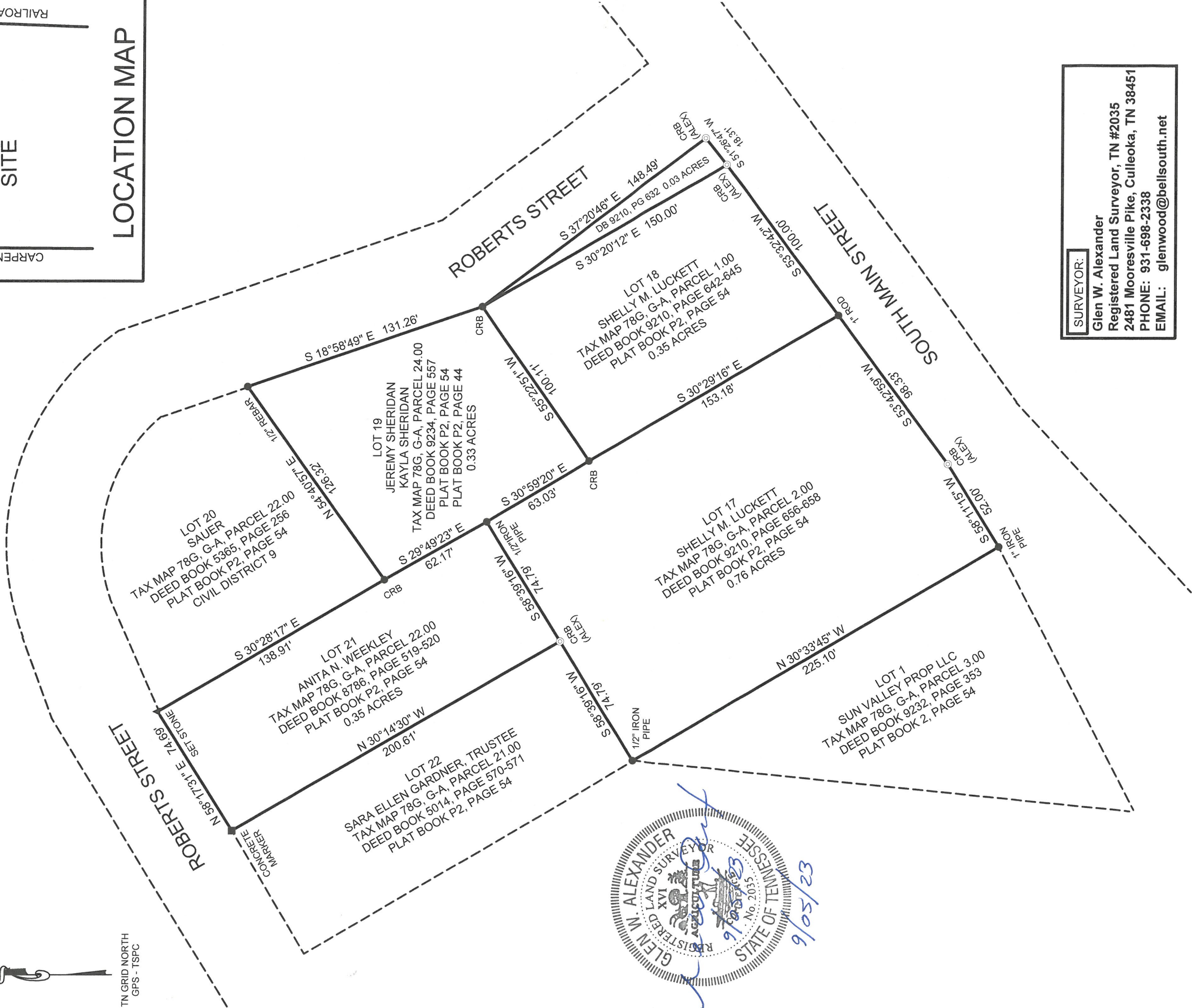
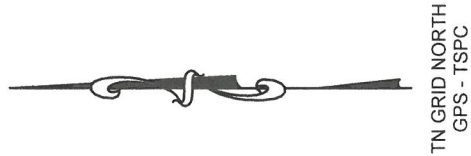
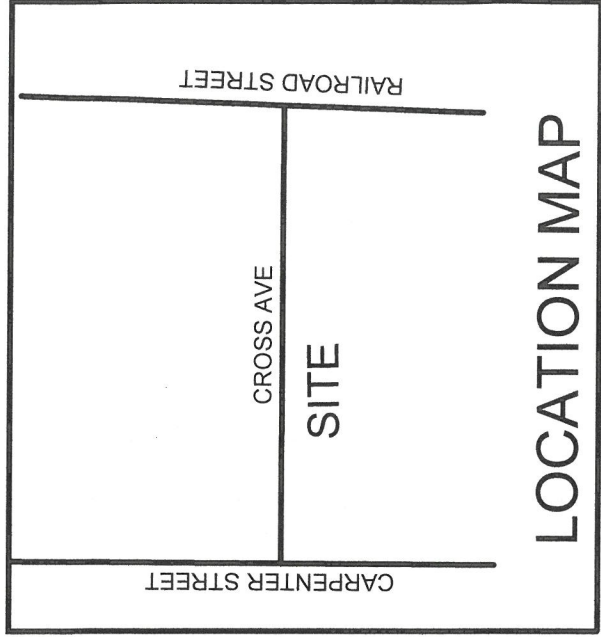


0 250 500 1,000
 Feet



HISTORIC
 FRANKLIN
 TENNESSEE

PLAT OF SURVEY



SURVEYOR:
Glen W. Alexander
Registered Land Surveyor, TN #2035
2481 Mooresville Pike, Culleoka, TN 38451
PHONE: 931-698-2338
EMAIL: glenwood@bellsouth.net

CERTIFICATE OF ACCURACY

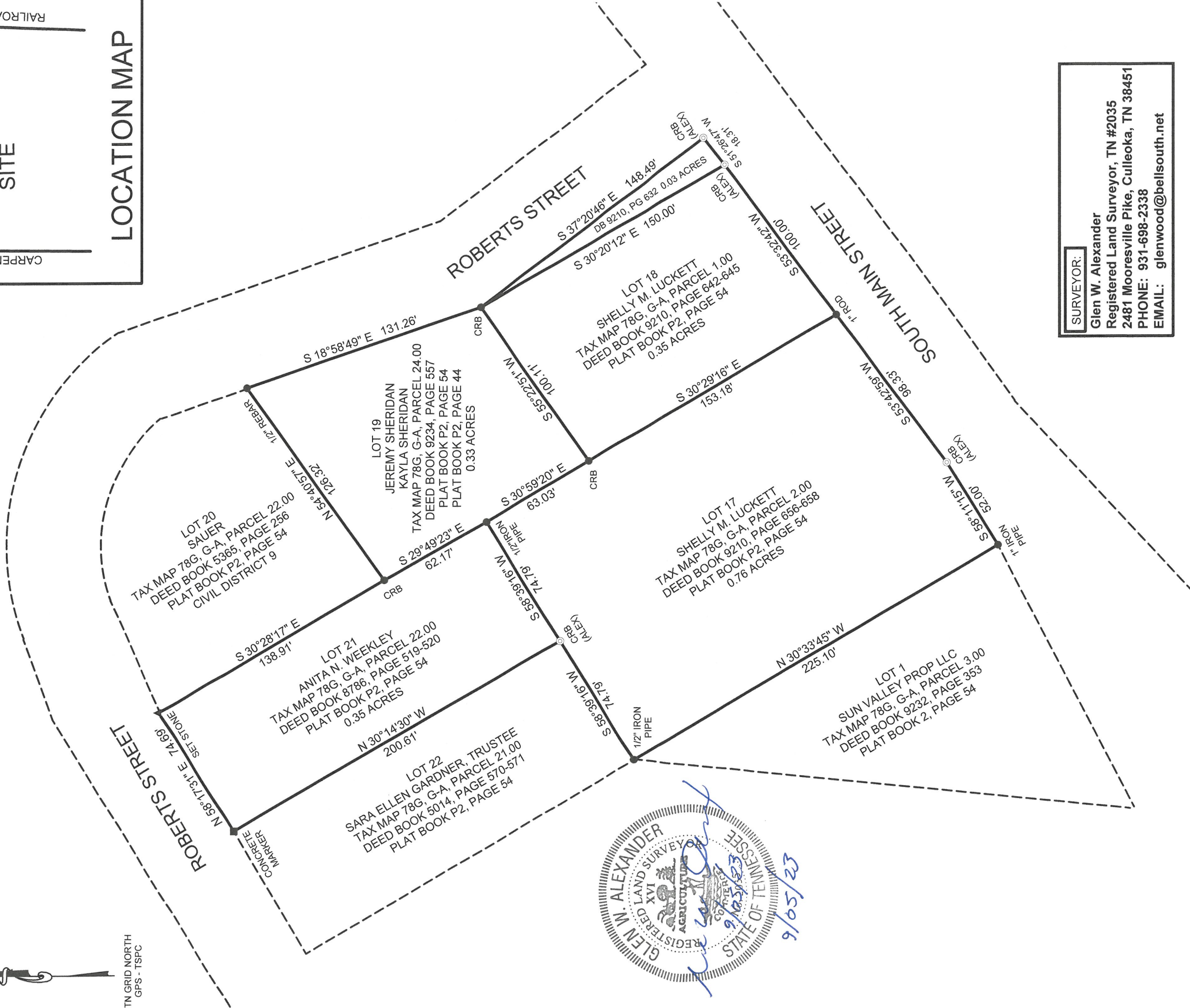
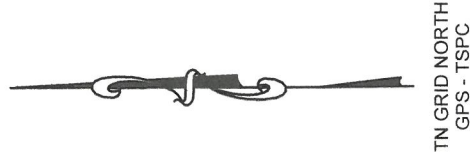
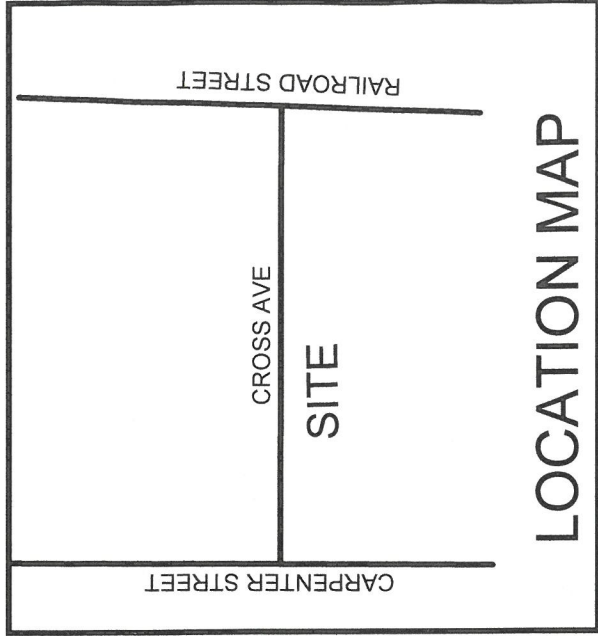
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DATE 9/05/23
GLEN W. ALEXANDER R. L. S. TN 2035

OWNER: LOT 17 & 18
SHELLY M. LUCKETT
2085 CARTER CREEK PIKE
FRANKLIN, TN 37064
TAX MAP 078G, G-A, PARCEL 1.00 & 2.00
LOT 17 & 18 OF PETWAY PLACE SUB

OWNER: LOT 21
ANITA N WEEKLY
409 ROBERTS STREET
FRANKLIN, TN 37064
TAX MAP 078G, G-A, PARCEL 22.00

PLAT OF SURVEY



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Glen W. Alexander
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OWNER: LOT 21
ANITA N WEEKLY
409 ROBERTS STREET
FRANKLIN, TN 37064
TAX MAP 078G, G-A, PARCEL 22.00

From: [AT&T.](#)
To: [Planning Intake](#)
Subject: rezoning of 1138 & 1142 West Main Street
Date: Wednesday, April 24, 2024 12:14:07 PM

ATTENTION COF staff: This email originated from outside the City of Franklin. Please use discretion when clicking on attachments & links from unknown senders or suspicious emails.

I'm a little late but I do not approve of these properties turned into commercial properties. Our neighborhood is a small quaint area comprised of 6 streets including Roberts, North and South Petway, Forrest, West End Circle and Brookwood. I feel that if allowed to go commercial the houses would be sold and office buildings or structures not consistent with the houses in our neighborhood. I feel it will take away from the quaintness of our neighborhood and would create more noise and traffic and uncertainty of different people not familiar people. I oppose the passing of this bill I believe we have enough commercial buildings in the town and we keep destroying the neighborhoods that have been around for a while allowing people to purchase a home and tear it down and replace it with large ugly buildings. Thanks please consider the neighbors and their concerns in this matter.

Marshall & Sandra Sugg
409 North Petway Street
Franklin, TN 37064

615-794-8442



File #: 21-0190

DATE: May 8, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Eric Stuckey, City Administrator

SUBJECT:

Williamson County Growth Plan Update

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) regarding proposed modifications to the updated Williamson County Growth plan as recommended by the Growth Plan Coordinating Committee.

BACKGROUND/STAFF COMMENTS:

On April 30, 2024, the Williamson County Growth Plan Coordinating Committee met to consider requested modifications to the proposed Urban Growth Boundaries (UGB) of two cities, Thompson's Station and Spring Hill. Specifically, Thompson's Station requested that additional properties be removed from its updated UGB based on requests from property owners. The City of Spring Hill requested that property east of I-65 be added back into its proposed UGB. After consideration of the requests from Thompson's Station and Spring Hill, the Coordinating Committee voted to recommend the modified UGB's as part of the Williamson County Growth Plan update. Attached are the recommended Williamson County Growth Plan including updated City UGB's and the proposed companion interlocal agreement between the Cities and Williamson County. The governing bodies of the Williamson County cities and Williamson County have 120 days to act upon the recommended Growth Plan (by August 28, 2024).

FINANCIAL IMPACT:

There is no direct financial impact related to the update to the Williamson County Growth Plan.

RECOMMENDATION:

The Williamson County Growth Plan Coordinating Committee and Franklin City staff recommend approval of the Williamson County Growth Plan Update.



WILLIAMSON COUNTY GOVERNMENT

MEMORANDUM

TO: Mayor Mark Gorman, City of Brentwood
Mayor Lisa Anderson, City of Fairview
Mayor Ken Moore, City of Franklin
Mayor Halie Gallik, Town of Nolensville
Mayor Brian Stover, Town of Thompson's Station
Mayor Jim Hagaman, City of Spring Hill

FROM: Rogers Anderson, Mayor 
Williamson County
Growth Plan Coordinating Committee Chairman

RE: Attachment- Second Recommended Williamson County Growth Plan

DATE: May 6, 2024

Attached is the revised Williamson County Growth Plan and its accompanying map, revising the Urban Growth Boundaries, Planned Growth Areas and Rural Areas as recommended by the Williamson County Growth Plan Coordinating Committee on **April 30, 2024**.

Please be reminded that the legislative bodies of your respective jurisdictions are required to take action to ratify or reject this recommended Growth Plan no later than **August 28, 2024**, which is 120 days after the recommendation from the Coordinating Committee. Failure to take such action within that deadline will result in your jurisdiction considered to have ratified the recommended Growth Plan. Please see Tennessee Code Annotated Sections 6-58-104(a)(4) and 6-58-104(d)(1).





WILLIAMSON COUNTY GROWTH PLAN

Adopted xx/xx/xxxx

ACKNOWLEDGEMENTS

COORDINATING COMMITTEE

Rogers C. Anderson, *Williamson County Mayor*
– *Chair*

Mark Gorman, *Brentwood Mayor*
– *Vice Chair*

Lisa Anderson, *Fairview Mayor*

Ken Moore, *Franklin Mayor*

Halie Gallik, *Nolensville Mayor*

Trent Linville, *Spring Hill Mayor designee*

Brian Stover, *Thompson's Station Mayor*

Judy Herbert, *County Mayor appointee*

Chas Morton, *County Mayor appointee*

Roger Lindsey, *Franklin Mayor appointee*

John Schroer, *Franklin Mayor appointee*

Robert Ring, *Soil Conservation District*

Eric Stuckey, *Franklin Water Department*
appointee

Chuck Barber, *Middle Tennessee Electric*
appointee

Jason Golden, *Williamson County*
School District appointee

Kel McDowell, *Williamson Inc. appointee*

MANAGERS/ADMINISTRATORS

Kirk Bednar, *City of Brentwood*

Tom Daugherty, *City of Fairview*

Eric Stuckey, *City of Franklin*

Victor Lay, *Town of Nolensville*

Pam Caskie, *City of Spring Hill*

Ken McLawhon, *Town of Thompson's Station*

PLANNERS GROUP

Bob Leeman, *AICP, City of Brentwood*

Ethan Greer, *Town of Fairview*

Emily Wright, *AICP*, and **Andrew Orr**, *AICP*,
City of Franklin

Brent Shultz, *Town of Nolensville*

Pete Hughes, *City of Spring Hill*

Micah Wood, *AICP, Town of Thompson's Station*

Mike Matteson, *AICP, Williamson County*

ATTORNEY GROUP

Kristen Corn, *City of Brentwood*

Patrick M. Carter, *City of Fairview*
and *City of Spring Hill*

Shauna R. Billingsley, *City of Franklin*

Charles S. Michels, *Town of Nolensville*

Andrew E. Mills, *Town of Thompson's Station*

Jeffrey D. Moseley, *Williamson County*

Kristi D. Ransom, *Williamson County*

CONSULTANT/FACILITATOR

C. Gregory Dale, *FAICP, McBride Dale Clarion*

Kyle Gibbs, *McBride Dale Clarion*

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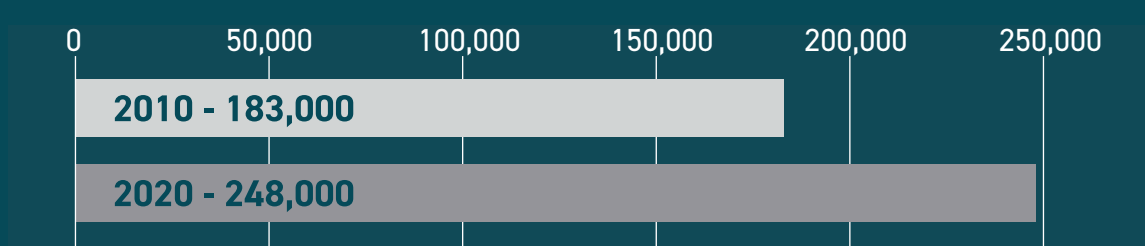
CHAPTER 01: BACKGROUND

INTRODUCTION

With a population increase of approximately 35% between 2010 and 2020 (according to the US Census) Williamson County ranks among the fastest growing counties in the State of Tennessee and the entire southeastern United States.

Additionally, population projections prepared by the University of Tennessee, Woods & Poole, and the Nashville Area MPO suggest that this rapid pace of growth will continue, and even accelerate, in future years.

FIGURE 1: WILLIAMSON COUNTY POPULATION GROWTH 2010-2020 (U.S. CENSUS BUREAU)



These population figures underscore the need for all of the jurisdictions within the County to plan collaboratively, so that future growth can be accommodated in a way that is:

- Fiscally responsible;
- Reflective of the current and future provision of infrastructure; and
- Consistent with community values.

To that end, each of the seven jurisdictions within Williamson County (Brentwood, Fairview, Franklin, Nolensville, Spring Hill, Thompson's Station and Williamson County), and the Growth Plan Coordinating Committee, are proposing this amendment to the Williamson County Growth Plan (Growth Plan), originally adopted in April of 2001 pursuant to Tennessee Code Annotated Section 6-58-101, et seq.

EXISTING GROWTH PLAN

The Williamson County Growth Plan, which was adopted in 2001, depicts the following:

Urban Growth Boundaries (UGB's) – These are areas outside of and surrounding the incorporated boundaries of the municipalities that are projected to accommodate future growth and which are envisioned as becoming part of the municipality in the future;

Rural Areas – These are areas in the unincorporated County and outside of UGB's that are intended to remain rural in nature; and

Planned Growth Areas (PGA's) – These are areas in the unincorporated County and outside of UGB's where a higher level of growth is anticipated than in the surrounding Rural Areas.

THE NEED TO UPDATE THE GROWTH PLAN

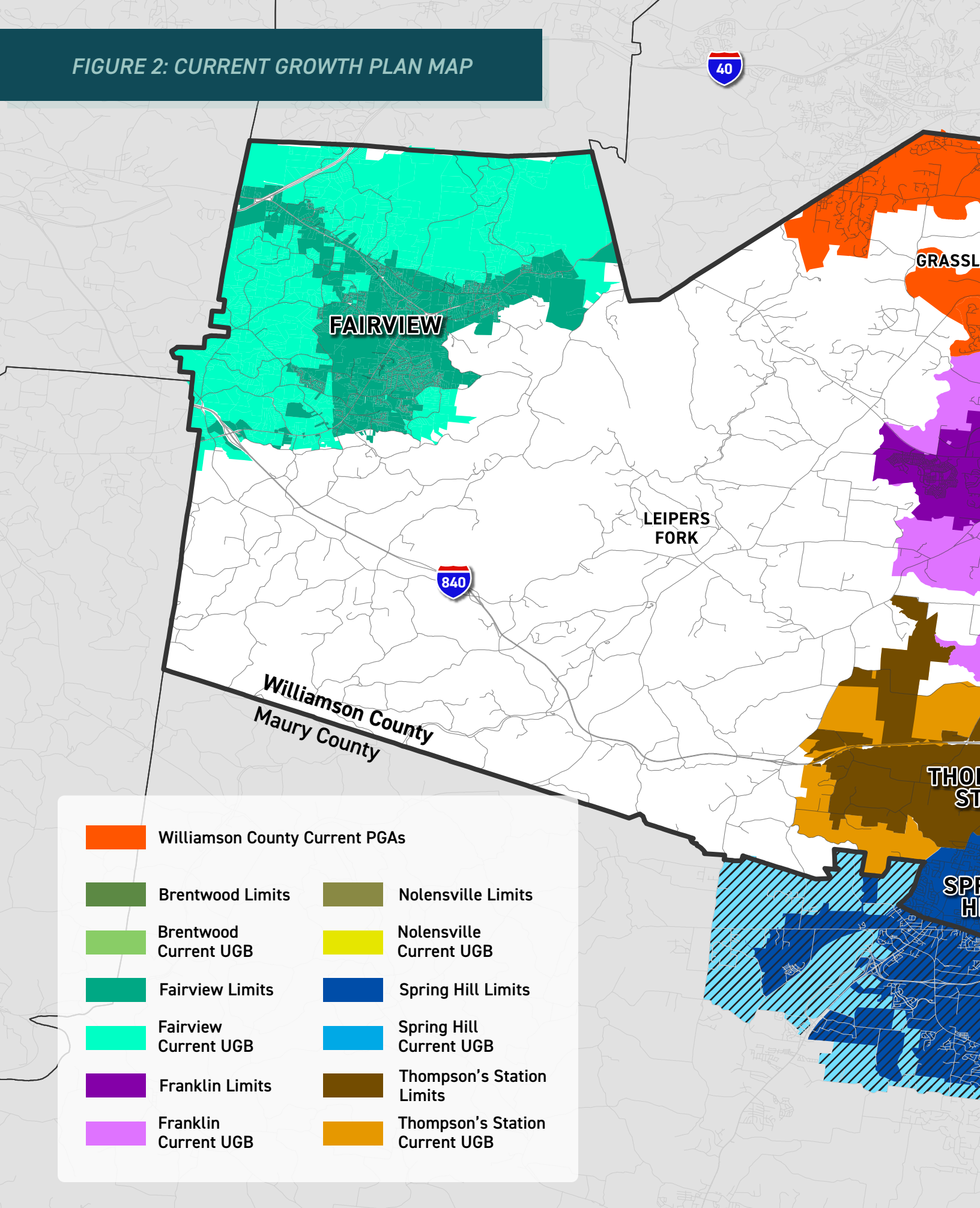
As mentioned previously, the existing Williamson County Growth Plan was adopted in 2001 and has not been updated since that time. In the intervening years, the County has experienced significant population and employment growth, and in the case of several of the jurisdictions, land use policies have continued to evolve.

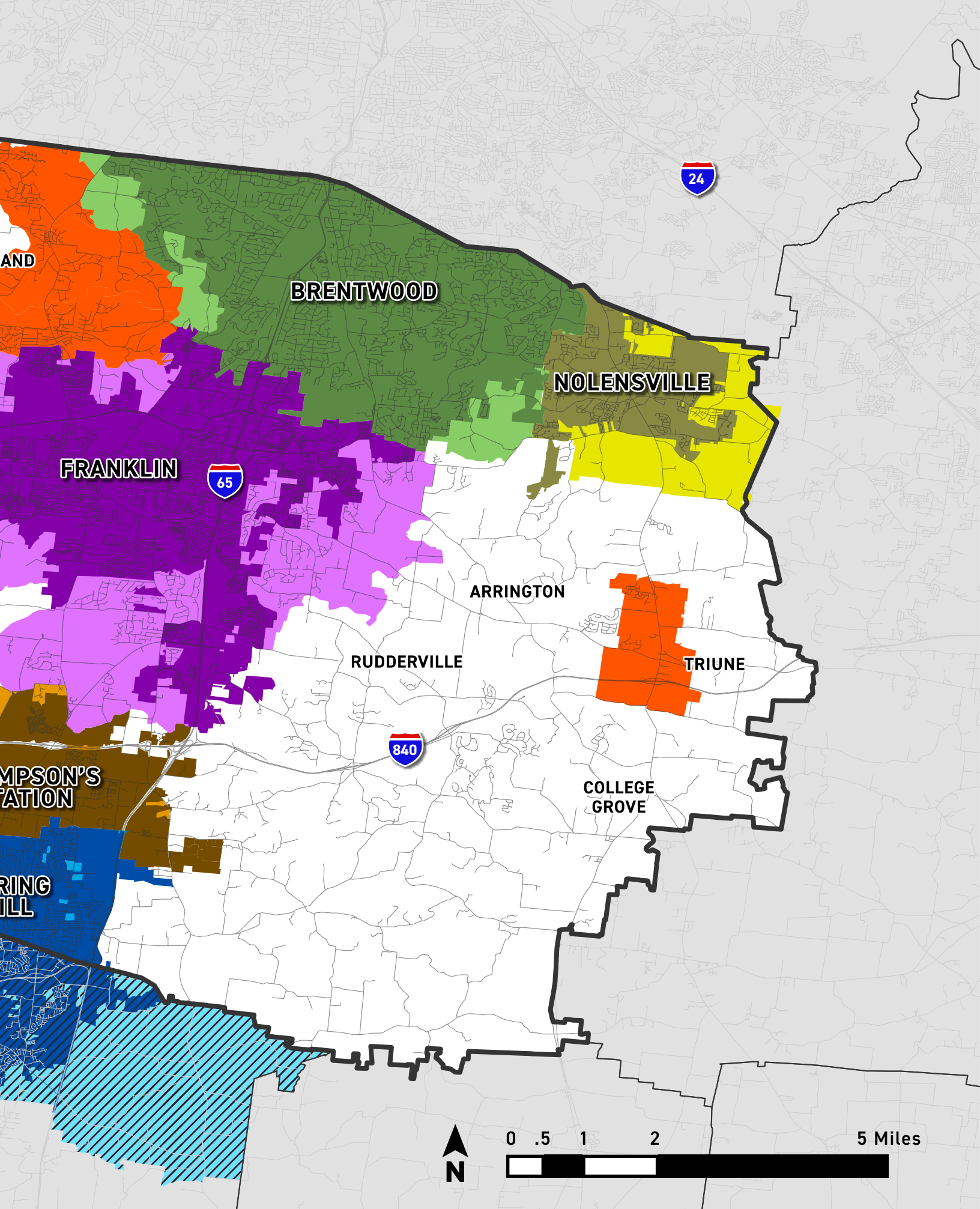
Additionally, there have been a number of changes to long-range infrastructure plans, the location of future sewer extensions being the most prominent, which will dictate the location of future growth to a large extent.

Furthermore, Williamson County's Comprehensive Land Use plan calls for the County and each municipality to engage in collaborative growth planning to ensure that the system of Urban Growth Boundaries (UGB's), Planned Growth Areas (PGA's) and Rural Areas work as effectively as possible.

For these reasons, the seven jurisdictions within Williamson County are proposing to amend the Growth Plan.

FIGURE 2: CURRENT GROWTH PLAN MAP





Section 02: PROCESS

ADVISORY GROUP GROWTH EVALUATION

Prior to embarking upon an update to the Growth Plan, an Advisory Group, with representatives of each jurisdiction and other community stakeholders, was formed for the purpose of evaluating appropriate locations for future growth based upon:

- Population projections;
- The need for, and availability of, additional land to accommodate projected growth;
- The cost of providing infrastructure and services;
- The potential impact of future growth areas on agricultural land, forests, recreational areas and wildlife management; and
- Public comment received regarding locations for future growth.

GUIDING PRINCIPLES

Additionally, the Advisory Group established the following set of “**Guiding Principles**” to serve as a framework for approaching its work:

- 1. COORDINATED GROWTH PLANNING:** Williamson County, the City of Brentwood, the City of Fairview, the City of Franklin, the Town of Nolensville, the City of Spring Hill, and the Town of Thompson’s Station (the County and Municipalities) will work together on future growth planning.
- 2. PLANNING HORIZON:** The horizon time for growth planning is twenty (20) years, however the County and Municipalities will work together to identify phased growth areas in shorter time increments.
- 3. FUTURE GROWTH:** Each of the jurisdictions will utilize its own growth forecasts for its respective community in conjunction with other forecasts, including the University of Tennessee, in conducting its growth planning.
- 4. PUBLIC FACILITIES AND FISCAL SUSTAINABILITY:** Each of the jurisdictions will plan for future growth that it can serve with adequate and timely infrastructure and public facilities in a fiscally sustainable manner.
- 5. REGIONAL FORM:** The County and Municipalities will work together to maintain and create a distinct form of compact urban and suburban development surrounded by rural development for the purpose of reinforcing the unique sense of place and high-quality development within the County.
- 6. RESOURCE PROTECTION:** The County and Municipalities will work together to maintain and protect critical open spaces, farmland, forests, recreation areas, wildlife management areas, and critical environmentally sensitive areas.
- 7. LOCAL AUTONOMY:** The Growth Plan process will focus on growth boundary issues and coordination, while respecting the autonomy of each jurisdiction to meet the planning and community development needs within its community.
- 8. LOCAL PLANNING:** The Growth Plan will build on the long and successful traditions of planning conducted by the County and Municipalities, relying on existing plans and reports in conducting its growth planning where appropriate.
- 9. INTERGOVERNMENTAL AGREEMENTS:** The County and Municipalities may supplement growth planning with consideration of cooperative approaches and agreements to assist in managing growth.

Based upon the preliminary evaluation of future growth areas described above, the Advisory Group determined that it was appropriate to formally update the Williamson County Growth Plan.



FORMAL GROWTH PLAN UPDATE PROCESS

The process of developing this update to the Growth Plan included the following steps:

1. ESTABLISHMENT OF THE GROWTH PLAN COORDINATING COMMITTEE: The membership of the Coordinating Committee was established consistent with Tennessee Code Annotated Section 6-58-104, and the initial meeting of the Coordinating Committee took place on June 13, 2023. Please see the Acknowledgments page for a listing of the Committee members.

2. INDIVIDUAL JURISDICTION PUBLIC HEARINGS: Each jurisdiction held two Public Hearings regarding the proposed amendments to their UGB's and, in the case of the County, the proposed amendments to its PGA's and Rural Areas. These Public Hearings took place in July and August of 2023.

3. INDIVIDUAL JURISDICTION PRESENTATIONS TO COORDINATING COMMITTEE: Following the individual Public Hearings described above, each jurisdiction presented its recommended amendments to the Coordinating Committee.

4. PREPARATION OF DRAFT REVISED GROWTH PLAN: Based upon the proposals from the various jurisdictions and the public comment that had been received, the Coordinating Committee prepared a consolidated draft revised Growth Plan.

5. COORDINATING COMMITTEE PUBLIC HEARINGS: The Coordinating Committee held Public Hearings on Nov. 7th, 2023 and Nov. 8th, 2023 to solicit comments from the public regarding the draft revised Growth Plan.

6. REFINEMENT AND APPROVAL OF RECOMMENDED GROWTH PLAN: Based upon the public comments received at the Coordinating Committee Public Hearings and upon discussion among the Committee, a recommended Growth Plan was finalized and approved by the Committee. This approval took place on Nov. 21st, 2023.

7. ACTION ON FIRST RECOMMENDED GROWTH PLAN: Multiple jurisdictions rejected the first recommended Growth Plan and offered amendments.

8. REFINEMENT AND APPROVAL OF SECOND RECOMMENDED GROWTH PLAN: The Coordinating Committee reconvened and considered the amendments proposed by the jurisdictions. A second recommended Growth Plan was approved by the Committee. This approval took place on April 30, 2024.

9. RATIFICATION OF SECOND RECOMMENDED GROWTH PLAN BY INDIVIDUAL JURISDICTIONS: To be written at a later date.

10. APPROVED GROWTH PLAN TRANSMITTED TO TENNESSEE LOCAL GOVERNMENT PLANNING ADVISORY COMMITTEE FOR APPROVAL: To be written at a later date.

Section 03:

PROPOSED GROWTH PLAN

This amended Growth Plan consists of the following two key elements:

1. The **Growth Plan Map**, which depicts the revised boundaries for the UGB's, PGA's and Rural Areas; and
2. A set of **Goals and Strategies** designed to make the system of UGB's, PGA's and Rural Areas work more effectively.

PROPOSED GROWTH PLAN MAP

The Proposed Growth Plan Map (See *Figure 3* on pages 11-12) is the result of a collaborated growth planning effort, involving each of the seven jurisdictions within the County, geared toward identifying appropriate areas for future growth. This effort has resulted in revised UGB's, PGA's and Rural Areas, based on a 20-year planning horizon, and taking into account population projections and the costs of providing infrastructure and other services, among other factors.

PROPOSED GOALS AND STRATEGIES

GOAL 1: ENSURE THAT THE SYSTEM OF URBAN GROWTH BOUNDARIES (UGB'S), PLANNED GROWTH AREAS (PGA'S) AND RURAL AREAS FUNCTION AS OPTIMALLY AS POSSIBLE.

Strategy 1A: The County and each municipality will work together to create and implement interim policies related to development within UGB's that occurs prior to the municipality's annexation of the property. These policies may differ from jurisdiction to jurisdiction and may, among other things, relate to:

- County zoning policies within UGB's;
- The use or prohibition of alternative wastewater systems within UGB's; and
- The use of interlocal agreements to address specific challenges or opportunities.

Strategy 1B: Municipalities will not annex outside of UGB's, as the UGB's were established based upon a thorough evaluation of population projections, infrastructure capabilities, land capacities and other factors.

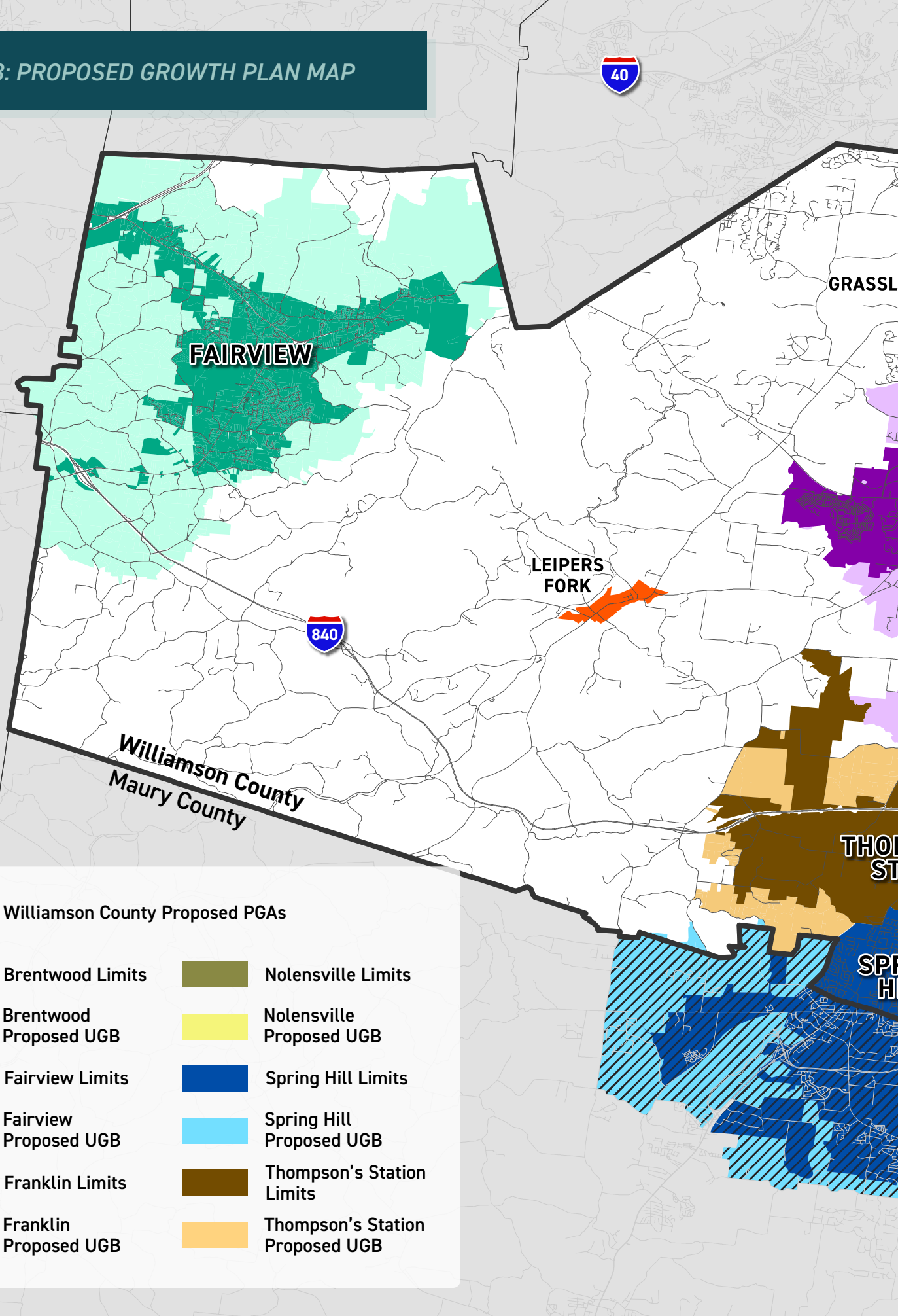
GOAL 2: CONTINUE THE PRACTICE OF COLLABORATIVE, MULTI-JURISDICTIONAL PLANNING ON AN ONGOING BASIS.

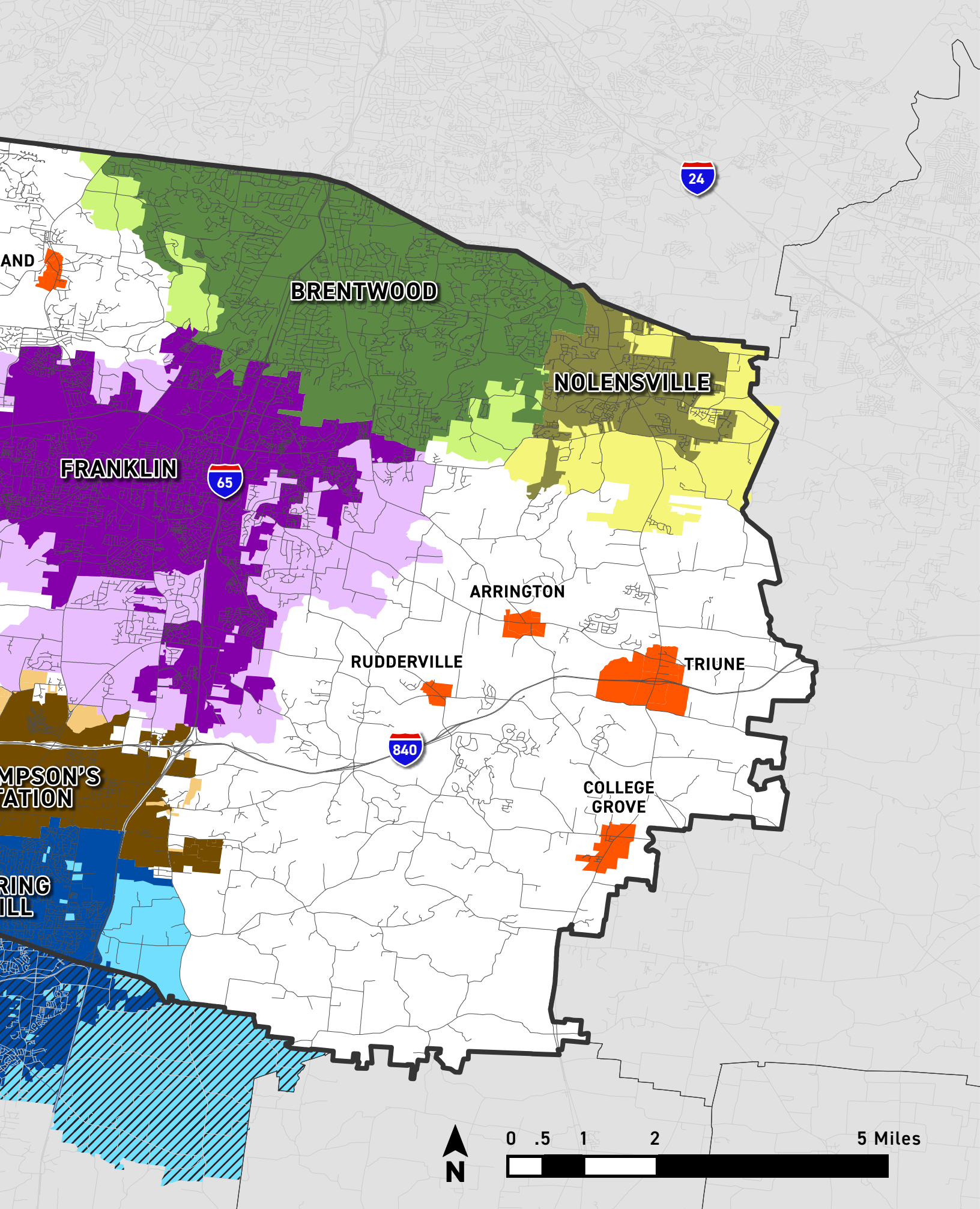
Strategy 2A: Revisit the Growth Plan at least every five (5) years to evaluate its effectiveness and whether or not revisions are necessary.

Strategy 2B: Convene a Growth Plan implementation committee, with representation that is similar to the Advisory Group, which will meet on a regular basis (e.g. quarterly) to evaluate Plan implementation, discuss regional issues, such as transportation and school siting, share information, etc.

Strategy 2C: Consider forming a multi-jurisdictional entity to focus on transportation planning within Williamson County.

FIGURE 3: PROPOSED GROWTH PLAN MAP





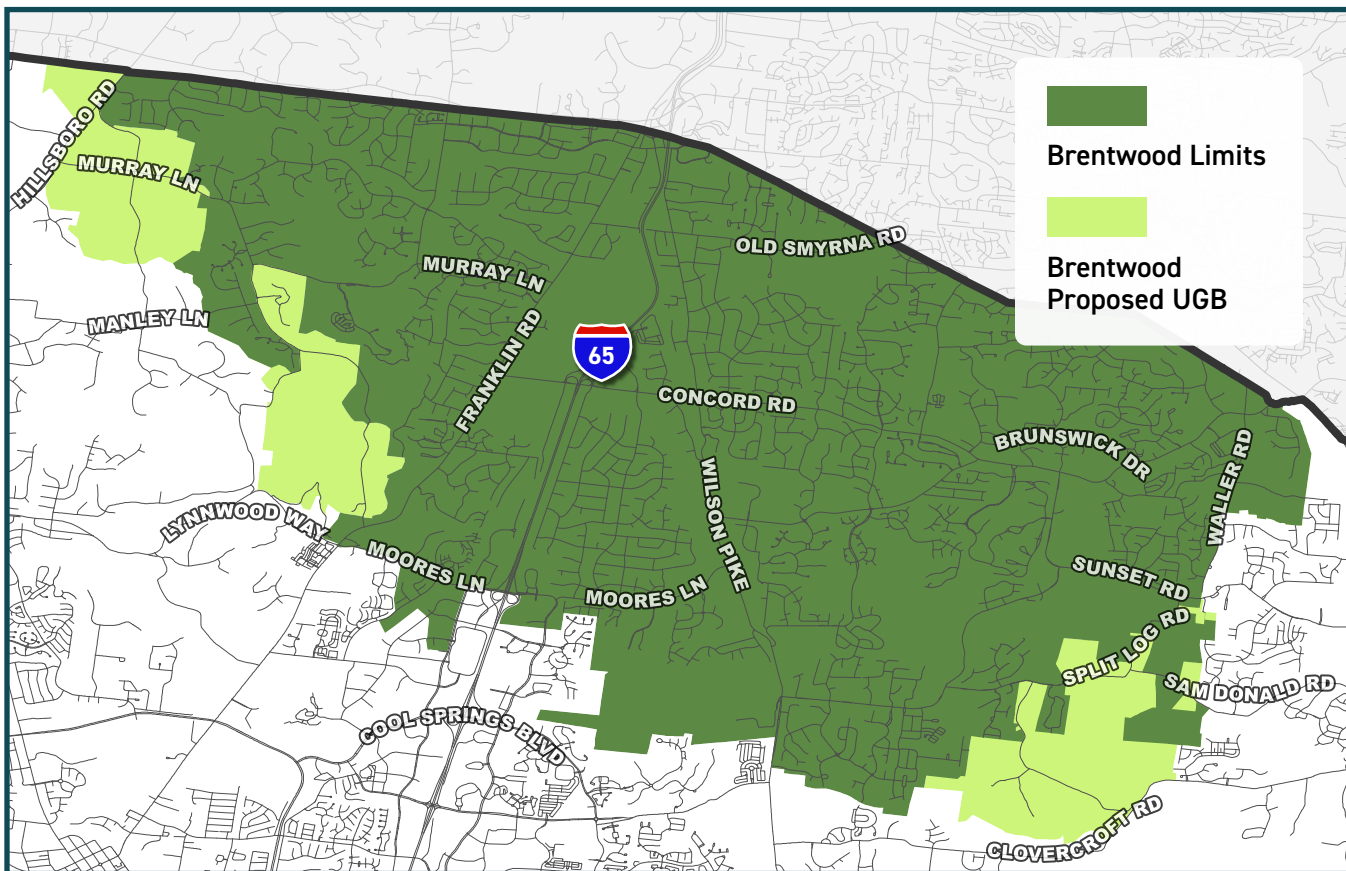


FIGURE 4: BRENTWOOD GROWTH BOUNDARY MAP

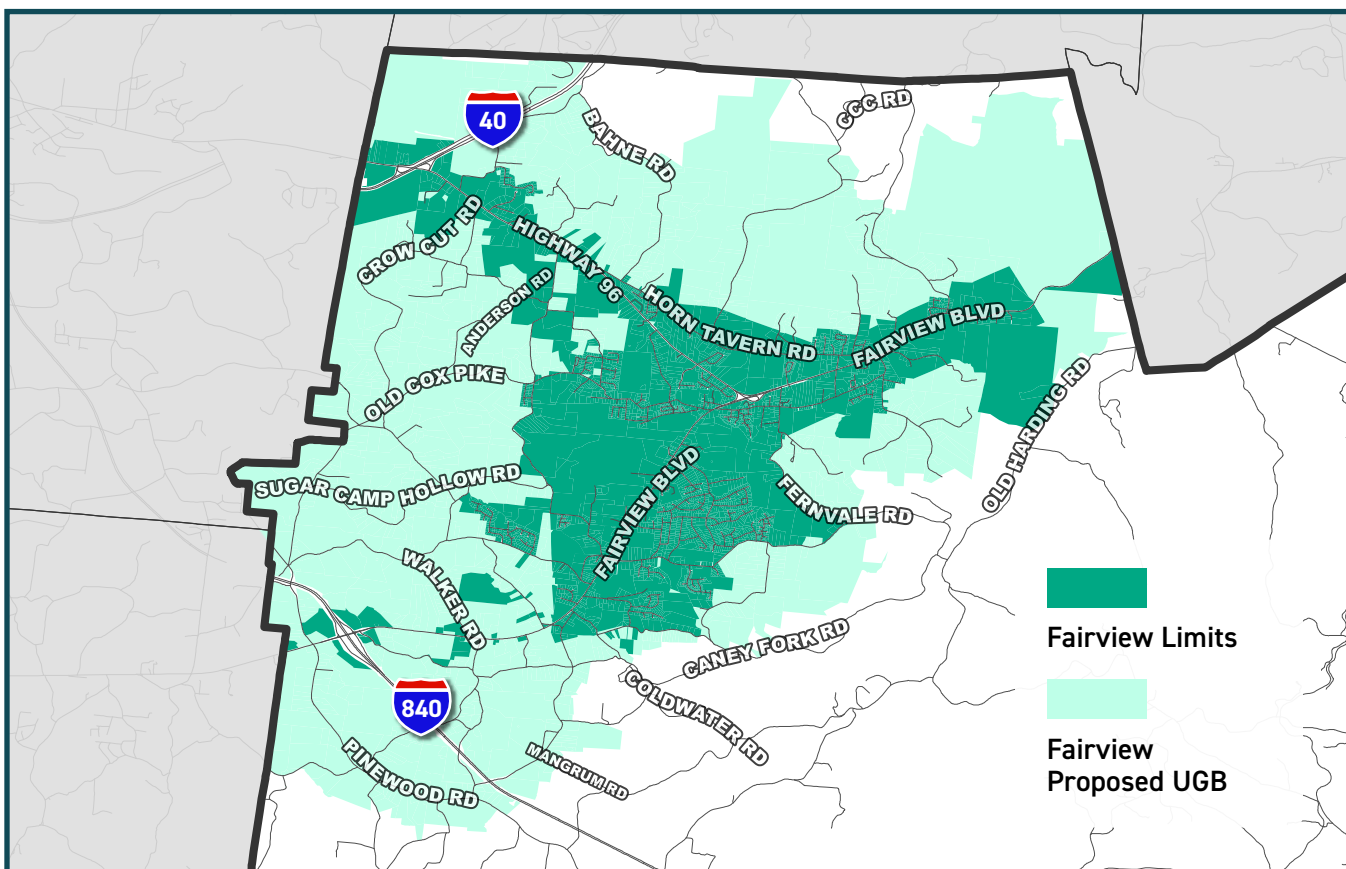


FIGURE 5: FAIRVIEW GROWTH BOUNDARY MAP

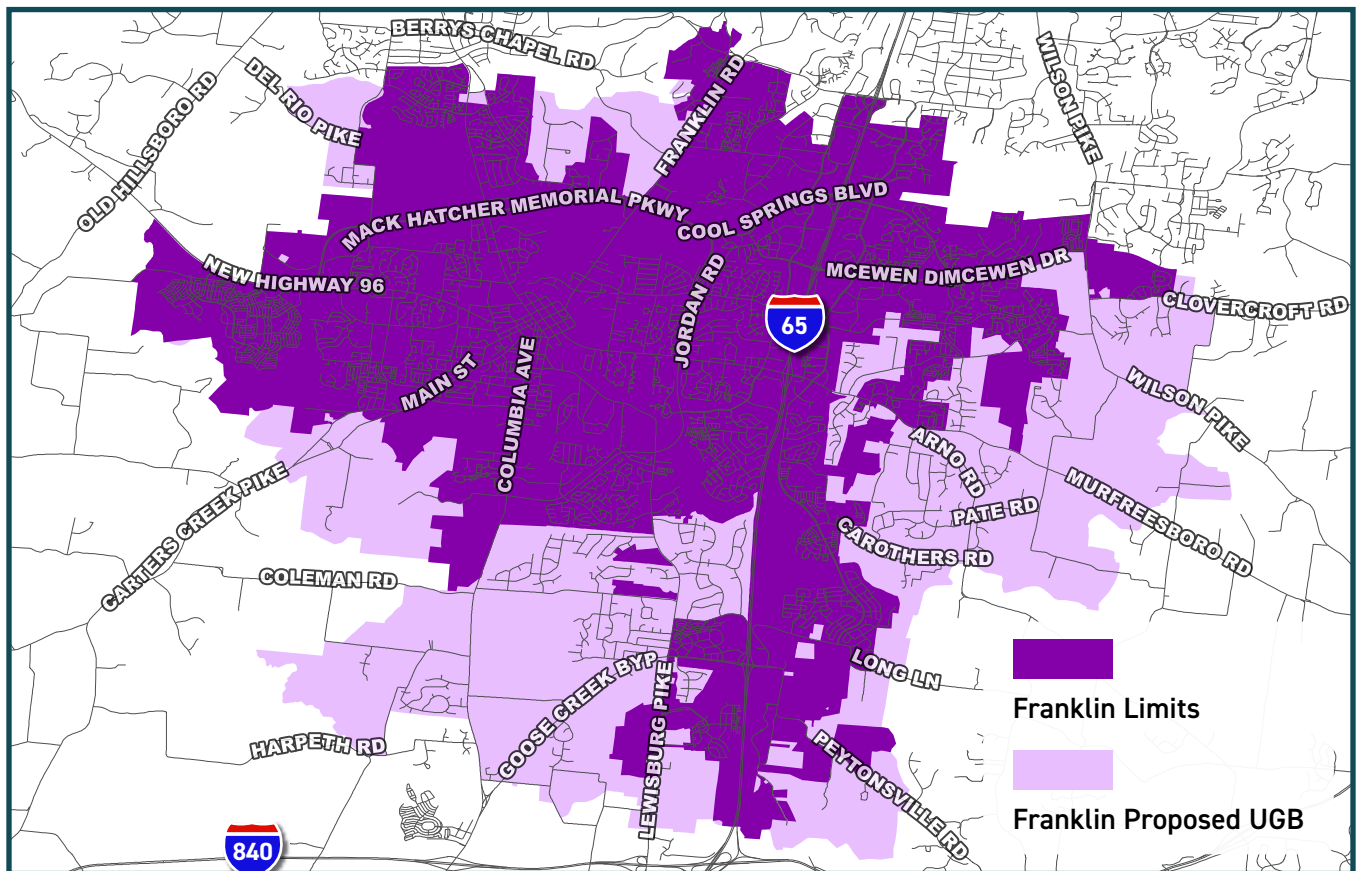


FIGURE 6: FRANKLIN GROWTH BOUNDARY MAP

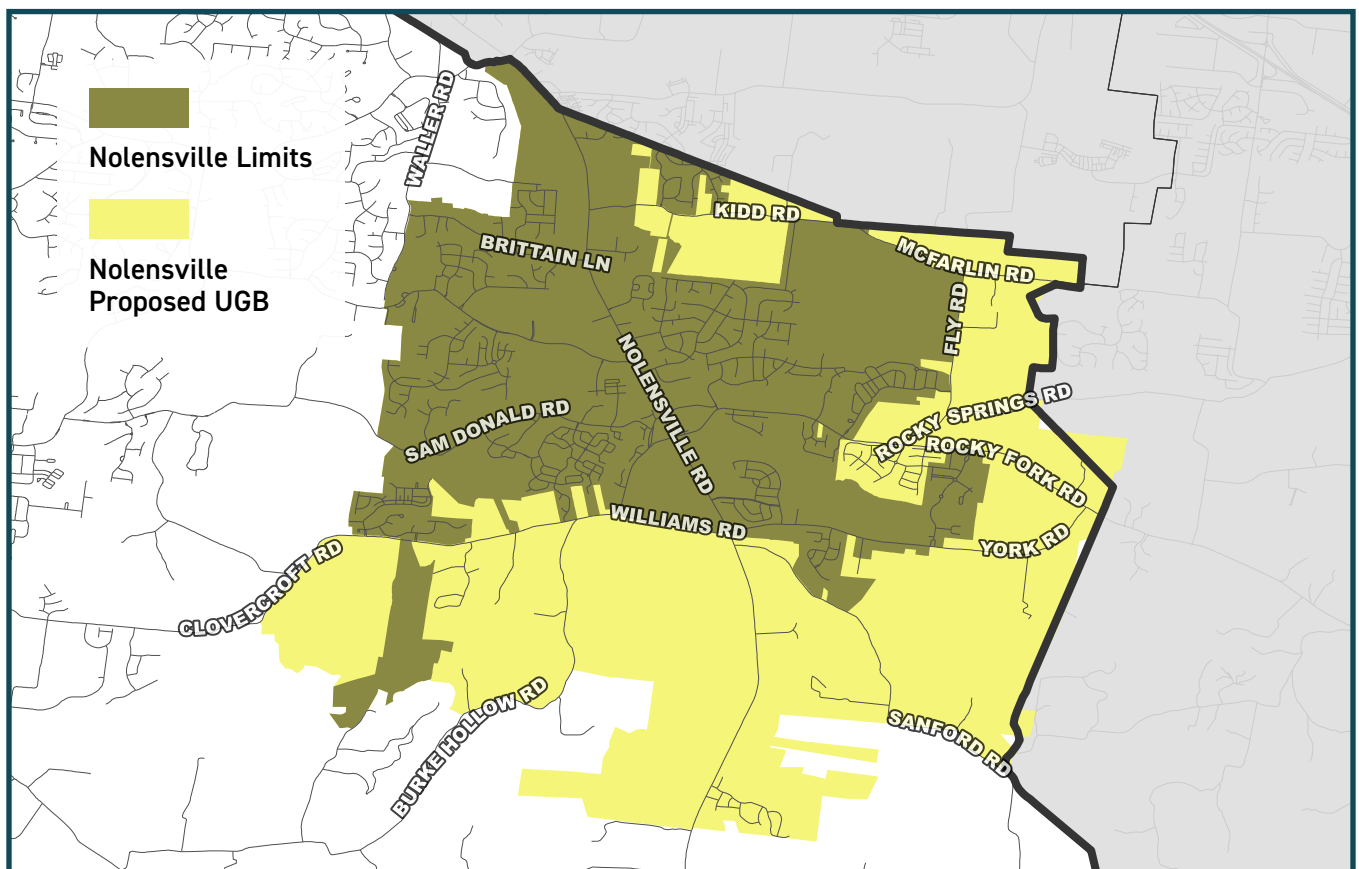


FIGURE 7: NOLENSVILLE GROWTH BOUNDARY MAP

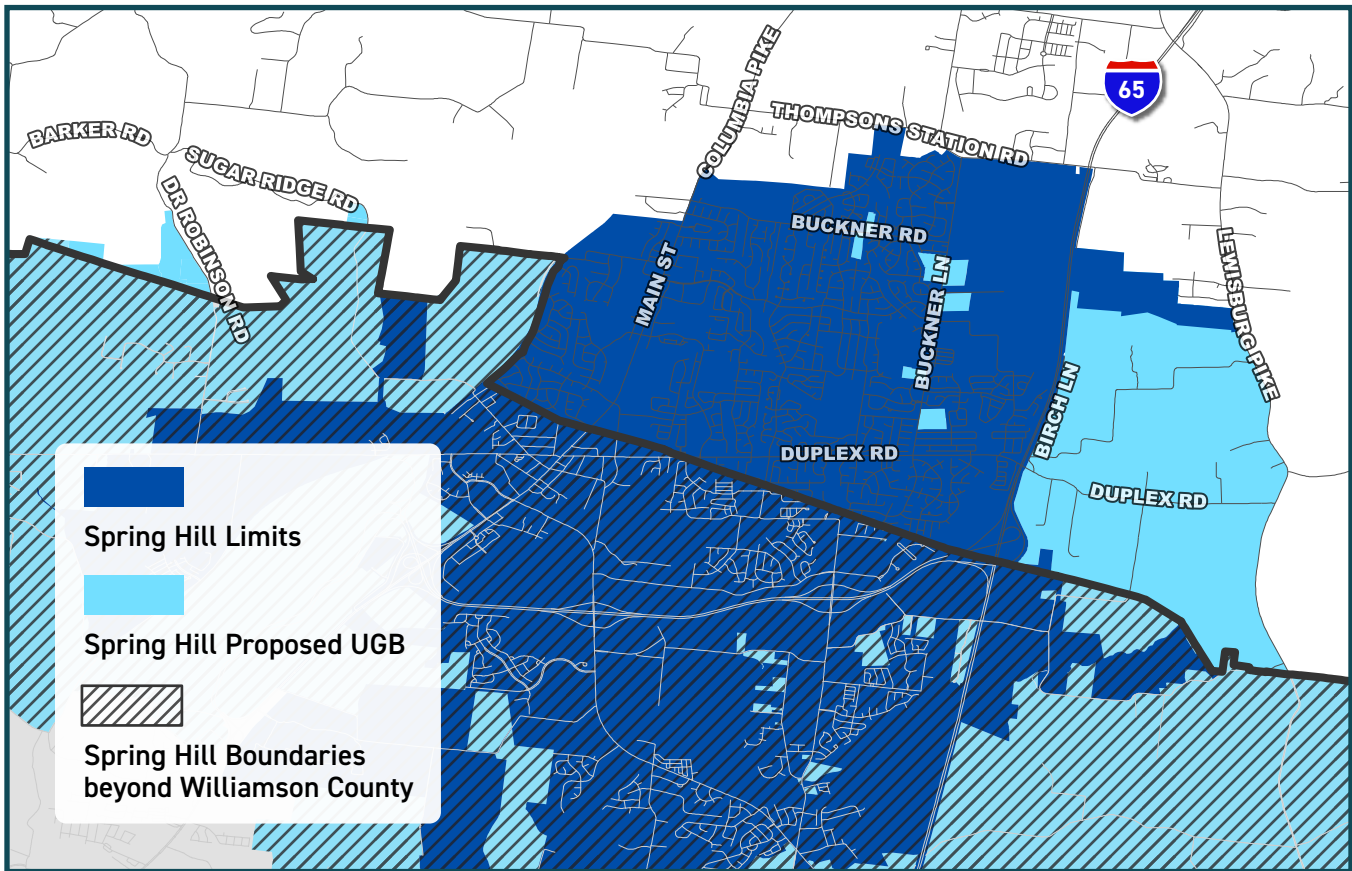


FIGURE 8: SPRING HILL GROWTH BOUNDARY MAP

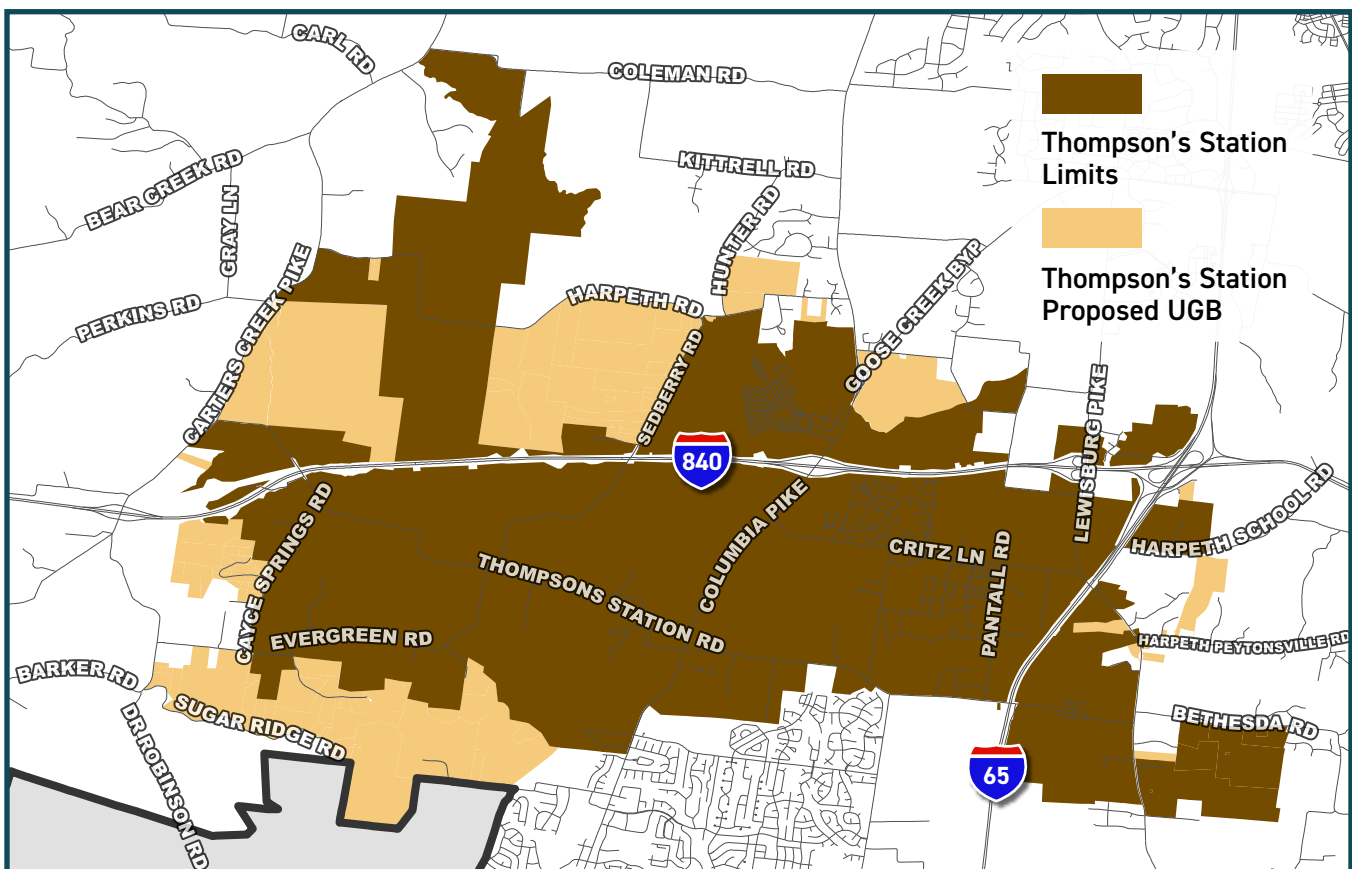
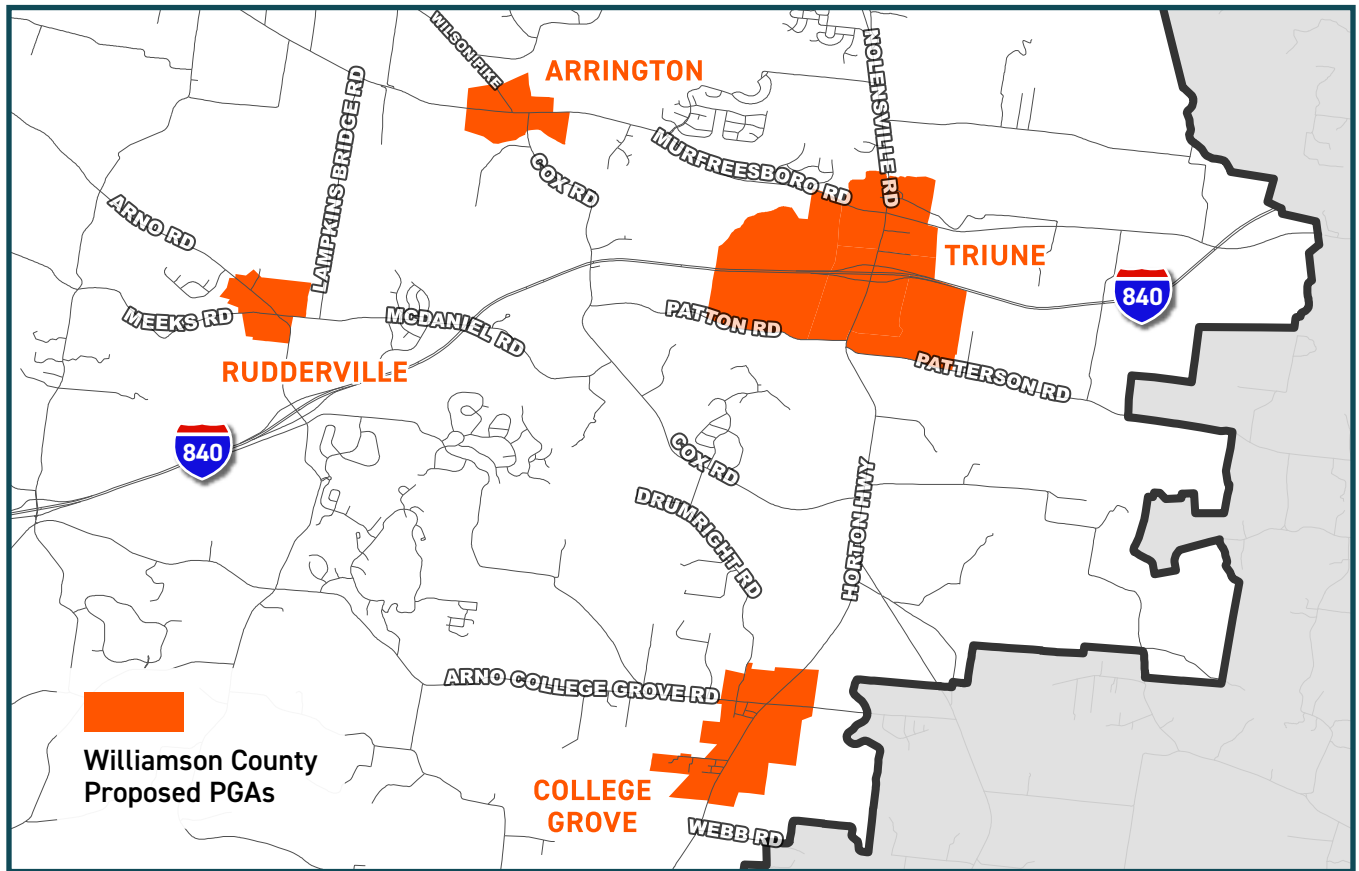
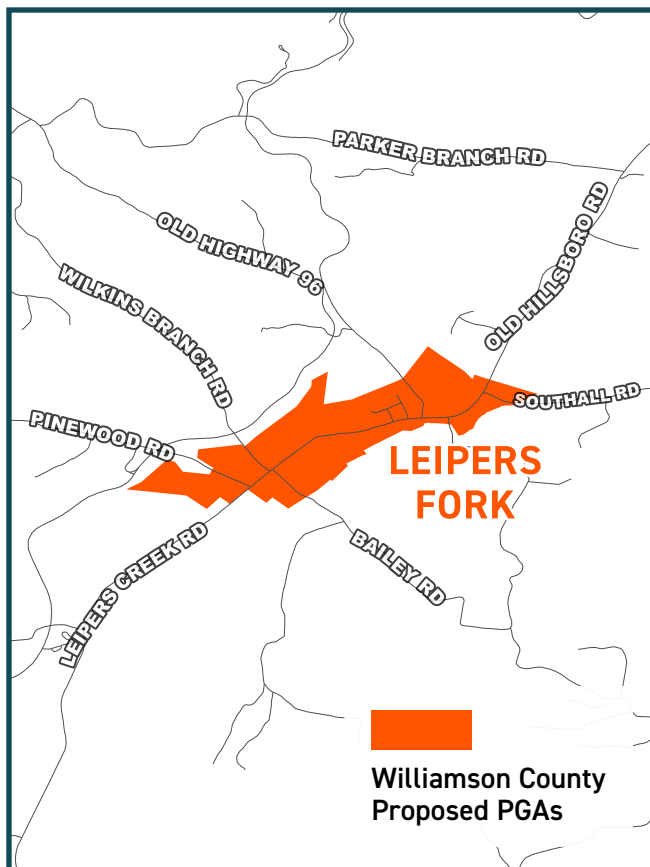


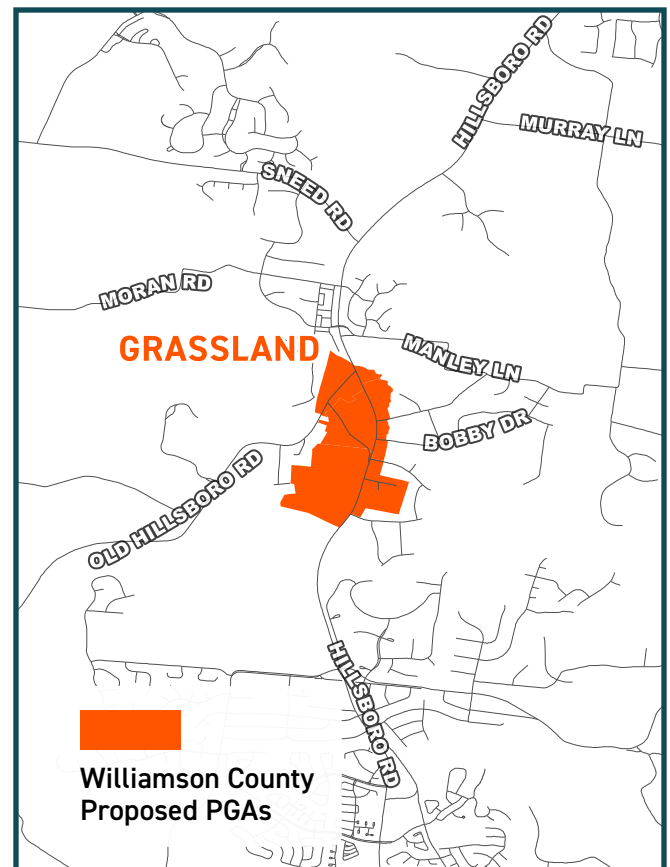
FIGURE 9: THOMPSON'S STATION GROWTH BOUNDARY MAP



10.1-3: WILLIAMSON COUNTY GROWTH AREA MAPS



10.2



10.3

Section 04:

CONCLUSION

This Plan represents a collaborative vision for the location of future growth within Williamson County that can be served by adequate and timely infrastructure, thereby helping to preserve rural character in outlying areas. In addition to the Growth Plan Map, which defines these areas, the Plan contains Goals and Strategies geared toward helping the system of Urban Growth Boundaries (UGBs), Planned Growth Areas (PGAs), and Rural Areas work as effectively as possible.

The Plan is intended to be a fluid document and should be examined at least every five years to determine whether changing conditions warrant amendments to the Plan.



Section 05:

APPENDIX

This Appendix consists of summaries from each jurisdiction that outline important factors that helped influence their modified Urban Growth Boundaries (UGB's) and, in the case of the County, its modified Planned Growth Areas (PGA's) and Rural Areas.

CITY OF BRENTWOOD

When the original Williamson County Urban Growth Boundary (UGB) plan was approved in 2001, the City of Brentwood intentionally planned to identify areas where the City could reasonably provide essential services, including utility services. Population projection and a cost-of-service analysis were completed based on Brentwood's then-existing zoning ordinance and long-range service plans.

Since then, the City's long-term infrastructure planning efforts have been based on the eventual build-out of this original Brentwood UGB area under the City's existing low-density land development standards. In addition, Brentwood is unique in Williamson County, given that it is essentially landlocked on three of its borders, with Metro Nashville to the north, Franklin to the south, and Nolensville to the east. To the west, topography limits the extent to which the City could reasonably provide services. The Brentwood Planning Commission adopted an updated Comprehensive Plan in October 2016, after numerous public meetings and surveys to gather information regarding the future plan. The proposed UGB boundaries are consistent with the Brentwood 2030 Comprehensive Plan.

In 2020, the Census certified Brentwood's total population at 45,373 persons, up from 37,060 persons in 2010---a decade increase of 22.4%. Compared to the 1980s and 1990s, the growth rate has slowed. Brentwood is a mature community and one of the older suburbs of Nashville, with most growth occurring early in the City's establishment (1969). Moving forward, the geographical constraints and low-density design standards limit Brentwood's potential population growth.

Given these factors and the desire not to promote further development in areas where the City controls utility services, Brentwood has elected not to propose any significant alteration of its remaining UGB area as part of this update to the Williamson County Growth Plan. The only proposed changes are housekeeping in nature. Two small portions of property north of Maxwell Lane, currently in the Town of Nolensville, are proposed to be removed from the Brentwood UGB. The second proposed update is to correct a gap where there appears to have been a mapping error in the past to include a small portion of a parcel along the north side of Sam Donald Road into Brentwood's UGB. A Public Hearing regarding the proposed Brentwood UGB was held on July 5, 2023, at the Brentwood Planning Commission and a second Public Hearing was held on July 10, 2023, at the Brentwood Board of Commissioners meeting. There were no public comments received at either meeting.

CITY OF FAIRVIEW

In 2021, the City of Fairview's planning staff and elected officials began studying the community's growth trends to identify an updated urban growth boundary. Understanding the terrain and environmental constraints of the region, in addition to the desire to retain a rural character within the City, the urban growth boundaries, as shown, will allow Fairview to grow while being mindful of agricultural lands, environmentally sensitive areas, and the abundance of forested parcels throughout the northwestern corner of Williamson County.

Concentrating on past, current, and projected growth trends, the City of Fairview is growing at a rate just shy of the growth of Williamson County as a whole. Fairview's growth rate in the last seven years has been 2.4% compared to Williamson County's growth rate of 2.85%. Using these recent figures, Fairview's twenty (20) year population projection estimates adding 7,399 residents, a roughly 84% increase to Fairview's current population of 8,763.

The City of Fairview identified reasonably compact territories yet sufficiently large to accommodate residential and nonresidential growth projected to occur during the next twenty (20) years. A common goal was to focus on parcels of property that are contiguous to the existing boundaries of the municipality and that a reasonable and prudent person would project as the likely site of high-density commercial, industrial, and/or residential growth over the next twenty (20) years based on historical experience, economic trends, population growth patterns, and topographical characteristics.

Every city has an identity, and for many years Fairview has been known as a rural community. With a pocket of industrial uses and a small but spread out "main street," the City has had little commercial and industrial growth. The proposed urban growth boundary, along with the Fairview Forward Plan, has identified and will make available several parcels near the interstate interchanges for high-density growth and industrial development. Utilizing current properties within the City and annexing additionally needed parcels, adequate land is available for new and reused commercial and industrial space.

CITY OF FRANKLIN

Franklin has consistently experienced fast-paced growth over the last 30 years, a trend projected to continue. Between 2010 and 2020, the City's population grew from 62,487 to 83,452, a 33.6% increase. In 2013, the US Census Bureau named Franklin the 14th fastest-growing City in the nation for cities with a population over 50,000. Then in 2017, the US Census Bureau identified Franklin as the fastest-growing City in Tennessee and the 8th in the nation. Overall, the City anticipates adding 43,000 residents by 2040.

Throughout the summer of 2021, an interdepartmental team of City staff began meeting weekly to analyze the Franklin Urban Growth Boundary (UGB). During these meetings, City of Franklin staff discussed reasonable infrastructure availability, extensions, needs, and costs associated with providing efficient and effective public services to territory within the UGB and for the territory proposed to be added. Environmental features such as floodplains, steep slopes, and agricultural lands wishing to remain working farms were all considered during the discussions and analysis. Development suitability, the cost to extend municipal services, population projections, and the study of necessary land uses to accommodate managed and strategic growth all factored into the preliminary staff recommendations for the updated UGB.

From a series of community meetings and a public survey, the City of Franklin staff engaged with citizens to raise awareness of the UGB study and provide feedback on the preliminary

recommendations. Several property owners made specific requests to be removed from the UGB and were allowed to present their unique circumstances publicly. Based on these presentations and feedback from the elected officials, adjustments to the boundary were made accordingly. The staff engaged the Franklin Board of Mayor and Aldermen at six public work session meetings for their input and guidance throughout the fall of 2021 and the spring of 2022. Additionally, the staff engaged the Franklin Municipal Planning Commission and Franklin Board of Mayor and Aldermen at two joint public workshops during the fall of 2021. The City also held two required public hearings in 2023 with accompanying Resolution 2023-44 to recommend approval for the proposed UGB. The first public hearing was held by the Franklin Municipal Planning Commission on July 27, 2023 and the second was held on August 8, 2023 by the Franklin Board of Mayor and Aldermen. The result was an amendment to Resolution 2023-44 to advocate that a defined area proposed for removal from Franklin's UGB along West Harpeth Road remain outside of any jurisdiction's UGB.

The City of Franklin is proposing changes to its UGB to accommodate additional land suitable for projected commercial, industrial, and residential growth over the next twenty years. Due to continued growth and development along the I-65 corridor, the City proposes a compact and contiguous expansion of the UGB south of Long Lane and east of I-65. Through the referendum process, the City has annexed properties outside of the UGB in this area, and city services and infrastructure can be extended to support additional growth. A coordinated study of land uses and infrastructure is ongoing for the territory recommended to be added. The City is also proposing a reduction of the UGB north of New Highway 96 West, along US 31 Columbia Pike, and also along Carters Creek Pike and Southall Road. Minor adjustments along the fringes of the UGB have been made so the proposed boundary follows parcel lines. In total, the City of Franklin proposes adding approximately 2,173 acres to the UGB and removing approximately 2,534 for a net loss of 361.

TOWN OF NOLENSVILLE

The Town of Nolensville has taken a reasonable, measured, and sustainable approach when considering where to expand our Urban Growth Boundary (UGB). The Town's goal while developing new UGB boundaries is to retain its small-town character, scenic value, and ecological quality, while accommodating carefully controlled growth. We have received community input and requested the advice of our Planning Commission and Board of Commissioners on our proposed UGB boundaries. A community workshop and public hearings were conducted as follows:

- Community Workshop – Thursday, June 29, 2023 at 6:30pm
- Planning Commission Public Hearing – Tuesday, July 11, 2023 at 6:30pm
- Board of Commissioners Public Hearing – Thursday, August 3, 2023 at 6:30pm

In our study of the practical options, two approaches resulted as prime candidates for compact and contiguous UGB expansion and future annexation. The first is the expansion to the southwest,

which is bisected by a property that has already been annexed, and this will serve to simplify the boundaries of our Town. The second expansion to the south will extend the current UGB along US 41A, the major arterial road that serves our community. Both choices are the most logical next steps in expanding the Town of Nolensville.

Our community has recently adopted a new zoning ordinance and zoning strategy map, which will increase our population and the ability to supply improved public safety services and an enhanced transportation system. According to our current data, our population grew 110% from 2000-2010 and 135% from 2010-2020, to a total population of 13,829. With this population growth in mind, the expansion of the UGB, coupled with our new zoning ordinance and map, these factors will allow us to manage and control growth well into the future and ensure we can provide a high-quality and safe environment for future generations.

Our current UGB expansion proposal is the most efficient and cohesive approach we can implement that will ensure additional land suitable for projected commercial, industrial, and residential growth over the next twenty years while allowing us to expand efficiently and effectively. Not just growth to create economic sustainability but growth that allows us to expand our greenway system, create more

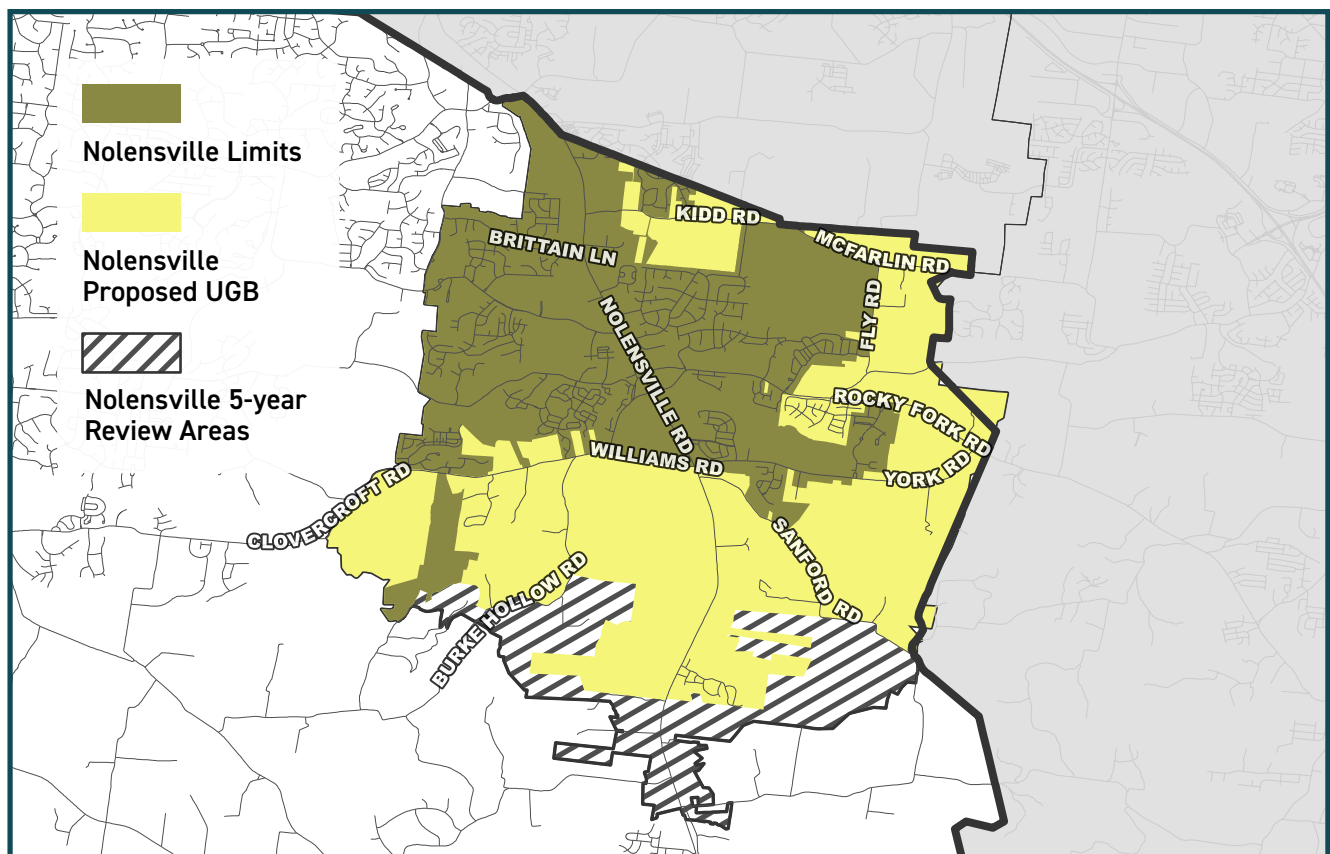


FIGURE 11: NOLENSVILLE 5-YEAR REVIEW AREA MAP

active and passive open space areas, preserve existing trees and creeks, improve our transportation system and address stormwater impacts. As we expand our Urban Growth Boundaries in the future, we will adhere to the values, goals, and objectives established by the Board of Commissioners. Regardless of where expansion occurs, it will be done in a sustainable manner that benefits the entire Town and respects our surroundings.

As part of the Five-year Growth Plan Update, the Town of Nolensville will review and consider the growth pressures in the areas shown on the map (page 23).

CITY OF SPRING HILL

The City of Spring Hill began planning for an update to the Williamson County Urban Growth Boundary (UGB) Plan in the Summer of 2021. To determine the proposed boundary of the Williamson County, Spring Hill UGB, city staff utilized current development trends, development requirements for water-sewer capacity, analyzed existing drainage basins based on topography, the development of the I-65 interchange at June Lake Blvd., consideration of adopted planning documents (such as but not limited to the 2040 Spring Hill Rising Comp Plan), and the continuity of the currently adopted Maury County UGB with any additional UGB established within Williamson County. The UGB update is crucial to managing Spring Hill's future growth as the city transitions from a bedroom community to a self-supported city.

Spring Hill has grown by 64.9% from 2011 to 2020, with an average annual growth of 7.2%. The City's UGB Update utilized assumed growth rate projections of 3.6% and 7.2%. The ten-year growth projections show a city of 79,194 persons in 2030 at a 3.6% growth rate and 123,620 persons at a 7.2% growth rate. This growth range forms the basis for the City's Growth Plan Report and the proposed expansion of the UGB.

The City of Spring Hill hosted a series of stakeholder meetings for UGB public input. Two in-person meetings were held at City Hall in October 2021. The public input resulted in collaborative discussion between the City, City residents, and unincorporated County residents. Following the public engagement meetings, findings were summarized and presented to both the City of Spring Hill Planning Commission and the Board of Mayor and Aldermen for consideration and further input. The initial Spring Hill Williamson County UGB was submitted to the coordinating committee in August 2023. After review by the coordinating committee and input from county stakeholders, the City of Spring Hill held additional public hearings that allowed additional collaboration in September and October of 2023. The outcome of these public hearings in 2023 resulted in a revised UGB map that considered the county stakeholders' needs and the city's vested interest in responsible growth.

The BOMA-recommended version of the City of Spring Hill's expanded Williamson County Urban Growth Boundary Map offers the City's intention for reasonable and smart growth over the next 5-20 years. The boundary was defined based on growth projections, existing drainage basins, the consistency with the existing boundaries of the City of Spring Hill's Maury County UGB, and

a Williamson County Urban Growth Boundary expansion that can accommodate and manage the future growth of the City efficiently and effectively while ensuring that the proposed Urban Growth Boundary is sufficiently compact so as to not contribute to leapfrog and noncontiguous development patterns and to protect rural and agricultural lands. The City of Spring Hill forwarded a recommended Williamson County UGB boundary, however the coordinating committee, based on public comments, elected to remove all of the City of Spring Hill UGB from consideration. The City of Spring Hill Mayor was a member of the coordinating committee and was amenable to this change. However, if this were also subject to a joint municipal interlocal agreement restricting annexation requests to only within a jurisdiction's UGB, without an identified UGB, the City of Spring Hill must have a reasonable expectation to participate in responsible growth and be allowed to welcome properties that wish to be annexed into the City.

TOWN OF THOMPSON'S STATION

The Town of Thompson's Station began planning for the Williamson County Growth Plan update in the Spring of 2021. The Growth Plan Update is part of several parallel planning efforts currently underway in the Town, which have informed and underpinned the Town's overall planning and analysis related to the study of the Town's Urban Growth Boundary (UGB). The Growth Plan Update process was a timely addition to the Town's overall growth, development, and preservation planning process and was embraced as such by the elected and appointed officials, as well as Town Staff.

The Town of Thompson's Station has experienced tremendous growth over the past twenty years since the adoption of the current Williamson County Growth Plan in 2001. The 2020 Census certified a total population of 7,485 persons, up from 1,946 persons in 2010---resulting in a staggering 241% increase. This triple-digit, historic growth rate makes population forecasting and projections difficult. Therefore, the Town's Growth Report Update uses a series of linear growth projections across a more conservative 3.5% growth rate and an earnest 8% growth rate to create a growth projection range for the Town's growth through 2040. The 2040 growth projections show a Town of 14,893 persons in 2040 at a 3.5% growth rate and 24,887 persons at an 8% growth rate. This growth range forms the basis for the Town's Growth Plan Report and the areas studied to expand the UGB.

The Town's first action in the planning process was public outreach and engagement. At the very beginning of the planning process, the Town hosted a series of in-person and virtual meetings over the Summer and Fall of 2021. Two in-person meetings were held at Thompson's Station Community Center in July 2021 and August 2021. The third public meeting was planned to be held in person, but the delta surge of the coronavirus forced the Town to shift that meeting to a virtual meeting in September 2021. As the planning process concluded, the Planning Commission held the first of the Town's required Public Hearings on the Town's revised UGB map on July 25, 2023, and the Board of Mayor and Aldermen held the second and final Public Hearing on August 8, 2023. The public input garnered throughout the planning process resulted in a robust discussion between the Town and

our neighbors in the unincorporated County and led to direct changes and revisions to the Town's overall growth plan and UGB based on this feedback.

The final version of the Town of Thompson's Station expanded Urban Growth Boundary Map offers the Town's intention for balanced and additional land suitable for projected commercial, industrial, and residential growth over the next five years. Based on growth projections, it includes the extent of the Town's Urban Growth Boundary expansion to accommodate and manage growth efficiently and effectively, while ensuring that the proposed Urban Growth Boundary is sufficiently compact and contiguous to promote reasonable and logical development patterns and protection of rural and agricultural lands.

WILLIAMSON COUNTY

The current Planned Growth Areas (PGA's) were created at a time when the Grassland area (PGA's 1, 2 and 3) and the Triune area (PGA-5) were projected to accommodate a suburban- level of development.

The Williamson County Comprehensive Land Use Plan (Comp Plan), which is the County's chief policy document related to growth and development matters, was amended in 2020. The Comp Plan makes very specific land use recommendations for the unincorporated County and specifies where growth should, and should not, occur. The Comp Plan calls for a reduction in density outside of Urban Growth Boundaries, except within designated Villages and Hamlet areas. It is the County's intention that the proposed PGA's and Rural Areas reflect the Land Use Plan recommendations of the Comp Plan.

As such, the County is proposing the following six PGAs:

- **Triune** (coinciding with the TCA-2, TCA-3 and TCA-4 Zoning Districts);
- **Grassland** (coinciding with the GV-1, GV-2, GV-3 and GV-4 Zoning Districts);
- **Leiper's Fork** (coinciding with the LFV Zoning District);
- **College Grove** (coinciding with the CGV Zoning District);
- **Arrington** (coinciding with the Study Area for the Arrington Special Area Plan); and
- **Rudderville** (coinciding with the Hamlet Zoning District that exists surrounding the Arno Road/McDaniel Road intersection).

Based on economic trends, population growth projections/patterns, and topographical considerations, the County believes that the proposed PGA's are necessary and appropriate to accommodate additional development and are the logical and likely locations for higher density (relative to the Rural Areas) residential, commercial and limited industrial uses, provided such development occurs in a way that is consistent with adopted Special Area Plans. The proposed PGA's are reasonably compact yet sufficiently large to accommodate this additional development over the next 20 years.

The County also believes that the proposed Rural Areas will allow for the improved management and preservation of natural resources and agricultural uses and are necessary in order to manage urban growth within the County. Based upon their size and location, it is unlikely that any of the PGA's will become municipalities or be annexed by an existing municipality over the next 20 years.

Population Projections

The County is projecting a population increase of approximately 23,000 (from 54,871 to 78,331) people in the unincorporated area by the year 2040. This projection is consistent with University of Tennessee projections.

Cost of Services

One of the key elements that was instrumental in identifying a preferred land use policy in the Comprehensive Plan update process was evaluating the fiscal impacts associated with various land use scenarios. This analysis concluded that implementing the land use policy recommended in the Comp Plan (which is the basis for the recommended PGA's and Rural Areas) would result in an approximately \$3.5 billion savings to the County in providing services outside of UGB's, as compared to the previous land use policy.

Public Feedback

As mentioned previously, the recommendations and vision of the County's recently-adopted Comprehensive Plan is the foundation for the proposed PGA's and Rural Areas described in this report. That process included a robust public involvement component, resulting in hundreds of citizens providing meaningful input. Since that time, the County has solicited public input on the proposed PGA's and Rural Areas through a dedicated website where citizens could provide feedback.

Public Hearings were held on July 13 and August 14.



INTERLOCAL AGREEMENT

COF Contract No. 2023-0197

COB Contract No. 2023-135

K#

This Interlocal Agreement ("Agreement") between **WILLIAMSON COUNTY, TENNESSEE** ("County"), the **CITY OF BRENTWOOD, TENNESSEE** ("Brentwood"), the **CITY OF FAIRVIEW, TENNESSEE** ("Fairview"), the **CITY OF FRANKLIN, TENNESSEE** ("Franklin"), the **TOWN OF NOLENSVILLE, TENNESSEE** ("Nolensville"), the **CITY OF SPRING HILL, TENNESSEE** ("Spring Hill"), and the **TOWN OF THOMPSON'S STATION, TENNESSEE** ("Thompson's Station") (collectively the "parties" or "localities"), for the establishment of joint parameters, covenants, and conditions related to the county-wide Growth Plan.

WHEREAS, pursuant to Tenn. Code Ann. §§ 12-9-101 *et seq.* & 6-58-101 *et seq.*, the herein named Tennessee local governments, the parties, upon approval of their respective legislative bodies, have the authority to enter into agreements for joint cooperative action; and

WHEREAS, the parties to this Agreement are committed to providing additional, joint parameters, covenants, and conditions with regard to the Williamson County Growth Plan (Growth Plan); and

WHEREAS, the parties wish to enter into the Agreement and find the same to be for the mutual benefit and best interest of the citizens of the localities, collectively and independently:

NOW THEREFORE BE IT RESOLVED, the parties agree as follows:

- 1. Purpose.** The parties agree that entering into this Agreement is to the mutual benefit of the parties. The objective of this Agreement is to provide a framework for joint parameters, covenants, and conditions related to the county-wide Growth Plan, attached hereto as Exhibit A, and to the implementation of the Growth Plan in the future. The parties expressly acknowledge and agree that this Agreement sets forth the terms and conditions governing the roles and responsibilities of each party.
- 2. Authority.** This Agreement is made and entered into pursuant to the authority granted by the parties under the *Interlocal Cooperation Act*, Tenn. Code Ann., §§ 12-9-101, *et seq.*, as well as pursuant to the authority under Tenn. Code Ann., §§ 6-58-101 *et seq.* The parties agree that all approvals and filings required by the terms thereof shall be achieved as soon as possible from and after the execution of this Agreement.
- 3. Separate Entity.** This Agreement does not create a separate entity, nor shall it be interpreted as creating a separate entity under any circumstances. Further, this Agreement does not create a joint venture or partnership of any kind.

4. **Scope.** This Agreement addresses and memorializes the parties' agreement as to the Growth Plan and matters related to the Growth Plan in the future, including but not limited to mandatory timelines to address future Growth Plan updates, annexation, planning and zoning, and the formation of a standing advisory committee to facilitate growth, planning, and transportation issues in the future by and between the parties.

5. **Annexation.** The parties agree that any locality vested with the power of annexation shall not annex any property located outside of the annexing locality's Urban Growth Boundary ("UGB"), as the same is defined in Tenn. Code Ann. §§ 6-58-101 & 107.

6. **Growth Plan Update.** The parties agree that the coordinating committee, as defined in Tenn. Code Ann. § 6-58-101 *et seq.* (the "Act"), and as thereafter may be amended, ("Coordinating Committee") shall be convened by the Mayor of the County no later than five (5) years from the date of the approval of the 2023 Growth Plan by the Local Government Planning Advisory Committee, or any growth plan adopted hereafter. This section shall not limit the ability of any locality, pursuant to the Act, to seek the convening of the Coordinating Committee at any time. Nothing herein shall be construed so as to require any future Coordinating Committee to amend or recommend amending the growth plan, and the same shall be fully empowered to determine that no amendment is warranted.

7. **Advisory Committee.** The parties agree that, after the Growth Plan is adopted contemporaneously with this agreement, an advisory committee ("Advisory Committee") shall be established to address matters and issues as delineated and defined herein for the benefit of the parties. The Advisory Committee shall consist of seven (7) voting members, with a member from each of the localities, selected as each of the localities may choose. Other individuals from the localities or public may attend any Advisory Committee meeting. The Advisory Committee's role shall be as a vetting and informational body designed to foster communication and cooperation. The Advisory Committee shall schedule a meeting at least four (4) times per calendar year, which may be cancelled if there is no business as determined by the Chair. The Advisory Committee is empowered to adopt rules of procedure for the conduct of its meetings, and the Mayor of the County shall serve as the Chair for such meetings unless he so declines. Any member of the Advisory Committee can request a meeting by providing written notice to the Chair of such request, and the Chair shall call a meeting within thirty (30) days.

8. **Extraordinary Circumstances.** Notwithstanding the provisions of paragraph 5 outlined hereinabove, any locality may submit to the Advisory Committee, in writing, a request to permit said locality the ability to conduct an annexation of a parcel or parcels of real property outside of said locality's UGB due to extraordinary circumstances. The Advisory Committee shall meet and review said written request within forty-five (45) days of receipt by the Chair of the Advisory Committee of the same. The Advisory

Committee shall review the request and hear any information provided by the requesting locality, as well as any other information the Advisory Committee deems relevant. The Advisory Committee shall determine, by majority vote, whether an extraordinary circumstance exists. If an extraordinary circumstance is found by the Advisory Committee, then the requesting locality may proceed to annex the applicable parcel(s) under applicable state law, and the same shall not be a breach of this Agreement. An extraordinary circumstance may only be found if the request involves a non-residential development or project, except as provided herein. Therefore, the parties agree that any request contemplated in this paragraph 8 shall not include any residential development, except as permitted herein, and the requesting party shall not zone the parcel(s) involved in the request to a zoning designation that permits any residential development. The forgoing notwithstanding, a request may include an existing residential development for safety and emergency purposes.

9. Alteration of the Act. In the event the Act is repealed or amended in such a way as to render following the new act impracticable under this Agreement, the parties agree to continue to follow the Act that is in existence at the time of the adoption of this Agreement, along with this Agreement itself, for a period of five (5) years after the next occurrence causing the Coordinating Committee to convene as defined herein.

10. Notice to Property Owners. At or before the convening of the Coordinating Committee, as outlined in Section 6 hereinabove, each party shall give notice to the owner(s) of each parcel or tract of real property said party is considering to include in its expanded Urban Growth Boundary or Planned Growth Area, as applicable. For purposes of clarity, notice shall include relevant information, as determined by the party, and be given by USPS regular mail to the address(es) of record in the Williamson County Register of Deeds at the time notice is given. The notice contemplated herein is intended to provide information to the property owners being considered for an expanded Urban Growth Boundary or Planned Growth Area. Lack of actual notice shall not be grounds for breach of this Agreement or challenge to the Growth Plan.

11. Term. This Agreement shall become effective on the date it is fully executed and shall continue for a period of five (5) years from the date of the approval of the Growth Plan by the Local Government Planning Advisory Committee unless amended by the parties. The parties acknowledge that the term could be longer based upon Section 9 hereinabove. If the Coordinating Committee is properly convened, the expiration of the term shall be tolled until the Coordinating Committee adjourns its convening purpose or an amendment to the Growth Plan is adopted by all of the parties, whichever is last to occur.

12. Other Agreements. Nothing herein shall prevent any party from entering into any other agreement, interlocal or otherwise, with another party or parties named herein so long as said agreement is not in conflict with this Agreement or a subversion of the

purpose of this Agreement. For purposes of clarity, the parties covenant and agree that no other agreement shall be entered into by any party that amends the Growth Plan, amends the Growth Plan Map, or violates any material term of this Agreement. The foregoing notwithstanding, any proposed interlocal agreement that directly or indirectly falls within the scope of this Agreement shall first be submitted to the Advisory Committee in writing, to include a proposed copy of the agreement. The submitted agreement shall be placed on the next Advisory Committee meeting for informational and discussion purposes unless a member calls a meeting to discuss the same at an earlier date. In the event the Advisory Committee finds that any submitted agreement violates or subverts this Agreement, it may so find and send a notice of the same to the localities.

13. Third Party Beneficiary Rights. The parties do not intend to create in any other individual or entity the status of a third-party beneficiary, and this Agreement shall not be construed so as to create such status. The rights, duties, and obligations contained in this Agreement shall operate only between the parties to this Agreement and shall inure solely to the benefit of the parties to this Agreement. The provisions of this Agreement are intended only to assist the parties in determining and performing their obligations under this Agreement. The parties to this Agreement intend and expressly agree that only parties signatory to this Agreement shall have any legal or equitable right to seek to enforce this Agreement, to seek any remedy arising out of a party's performance or failure to perform any term or condition of this Agreement, or to bring an action for the breach of this Agreement.

14. Conflict with Laws. Nothing in this Agreement is intended to conflict with current applicable laws or regulations.

15. Modification. This Agreement may be modified upon the mutual written consent of the parties.

16. Agreement of Cooperation. Each party agrees to take all reasonable steps necessary to effectuate the terms of this Agreement. All parties shall, at the agreed to times outlined herein, and from time to time, execute, acknowledge, deliver and/or enact all further instruments and/or assurances to effectuate the terms of this Agreement. The parties agree to cooperate in good faith. The parties recognize that a locality may request to open the growth plan earlier than the agreed to five (5) year date to address extraordinary circumstances or otherwise. No party is required to re-open its UGB, however all parties agree to cooperate with the Coordinating Committee and participate so as to provide a quorum.

17. Time is of the Essence. Time is of the essence for this Agreement for prompt completion.

18. Force Majeure. No party shall have any liability to any other party hereunder by reason of any delay or failure to perform any obligation or covenant if the delay or failure to perform is occasioned by *force majeure*, meaning any act of God, storm, fire, casualty, unanticipated work stoppage, strike, lockout, labor dispute, civil disturbance, riot, war, national emergency, act of Government, act of public enemy, pandemic, or other cause of similar or dissimilar nature beyond its control.

19. Severability. Should any provision of this Agreement be declared to be invalid by any court of competent jurisdiction, such provision shall be severed and shall not affect the validity of the remaining provisions of this Agreement.

20. Assumption of Liability. Each party shall be and remains liable for its actions as well as the actions of the respective party's employees, volunteers, agents, or officers. Nothing in this Agreement shall be construed to limit any party's governmental immunity.

21. Breach of Agreement. Any party that alleges any other party to be in breach ("Charging Party") of this Agreement shall first send a letter to the breaching party ("Breaching party") of the nature of the breach, and the Charging Party shall copy all parties herein. If the Breaching Party does not provide sufficient assurances, in writing, dispelling the alleged breach, the Charging Party, or any other party, shall submit to the Advisory Committee a letter on the nature of the breach. Within thirty (30) days of receipt of said letter, the Chair of the Advisory Committee shall convene a meeting to address the letter and make recommendations regarding the same. Nothing herein shall prevent the Charging Party, or any other party, from filing an action in a court of competent jurisdiction seeking injunctive relief as to an alleged breach by the Breaching party, however no further action beyond seeking an injunction may occur until the Advisory Committee renders a recommendation and the parties then attempt mediation of the dispute. The mediator for said mediation shall not be a resident of or have offices in Davidson County, Williamson County, or Maury County. The mediator shall be selected by a majority vote of the Advisory Committee, which shall be incorporated into the Advisory Committee's recommendation. The parties agree that all parties herein are necessary parties involving an action filed in a court of competent jurisdiction for breach of this Agreement.

22. Choice of Law & Venue. This Agreement shall be construed in accordance with and all disputes hereunder shall be controlled by the laws of the State of Tennessee without regard to Tennessee's choice of law rules. Venue shall be in the Chancery Court of Williamson County, Tennessee.

23. Waiver. The failure of one party to demand from the other party performance of any act under the Agreement shall not be construed as a waiver of said party's right to demand, at any subsequent time, such performance.

24. Miscellaneous. The complete understanding between the parties is set out in this Agreement, and this Agreement supersedes and voids all prior and contemporaneous understandings, except as herein contained. The headings in this Agreement are for convenience and reference and are not intended to define or limit the scope of any provisions of this Agreement.

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the parties have executed this Agreement as of the dates recorded below.

WILLIAMSON COUNTY, TENNESSEE:

By: _____
Rogers Anderson, Mayor

Date: _____

Approved as to form and legality:

Williamson County Attorney

CITY OF BRENTWOOD, TENNESSEE:

By: _____
Mark Gorman, Mayor

Date: _____

Approved as to form and legality:

City of Brentwood Attorney

CITY OF FAIRVIEW TENNESSEE:

By: _____
Lisa Anderson, Mayor

Date: _____

Approved as to form and legality:

City of Fairview Attorney

CITY OF FRANKLIN, TENNESSEE:

By: _____
Ken Moore, Mayor

Date: _____

Approved as to form and legality:

City of Franklin Attorney

TOWN OF NOLENSVILLE, TENNESSEE:

By: _____
Halie Gallik, Mayor

Date: _____

Approved as to form and legality:

Town of Nolensville Attorney

CITY OF SPRING HILL, TENNESSEE:

By: _____
Jim Hagaman, Mayor

Date: _____

Approved as to form and legality:

City of Spring Hill Attorney

TOWN OF THOMPSON'S STATION, TENNESSEE:

By: _____
Brian Stover, Mayor

Date: _____

Approved as to form and legality:

Town of Thompson's Station Attorney



File #: 21-0127

DATE: April 29, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Emily Wright, Director of Planning and Sustainability
Kelly Dannenfelser, Asst. Director of Planning
Andrew Orr, Long Range Planning Supervisor

SUBJECT:

Consideration Of Resolution 2024-15, A Resolution Of The City Of Franklin, Tennessee Designating The City Of Franklin As A Bee City USA Affiliate

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning the Bee City USA program.

BACKGROUND/STAFF COMMENTS:

The Bee City USA Program recognizes and encourages pollinator conservation efforts in cities, counties, and campuses. It provides a framework to increase the abundance of native plants while reducing the use of pesticides. There are approximately 212 total Bee City USA affiliates including five communities in Tennessee. The primary benefit of this initiative is to increase the abundance of native plants and pollinator habitat, which will not only support our local pollinators, but it will also improve community character by creating more visually interesting landscapes. Depending on the size and scale of new pollinator gardens, ongoing maintenance burdens for these areas could be reduced. Please note, the Bee City program is not about beekeeping and the production of honey.

On February 9, 2024, the Sustainability Commission invited a representative from Thompson's Station to share their experience with the program and the benefits of joining the Bee City USA program. The Commission then voted to continue advancing this initiative. The Planning and Sustainability Department drafted a resolution authorizing participation in the program and presented it to the Sustainability Commission on April 12, 2024. The Commission voted to recommend approval of Resolution 2014-15 to the BOMA. On April 22, 2024, the staff also presented this initiative to the Tree Commission, who also voted to recommend approval of Resolution 2024-15 to the BOMA. The next step in order to advance this initiative is for the BOMA to authorize participation by passing Resolution 2024-15.

The Bee City program provides the following framework:

- Establish a standing committee, which would be the Sustainability Commission. An interdepartmental staff committee would also likely form to help coordinate and implement the program;
- Increase pollinator habitats in our community by using native plants;
- Host or co-host at least one pollinator awareness event each year;
- Display at least one sign designating Franklin as a Bee City USA affiliate and have a project webpage on the City's website;
- Incorporate pollinator conscious practices into city policies and plans;
- Reduce the use of pesticides, where feasible, and provide an integrated pest management plan;
- Pay an initial application fee of \$400 and an annual renewal fee of the same amount;
- Provide a report on the previous year's activities

FINANCIAL IMPACT:

Participation includes a \$400 initial application fee and an ongoing annual renewal fee of \$400 until Franklin reaches a population of 100,000 residents and then it will increase to \$500 annually. Annual budget requests will likely be proposed and the amount will depend upon public and private partnership contributions, the size and scale of proposed pollinator habitat, and the type and maturity of plant material used.

RECOMMENDATION:

Staff recommends that the Board of Mayor and Aldermen approve Resolution 2024-15.

RESOLUTION 2024-15

A RESOLUTION OF THE CITY OF FRANKLIN, TENNESSEE DESIGNATING THE CITY OF FRANKLIN AS A BEE CITY USA® AFFILIATE.

WHEREAS, the mission of BEE CITY USA is to galvanize communities to sustain pollinators, responsible for the reproduction of almost 90% of the world's flowering plant species, by providing them with healthy habitat, rich in a variety of native plants and free to nearly free of pesticides; and

WHEREAS, thanks to the more than 3,600 species of native bees in the United States, along with introduced honey bees, we have very diverse dietary choices rich in fruits, nuts, and vegetables; and

WHEREAS, bees and other pollinators have experienced population declines due to a combination of habitat loss, poor nutrition, pesticides (including insecticides, fungicides, and herbicides), parasites, diseases, and climate change; and

WHEREAS, pollinator-friendly communities can benefit local and regional economies through healthier ecosystems, increased vegetable and fruit crop yields, and increased demand for pollinator-friendly plant materials from local growers; and

WHEREAS, ideal pollinator-friendly habitat (A) is comprised of mostly native wildflowers, grasses, vines, shrubs, and trees blooming in succession throughout the growing season to provide diverse and abundant nectar and pollen, since many wild pollinators prefer or depend on the native plants with which they co-adapted; (B) is free to nearly free of pesticides, as many pesticides can harm pollinators and/or their habitat; (C) comprises undisturbed spaces (leaf and brush piles, unmown fields or field margins, fallen trees and other dead wood) for nesting and overwintering; and (D) provides connectivity between habitat areas to support pollinator movement and resilience; and

WHEREAS, Integrated Pest Management (IPM) is a long-term approach to maintaining healthy landscapes and facilities that minimizes risks to people and the environment by: identifying and removing the causes of pest problems rather than only attacking the symptoms (the pests); employing pests' natural enemies along with cultural, mechanical, and physical controls when prevention is not enough; and using pesticides only when no other method is feasible or effective; and

WHEREAS, supporting pollinators fosters broad-based community engagement in environmental awareness and sustainability; and

WHEREAS, the City of Franklin should be certified a BEE CITY USA community because affiliation with this program is an extension of the City's commitment to the preservation and enhancement of the natural environment on municipal property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE, IN ORDER TO ENHANCE UNDERSTANDING AMONG LOCAL GOVERNMENT STAFF AND THE PUBLIC ABOUT THE VITAL ROLE THAT POLLINATORS PLAY AND WHAT EACH OF US CAN DO TO SUSTAIN THEM, THE CITY OF FRANKLIN CHOOSES TO SUPPORT AND ENCOURAGE HEALTHY POLLINATOR HABITAT CREATION AND ENHANCEMENT, RESOLVING AS FOLLOWS:

1. The City of Franklin Planning and Sustainability Department is hereby designated as the BEE CITY USA sponsor.
2. The Planning and Sustainability Department Director or his or her designee is designated as the BEE CITY USA Liaison.
3. Facilitation of the City of Franklin's BEE CITY USA program is assigned to the Sustainability Commission.
4. The Sustainability Commission is authorized to and shall:
 - a. **Celebration:** Host at least one educational event or pollinator habitat planting or restoration each year to showcase the City of Franklin's commitment to raising awareness of pollinator conservation and expanding pollinator health and habitat.
 - b. **Publicity & Information:** Install and maintain at least one authorized BEE CITY USA street sign in a prominent location, and create and maintain a webpage of the City of Franklin website which includes, at minimum a copy of this resolution and links to the national BEE CITY USA website; contact information for your BEE CITY USA Liaison and Committee; reports of the pollinator-friendly activities the community has accomplished the previous year(s); and your recommended native plant species list and integrated pest management plan (explained below).
 - c. **Habitat:** Develop and implement a program to create or expand pollinator-friendly habitat on public and private land, which includes, but is not limited to, identifying and inventorying the City of Franklin's real property that can be enhanced with pollinator-friendly plantings; creating a recommended locally native plant list to include wildflowers, grasses, vines, shrubs, and trees and a list of local suppliers for those species; and, tracking (by square footage and/or acreage) annual area of pollinator habitat created or enhanced.
 - d. **Pollinator-Friendly Pest Management:** Create and adopt an integrated pest management (IPM) plan designed to prevent pest problems, reduce pesticide use, and expand the use of non-chemical pest management methods.
 - e. **Policy & Plans:** Establish, through the City of Franklin, a policy in Envision Franklin to acknowledge and commit to the BEE CITY USA designation and review the Envision Franklin Plan and other relevant documents to consider improvements to pest management policies and practices as they relate to pollinator conservation, identify appropriate locations for pollinator-friendly plantings, and consider other appropriate measures.
 - f. **Renewal:** After completing the first calendar year as a BEE CITY USA affiliate, each February, apply for renewal of the City of Franklin 's BEE CITY USA designation following the format provided by BEE CITY USA, including a report of the previous year's BEE CITY USA activities, and paying the renewal fee based on the City of Franklin's population.

IT IS SO RESOLVED AND DONE on this ____ day of _____, 20__.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
Eric S. Stuckey
City Administrator

By: _____
Dr. Ken Moore
Mayor

Approved as to Form:

By: _____
Shauna R. Billingsley
City Attorney

Bee City USA

Bringing communities together to sustain pollinators, in particular the more than 3,600 species of native bees in this country, by increasing the abundance of native plants, providing nest sites, and reducing the use of pesticides.



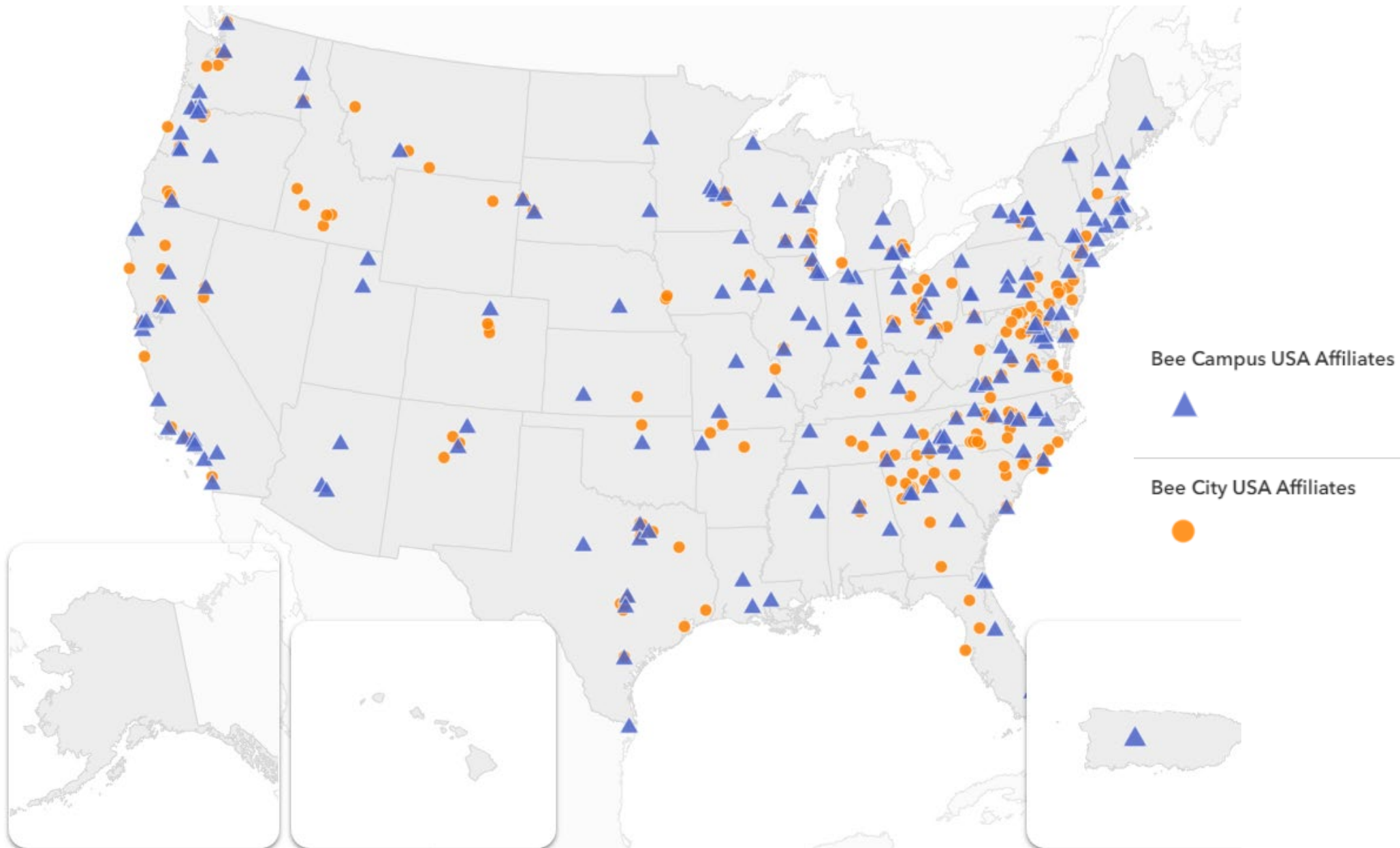
Pollinator Declines

Globally: Up to 40% of pollinator species may be at risk of extinction in the coming years.

North America:
More than a quarter of bumble bees species are in decline



Photo: Rusty-patched bumble bee (*Bombus affinis*), Rich Hatfield



Bee City in Tennessee

Five Tennessee municipalities

- Bell Buckle
- Cleveland
- Lookout Mountain
- Thompson's Station
- Walden



Home

Cities can protect pollinator populations with help from Bee City USA



Pollinator garden in Thompson's Station along greenway featured in February 2024 Tennessee Town and City

Bee City USA



***Please note, this program is not about beekeeping and producing honey**

Bee City USA Commitments

It's about increasing native plants, reducing pesticides, and sharing information
It also helps reduce maintenance and irrigation costs, and makes planting areas more visually exciting

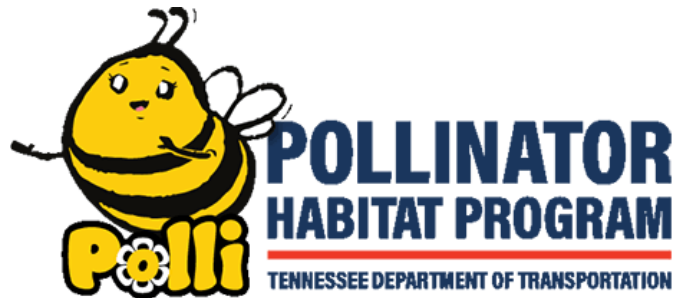


I-24 in Clarksville, TN

TDOT Pollinator Habitat Program

TDOT is also supporting native landscaping:

- Creating educational materials
- Building and maintaining pollinator habitat along their over 13,000 miles of state-maintained roadways and welcome centers
- Modifying mowing schedules to be compatible with pollinator cycles, which cuts costs and increases habitat
- Sending out native seed packets to citizens



<https://tnpollinators.org>

Bee City USA Commitments



Establish a standing Bee City USA committee to advocate for pollinators.

The Sustainability Commission would be the sponsor and advocate

Bee City USA Commitments



Create and enhance pollinator habitat on public and private land by increasing the abundance of native plants and providing nest sites.

Work with City Departments to expand pollinator habitats at various municipal locations.

Bee City USA Commitments



Reduce the use of pesticides.

Create an integrated pest management (IPM) plan designed to prevent pest problems, reduce pesticide use, and expand the use of non-chemical pest management methods.

Coordinate an interdepartmental IPM plan that makes a good faith effort to reduce pesticides.

Bee City USA Commitments



Incorporate pollinator-conscious practices into city policies and plans.

Establish a policy in the city's comprehensive plan to acknowledge and commit to the Bee City USA designation encouraging native landscaping and pollinator habitat.

Create a list of recommended native plants and regional suppliers

Bee City USA Commitments



Host at least one pollinator awareness event each year.

Create partnerships with existing efforts or this could be a ceremony commissioning a pollinator garden.

Bee City USA Commitments



Publicly acknowledge Bee City USA affiliation with signs and an online presence.

Display at least one sign designating your community as a Bee City USA affiliate. Affiliates also commit to maintaining an online presence where they share information about their activities as well as their native plant list, native plant supplier list, and integrated pest management plan.

Coordinate with the City's communication team to raise awareness, post a sign, and create a webpage.

Bee City USA Commitments



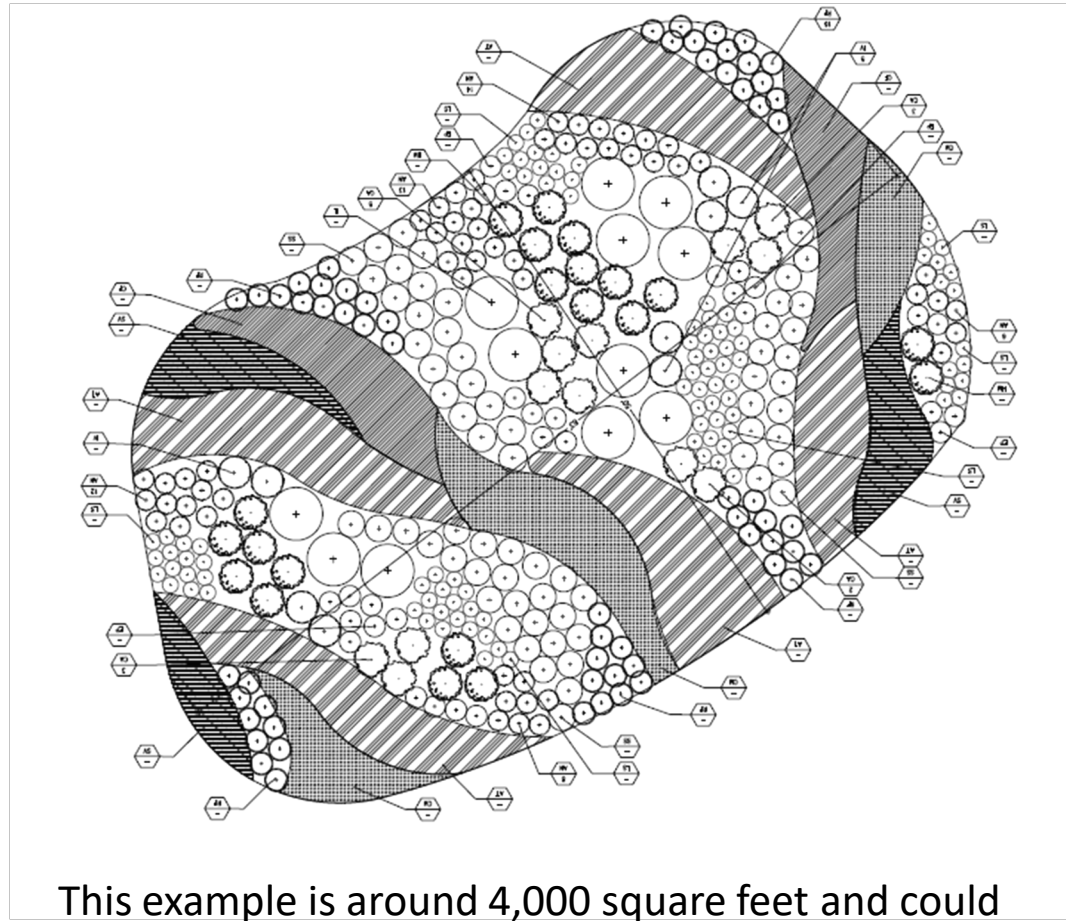
Pay an initial application fee and annual renewal fee.

Franklin would pay \$400 with a max payment of \$500 once over 100,000 population

Annually apply for renewal and report on the previous year's activities.

Submit a renewal application once your community has been affiliated with Bee City USA for a full calendar year. Renewals allow Xerces to monitor affiliate activities and share the great work they're doing.

Franklin Demonstration Pollinator Habitat



This example is around 4,000 square feet and could be integrated into various open space locations on City-owned property

SHRUBS



New Jersey Tea



Swamp Mallow



Winterberry/ Ilex verticillata



virginia Sweetspire/Itea Virginiaica

PERENNIALS



Aster Novae-Angliae/
New England Aster



Echinacea Purpurea/
Purple Coneflower



Liatris Spicata/
Dense Gayfeather



Rudbeckia Fulgida/
Orange Coneflower

PERENNIALS/SEED



Asclepias Tuberosa/
Butterfly Milkweed



Chamaecrista Fasciculata/
Partridge Pea



Coreopsis Major/
Greater Tickseed

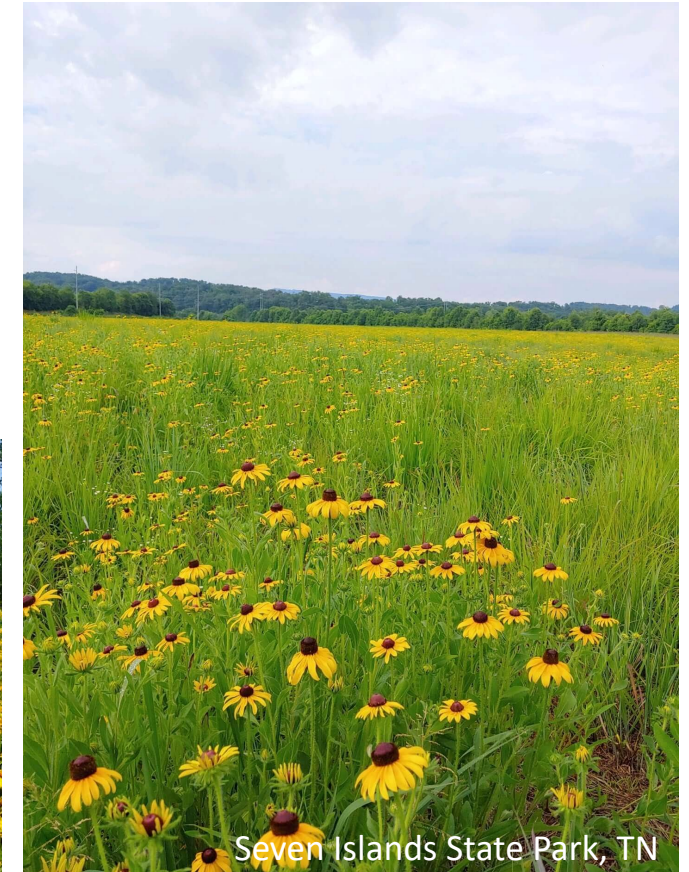
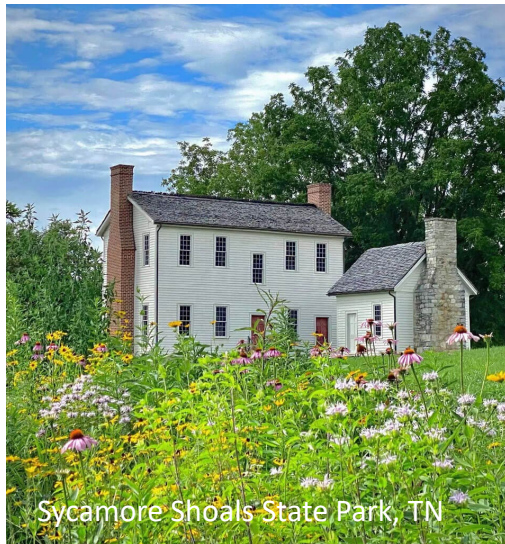


Silene Virginica/Fire Pink

NATIVE ORNAMENTAL GRASS



Native Pollinator Habitat Examples



Brentwood Library Pollinator Garden



Process To-Date & Next Steps



1. Sustainability Commission voted to recommend approval of Resolution 2024-15 on April 12th
2. Tree Commission voted to recommend approval of Resolution 2024-15 to the BOMA on April 22nd
3. Present Resolution 2024-15 at May 14th BOMA WS and subsequent voting meeting
4. Complete application and pay \$400 fee

Next Steps

5. Implement the program

- Interdepartmental staff team and the Sustainability Commission
- Identify locations for potential pollinator habitat on City property
- Potential partnerships with local non-profit groups, eagle scout projects, etc
- Budget implications for annual habitat expansion on city property

6. Add statement of support and encouragement in Envision Franklin.

7. Provide Integrated Pest Management Plan

8. Increase pollinator habitat and host at least one event annually





Urban Growth panel part of Legislative Conference Line up

An informative panel discussion on Tennessee's rapid growth and how it's impacting our communities will be part of a dynamic agenda planned for the TML Legislative Conference, slated for March 4-5 in Nashville at the DoubleTree by Hilton.

Tennessee has been named among the top five states in the U.S. that saw a significant population increase with more than 77,500 new residents moving here in 2023, according to U.S. Census data. And although the influx of people has its economic benefits, it also puts a strain on local governments and the services they provide.

The panel – which will include Gallatin Mayor Paige Brown, Brownsville Mayor Bill Rawls, TN County Services Executive Director David Connors, and Farm Bureau Public Policy Director Kevin Hensley – will discuss the various challenges they are facing and what types of tools we need to meet the current demands.

Registration for the conference opens Monday morning, March 4 at 8:30 a.m. with a meet-and-greet coffee break with TML's sponsored programs. Lunch will begin at 11:30 a.m.

The conference program will run from 12:45 and until 3:15

p.m. and will feature U.S. Congressman John Rose, TN State Comptroller Jason Mumpower, and UT Economy Professor Larry Kessler.

Attendees are encouraged to attend the House and Senate floor sessions that evening at the Capitol.

Tuesday's agenda will begin with breakfast and a two-hour session on *Social Media and the First Amendment*, provided by Sam Jackson, attorney with Spencer Fane.

For more information or to register for the conference, [click here](#).



US Congressman John Rose



TN Comptroller Jason Mumpower



UT Economists Larry Kessler

FEMA overhauls disaster benefits, recovery assistance



A neighborhood in Clarksville following the December 2023 tornadoes. The Federal Emergency Management Agency (FEMA) has announced reforms to its Disaster Assistance Program aimed at removing red tape amid an increase in severe weather disasters nationwide.

By KATE COIL

The Federal Emergency Management Agency (FEMA) has announced reforms to its Disaster Assistance Program to remove unnecessary red tape.

Secretary of Homeland Security Alejandro N. Mayorkas and FEMA Administrator Deanne Criswell announced the reforms will include changing federal assistance policies and expanding benefits for disaster survivors to cut red tape, provide funds faster, and provide more flexibility. The reforms are the most comprehensive update to FEMA's disaster program in 20 years.

The changes were prompted by the increased frequency of extreme weather events across the country, which have increased the need to provide survivors faster, easier, and more equitable access to necessary resources.

The reforms are also the result of feedback collected from decades of disaster survivors, communities, and stakeholders on how to improve the program and through partnerships with steady and Congressional leadership. Program reforms include:

- **Establishing Serious Needs Assistance:** This new cash relief program will replace the Critical Needs Assistance Program and will be available in all disasters receiving Individual Assistant. Households needing immediate help to cover expenses such as shelter, evacuation, and basic needs will receive \$750 in addition to other assistance that may be needed.
- **Establish Displacement As-**

sistance: A new benefit that will provide immediate housing needs for disaster survivors, specifically those who cannot return to their home following a disaster.

- **Removing Loan Application Requires:** Removes the requirement that survivors apply for a Small Business Administration (SBA) loan before being considered for certain types of financial assistance, such as personal property and non-housing loans.
- **Helping Underinsured Survivors:** This measure will streamline insurance-related rules to help survivors who do not receive enough money from their insurance companies to cover rebuilding costs.
- **Simplifying Assistance for Entrepreneurs:** FEMA is simplifying the process so entrepreneurs, gig workers and other self-employed individuals can more easily reopen their businesses after a disaster that will provide additional support to SBA loans.
- **Expanding Habitability Criteria:** FEMA is simplifying its definition of "habitability" to broaden eligibility to include repairs to homes with pre-existing conditions, eliminating current limitations to home repair assistance and expanding eligible hazard mitigation measures beyond essential components of a residence. The measure will also offer more flexibility for documentation to prove a home is owner occupied.

See **FEMA** on Page 3

Gov. Bill Lee delivers sixth State of the State

Gov. Bill Lee delivered his sixth State of the State address, presenting budget and legislative goals for the upcoming year in a joint session of the General Assembly on Feb. 6.

"Tennessee is a remarkable place with a richness of passionate people of all kinds, an unrivaled culture and deep-rooted traditions," Lee said. "We are also a state that is focused on opportunity, security and freedom for all of her people. So, in 2024, and frankly for the remainder of my time in office, I believe our job is to fortify that which has been built over the years, and to remember the work it took to get here."

Lee's proposed \$52.6 billion budget focuses on issues including advancing rural opportunity, keeping the state a business-friendly climate, continuing the state's legacy of fiscal responsibility and economic prosperity, and expanding his Education Freedom Scholarships program, also known as the school voucher program.

Key highlights of the budget include:

Economy

- \$20 million investment in Tennessee's Rainy Day Fund, bringing Tennessee reserves to more than \$2 billion, the largest in state history.
- \$410 million recurring funding \$1.2 billion non-recurring funding to simplify the franchise tax in Tennessee.

Education

- More than \$261 million to strengthen education through the Tennessee Investment in Student Achievement (TISA) formula growth, including



Photo by Nicole Hestser / The Tennessean

Gov. Bill Lee delivers his sixth State of the State address to the Tennessee General Assembly in the House chamber.

- teacher pay raises.
- \$30 million for summer learning programs to support students between school years.
- \$3.2 million dedicated to AP Access for All, which provides AP courses to students across rural and urban Tennessee.
- \$2.5 million to strengthen students' reading and phonics skills.
- \$577,000 to ensure we train Tennessee teachers to be the best and brightest educators of Tennessee children.
- \$15 million to fund charter school facility improvements.
- \$141.5 million to establish Education Freedom Scholarships.

Healthcare and Wellness

- \$208 million over five years from TennCare shared savings to strengthen rural health by investing in apprenticeships and skilled training, greater access to specialty care and

- telemedicine, improved career pathways, hospital and physician practice grants, and a new Center of Excellence to sustain and expand rural health support.
- \$100 million over five years from TennCare shared savings to strengthen mental health care by investing in community mental health centers and behavioral health hospitals, expanding substance abuse disorder treatment, intensive in-home supports, primary care training, early childhood training, and children's hospital infrastructure.
- \$26.7 million investment in services for Tennesseans with disabilities.
- Combining the Commission on Aging and Disability and Department of Intellectual and Developmental Disabilities into the new Department of Disability and Aging.

See **STATE** on Page 4

Rural cities must leverage assets, invest in amenities to reverse population losses

By KATE COIL
TT&C Assistant Editor

As populations return to urban centers after the pandemic, many rural communities are looking to bridge gaps in technology, healthcare availability, food access, and economic development to better situate themselves for the future.

Community-engagement platform Polco presented a webinar, "Proven Methods for Governments to Bridge the Urban-Rural Divide" to discuss how rural communities can leverage their assets to address what gaps they have. Polco's Vice President of Data Science Tobin McKearin said growth of both population and economy has long trended upward in urban areas and downward in rural ones, an outcome of how the economy has changed due to industrialization.

"In a time in the not-so-distant past, this wasn't the case," he said. "In a time when textiles and manufacturing were here in the U.S., rural communities had a lot of economic power. With advances in technology and mechanization, we've seen a shift as we have replaced human labor with cognitive thinking, brain replacing brawn. This new economy has really benefited urban economies where people are seeking jobs, options of entertainment, and different ways of going about their lives. The rural has not seen those positive gains."

There was a time during the pandemic when migration to rural communities equaled and outpaced urban communities, but many of those migrants began to return to urban areas as the pandemic waned, brought back by better broadband, access to healthcare, more economic opportunities, and community livability.

"The pandemic has really exacerbated these differences between urban and rural," McKearin said. "Many of these negative hits on education, economy, and broadband have really been felt by rural communities. Health, wellness, and inclusivity have also seen a disproportionate impact, though we have seen this change as folks move into rural communities."



Kingsport's Inventor Center is the result of a collaborative effort by the Model City Makerspace, Engage Kingsport, key local businesses and the city of Kingsport to provide access and training to Computer Numerical Control (CNC) machines, 3D printers, a laser cutter, full woodshop, and a welder. The main goal of the center is the development and promotion of local entrepreneurs and small business.

URBAN VS. RURAL

As defined by Polco, urban areas include all areas with populations of 50,000 or higher or counties that have 25% of their workforce coming in from out of their city limits. Based on data gathered from the National Community Survey, Government Performance Action and Learning (GPAL) partnership, and other publicly available data sets, Polco officials found what community livability domains are more widely associated with urban and rural areas.

Urban strengths revealed by the data include:

- **Health** – Urban areas tend to have more availability, quality, and opportunities for fitness, food access, and medical care.
- **Economy** – These areas tend to have more shopping and entertainment opportunities, higher median incomes, more job availability and opportunities, better rates of higher education attainment, and better access to tools for business growth and entrepreneurship.
- **Land Use/Infrastructure** – Urban areas tend to be more walkable, provide more housing options, have more transit

and transportation options, and better access to and more infrastructure to utilities like high-speed internet.

- **Inclusivity** – Urban areas tend to attract more diverse populations, better ratios of white to non-white residents, and better poverty ratios.

Meanwhile, rural strengths unveiled by data:

- **Safety** – Rural residents report a more overall feeling of safety, both from property and violent crime.
- **Affordability** – Rural housing costs are less, have fairer market rents, and more affordable median home values.
- **Environment** – Rural areas have better air quality, water resources, and less natural hazards.
- **Transportation** – While urban areas may have more transportation options, rural residents reported having better traffic flow and volumes.
- **Civic Engagement** – Rural citizens are more likely to have attended a local government meeting, volunteered locally, or campaigned, advocated for or contacted a local official.

See **RURAL** on Page 6

NEWS
ACROSS
TENNESSEE

BRISTOL
The American Alliance of Museums (AAM) has recognized Bristol’s Nature Center at Steele Creek Park for meeting professional museum standards. The Nature Center has gained its Core Documents Verification, a milestone achieved by only 3% of museums nationwide and a step toward full AAM accreditation. These documents outline the Nature Center’s mission statement, code of ethics, strategic plan, emergency response plan, and collections management policy. The process toward full accreditation, which requires self-study and peer review, will begin in the coming weeks. If achieved, it will better position the Nature Center to collaborate in a variety of ways with other accredited museums nationwide.

CHATTANOOGA
The city of Chattanooga is one of 24 cities that has received a U.S. Department of Commerce Economic Development Administration (EDA). The \$500,000 strategy development planning grant is intended to analyze and develop strategies around improving workforce outcomes in underserved neighborhoods. The city of Chattanooga is working with County, the Chattanooga Area Chamber of Commerce, Chattanooga 2.0, the Benwood Foundation, and the Bethlehem Center on the project. Using this grant, the City of Chattanooga will analyze the root causes of systemic barriers to quality economic and workforce opportunities in key neighborhoods in South Chattanooga and East Lake. As part of the federal Recompete Pilot Program, the city of Chattanooga will work with key partners in developing strategies to address barriers including access to childcare, transportation, and access to workforce training and education programs. Chattanooga is also one of 22 finalists for USEDA’s Recompete Implementation Grant, which is worth up to \$50 million.

ELIZABETHTON
Snap-on officials announced today the company will invest \$44 million to expand its manufacturing operations in Elizabethton. Snap-on’s planned expansion of the Elizabethton facility will create 50 new jobs through the project: adding nearly 49,000 square feet of manufacturing space and new equipment to support additional capacity for forging, machining, heat treating, chrome plating and assembly at its State Line Road location. Snap-on is the third largest employer in Carter County, specializing in manufacturing hand tools including ratchets, wrenches, pry bars and pullers. Once fully operational, the expansion allows the Snap-on Elizabethton plant to employ nearly 500 people.

FARRAGUT
The town of Farragut has received the Certificate of Achievement in Financial Reporting from the Government Finance Officers Association (GFOA) for the 31st time. The award was for the town’s annual comprehensive financial report for Fiscal Year 2022. The report was judged by an impartial panel to meet the high standards of the program, which includes demonstrating a constructive “spirit of full disclosure” to clearly communicate its financial story and motivate potential users and user groups to read the report. Farragut is one of 31 municipalities out of 345 in the state to receive this certificate of achievement. GFOA is the premier association for public-sector finance professionals in the U.S. and Canada.

GREENEVILLE
The National Association of Intercollegiate Athletics (NAIA) has announced Greeneville and the

Greene County Partnership will host the NAIA Beach Volleyball National Invitational events in 2024 and 2025. The 2024 event will take place from April 25-27 and will be the third sport to have NAIA invitational status. The events will be held at the Greenville Beach Volleyball Complex and will bring players from 32 institutions. Across the country to the town. The NAIA previously held its Women’s Golf National Championships in Greeneville in 2011 and 2012.

HARTSVILLE
Work has begun on an expansion of Highway 141 in Hartsville that will better connect the town further south to the city of Lebanon. The expansion is expected to allow Hartsville residents as well as other rural residents in the area to have better access to Interstate 40 and will replace one of the longest bridges in the state over the Cumberland River. While the project is expected to be completed in three years, local leaders in Hartsville, Lafayette, and Red Boiling Springs have expressed excitement about the project providing more direct routes to their communities, potentially fueling more business investment.

KINGSPORT
The city of Kingsport’s Annual Comprehensive Financial Report (ACFR) received a clean audit, the 25th year in a row Kingsport’s finances have received a clean opinion – the highest opinion offered. This also marks the 23rd straight year the city’s financial report received a GFOA Certificate of Achievement for Excellence in Financial Reporting. Kingsport’s ACFR is a detailed review of city government (including schools, utilities, and economic development). The document covers 36 separate funds and all manner of financial issues from cash flow to long-term debt to governmental assets. Additionally, Moody’s Investor Service and Standard and Poor reaffirmed their Aa2 and AA ratings for the city, respectively.

KNOXVILLE
Knoxville’s McGhee Tyson Airport has announced two new flights. The first comes from a new partnership with Avelo Airlines, who will offer flights from Knoxville to New Haven, Conn., twice a week. The one-way fares start at \$62 and will start on May 9. The flights will arrive at the Tweed-New Haven Airport. Known as the home of Yale University, New Haven is connected to Amtrak lines that travel both the state of Connecticut and from Washington, D.C., to Boston. The new airline is also expected to bring visitors to the Great Smoky Mountains from Connecticut and New York. The second new flight paths are three nonstop flights between Knoxville and Philadelphia carried by Frontier. The initial service is also expected to start in May with introductory fares as low as \$19. Known for its role in American Independence, Philadelphia is also connected via rail to various destinations on the eastern seaboard.

SHARON
The town of Sharon has been awarded \$68,195 in grants to provide needed upgrades to the Sharon Police and Fire Departments. The town received two grants totaling \$5,000 to upgrade to digital radio systems for the departments, which was recently required for first responders. The police department also received a \$63,195 state grants from the state to purchase a new, fully-equipped patrol car, three new bullet-proof vests, upgrades to radar equipment, six body cameras for each officer on patrol, new in-car cameras, and three new tasers with an estimated \$2,000 left in grant funds. Sharon

Memphis’ Withers Gallery and Museum added to TN, National Civil Rights Trail



From left to right, TN Tourism Commissioner Mark Ezell, Senior Advisor John DeBerry, Gov. Bill Lee, Rosalind Withers, Memphis Mayor Paul Young, and Memphis Tourism President & CEO Kevin Kane gather at the Withers Collection Gallery and Museum on Beale Street in Memphis to celebrate its inclusion in the U.S. and Tennessee Civil Rights Trail. The gallery honors the work of photographer Ernest C. Withers whose photographs covered numerous important events in the Civil Rights movement, including the Memphis Sanitation Workers Strike and assassination of Martin Luther King Jr. The new addition makes 15 Tennessee sites along the U.S. Civil Rights.

Last Williamson County Rosenwald school moved to Franklin historic park



The last remaining Rosenwald School in Williamson County has been moved from its previous location in Spring Hill to the Franklin Grove Estate and Gardens in downtown Franklin. The Heritage Foundation of Williamson County organized the move of the Lee-Buckner School to the property they manage in Franklin with plans to restore, preserve, and transform the former school building in “an accessible and lasting monument to education and Black history.” The new, \$35 million Franklin Grove Estate and Gardens broke ground in late 2023 with the goal of preserving historical structures from throughout Williamson County. It took just over two hours to move the school structure, witnessed by both community leaders and former students of the school. The Lee-Buckner School served children in the Rural Hill area of Williamson County from 1927 until it was closed amid desegregation in 1965. It served as a private residence until the 1990s.

Interim Police Chief and Fire Chief Gary Eddings said the grant funds have been invaluable to the town, saying the needed upgrades to equipment would not have been possible in a small municipality without the help of grant funding.

WAYNESBORO
The city of Waynesboro has recently been awarded two grants to help with public safety. The first is a \$125,000 grant from TDOT for a Traffic Signal Modernization Program (TSMP) at the intersection of Highway 64 Bypass and Dexter L. Woods Memorial Boulevard. Funds will also be used to replace signal heads, backplates, the controller, cabinet, battery backup system, and conflict monitor at the intersection to prevent the decades-old system from shutting down in cold weather. Caution lights will also be replaced on the Bypass at Clifton Turnpike to prevent traffic accidents. The city also received a \$109,240 2024 Volunteer Firefighter Equipment and Training grant that will be used to purchase 14 full sets of turnout gear, including breathing apparatus, for the fire department.

New murals in downtown Pulaski add to local color



Two new murals from an area artist are adding even more local color to downtown Pulaski. Etheridge resident Ernest Doty was hired to paint murals on the sides of two downtown murals. One, depicting a Tennessee wild turkey, was created to honor wildlife conservation and the National Wildlife Turkey Federation on the back of the Williams Law and Mediation building while the owners of The Local Farmer commissioned a mural of a black Angus cow to honor the area’s history of agriculture, particularly its beef production.

WAUFORD

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Cities can protect pollinator populations with help from Bee City USA

By KATE COIL
TT&C Assistant Editor

A nationwide initiative is providing Tennessee municipalities with the tools and resources they need to protect pollinators in their own communities.

[Bee City USA](#), an initiative of the [Xerces Society for Invertebrate Conservation](#), is helping municipalities to protect local habitats, agriculture, and economies by giving them the tools they need to conserve bee populations and educate the public about pollinator loss.

The program began in Asheville, N.C., and soon spread nationwide. It was taken under the umbrella of the Xerces Society in 2018 after the retirement of founder, Phyllis Stiles. To date, there are six Tennessee municipalities who participate in the program: Bell Buckle, Cleveland, Lookout Mountain, Thompson’s Station, and Walden.

Laura Rost, national coordinator for Bee City USA and Bee Campus USA, said participation in the initiative can help further steps many cities are already taking to protect pollinators.

“Many times, there is already



a great effort happening in the community to preserve pollinators,” she said. “This is a great way to recognize those efforts, come together, and make those efforts even better. Our intention with this program is progress, not perfection. We are looking for incremental improvement. You may have a community garden but can start planting more native wildflowers in that garden that will increase pollinators and food production while reducing pests. Sometimes it’s just leaving the weeds over winter at the park to help nesting bees and butterflies.”

To participate, municipalities must establish a Bee City committee, create or enhance pollinator habitats, reduce the use of pollinator-unfriendly pesticides, host a pollinator awareness event,



Thompson’s Station is one of six Tennessee municipalities already participating in the Bee City USA program. One of their most recent projects was a pollinator garden, planted as an Eagle Scout project. In addition to providing a habitat and food for pollinators, the garden is also boosting the produce of the nearby community garden.

BEE FACTS

The U.S. is home to **3,600** species of bees. Of those, **350** call Tennessee home.

Up to **40%** of pollinator species on earth are risk of extinction as a result of habitat loss, pesticide use, and climate change.

One third of all foods and drinks require pollinators.

Pollinators contribute between **\$18 and \$27 billion** to agriculture annually in the U.S.

While honey bees are not native to the U.S., species including the **bumble bees, leafcutter bees, sweat bees, mason bees, longhorn bees, and mining bees** are vital to local ecosystems.

Pollinators contribute between **\$18 and \$27 billion** to agriculture annually in the U.S.

Most bees are **solitary** creatures and more likely to **live in the ground** than in hives.

Information Courtesy the Xerces Society for Invertebrate Conservation

maintain an online presence for their Bee City affiliate, and incorporate pollinator-conscious practices into their policies.

Bee City USA and the Xerces Society offer resources to help municipalities achieve these goals from providing model ordinances to webinar trainings to promotional and outreach materials to having more than 80 staff members nationwide experts ready to consult on topics like pollinator-safe pest management, farming, native flora, and community coordination. Cities also receive customized signage to promote their participation in Bee City USA.

“We have a pretty simple approach: we are asking people to plant pollinator habitats, reduce pesticide usage, and conduct outreach,” Rost said. “Beyond that, each city gets to make their Bee City their own. You get to build the commitments into existing events or create new events. You can take advantage of local talent and enthusiasm. Cities don’t have to figure it out all on their own, and they aren’t receiving a grade on what they do. We are just here as a resource if they want to know ways they can make their plans even better.”

Rost said Bee City wants municipalities to make the initiative their own and find ways to fit it into their individual communities. She said cities are always finding new and creative ways to make Bee City their own.

“It’s a way to celebrate your city’s successes with something positive and constructive anyone can participate in it. We want cities to focus it to their inter-

ests. Some may focus more on parades and public arts or businesses involved with pollinators like meaderies or breweries. We have cities who have done festivals, pub crawls, and even a wrestling match. It really runs the gamut.”

Micah Woods, Thompson’s Station community and economic development director, said involvement in Bee City USA has allowed the town to forge relationships in the community.

“It really lined up things Thompson’s Station was talking about, especially being a good steward of the environment, and our parks board was really active on preservation,” Woods said. “This worked on conservation of the environment and was a natural fit for our community. Our initiative has been more parks oriented, and we have done a couple of service projects community members have done to create pollinator gardens. We also have a community garden where people can rent out their own plot of land for gardening, which is near that. It helps the bees do their thing in that area and is great for the community garden.”

The resources provided by Bee City USA also make it an easy initiative for a town of less than 8,000 residents and a limited municipal staff to take part in. Gardening clubs, scout groups, civic organizations, colleges, and other community groups are often the best cheerleaders and champions for Bee City initiatives.

“Some other organizations, you have to go through a lot of things that are onerous and time-consuming for staff,” Woods said. “Bee City leaves it open for what your community wants to make of it. We were able to bring this out to our community, tell them we had to take on a work project every year to focus on pollinator conservation, and then let the community come to us with what they want to. There is a lot of flexibility to it, and it is very easy on our staff. The community is great about taking the initiative in what they want in their parks. It’s a great community-builder.”

Woods said communities of all sizes can reap multiple benefits from participating in the program.

“I would encourage municipalities to look at this program, because it is a great program,” he said. “Bees have had a tough time lately, so this is something we can do for them. We wouldn’t be here without pollinators. Think about who is going to serve on the board or a person who is the champion for this and make sure they have buy-in. And because this is a part of a larger network of communities, you can learn from other communities. I would recommend for any size community to get involved.”

Overall, Rost said the initiative is a way for municipalities to make a global impact within their city limits with options like bioswales, native gardens, street trees, community gardens, rain gardens, and green infrastructure. Bringing in bees also brings in other important pollinator species like butterflies and birds.

“Pollinator conservation can be done by anyone,” Rost said. “Cities themselves can be incredible pollinator habitats. We can create steppingstones of habitat to create coordinators within a city. We have found that many cities have quite a bit of pollinator species diversity. Many of these species don’t need a huge amount of habitat to survive, so even a small amount of pollinator habitat can create a small steppingstone. By integrating pollinator habitats into our cities, we not only create healthy, robust pollinators, but it really beautify our cities.”

For more information on how to become a [Bee City USA](#), [click here](#).

FEMA overhauls disaster benefits, recovery assistance

FEMA, from Page 1

- **Making Accessibility Improvements:** Survivors with disabilities can use FEMA funding to make certain accessibility improvements to homes damaged by a declared disaster, even if that includes making the home more accessible than it was pre-disaster.
- **Simplifying The Applica-**

- tion Process:** Reforms to the application process include removing barriers for late applicants, streamlining temporary housing assistance applications by reducing the documentation required and providing individual caseworkers,
- **Simplifying the Process for Appeals:** Survivors who wish to appeal FEMA’s decisions on

their eligibility will no longer need to provide a signed, written appeal letter to accompany the supporting documentation, and simplifying the appeals process.

FEMA expects the changes to take effect for new disasters declared on or after March 22, 2024.

Additionally, FEMA has made

changes to its [DisasterAssistance.gov](#) and Transitional Sheltering Assistance websites to make them more accessible and navigable, including allowing better online application and tracking processes to help reduce time burdens and provide more user-friendly information.

For more information about the changes, [click here](#).

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PEOPLE IN THE NEWS

Chris Bates has been named the new chief of the Cleveland Fire Department. Bates has been in emergency services since 1995 when he was hired by the city of Cleveland Police Department and has most recently served as fire marshal for the city. He has worked with the Cleveland Fire Department since 2001 and has held positions including firefighter/AEMT, engineer, company officer, shift training officer, and fire investigator. He holds an associate’s degree from Cleveland State Community College and a bachelor’s degree from the University of Tennessee at Chattanooga, in addition to numerous certifications from the Tennessee Commission on Fire Fighting and others. He is also a member of the International Association of Fire Fighters, International Association of Arson Investigators, and Tennessee Advisory Committee on Arson.



Chris Bates

Frank Buck, longtime former Tennessee House Judiciary Committee chair, died at the age of 80 on Jan. 24, 2024, in Smithville. A native of Dowelltown, Buck served for 36 years in the Legislature representing District 40, which was composed of DeKalb, Smith, and Macon counties. He retired in 2008. During his tenure in the legislature, Buck was known for his colorful personality and backing of ethics legislation. In addition to serving as Judiciary Committee chair, Buck also served as vice chair of the House Transportation Committee, chair of the House Public Transportation and Highways Subcommittee, a member of the House Judicial Administration Subcommittee, and the House Criminal Practice and Procedure Subcommittee. He held a bachelor’s degree in business administration from Tennessee Tech and his law degree from the University of Tennessee. He also worked as a lawyer and farmer.



Frank Buck

Nichole Dusché, a local attorney and city court judge for Spring Hill, was recently named Brentwood’s new city judge. Dusché takes over the position from Laurie Jewett, who retired last year, and will oversee cases involving traffic violations and other Municipal Code violations. A graduate of Vanderbilt University and the Nashville School of Law, she previously served as an interim judge for the city of Brentwood. She owns her own law practice and is a former assistant district attorney. In 2021, she received the Attorney for Justice Award.



Nichole Dusché

Andrew Ellard, assistant city manager for Morristown, has become an ICMA credentialed manager, joining 16 other Tennessee managers and 1,500 local government management professionals who participate in the ICMA Voluntary Credentialing Program. To receive ICMA credentials, a member must have significant experience as a senior management executive in local government, have earned a degree, and demonstrated a commitment to high standards of integrity, lifelong learning, and professional development. Ellard has served the city of Morristown since 2021 and prior to that served as city manager in Eagleville and several roles in the city of Hattiesburg, Miss. He holds a bachelor’s degree in public administration from Indiana University and a master’s in administration from Central Michigan University.



Andrew Ellard

Cpt. Christopher Ellwood has retired after 20 years in the Atoka Police Department. Initially joining the Atoka Reserve Police Force, he officially joined the Atoka Police Department in 2002. He became an investigator in 2005 and then captain in 2020. Since then, he has assisted in propelling Atoka into the future, introducing electronic ticketing, evidence processing, and updating Atoka Police equipment to the latest technology. Captain Ellwood is recognized by many in the community, keeping the kids engaged and always having fun at community events.



Cpt. Christopher Ellwood

Lt. Stephen Hale with the Nolensville Police Department has been selected to participate in the 289th Session of the FBI National Academy in Quantico, Va. Over a 10-week period, Hale will participate in physical tests and attend classes similar to those required for FBI agents. Approximately 250 officers from around the world participate in each academy. Participants must be at the rank of lieutenant or above, hold a college degree, pass an interview and physical test, and be nominated for the program by an FBI National Academy graduate and their chief of police or sheriff.



Lt. Stephen Hale

Chris McDonald has been elected to fill the vacant position on the Fairview City Commission following a special election in January. McDonald won the seat by 186 votes to fellow challenger Jeff Page’s 167. McDonald has served as the city planning commission chairman for Fairview, serves as a volunteer with the Fairview Fire Department, and leads the Fairview Titans Junior Pro Football program. He will fill the seat vacated by the resignation of Leslie Fischer-Street. McDonald’s unexpired term will end in November 2025.



Chris McDonald

Cpt. Kelly Owen has retired after 30 years in the Dickson Police Department. Owen began his career at the department in 1994, graduating from the Tennessee Law Enforcement Training Academy that same year. He served as a patrol officer for six years then was promoted to patrol corporal in 2000. He then became a field training officer and served with the Special Response Team from 1996 to 2014. He became a detective with the Criminal Investigations Division in 2005 and was a field agent with the Drug Task Force in 2006 to 2008. He then served as a detective from 2008 to 2020 and then was promoted to lieutenant. In 2021 Owen was honored with a promotion to Captain of the Patrol Division, a position that had him overseeing the largest division of the police department from 2021 to his retirement.



Cpt. Kelly Owen

Margaret “Missy” Sullivan has retired as municipal court clerk for the city of Dickson after nearly 38 years of service. At the time of her retirement, Sullivan was the longest-serving employee of the city of Dickson. Sullivan began her career with the city as a records clerk for the Dickson Police Department in 1986, also serving as an assistant to then-



Missy Sullivan

Court Clerk JoAnn Brown. When the municipal court was separated from the police department, Sullivan remained as assistant court clerk. She stepped into the role of court clerk in 2011 after Brown’s retirement. During her tenure with the city, Sullivan has worked with four police chiefs and four judges. Assistant Court Clerk Gina Swaner has been appointed to take over Sullivan’s position.

Baron Swafford plans to retire as the public utility director of Maryville, effective March 1. Swafford has been at the head of the city’s electric department since 1994 and became head of the city’s water and sewer departments when they and the electric department were combined into the Public Utilities Department in 2010. Swafford has 35 years of service to the city and was instrumental in modernizing and standardizing utility systems and infrastructure in the city, ensuring clean, safe, reliable, and affordable utilities were delivered to residents. The Maryville system oversees nearly 23,000 electric customers and 17,000 water and wastewater customers. In addition to his service to the city, Swafford has served on several United Way of Blount County committees and on the Tennessee Municipal Electric Power Association board.



Baron Swafford

Keaira Turner has been selected as the new public affairs director for the Chattanooga Police Department. Turner comes to Chattanooga from Birmingham, where she spent nearly 10 years in strategic communications and government affairs, including as public relations manager for the Birmingham Police Department since November 2021. Turner holds a bachelor’s and master’s degree in communication from the University of Alabama at Birmingham and Webster University, respectively.



Keaira Turner

Mary L. Wagner has been appointed to the Tennessee Supreme Court by Gov. Bill Lee. Wagner presently serves as a circuit court judge for the 30th Judicial District in Shelby County. Before that, she was an associate at Rice, Amundsen & Caperton, PLLC and taught as an adjunct professor at The University of Memphis School of Law. She served as a law clerk from 2009-2010 for Judge Steven Stafford of the Tennessee Court of Appeals, law clerk for Judge Robert L. Childers in the Shelby County Circuit Court from 2008-2009 and worked as an extern in 2008 with the U.S. Attorney’s office for the Western District of Tennessee. Wagner was a research assistant in 2007 for Prof. Andrew McClurg during law school. She holds a law degree from the University of Memphis School of Law and a bachelor’s degree from the University of Colorado.



Mary Wagner

Oliver Springs mayor helps with snow removal



Oliver Springs Mayor Jason Stiltner joined the town’s five street workers to help clear streets following recent snowfall. Stiltner logged 36 hours of work in his own personal skid steerer to help make roadways more passable in the community. Stiltner cited his love for serving his community as why he volunteered to help with road clearing and that community members responded by offering him food and hot chocolate to keep him warm on the job.

Jackson, Johnson City mayors selected for NLC committees

Two Tennessee mayors have been named to National League of Cities (NLC) committees.

Jackson Mayor Scott Conger, has been appointed to the NLC2024 Small Cities Council, while Johnson City Mayor Todd Fowler has been appointed to the 2024 Human Development Federal Advocacy Committee. The appointments were announced by NLC President Mayor-Elect David Sander of Rancho Cordova, Calif.

Mayor Conger was elected to a one-year term to develop and guide programs among local elected officials from similar communities.

“I am honored to serve on the National League of Cities Small Cities Council representing our city. This opportunity will allow me to actively engage in nationwide discussions, share insights, and bring ideas back home,” said Mayor Scott Conger. “I am committed to serve and look forward to the opportunity to share with the entire council.”

As a member of NLC’s Small Cities Council, Mayor Conger will play a key role among a diverse group of local leaders to encourage collaboration, networking and the development of resources and programs beneficial to communities that share demographics, size or location that can be replicated across the country.

“Our member councils play an integral role in NLC’s work, bringing local leaders together to share ideas and inform NLC policy about the issues and challenges facing every kind of community in America,” said Sander. “I’m excited to have Mayor Conger serve on NLC’s Small Cities Council. The council will ensure that all of our cities, towns and villages have access to ideas and resources they can use to thrive.”

The leadership of this year’s Small Cities Council will consist of Chair: Vice Mayor Jan Arbuckle, (Grass Valley, Calif.); Vice Chair Mayor Pro Tem Mary Sarver (Grandview, Texas); and Vice Chair Councilwoman Gabrielle Nelson, (Port Wentworth, Ga.).

Mayor Fowler was elected to a one-year term and will provide strategic direction and guidance for NLC’s federal advocacy agenda and policy priorities on workforce development, education, early childhood, public health care, mental health parity, immigration reform and more.



Jackson Mayor Scott Conger



Johnson City Mayor Todd Fowler

As a member of NLC’s Human Development Committee, Mayor Fowler will play a key role in shaping NLC’s policy positions and advocate on behalf of America’s cities, towns and villages before Congress, with the administration and at home.

“NLC’s federal advocacy committees play an important role in helping policymakers in Washington understand the issues and challenges facing America’s cities, towns and villages at the local level,” said Sander. “I’m thrilled to have Mayor Fowler serve on NLC’s Human Development Committee this year and look forward to working with him to strengthen the federal-local partnership, and grow our common knowledge of the issues and opportunities facing our communities.”

This year’s Human Development Committee will be led by Chair Adriana Rocha Garcia, councilmember, San Antonio, Texas; Vice Chair Wardine Alexander, council president pro tempore, Birmingham, Ala.; and Vice Chair Kim Norton, mayor, Rochester, Minn.

Lee delivers sixth State of the State Address

STATE, from Page 1
Safety

- \$17 million in funding for an additional 60 State Troopers and related support staff to improve public safety across the state.
- \$8 million to expand the school-based behavioral health liaison program to fund 114 liaisons, giving students across Tennessee schools important resources and mental health support.
- \$750,000 to fund Houses of Worship Security Grants.
- Funding for a National Guard recruitment incentive package.

Environment and Conservation

- \$63 million to create four new Tennessee State Parks, with

- the goal of funding a total of eight new state parks by the time Gov. Lee leaves office, tying a Tennessee record for the most state parks created by one administration.
- \$20 million to expand blueway trail access, which will drive tourism and economic activity across our rural communities.
- \$20 million to improve water quality at rivers, lakes and streams across the state, making them safe for future generations to enjoy and the Bill Dance Signature Lakes Fishing Trail.
- \$25 million to establish the Farmland Conservation Fund, partnering with farmers to place a conservation easement on their land to preserve and protect Tennessee for future

- generations.
- \$5 million to protect and enhance scenic beauty along our major highways.
- \$3 million for Access 2030 to make Tennessee State Parks accessible to Tennesseans with disabilities.

Governance

- Streamlining and eliminating 40% of executive branch rules.
- Statewide permitting reform.
- Protecting the music industry against AI impersonation.
- Parental consent for children to create social media accounts.

The 2024 State of the State address can be viewed in [full here](#). A Fiscal Year 2023-24 budget overview [can be found here](#).

STATE BRIEFS

The Tennessee Department of Treasury, Unclaimed Property Division returned \$68.7 million in 2023, the most money the division has ever returned in a single year. In addition to record-breaking amounts of cash property returned to the rightful owners or their heirs, local governments, and reciprocal states, the division also returned its greatest ever number of individual claims. During FY2022-23, the division returned 65,150 claims, a 4.1% increase over the previous record high of 62,549 in FY19. About 70% of claims are paid in as little as two weeks, on average. Anyone can see if they are owed any missing money by searching their name at [ClaimItTN.gov](#), and may file a claim online if they find unclaimed property belonging to them.

Tennessee’s December 2023 unemployment rate was 3.5%, holding steady from the same rate in November. Data from the Department of Labor and Workforce Development noted this rate also remained unchanged from December 2022. In a month-to-month comparison, Tennessee employers added 1,400 new nonfarm jobs across the state. The health care and social assistance sector saw the most growth in December. The construction sector recorded the next largest number of new jobs, followed by the accommodation and food services sector. A complete analysis of Tennessee’s 2023 statewide unemployment data is [available here](#).

Two Tennessee school districts have been selected to share in \$1 billion being awarded through the EPA’s Clean School Bus Grants program. The Hardin and Warren County School systems will each receive funding to replace five older diesel school buses with new, all-electric buses. A total of 280 school districts in 37 states were awarded funds as part of the latest round of grants. To date, EPA’s Clean School Bus Program has awarded nearly \$2 billion and funded approximately 5,000 electric and low-emission school buses nationwide.

The Knoxville-based Keep the Tennessee River Beautiful has celebrated several new milestones in 2018, including removing 218,729 pounds of trash from the Tennessee River. The first affiliate of Keep America Beautiful to focus solely on a river, the organization reached several milestones last year including the most volunteers in one year

TCCY releases annual report on child welfare in Tennessee

The [2023 State of the Child](#) report has been released by the Tennessee Commission on Children and Youth.

Demographics from the report found 31% of Tennessee’s children are under 6, 33% are aged 6 to 11, and 35% are 12 to 17. Compared to a decade before, there has been a decline in the percentage of children under 6 in the state.

Of the state’s children, more than 8 in 10 attend a public school, 1 in 4 live in a household receiving some type of public assistance, 36% live in rental housing, 1 in 10 live with a grandparent rather than parents and 5% have a disability.

Key findings from the report include:

ECONOMICS

- Child poverty has declined in the past decade overall, but remains above the national average while child poverty for children under five increased over the past year.
- Food is the most common expense Tennessee families use their child tax credit on at 67%
- Rising costs are having a negative impact on household expenses for families while children as wages and federal poverty guidelines remain stagnant.
- Approximately 1,145 Tennessee children were homeless in 2023.

CHILDCARE & EDUCATION

- There were only nine child care centers per 1,000 children in Tennessee.
- Childcare costs increased by an estimated \$1,253 to an average of \$8,335 per year for non-school age children.
- TCAP scores continue to rise

at 994, most volunteers at a single event at 172, most trash removed from a single site at 31,115 pounds, a nonprofit milestone of 600,000 pounds of trash removed from the river, and a lifetime milestone of plastic recycled from more than 500,000 cigarette butts.

The first round of federal funds for electric vehicle (EV) fast-charging stations across the state has been awarded by TDOT and TDEC. The state has awarded \$21 million from the Bipartisan Infrastructure Law funds to 31 EV fast-charging locations to fill in gaps along the state’s designated Alternative Fuel Corridors (AFC) which include Tennessee’s two-digit interstate routes and US 64. The Tennessee Electric Vehicle Infrastructure (TEVI) Deployment Plan details how with federal funding the state will install EV charging infrastructure and support the establishment of an federally interconnected EV network across the nation. Federal funding through the National Electric Vehicle Infrastructure (NEVI) Program allocated \$88 million for Tennessee over five years (Fiscal Years 2022-2026). TDOT and TDEC, developed a Notice of Funding Opportunity (NOFO) to solicit applications for the grant funding. 167 applications were received from 23 different applicants, comprised of both public and private entities. Ten of those applicants will be awarded contracts to establish 30 new charging locations throughout the state. For more information, [click here](#).

Tennessee Promise students are earning more credits, staying enrolled, and earning more awards than non-Promise students at the same schools, according to a new evaluation from the Tennessee Comptroller’s office. Researchers also found that the most common reason applicants are unable to qualify for the Tennessee Promise program is they have not completed the mandatory eight hours of service. While the Promise is a last-dollar scholarship that pays tuition and mandatory fees, it does not cover other costs such as textbooks, supplies, tools, lab fees, and other program-specific fees. The Comptroller’s evaluation found that a Promise student at a community college may pay at least \$1,000 per year in out-of-pocket expenses. Students attending a Tennessee College of Applied Technology may pay as much as \$3,100 out-of-pocket. To read the 2024 evaluation, visit the [Comptroller’s website](#).

with students showing improvement from pandemic learning loss

HEALTH

- 1 in 6 Tennessee children have a chronic illness or disability diagnosis with ADHD being the most common
- School nurses conducted more than 1.3 million health screenings during the 2022-3 school year
- 42.8% of students are overweight with the amount of students active for at least an hour a day decreasing by 15%
- 5.3% of Tennessee children have no health insurance though they are financially eligible for programs like TennCare
- The infant mortality and maternal mortality rate both increased over the previous year
- Inhalants were the most common substance abused by teens followed by ecstasy, cocaine, meth, and heroin

WELFARE AND JUSTICE

- Parental drug abuse was the most common reason a child was entered into the foster care system (36%) followed by neglect (35%)
- 57% of children in foster care were eventually reunified with their family
- There were 111 child victims of human trafficking in the state, 94% of whom were girls.
- Youth crime has trended downward over the past decade, though increased slightly last year toward prepandemic levels
- The amount of gun crimes committed against children have increased 133.2% over the past year with handguns being the most commonly used weapon in youth-related crimes.

17 cities to share in \$46M in TDOT grants

TDOT officials announced 17 cities will share in more \$46 million in state and federal grant funds that support multimodal investments in walking, biking, and transit statewide in Tennessee.

TN Governor Bill Lee along with Deputy Governor & TN Department of Transportation (TDOT) Commissioner Butch Eley announced six cities will receive more than \$15 million from the [Transportation Alternatives Program](#) (TAP) grants: Clarksville, Dickson, Jackson, Memphis, LaFollette, and Lexington were all awarded funds.

Five municipalities were also awarded eight grants as part of the total 12 successful applicants to the [IMPROVE Transit Investment Grant](#) totaling \$18,754,216. These grants were granted to transit authorities in Chattanooga, Clarksville, Gatlinburg, Knoxville, Memphis, and Nashville.

TDOT also awarded \$12,529,075 in [Multimodal Access Grant \(MMAG\)](#) funding for 12 projects supporting pedestrians, bicyclists, and transit users through infrastructure projects that address existing gaps along state routes. These projects were awarded to Athens, Clifton, Dickson, Erin, Fayetteville, Jackson, Knoxville, Lebanon, Lexington, Sevierville, Somerville, and Tiptonville.

State December revenues declined by 1.6%

TN Department of Finance and Administration Commissioner Jim Bryson announced revenues for December were lower than expected and were less than the monthly revenues from the previous year.

State revenues for December were \$1.9 billion or \$82.5 million less than the budgeted estimate declining 1.6%.

“Total revenues in December were lower than expected,” Bryson said. “Nevertheless, sales tax receipts, reflecting November consumer activity, rebounded nicely following the state’s three-month food sales tax holiday and suggests that consumer behavior remains resilient. Most of the revenue shortfall for the month can be attributed to reduced franchise and excise tax receipts and diminished revenues from real estate transaction fees, reported within the privilege tax. All other taxes combined revealed modest growth.

“Because of slowing tax collections, the administration plans to recommend a lowered revised revenue estimate for the current fiscal year. As such, we will continue to closely monitor state finances and remain committed to maintaining a balanced budget.”

On an accrual basis, December is the fifth month in the 2023-2024 fiscal year.

General fund revenues were less than the budgeted estimates in



This pedestrian bridge at the University of Memphis is a past recipient of a multimodal grant from TDOT.

“Increasing safety, promoting healthy lifestyles, and providing improved access to our cities and towns make our communities better places to live and work,” said Gov. Lee. “I’m pleased the state can provide the support necessary to move these projects forward.”

The awards announcement is for three grant programs administered through TDOT. The Transportation Alternatives Program (TAP) grant is made possible through a federally funded program. A variety of activities, such as the restoration of historic facilities, bike and pedestrian trails, landscaping, and other non-traditional transportation

the amount of \$81.4 million and the four other funds that share in state tax revenues were \$1.1 million less than the estimates.

Sales tax revenues were \$0.9 million less than the estimate for December. The December growth rate was 2.94%. For the first five months of this fiscal year, revenues are \$14.1 million higher than estimated, and the year-to-date growth rate is 1.43 percent.

Franchise and excise taxes combined were \$66.5 million less than the December budgeted estimate. Year-to-date revenues are less than estimates in the amount of \$232.3 million, or 12.68% less than the same period last year.

Gasoline and motor fuel revenues decreased by 2.46% compared to last December and were \$1.4 million less than the budgeted estimate of \$105.2 million. For five months revenues are \$2.3 million more than estimates.

Motor vehicle registration revenues were \$0.1 million less than the December estimate and on a year-to-date basis revenues are \$4.7 million less than estimates.

Tobacco tax revenues were \$0.4 million less than the budgeted estimate of \$18.1 million. For five months, revenues are \$8.7 million less than estimated.

Privilege tax revenues were \$12 million less than the budgeted estimate of \$42.2 million. Year-to-date

projects, are eligible for grant funds under the federal program. This year TDOT is awarding \$15,201,777 to seven communities.

“Since 1991, through these grants, TDOT has funded \$400 million in non-traditional transportation projects,” said Deputy Governor & TDOT Commissioner Butch Eley. “This program has assisted communities across Tennessee in their efforts to revitalize downtowns, highlight historic areas, provide alternative means of transportation, and increase opportunities for economic development.”

For full details on individual project awards, [visit here](#).

revenues for five months are \$63.7 million less than the estimate.

Business tax revenues were \$2.2 million less than the December estimate and \$1.9 million less than estimates on a year-to-date basis.

Mixed drink, or liquor-by-the-drink, taxes were \$0.8 million more than the December estimate, and on a year-to-date basis, revenues are \$3.1 million more than estimates.

All other taxes combined for December were \$0.2 million more than estimated.

Year-to-date revenues for five months were \$279.9 million less than the budgeted estimate. The general fund recorded \$283.6 million in revenues less than estimates, and the four other funds recorded \$3.7 million more than estimates. Year-to-date growth for the first five months of the fiscal year is negative 1.39 percent.

The budgeted revenue estimates for 2023-2024 are based upon the State Funding Board’s consensus recommendation from Nov. 28, 2022, and adopted by the first session of the 113th General Assembly in April 2023.

Also incorporated in the estimates are any changes in revenue enacted during the 2023 session of the General Assembly. These estimates are available on the state’s website at <https://www.tn.gov/content/tn/finance/fa/fa-budget-information/fa-budget-rev.html>.

Six cities receive of state site development grants

State officials awarded site development grants to 12 recipients across the state, including six municipal properties.

Gov. Bill Lee and TN Department of Economic and Community Development Commissioner Stuart C. McWhorter announced \$17.9 million for the program, which is designed to help communities invest in infrastructure and engineering improvements to land economic development projects and achieve [Select Tennessee site certification](#).

Awards recipients included:

- \$2 million to Bristol Essential Services for property grading at the Bristol Industrial Park
- \$98,314 to the Bolivar Industrial Development Board for due diligence studies on the Watson property

- \$740,490 to the city of Henderson for tree and property clearing at the Henderson Industrial Park
- \$50,000 to Livingston for due diligence studies at the City Industrial Park
- \$93,542 to Franklin County for tree and property clearing at the East Moon property.
- \$2.1 million to Greene County for property grading at the Snapps Ferry Property
- \$3 million to Hamilton County for water infrastructure at McDonald Farm
- \$2 million to Haywood County to construct an access road at the I-40 Advantage Industrial Park
- \$5 million to Dyer County for spec building construction at the Commerce Park Interstate Site
- \$1 million to Sullivan County for due diligence studies at the

- Bristol South Industrial Park
- \$1.97 million to the city of Greenfield for access road construction, property clearing, and water and sewer infrastructure at the Greenfield-Pentecost Property
- \$797,597 to the Oak Ridge Industrial Board for access road construction, property clearing, and due diligence studies at the Horizon Center Industrial Park.

The Site Development Grant program, part of the Rural Economic Opportunity Act, works in tandem with TNECD’s Select Tennessee program.

Since 2016, TNECD has awarded 174 Site Development Grants across the state, totaling nearly \$85 million in assistance to local communities and generating 6,595 new jobs

Latest TN Blue Book dedicated to first responders

The latest edition of the Tennessee Blue Book will honor the state’s first responders.

“I am pleased to dedicate the 2023-2024 Tennessee Blue Book to these public servants,” said Tennessee Secretary of State Tre Hargett. “These heroic individuals put the well-being of their fellow citizens above their own to render lifesaving services and protect families. This dedication is a small way we can celebrate all those who have made a tremendous impact in communities across this state.”

“Tennessee’s first responders are some of the finest, most selfless individuals that we know in our communities,” said Lt. Gov. Randy McNally (R-Oak Ridge). “We are

incredibly grateful to them and their families for their heroic service; dedicating the state’s new Blue Book is a small token of our appreciation to these everyday heroes.”

The Volunteer State is home to more than 50,000 law enforcement, firefighters, and emergency services professionals. All continue to impact the lives of every Tennessean.

“We owe an invaluable debt to all first responders who have sworn the oath to protect our state and the people of Tennessee,” said House Speaker Cameron Sexton (R-Crossville). “We’ll never be able to thank them or their families enough for the sacrifices they make to keep our communities safe.”

Published every two years

by the Secretary of State’s office, the Tennessee Blue Book features detailed information about all three branches of state government, Tennessee history, biographies of elected and appointed officials, census data, election statistics, and more.

The 2023-2024 Blue Book will soon be available free of charge to all Tennessee residents. To request a copy of the state’s definitive manual about the Tennessee State Government, citizens can soon contact their representative in the General Assembly.

They can also soon place an order with the Secretary of State’s Division of Publications online at sos.tn.gov/bluebook-request

Rural cities must leverage assets, invest in amenities to reverse population losses

KNOXVILLE, *from Page 1*

McKearin noted urban areas rank better on the availability of housing and different housing types, rural areas rank higher in terms of housing affordability.

“It is interesting here to talk about the urban domain does better in the economy domain but rural does better in the affordability domain,” he said. “Wages are higher in urban areas, but housing costs more in urban areas. The higher wages typically don’t come up to meet what those housing needs are. That is why the urban area does better in terms of economy. For affordability, the rent and home values overall are typically better in rural areas.”

While rural areas have more in their favor when it comes to livability, some of the gaps in service in rural areas have directly contributed to why their populations and economies are declining

Kobayashi particularly noted are how gaps in economic growth, broadband access, educational attainment and availability, health and wellness, and inclusivity are among the reasons Americans are choosing to live in urban areas.

BRIDGING ECONOMIC GAPS

Polco Principal Research Strategist Michelle Kobayashi said there are numerous strategies that rural communities can employ to bridge gaps, particularly pertaining to economic development, tourism, collaboration, and improving livability.

Rural leaders can promote and support niche industries, rural entrepreneurship, microbusinesses, and maker spaces to better grow their local economies and provide unique, new business opportunities for residents. Kobayashi said [NLC has an entire guide](#) on how small cities can support maker economies, which can in turn grow local businesses and even make cities a tourist attraction for people who come specifically to purchase those locally-made goods.

“A lot of people who have a great idea for a new company often move to an urban area,” Kobayashi said. “They think that they will have more support, more mentorship opportunities, and more residents to purchase whatever they are providing. What we found is that rural communities can do a great job of supporting these folks who are trying to start a business. It’s actually more affordable to start in rural communities. We are also seeing more of a focus on maker economies where there is more focus on people who make things. That could be someone who has a store on Etsy or someone doing light manufacturing.”

Smaller businesses and maker-spaces can also help fill up vacant spaces in downtowns as well as attract more people to those areas, especially those visitors and shoppers who enjoy purchasing things



Comfort Foods is one local businesses that uses Unicoi’s Mountain Harvest Kitchen. In addition to teaching cooking classes, the main goal is to foster food-related business start-ups by providing a certified commercial kitchen to give entrepreneurs a chance to begin with a safety net before taking steps toward larger investments. The kitchen also provides supply and distribution chain assistance, manufacturing guidelines, state and local food regulations, and introduction to the local market.

they just so manufactured.

Agriculture can also provide important opportunities for rural communities, especially as niche, and organic, farm-to-table products become popular, helping re-envision the traditional family farm.

“We know that we are losing about 3,000 acres every day of family land,” Kobayashi said. “Farmers who are trying to stay in business are changing and adapting what they do. What we are finding is an uprising in niche or specialty products, such as growing honey, lavender, goat cheese, and wineries. Farmers are trying to find new ways to produce products that don’t create a large volume but can sell at higher prices, especially because of trends toward natural food sources, protecting the environment, and all the people who are foodies.”

Communities can support this type of agritourism through supporting farmers’ markets, community gardens and kitchens, promoting farm-direct sales, allowing pop-up shops to serve as test-runs for local businesses, and allowing food truck events.

Likewise, tourism can help strengthen both rural economies and provide improved livability. Many rural communities have built successful tourism industries centered around agritourism, educational experiences, entertainment venues, hospitality services like wedding and event venues, sports tourism, festivals and events, and their unique cultural heritage and history.

Rural communities that work together can also better support

business communities, boost civic engagement, and bridge gaps and divides. One tactic many smaller communities have used is creating economic clusters where several communities in a region band together to recruit a specific industry or sector.

“An example of a rural cluster is in North Carolina where a number of communities all worked together to recruit a number of boatmakers,” Kobayashi said. “A lot of these businesses moved to the same area of the country, creating a regional cluster. This not only drew people who are looking for boats to come visit but also developed

a cluster of people with a specific skillset. There were people being trained in practices about building boats. There are also services surrounding boat manufacturing that now make sense to have in that area. Your town and one small business may not be enough, but working with other small towns to recruit an industry cluster may be a way to put your town on the map and get well-known.”

Having resources for secondary education – especially community and technical colleges, can also help bridge gaps in rural communities, both in terms of upskilling local talents and support-

ing small business and innovation.

IMPROVING LIVABILITY

Perhaps the biggest challenge for rural communities is providing amenities that are widely perceived as only being present in urban areas. Kobayashi said studies show that residents often would prefer to live in more rural areas, but they are held back from a lack or perceived lack of access to the amenities that may be more widely available in urban centers.

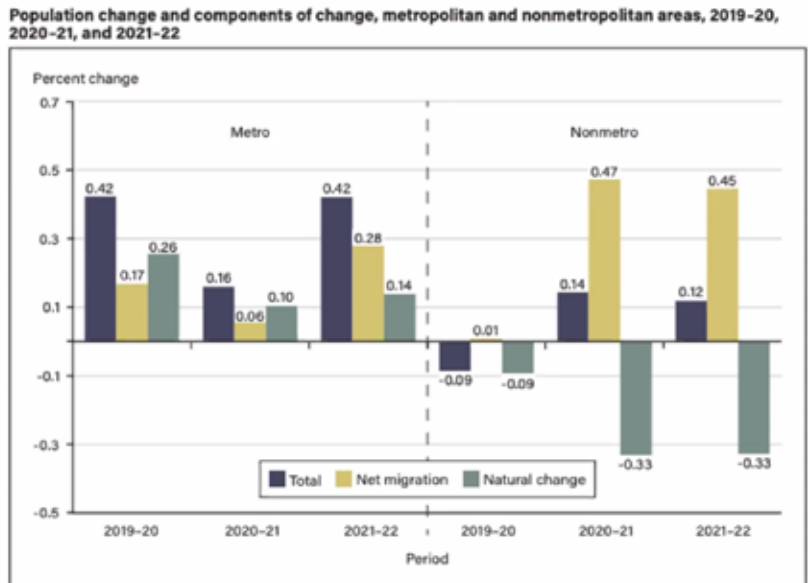
Broadband access is often the biggest factor that determines if a community is “livable” for residents.

“Amenity migration is something that is happening and has been predicted to happen once technology got to a place where people could work from home,” Kobayashi said. “Traditionally, we always lived by where we worked. That has been disentangled now due to technology and the pandemic. People are moving to places where there are amenities. They want places where they can be outdoors, hunt, fish, ride their bikes, and practice photography. They want downtowns where they know people and can go to have a cup of coffee or a drink. They want a sense of community. But they need broadband access to do that.”

Certain amenities can help provide this sense of community such as vibrant downtowns, opportunities for active lifestyles, and outdoor spaces for public events. Rural communities can do a lot to show they provide a healthy economy, diverse employment opportunities, quality government services, and build community trust.

A sense of community connection can also be a major asset for providing livability in rural areas. Kobayashi said residents with a sense of neighborliness but also a sense that their community is equitable and inclusive.

Population Change in Metro and Non-Metro Areas



Net migration:
of movers (in - out)

Natural Change =
births - deaths

Despite some initial migration at the onset of the pandemic, rural communities are largely losing their populations. While many people would prefer to live in rural communities the lack of access to necessities like broadband, healthcare, and economic opportunities is keeping them in urban centers.

No loan is too large or too small



The Town of Oakland closed a \$7 million public building authority loan with the Tennessee Municipal Bond Fund to finance water and sewer projects. The town has used TMBF programs since 2021. Pictured are Town Recorder Yvonne Bullard, Mayor H. Michael Brown, TMBF Marketing Representative Justin Hanson and Town Manager Harvey Ellis.



The City of Loretto has used the TMBF loan programs since 2021. The most recent closing was a \$2 million public building authority draw loan to be used to finance various public works projects. The loan was provided by a local bank, Bank of Frankewing in Pulaski. Pictured are City Recorder Jennifer Augustin, Mayor Steve McMaster and TMBF Marketing Representative Kevin Krushenski.



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Terrifying new tactic used to harass public officials

Swatting — falsely reporting a serious emergency to provoke aggressive police response — is on the rise. Fighting this dangerous and distracting trend remains challenging, both legally and technologically.

By **CARL SMITH**
Governing

In recent years, public officials have unfortunately grown used to protesters showing up at their homes. Now, they face a new form of harassment, known as swatting. People are calling in false reports of shootings or bombs, drawing law enforcement, including SWAT teams, to people's homes.

With police on high alert, this raises the risk that responses could turn deadly. "This is an assassination attempt," Brandon Williams, a Republican member of Congress from New York, said after being [victimized at his home](#) on Christmas Day.

Williams is not alone. Lately, there's been a [rash of incidents](#) involving government officials, including Boston Mayor Michelle Wu, Missouri Attorney General Jay Ashcroft, Georgia Congresswoman Marjorie Taylor Greene and Maine Secretary of State Shenna Bellows, as well as Jack Smith, the special counsel investigating former President Donald Trump.

The practice of knowingly making a false report about a crime or emergency to provoke a response by law enforcement originated among gamers as a prank. Once relatively rare, it's happened more often in recent years and touched more segments of the population, including students called in false reports to shut down schools on test days and the like. Swatting's spread is creating pressure on legislators and law enforcement to find ways to contain it.

It's hard to form an exact sense of the scale of the problem. Swatting is not a specific crime in federal law. While [several states](#) have enacted laws defining the crime of swatting and creating penalties for it, local law enforcement agencies may simply categorize it as a false police report. A collaborative effort between the FBI and local law enforcement to track swatting incidents has counted more than 550 since it was launched in May 2023.

The old consensus, that swatting doesn't happen often enough to be a priority, is now harder to sustain. It's difficult to find the path toward reducing the potential for harm, however, because this would involve technology, emergency infrastructure, school administration and more than one section of criminal codes.

There's a fundamental di-

lemma in swatting, which takes its name from the Special Weapons and Tactics (SWAT) teams sent to deal with serious emergencies. Even if a dispatcher suspects a hoax, they are obligated to send a response. It's too much of a risk to do otherwise. No 911 call sounds "right," says Tina Chaffin, who has worked as a 911 dispatcher for several Texas law enforcement agencies.

Swatters find personally identifying information for their targets through Internet searches, or they may buy it from data brokers or acquire it illegally through phishing, text messages or other means. Readily available phone apps and Internet phone services allow them to conceal their identity and display a false phone number, while possibly altering their voice. Such spoofing can create the impression that they are calling from the location of an emergency, or a neighboring home.

Automatic number identification and automatic location identifier technology can indicate that a call is not, in fact, coming from where the caller claims to be located. But even authentic calls can look questionable, Chaffin says. The portability of cellphone numbers is another problem. When landlines were the norm, she was never in doubt that a call that appeared to be from Dallas really was. That's not true in the age of cellphones, when so many people retain numbers from states where they haven't lived for years.

Chaffin trains dispatchers and has published a [free course](#) covering best practices for dealing with swatting calls. There are signals that a call may be swatting, such as background sounds that don't match the event being reported. A dispatcher will send a response team in every case, but they can pass along what they have observed.

Only two fatalities have been associated with swatting, but every swatter creates danger by diverting resources needed for real emergencies. Chaffin is currently traveling around the country to help support understaffed agencies, where dispatcher shortages can run as much as 40 to 60%.

"Stand your ground" laws in Texas and other states mean serious risk for first responders; homeowners surprised by strangers bursting into their homes have the right to shoot.

Last year, a good portion of swatting attacks originated from outside the country, Klinger says, sometimes targeting multiple schools simultaneously. She's concerned that the disruption they caused, and the media attention they received, might inspire other bad actors.

Lauren Shapiro, an associate professor at CUNY's John Jay College of Criminal Justice, dedicated a chapter to swatting in her 2023 book, [Cyberpredators and Their Prey](#). Federal statutes relating to matters including interstate communications and threats, protection of personal information of public officials, access device fraud and wire fraud and conspiracy have all informed federal prosecutions of swatters, she writes. State prosecutions have used similar statutes, with charges ranging from misdemeanor to felony.

The integral role of technology in perpetrating swatting makes it an interstate matter, Shapiro says, and fair and equal treatment of offenders would be best accomplished if federal law established definitions and penalties for the crime. States could use this as the basis of their own statutes.

Clear definitions would help with accurate counting and uniform sentencing, but these aren't the only benefits. Accurate counts could guide funding allocations to train dispatchers, pay detectives to find perpetrators of anonymous crimes and provide support to responders experiencing the same stresses that come with real events as well as the moral injury of being exploited for a malicious purpose.

There have been attempts at a federal statute since the early 2000s, Shapiro says. Critics of such proposals have said they violate First Amendment rights to free speech and Fourth Amendment rights to privacy. "Sometimes there's a fear that if we criminalize reporting that a crime is occurring to 911 and a crime is not occurring, you could be charged," says Shapiro.

But there may be more impetus to act now that members of Congress and other prominent officials have been targeted. A [new bill](#) was introduced in Congress this month, which has the backing of the National Association of Police Organizations and the National Sheriffs' Association. Up to this point, swatting has seldom had a fatal consequence, but it's harassment that can cause false arrest, reputational damage and cost local governments thousands of dollars — even tens of thousands — per incident. Ongoing problems recruiting and retaining officers mean that there are none to spare for false reports.

The swatters that have been arrested are predominantly juveniles and young adults. Chaffin's school presentations are built on an unflinching message: "Not only are we going to catch you and you could be in trouble, you are potentially putting someone's life in danger."

NATIONAL BRIEFS



Despite early fears of a recession, the U.S. economy grew by 3.1% in 2023, buoyed by a resilient labor market and strong consumer spending. The year was capped by fourth-quarter growth of 3.3% as household and government spending rose. While the growth rate was slower than the 4.9% pace over the summer, it remained above pre-pandemic levels. Economists expect this expansion to continue into

2024 with the Federal Reserve likely to cut interest rates to support the economy.

The U.S. labor market added 353,000 jobs in January, a sign of vigorous economic growth. The Labor Department reported that unemployment remained at 3.7%, information that is likely to reinforce the Fed's patience in beginning to cut rates. January's growth was even more impressive than results of the

prior two months, bringing the average monthly job gain in 2023 to 255,000. The biggest growth was in the professional and business services sector followed by healthcare. Mining and logging was the only major sector to lose jobs. Wages have also been growing faster than historical rates with a strong increase in productivity balancing those higher wages from creating fueling price increases.



Feb. 24: Oak Ridge [International Festival](#)

The Children's Museum of Oak Ridge hosts this family-friendly event that highlights cultures from across the world.

Feb. 24: Townsend [Tennessee Winter Beer Fest](#)

Breweries from across Tennessee will gather at Company Distilling in Townsend. Learn more about craft breweries in East Tennessee and beyond. All proceeds from the festival go to support the Blount County Children's Advocacy Center.

March 1-2: Etowah [Cousin Jack Tullock Memorial Bluegrass Festival](#)

Hosted by the Etowah Arts Commission, the Cousin Jake Memorial Bluegrass Festival, established in 1994, is an annual event that celebrates bluegrass music and honors the late Jake Tullock.

March 2-3: Pigeon Forge [Chuck Wagon Cook-off](#)

Pigeon Forge invites western lifestyle enthusiasts, foodies, and those in search of a hearty meal to the annual Chuck Wagon Cook-off Weekend. This three-day event includes a dinner concert, cowboy church, and cooking competition at Clabough's Campground.

March 15-17: Lenoir City [Harmony in the Hollow](#)

This music and arts festival celebrates the beauty of Appalachian music, the enchantment of Celtic traditions, and the boundless creativity of the fantasy genre.

March 16: Bell Buckle [Daffodil Day](#)

This quaint little festival began in 1978 to celebrate the coming of Spring and the thousands of daffodils that line the roads and farmlands for a six mile stretch of highway leading into Bell Buckle.

March 16: Erin [62nd Annual Irish Celebration](#)

This annual celebration of Erin's Irish heritage featuring a Leprechaun Parade, Grand Parade, a carnival, food and craft vendors, entertainment, and visitors from across the country and world.

March 22-23: Linden [16th Annual Blooming Arts Festival](#)

Blooming Arts Festival has grown to feature more than 150 exhibitors, including artisans, musicians and food vendors. The festival attracts more than 10,000 patrons to Linden.



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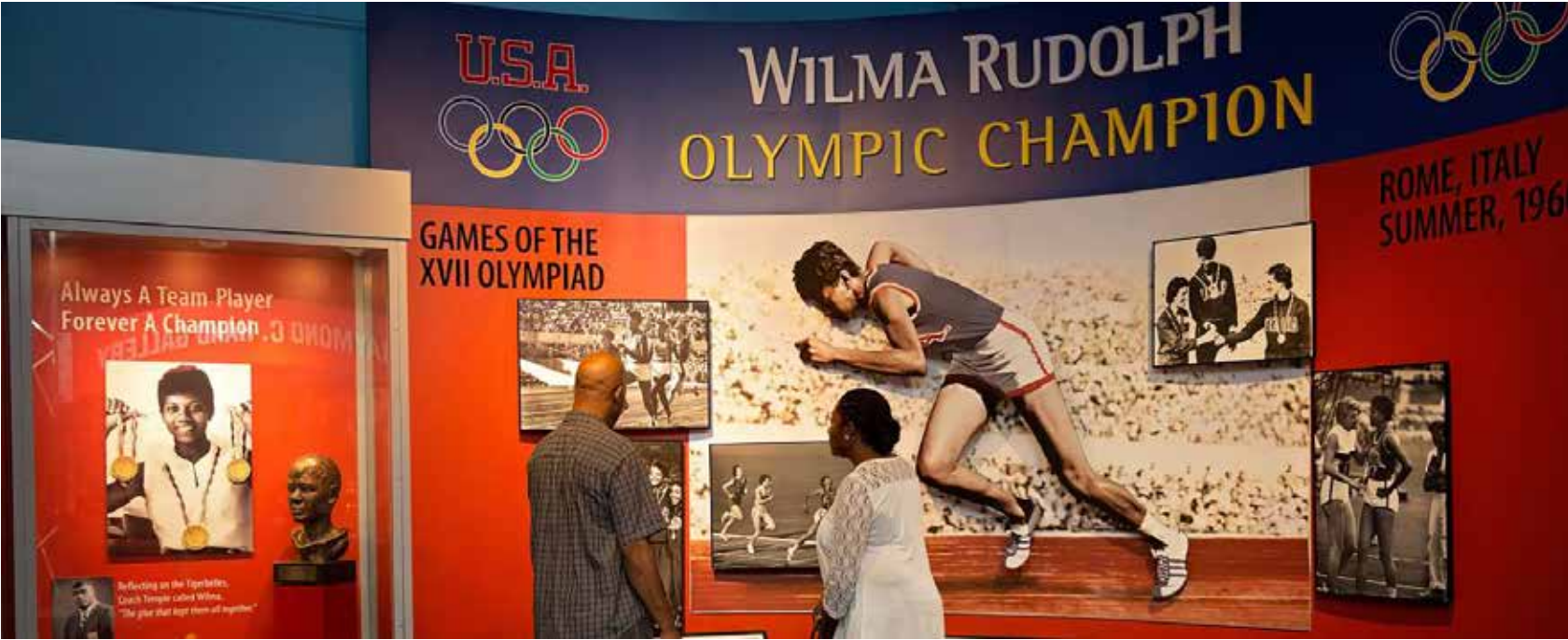
Clarksville black history trail models how cities can preserve heritage

By KATE COIL
TT&C Assistant Editor

From an Olympic athlete to music stars to medical professionals, the city of Clarksville is home to numerous important people and places in African-American history. Highlighting these contributions is the Clarksville-Montgomery County African American Legacy Trail, a growing list of more than 40 destinations both locals and tourists can visit via maps on their smart phones and computers. Michelle Dickerson, senior director of marketing and public relations for Visit Clarksville said that, of the dozens of trails Visit Clarksville makes available for visitors, the African-American Legacy Trail is easily the most popular.

What began as a labor of love from a few local residents has brought the Clarksville community together in unexpected ways and is continuing to teach visitors and Clarksvillians about the city’s heritage.

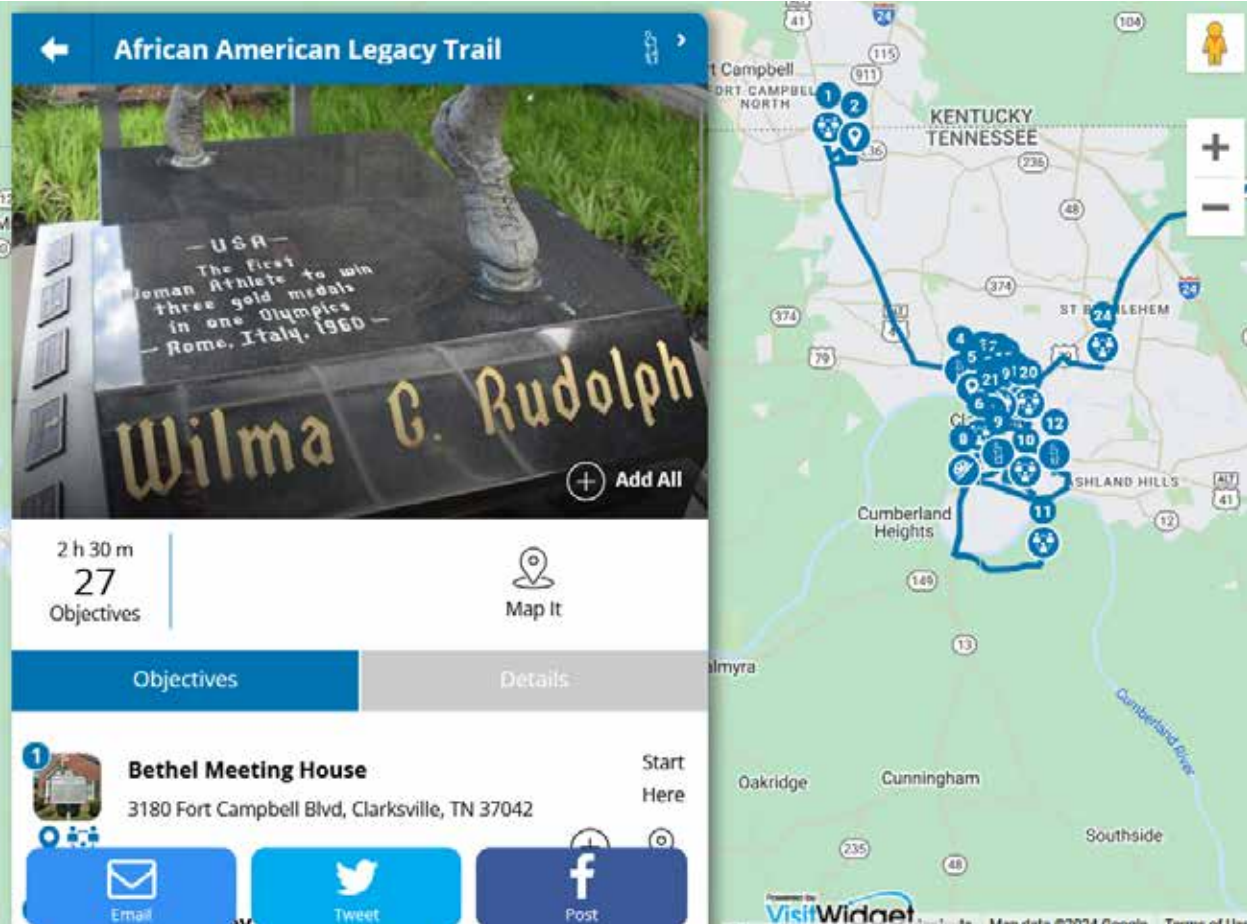
COMMUNITY CHAMPIONS
Clarksville Mayor Joe Pitts said the trail began with a small group of local residents who wanted to bring together the collected stories of Clarksville’s African-American history. “Every cause needs a champion, so you need to find the champions,” Pitts said. “If you have someone who is passionate about doing this, support them and get resources to them. If you are an elected official, use your bully-pulpit to promote it. It starts with someone or a small group of people who want to get involved.” Clarksville found their champions in local publisher and Deputy Montgomery County Historian Shana Thornton, Bethel University Recruiter Terry Morris, and local historian Jerome Parcham. The three gathered a focus group that included the then-vice president of Clarksville’s NAACP, other historians, and community leaders to determine how to proceed. The group then reached out to Clarksville’s city leaders, county officials, and community members who could help promote the trail or volunteer their time and talents. “I think reaching out to our mayor, city council, and our local state representative was so valuable,” Thornton said. “Just going to them and saying, ‘this is what we are thinking about, what do you



Olympian Wilma Rudolph made a major impact on Clarksville history when, at the age of 20, she not only took home three gold medals at the Rome Olympics but also refused to let her hometown host a parade in her honor unless it was integrated. The impact of her decision is still felt in Clarksville today. Rudolph is one of several prominent African-American residents of Clarksville whose histories are told on the African-American Legacy Trail.

think, and how can you help us?” was important. All those offices, organizations, and government entities are important because they help see that full picture.” For a community wanting to make a similar trail, Thornton advises first connecting with local historians to see what resources they already have. In Clarksville, a lot of research had already been done for state historical markers that could then be folded into the larger trail. Thornton also advises reaching out to civic organizations like the NAACP, chamber and tourism officials, and local churches to help make connections, build support, and gather information.

CREATING THE TRAIL
Before launching the trail, Thornton and Morris set certain parameters for what they would include. Criteria included that people the trail focused on had to be deceased and that only publicly-owned properties would be included in the trail, unless owners of privately-owned land gave their permission. Once the information was gathered and locations for stops on the trail were determined, it was time to put the information into a format that visitors and residents could use. A teacher and students from Rossview High School Academy of Media Arts and Technology volunteered their skills to create a logo, physical brochure, and capture art and photographs of the trail.



The self-guided African-American Legacy Trail can be accessed via the Visit Clarksville website or downloaded from the Apple and Google Play stores. Users can take their own time and digitally check in at a variety of stops in and around the city that tell the stories of African-American residents. Once travelers have checked in at all stops, they can receive a prize from Visit Clarksville.

Visit Clarksville officials offered to both promote the trail and use a function on their website to create a digital version of the trail. Those who complete trails can earn

rewards from Visit Clarksville. “We were glad to be able to package it, pitch it to media, and put it in our app,” Dickerson said. “We also have a challenge system where you plan an itinerary and users can digitally check in at a designated number of spots. We create custom-designed pins for each trail that people can then collect from us when they finish the trail.”

Trails can be used on the Visit Clarksville website or downloaded in the Apple and Store or on Google Play. The digital aspect of the trail makes access easier for both those using the trail and those creating it. “In the digital world, you can go in and update anytime,” Dickerson said. “Rather than having to wait for the next printed edition or the next year, we can make those updates instantaneously. It keeps it a living document. You can also start wherever you are and its proximity-based location, so it directs you to the next location. It is a long trail, but you don’t have to do it all at once. You can check-in over a couple of weekends. The fact that it’s flexible makes it more accessible for visitors and residents.”

Morris said the trail has already grown beyond its original scope as more people come forward with stories, history, and personal experiences from the trail.

“The map Visit Clarksville built was just amazing,” he said. “The trail originally had 19 people and places. We now have 45 people and places you can visit. The mayor’s office told us to go ahead and launch, to not wait until it was perfect. This has allowed us to grow and build on it.”

Mayor Pitts said the trail is a major asset for both residents and visitors to Clarksville.

“It’s free, so the price is right. It’s self-paced and self-guided, so you can do as much or as little as you want to,” he said. “You can do it in groups or individually. There is always something new to discover on this trail, and I think people will be pleasantly surprised how much information is on this trail. I think every community needs to do this. As elected leaders, we have to make sure we promote these things and encourage them.”

SPREADING THE WORD

The trail has already begun to grow beyond the city limits of Clarksville. Thornton said commu-

nity support for the trail has been “overwhelming” with numerous residents and visitors reaching out to talk about how much they enjoyed taking and learning from the trail. Others have reached out with new stories and information that have helped the trail grow.

Dickerson said the African-American Legacy Trail is the most popular digital trail Visit Clarksville hosts.

“We have hundreds of people who access the digital trails, and the African-American Legacy Trail always has the highest numbers,” she said. “It’s also the longest trail, by far. It’s so educational, and people don’t know what they don’t know. It’s been a great learning opportunity for both locals and visitors to understand more about Clarksville’s history and heritage.”

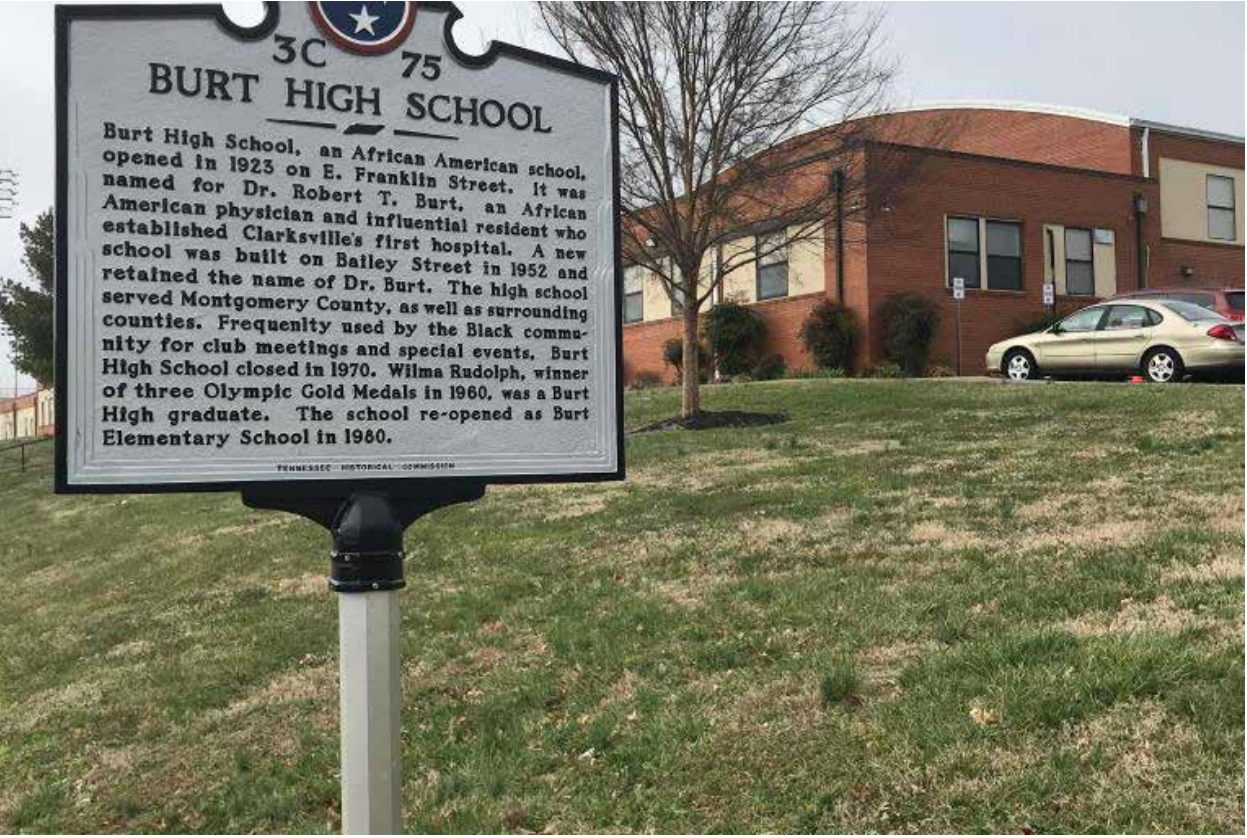
Pitts said the finished project was even better than what he expected.

“I give them all the credit,” he said. “Clarksville has a rich African-American history, and it’s a history that needs to be celebrated and recognized. There are some names on here that may not be familiar names to people, but there are also some names, buildings, parks, and community centers that will be familiar. There is a lot to celebrate with in these various locations around our community.”

The trail is also drawing interest from those who want to create something similar in their own community. Morris said tourism officials from the St. Paul, Minn., area have contacted them with the hopes of touring the trail themselves and getting more information on how it was built so they can create their own African-American Legacy Trail using grant funds in the future.

Dickerson said the trail is a way to tell Clarksville’s story in a way that reaches more people and builds a sense of community.

“It’s an important part of our local history, and those stories, they’re very impressive,” she said. “It’s a point of community pride, but it’s also important to understand the culture of a place and who laid the groundwork that makes the community what it is today. Visitors now want those immersive experiences. Navigating a trail to hear and learn about people, standing where they stood, gives them that enriched experience.”



Named for Dr. Robert Burt, Burt High School was not only important as the city’s African-American High School per-desegregation but also a symbol of the city’s most influential residents. Dr. Burt founded the city’s first hospital and was known for not turning away patients based on skin color or their ability to pay for services.



Community resources, like local churches, civic organizations, historians, and the Wilbur Nathan Daniel African American Cultural Center at Austin Peay helped provide background and context for many of the stops on the trail. The center is named for the first black student to attend Austin Peay.



File #: 21-0116

DATE: April 26, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Michelle Hatcher, Director of Water Management
Brian Goodwin, Asst. Director of Water Management

SUBJECT:

*Consideration Of Resolution 2024-35, A Resolution To Reject All Construction Bids For The Water Reclamation Facility Rehabilitation And Resilience Improvements Project (COF Project No. 2023-015)

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning a resolution to reject all bids for the Water Reclamation Facility (WRF) Rehabilitation and Resiliency Improvements Project.

BACKGROUND/STAFF COMMENTS:

This project was advertised February 1, 2024 and four bids were received as part of the bid opening. All the project bids were higher than anticipated and exceeded the allowable budget for the project. The design team is reviewing and providing value engineering services to the drawings to remove and reallocate components for better separation of project funds. The project is anticipated to be rebid in June 2024.

FINANCIAL IMPACT:

There is no specific financial impact at this stage, although rejecting these bids and rebidding the project will hopefully bring this project better in-line with the anticipated budget.

RECOMMENDATION:

Staff recommends that the Board of Mayor and Aldermen approve Resolution 2024-35 to reject all the WRF Rehabilitation and Resiliency project bids.

RESOLUTION NO. 2024-35

**A RESOLUTION REJECTING THE CONSTRUCTION BIDS FOR THE WATER RECLAMATION FACILITY
REHABILITATION AND RESILIENCY IMPROVEMENTS PROJECT (COF PROJECT NO. 2023-015)**

WHEREAS, three (3) construction bid packages were submitted in response to the City's public advertisement for the WRF Rehabilitation and Resiliency Improvements Project and received by the Purchasing Department at City Hall, 109 3rd Avenue South, Franklin, Tennessee, on March 28, 2024, by Bowen Engineering Corp., Garney Companies, and Reeves Young where they were opened and read aloud; and,

WHEREAS, the American Reinvestment Program Act funds were to be used for the funding of this project along with the required City match of grant funds; and,

WHEREAS, the lowest bid was \$12,380,299.20 and was above the available grant funds and City match; and,

WHEREAS, the Water Management Department would like to reject all current bids and rebid the project at a later date.

NOW THEREFORE, BE IT RESOLVED, BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE THAT, AS FOLLOWS:

The bids for the WRF Reclamation and Resiliency Improvements Project be rejected.

IT IS SO RESOLVED AND DONE on this ____ day of _____, 2024.

ATTEST:

CITY OF FRANKLIN, TENNESSE

By: _____
ERIC S. STUCKEY
City Administrator

By: _____
DR. KEN MOORE
Mayor

Approved as to Form

By: _____
Sauna R. Billingsley, City Attorney



File #: 21-0107

DATE: April 23, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Eric Stuckey, City Administrator

SUBJECT:

Consideration Of COF Contract No. 2023-0346, With Pull-Tight Players, Inc., For Lease Agreement Extension

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning the extension of a lease agreement between the City of Franklin and Pull-Tight Players, Inc. for the building located at 112 2nd Avenue S., Franklin, TN 37064.

BACKGROUND/STAFF COMMENTS:

The building located at 112 2nd Avenue S, Franklin, TN 37064 has been leased by the Pull-Tight Players for use as a community theater since 1989. The most recent version of their lease is expiring next year, and this agreement seeks to lease the building for 15 years with an option, at the City's sole discretion, to renew for an additional 15 years. Attached is the proposed lease extension with Pull Tight Player for use of the small theater on the City Hall site. The City of Franklin has leased this historic building to Pull Tight for many years at minimal cost (\$1 per year) in exchange for their maintenance of the interior, payment of utilities, maintaining insurance for their use of the building, and managing events in the space. Pull Tight has asked to extend the existing agreement for 15 years when the existing agreement expires on July 1, 2025. They have asked to roll the agreement over and to have a longer term to facilitate some additional investment in the facility. The previous lease agreement provided for a 10-year lease. There is also an option to extend the agreement (at the City's sole discretion) an additional 15 years in 2040, which would run until 2055.

FINANCIAL IMPACT:

Under the terms of the current and proposed lease, The lessee, Pull Tight Players, pay a minimum cost (\$1 per year) in exchange for their maintenance of the interior, payment of utilities, maintaining insurance for their use of the building, and managing events in the space.

RECOMMENDATION:

Staff recommends that the Board of Mayor and Aldermen approve COF Contract No. 2023-0346.

LEASE AGREEMENT
COF Contract No. 2023-0346

This Lease Agreement made as of _____, 2024, to be effective as of July 1, 2025, by and between the CITY OF FRANKLIN, TENNESSEE a municipal governmental entity of the State of Tennessee (hereinafter referred to as “City” or “Lessor”), and PULL-TIGHT PLAYERS, INC. (hereinafter referred to as “Lessee”).

WITNESSETH:

(1) **DEMISE, TERM AND RENT.** The Lessor leases to the Lessee the building located at 112 2nd Avenue S in the City of Franklin, Tennessee (“Building” or “Premises”), for the term of fifteen (15) years from July 1, 2025 to June 30, 2040, at an annual rental of One Dollar and No/100 (\$1.00), payable at the office of the Lessor in the said City of Franklin, in advance, on the first day of March each year during the Term. Rent payments commence on July 1, 2025. Lessor shall have the option, at the Lessor’s sole discretion, to extend the renew the term for another fifteen (15) years from July 1, 2040 to June 30, 2055. No extension shall be effective without the signature of the parties hereto and the prior approval of the City Administrator and the City Attorney.

(2) **APPURTENANCES.** Lessor grants to Lessee and covenants that Lessee shall have during the term of this Lease, at no additional cost to Lessee, the use of parking spaces in the lot (“Parking Area”) adjoining the Building marked on Exhibit A.

(3) **LESSEE’S COVENANTS.** Lessor and Lessee agree:

a) **Rent.** That Lessee will pay the said rent at the times and in the manner aforesaid.

b) **Maintenance, Housekeeping.** That Lessee will maintain the Premises and pay all housekeeping expenses of the interior of Premises, which shall include, but not be limited to the purchase and replacement of light bulbs when needed. Lessee will maintain mechanical, electrical and plumbing systems, heating, ventilation and air conditioning, common areas, including restrooms. The parties will complete a walk-through of the Premises within ten (10) days of execution of this Lease, noting the present condition of the premises. Such a walk-through will be conducted after Lessee has vacated the premises in order to determine the extent of damage, if any.

c) **Payment of Utilities.** That Lessee shall pay for gas, electric, water, sewer and other utilities through the term of this Agreement and until termination thereof. The parties agree that the payment of utilities will be revisited prior to entering into any extensions of this Lease. If Lessor is billed for any other utilities or services for which Lessee is responsible by the provider thereof, Lessee shall reimburse Lessor for the amount thereof within fifteen (15) days’ of being furnished with a statement from Lessor with respect thereto. If the amount due as shown on such statement is not paid when due, it shall bear interest at the lesser of the maximum legal contract rate or twelve percent per annum (12%) until paid.

d) **Permitted Use.** The Premises shall be used as a community theater and other community theater related activities connected with Pull-Tight Players, Inc. There shall be no other use without Lessor’s written consent, not to be unreasonably withheld, conditioned or delayed.

e) Obligation to Repair. That Lessee will keep the Premises, mechanical, electrical or plumbing maintenance and those matters set forth in this Agreement, in such repair as the same are at the commencement of the said term or as may be installed, attached or affixed during the continuance thereof, reasonable wear and tear only excepted other than the exterior Building. Lessee agrees to promptly notify Lessor of any repairs that are not covered within this section and are the responsibility of the Lessor.

f) Not to Injure; Renovations and Alterations of Premises. That Lessee will not injure, overload, or deface or suffer to be injured, overloaded, or defaced the Premises or any part thereof. Lessor shall approve of all plans and specifications for material renovations and alterations, subject to reasonable conditions and any and all Franklin Municipal Code requirements. Lessee shall allow no lien to be placed against the Premises or the Building. All alterations, additions, repairs, replacements and improvements made to or upon the Premises shall be deemed to be part of the Premises and shall become the property of Lessor upon the expiration or termination of this Lease; provided, however, that trade fixtures, machinery, and equipment that are installed by Lessee and removable without materially injuring the Premises shall remain the property of Lessee.

g) Liability Insurance. Without limiting its liability under this Lease Agreement, that Lessee shall procure and maintain at its expense during the life of the Lease Agreement insurance of the types and in the minimum amounts stated as follows:

- i) Comprehensive or Commercial General Liability
 - A. Bodily Injury:
 - \$1,000,000 Each Occurrence
 - \$1,000,000 Aggregate
 - B. Property Damage
 - \$1,000,000 Each Occurrence
 - \$1,000,000 Aggregate
- ii) Personal Injury, with Employment Exclusion deleted
 - A. \$1,000,000 Aggregate
- iii) If the General Liability coverage is provided by a Commercial Liability Policy the
 - (1) General Aggregate shall not be less than \$1,000,000 and shall apply, in total, to this Lease Agreement only.
 - (2) Medical Expense Limit shall not be less than \$1,000,000 on anyone person.
- iv) Umbrella Excess Liability
 - (1) \$1,000,000 over primary insurance

Lessee's insurance policy, if applicable, shall name the City of Franklin as an "Additional Insured with respects to the Lease only." Said insurance shall be written by a company(s) licensed to do business in the State of Tennessee. Prior to occupying a City owned, leased or rented space, a Certificate of Insurance evidencing the maintenance of said insurance shall be furnished to City of Franklin Risk Management and shall contain the following statement: "The insurance evidenced by this Certificate will not be canceled or altered except with written consent by and between the Insured and Additional Insured named within the insurance contract".

h) Personal Property Insurance. That it shall be Lessee's sole responsibility to insure and keep insured, at Lessee's expense, all personal property which is owned by Lessee, or any other authorized occupant of the Premises, and which is placed or stored in the Premises or elsewhere in the building of which they are a part.

i) Unlawful, Improper, or Offensive Use. That Lessee will not make or suffer any unlawful, improper, or offensive use of the Premises, or any use or occupancy thereof contrary to any law of the State of Tennessee or any ordinance or regulation of the City of Franklin now or hereafter made, or which shall be injurious to any person or property, or which shall be liable to endanger or affect any insurance on the said building or to increase the premium thereof, nor shall Lessee make or suffer any sale of any intoxicating beverages within the Premises; provided, however, that nothing shall prevent the storage of wine and spirits in the Premises for sale or consumption off the Premises.

j) Alterations, Additions, Signs, Newsracks, etc. That Lessee will not make any alterations or additions in or to the Premises without the written consent of the Lessor, or cause any holes to be made or drilled in the outside stone or brick work, or place any signs upon the Building except such as the Lessor shall in writing approve. No fixtures such as newsracks or other receptacles shall be placed outside the Building.

k) Assignment. That Lessee will not assign, sublet, or in any way part with the possession of the whole or any part of the Premises without first obtaining the written consent of the Lessor.

l) Permission of Lessor to Enter. That the Lessor at all reasonable times may enter to view the Premises and to make repairs which the Lessor may see fit to make, or within the last six months of the term to show the Premises to persons who may wish to lease the Premises or buy the Building.

m) Yield up Premises at Expiration of Term. That at the expiration of the said term Lessee will peaceably yield up to the Lessor the Premises and all erections and additions made upon the same, in condition no worse than the current condition of the Premises, reasonable use and wear excepted, as the same now are or may be installed, attached or affixed by the Lessor.

n) Indemnification and Hold Harmless. Lessee shall indemnify and hold harmless Lessor, its officers, agents and employees from:

- i. Any claims, damages or suits for loss of or damage to property, including loss of use thereof, or injuries, including death to persons and from all judgments recovered therefore and from all expense in defending said claims or suits, including court costs and attorney fees for injuries or damages arising, in part or in whole, from the negligent or intentional acts or omissions of Lessee, its officers, employees and/or agents, including its sub or independent contractors and patrons, in connection with this Lease Agreement.
- ii. Any claims, damages, penalties, costs and attorney fees arising from any failure of Lessor, its officers, employees and/or agents, including its sub or independent contractors, to observe applicable laws, including, but not limited to, labor laws and minimum wage laws.

- iii. Lessor will not indemnify, defend or hold harmless in any fashion the Lessee from any claims arising from any failure, regardless of any language in any attachment or other document that the Lessee may provide.
- iv. Any claims, damages, penalties, costs and attorneys fees arising from any action brought against the City of Franklin by any of Lessee's officers, employees and/or agents arising out of any injury incurred by such officer, employee and/or agent but only to the extent arising out of the performance of this Agreement, regardless of the cause of such injury.
- v. Lessee shall pay Lessor the reasonable expenses incurred as a result of Lessee's failure to fulfill any obligation in a timely manner under this Lease Agreement; but not in any event consequential or punitive damages.
- vi. Enforcement Expenses. In the event it becomes necessary for Lessor to employ an attorney to enforce collection of the rents agreed to be paid, or to enforce compliance with any of the covenants or agreements herein contained, Lessee shall be liable for reasonable attorney's fees, costs and expenses incurred by the Lessor.
- o) Assent Not Waiver of Future Breach of Covenants. That no assent, express or implied, by the Lessor to any breach of any of the Lessee's covenants, shall be deemed to be a waiver of any succeeding breach of the same covenant.
- p) Maintenance of Records. The books, records and documents of Lessee, insofar as they relate to this Lease Agreement (i.e., Agreement, maintenance records, invoices, etc.), shall be maintained for a period of three (3) full years from the date of expiration of this Lease Agreement and will be subject to audit, at any reasonable time and upon reasonable notice by Lessor or its duly appointed representatives. The records shall be maintained in accordance with Lessee's consistently applied accounting principles.
- q) Employment. That Lessee shall not subscribe to any personnel policy which permits or allows for the promotion, demotion, employment, dismissal or laying off of any individual due to race, creed, color, national origin, age, sex, or which is in violation of applicable laws concerning the employment of individuals with disabilities.

(4) **LESSOR'S COVENANTS.** The Lessor agrees:

- a) Covenant for Quiet Enjoyment. That the Lessee shall peaceably hold and enjoy the Premises, subject to the terms of this Lease Agreement.
- b) Payment of Taxes. That the Lessor will pay the general taxes, if any, which shall be assessed and levied upon the Premises during the said term as they may fall due.
- c) Obligation to Repair. That Lessor will keep the exterior Building, parking areas, windows, roof, sidewalks, and landscaped areas in good and serviceable condition and repair, including without limitation compliance with all applicable codes, statutes, regulations and ordinances, including without limitation the Americans With Disabilities Act. All repairs that are the duty of Lessor shall be made within a reasonable time after notice from Lessee of the need for such repair. Any negligible exterior cleaning shall only be carried out with the express written permission of the City's Facilities Manager.
- d) Insurance. That Lessor shall insure, at the Lessor's sole expense, the Building on the demised Premises against the risk of fire and hazard.

- e) Utilities. That Lessee agrees to pay all amounts due for utilities such as gas, electric, water and sewer per paragraph (3)(c) above.

(5) **DEFAULT, INSOLVENCY, ETC. OF LESSEE.**

- a) If Lessee shall neglect or fail to perform and observe any of the covenants in this instrument, which on its part are to be performed and such default shall continue for a period of thirty (30) days after the mailing of a written notice, postage prepaid from the Lessor to the Lessee specifying such default, or the Lessee shall be declared bankrupt or insolvent according to law, or if any assignment shall be made of any of its property for the benefit of creditors, then, and in any of the said cases, the Lessor or those having their estate in said Premises, lawfully may immediately or at any time thereafter, and while such neglect or default continues and without further notice or demand, enter into and upon the Premises or any part thereof in the name of the whole and repossess the same as of their former estate and expel the said Lessee and those claiming under it, and remove their effects (forcibly if necessary) without being taken or deemed guilty of any manner of trespass and without prejudice to any remedies which might otherwise be used for arrears of rent, or preceding breach of covenant and, at the Lessor's election, the said term shall cease and be ended.
- b) If Lessor shall neglect or fail to perform and observe any of the covenants in this instrument, which on its part are to be performed and such default continues for thirty (30) days after notice of such default, Lessee may correct such condition and subtract from rent otherwise due hereunder the reasonable costs of such correction or may terminate this Agreement by written notice to Lessor.

(6) **DAMAGE BY FIRE.** In case the Premises or any part thereof shall at anytime during the said term be destroyed or damaged by fire or other unavoidable casualty so as to be unfit for occupancy and use, and so that the Premises cannot be rebuilt or restored by the Lessor within One Hundred Twenty (120) days thereafter, then this Lease Agreement shall terminate; but if the Premises can be rebuilt or restored within One Hundred Twenty (120) days the Lessor will at its own expense and with due diligence so rebuild or restore the Premises, and rent shall abate under this Agreement until the Premises shall have been so rebuilt or restored.

(7) **TAKING BY EMINENT DOMAIN.** In the event the whole or a substantial part of the Premises shall be taken by the City of Franklin, the State of Tennessee or other entity with the authority to exercise eminent domain for any public use by condemnation or agreement upon the threat of condemnation, then this Lease Agreement shall terminate from the time when possession of the whole or of the part so taken shall be required for such public use, and the rents, properly apportioned, shall be paid up to that time; and the Lessee shall not claim or be entitled to any part of the award to be made for damages for such taking for public use; and such taking shall not be deemed a breach of the Lessor's covenant for quiet enjoyment hereinbefore contained.

(8) **SURRENDER OF PREMISES.** At the expiration of the term of this Lease, Lessee shall peaceably yield up to Lessor the Premises and all erections and additions made thereto except as hereinbefore provided, in good repair in all respects, reasonable use, wear and tear and damage by fire or other casualty or by condemnation excepted.

(9) **HOLDING OVER.** Should Lessee hold over the term hereby created with the consent of Lessor, Lessee shall become a Lessee from month to month at the monthly rental then payable

hereunder and otherwise upon the covenants and conditions in this Lease contained, and shall continue to be such Lessee until thirty (30) days after either party serves upon the other notice of intention to terminate such monthly tenancy.

(10) **COVENANT AND AGREEMENTS.** All of the covenants, agreements and conditions of this Lease shall accrue to the benefit of and be binding upon the respective parties hereto and their successors and assigns as if they were in every case named and express.

(11) **CHOICE OF LAW.** This Lease Agreement shall be governed by the laws of the State of Tennessee.

(12) **NOTICES.** Any notice provided pursuant to this Lease, if specified to be in writing, will be in writing and will be deemed given: (a) if by hand delivery, then upon receipt thereof; (b) if mailed, then three (3) days after deposit in the mail where sender is located, postage prepaid, certified mail return receipt requested; (c) if by next day delivery service, then upon such delivery; or (d) if by facsimile transmission or electronic mail, then upon confirmation of receipt. All notices will be addressed to the parties at the addresses set forth below (or such other address as either party may in the future specify in writing to the other):

Lessor:

City of Franklin
Attn.: City Administrator
109 3rd Ave. S.,
Franklin, TN 37064

Lessee:

Pull-Tight Players, Inc.
ATTN: Board of Directors
P.O. Box 682609
Oak Meadow Post Office
Franklin, TN 37068-2609

(13) **SEVERABILITY.** Should any provision of this Lease Agreement be declared to be invalid by any court of competent jurisdiction, such provision shall be severed and shall not affect the validity of the remaining provisions of this Lease Agreement.

(14) **ENTIRE AGREEMENT.** This Lease Agreement and its attachments contain the entire agreement between the parties, and no statement, promises, or inducements made by either party or agent of either party that is not contained in this Lease Agreement shall be valid or binding; and this Lease Agreement may not be enlarged, modified or altered except in writing signed by the parties and attached hereto.

(15) **VENUE.** In the event that any term of this Lease Agreement or its attachments become subject to litigation, the venue for such action will be in Williamson County, Tennessee.

(16) **WAIVER.** No waiver of any provision of this Lease Agreement shall be valid unless in writing and signed by the parties against whom charged.

(17) **LIMITATION OF LIABILITY.** Notwithstanding any provision hereinto the contrary, Lessee shall look solely to the equity of Lessor in and to the premises in the event of a breach or default by Lessor pursuant to the provisions of this Lease, and lessee agrees that the liability of Lessor under this Lease shall not exceed the value of such equity of Lessor in the premises. No other properties or assets of Lessor shall be subject to levy, execution or other enforcement procedures for the satisfaction of any judgment (or other judicial process) arising out of, or in connection with this Lease Agreement.

(18) **PARTNERSHIP-JOINT VENTURE**. Nothing herein shall in any way be construed or intended to create a partnership or joint venture between the parties or to create the relationship of principal and agent between or among any of the parties. None of the parties hereto shall hold itself out in a manner contrary to the terms of this paragraph. No party shall become liable for any representation, act or omission of any other party contrary to the terms of this paragraph.

(19) **EFFECTIVE DATE**. This Lease Agreement shall not be binding upon the parties until it has been signed first by the Lessee and then by the authorized representatives of the City of Franklin and has been filed in the office of the Mayor. When it has been so signed and filed, this Agreement shall be effective as of the date first written above.

IN WITNESS WHEREOF, the parties hereto have hereunto caused their names to be signed to multiple copies of this Lease Agreement as of the day and date last written below in Acknowledgements, all copies constituting, however, but one Lease Agreement.

LESSOR:

CITY OF FRANKLIN, TENNESSEE

Eric S. Stuckey

Approved as to form:

J. Blake Harper
Staff Attorney for City of Franklin

LESSEE:

PULL-TIGHT PLAYERS, INC.

By: _____

Its: _____

Approved as to form:

Attorney for Pull-Tight Players, Inc.

ACKNOWLEDGMENTS

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

The foregoing instrument was acknowledged before me this ____ day of _____ 20__ by **Eric S. Stuckey**, City Administrator, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that he executed the within instrument for the purposes therein contained.

NOTARY PUBLIC

My Commission Expires:

STATE OF TENNESSEE
COUNTY OF WILLIAMSON

The foregoing instrument was acknowledged before me this ____ day of _____ 20__ by _____, with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who acknowledged that _____ is the _____ of Pull-Tight Players, Inc., a corporation, and that _____ executed the within instrument for the purposes therein contained by ____ self as _____.

NOTARY PUBLIC

My Commission Expires:

EXHIBIT A – DESIGNATED PARKING



Property of the City of Franklin,
not liable for errors, omissions or misuse of data.

Exhibit A



City of Franklin

109 3rd Ave S.
Franklin, TN 37064
(615) 791-3217

File #: 21-0113

DATE: April 24, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Mark Hilty, Asst. City Administrator Public Works

SUBJECT:

Consideration Of Resolution 2024-22, A Resolution To Implement The Jackson Law In The City Of Franklin, Tennessee, Regarding Landfills And Solid Waste Processing Facilities

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning Resolution 2024-22 to implement the Jackson Law in the City of Franklin, Tennessee, regarding landfills and solid waste processing facilities.

BACKGROUND/STAFF COMMENTS:

The general law codified in Tennessee Code Annotated, Title 68, Chapter 211, Part 7, known as the Jackson Law, provides for local approval of construction of privately owned landfills, and solid waste processing facilities, as well as the change in classification of any existing landfill or solid waste processing facility to one with higher standards; and; and

The procedures of the Jackson Law cannot be used by a municipality unless the City's legislative body approves of its use by a two-thirds (2/3) majority. If the Board of Mayor and Aldermen desires to have the ability to approve the construction of privately owned landfills for solid waste disposal and construction of solid waste processing in the City of Franklin, before such landfills or solid waste processing facilities are constructed, the Jackson Law must be voted on and approved by a two-thirds (2/3) majority.

FINANCIAL IMPACT:

There is no direct financial impact attributable to this action by the Board.

RECOMMENDATION:

Staff recommends that the Board of Mayor and Aldermen approve Resolution 2024-22.

CITY APPROVAL OF SOLID WASTE DISPOSAL AND PROCESSING

JACKSON LAW

T.C.A. § 68-211-701 et al.



What is a landfill?

T.C.A. § 68-211-702.
Meaning of landfill or landfiling.

For purposes of this part,
"landfill or landfiling" means
any land used for disposal of
solid waste by filling and
covering.

[Acts 1989, ch. 515, § 3; T.C.A.,
§ 68-31-702.]

A Jackson Law City or County has to approve or reject a proposed landfill.

- T.C.A. 68-211-701. Required approval.
- (a) No construction shall be initiated for any new landfill for solid waste disposal or for solid waste processing until the plans for such new landfill have been submitted to and approved by:
 - (1) The county legislative body in which the proposed landfill is located, if such new construction is located in an unincorporated area;
 - (2) Both the county legislative body and the governing body of the municipality in which the proposed landfill is located, if such new construction is located in an incorporated area; or
 - (3) Both the county legislative body of the county in which such proposed landfill is located and the governing body of any municipality which is located within one (1) mile of such proposed landfill.

LOCAL GOVERNMENTS WHICH HAVE ADOPTED "JACKSON LAW"

T.C.A. 68-211-701 et. seq.

(PUBLIC CHAPTER 515/HOUSE BILL 741)

Revised January 23, 2023

CHATTANOOGA EFO

Bradley County 3-19-90 (re-adopted 3-17-03)
McMinn County 12-16-91(re-adopted 3-17-03)
Polk County 3-16-95
Sequatchie County 11-25-91 (re-adopted 5-23-22)

COLUMBIA EFO

Bedford County 8-8-89
City of Mt. Pleasant 6-17-03
City of Pulaski 7-8-03
City of Columbia 11-14-13
Coffee County 5-6-99
Giles County 6-25-03
Hickman County 11-18-91 (re-adopted 1-27-03)
Lawrence County (no date available)*
Lewis County 8-14-89
Marshall County 1-22-90 (re-adopted 2-4-03)
Perry County 11-18-91
Town of Chapel Hill 4-14-08
Town of Cornersville 3-24-08
Maury County 10-17-22
City of Spring Hill 11-21-22

COOKEVILLE EFO

Cannon County 1-18-92 (re-adopted 4-17-16)
City of Columbia 11-14-03
City of Crab Orchard 5-22-08
City of Crossville 1-9-90
Clay County 9-4-90
Cumberland County 5-21-90 (re-adopted 2-18-03)
Jackson County 1-7-91
Macon County 2-17-92 (re-adopted 1-27-03)
Overton County 8-21-89
Pickett County 3-16-92
Putnam County 11-9-89
Van Buren County 2-10-92 (re-adopted 2-7-05)
Warren County 1-27-92 (re-adopted 3-7-03)
White County 12-16-91 (re-adopted 3-17-03)

JACKSON EFO

Benton County 6-21-93
Town of Camden 6-14-93
Hardin County 2-17-92 (re-adopted 2-24-03)
Henry County 12-16-91 (re-adopted 2-18-03)
Lauderdale County 4-10-95
McNairy County 9-14-92

JOHNSON CITY EFO

Town of Greeneville 8-19-97
Greene County 9-15-97 (re-adopted 11-17-03)
Unicoi County 1-27-92
Hawkins County 12-20-2018

KNOXVILLE EFO

Anderson County 8-20-12
Campbell County 11-18-13
City of Sevierville 9-16-02
Grainger County 5-11-92
Hamblen County 1-20-92 (re-adopted 3-20-03)
Jefferson County 10-16-89
Knox County 7-24-95
Loudon County 5-1-95
Scott County 7-17-89
Sevier County 12-16-91 (re-adopted 7-17-95)

NASHVILLE EFO

City of Ridgetop 7-1-99
Davidson County 05/3/17
Dickson County 6-8-89
Humphreys County 12-9-91 (re-adopted 2-10-03)
Montgomery County 03-12-18
City of Murfreesboro 12-1-16
Rutherford County 11-17-05
Stewart County 1-13-92
Town of Smyrna 1-10-06
Williamson County 11-17-22

MEMPHIS EFO

City of Piperton 8-8-96
Fayette County 3-28-95
Town of Somerville 11-10-97

NOTE: *8-22-89 letter from Commissioner J.W. Luna refers to Lawrence County adoption of Jackson Law.

LOCAL GOVERNMENTS WHICH HAVE ADOPTED "JACKSON LAW"
T.C.A. 68-211-701 et. seq.
(PUBLIC CHAPTER 515/HOUSE BILL 741)
Revised January 23, 2023

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Bedford County	8-8-89
City of Mt. Pleasant	6-17-03
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City of Columbia	11-14-13
Coffee County	5-6-99
Giles County	6-25-03
Hickman County	11-18-91 (re-adopted 1-27-03)
Lawrence County	(no date available)*
Lewis County	8-14-89
Marshall County	1-22-90 (re-adopted 2-4-03)
Perry County	11-18-91
Town of Chapel Hill	4-14-08
Town of Cornersville	3-24-08
Maury County	10-17-22
City of Spring Hill	11-21-22

COOKEVILLE EFO

Cannon County	1-18-92 (re-adopted 4-17-16)
City of Columbia	11-14-03
City of Crab Orchard	5-22-08
City of Crossville	1-9-90
Clay County	9-4-90
Cumberland County	5-21-90 (re-adopted 2-18-03)
Jackson County	1-7-91
Macon County	2-17-92 (re-adopted 1-27-03)
Overton County	8-21-89
Pickett County	3-16-92
Putnam County	11-9-89
Van Buren County	2-10-92 (re-adopted 2-7-05)
Warren County	1-27-92 (re-adopted 3-7-03)
White County	12-16-91 (re-adopted 3-17-03)

JACKSON EFO

Benton County	6-21-93
Town of Camden	6-14-93
Hardin County	2-17-92 (re-adopted 2-24-03)
Henry County	12-16-91 (re-adopted 2-18-03)
Lauderdale County	4-10-95
McNairy County	9-14-92

JOHNSON CITY EFO

Town of Greeneville	8-19-97
Greene County	9-15-97 (re-adopted 11-17-03)
Unicoi County	1-27-92
Hawkins County	12-20-2018

KNOXVILLE EFO

Anderson County	8-20-12
Campbell County	11-18-13
City of Sevierville	9-16-02
Grainger County	5-11-92
Hamblen County	1-20-92 (re-adopted 3-20-03)
Jefferson County	10-16-89
Knox County	7-24-95
Loudon County	5-1-95
Scott County	7-17-89
Sevier County	12-16-91 (re-adopted 7-17-95)

NASHVILLE EFO

City of Ridgetop	7-1-99
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Humphreys County	12-9-91 (re-adopted 2-10-03)
Montgomery County	03-12-18
City of Murfreesboro	12-1-16
Rutherford County	11-17-05
Stewart County	1-13-92
Town of Smyrna	1-10-06
Williamson County	11-17-22

MEMPHIS EFO

City of Piperton	8-8-96
Fayette County	3-28-95
Town of Somerville	11-10-97

NOTE: *8-22-89 letter from Commissioner J.W. Luna refers to Lawrence County adoption of Jackson Law.

CITY APPROVAL OF NEW SOLID WASTE DISPOSAL AND PROCESSING

JACKSON LAW

T.C.A. § 68-211-701 et. seq.



What is a landfill?

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Meaning of landfill or landfiling.

For purposes of this part,
"landfill or landfiling" means
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[Acts 1989, ch. 515, § 3; T.C.A.,
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A Jackson Law City or County has to approve or reject a proposed landfill.

- T.C.A. 68-211-701. Required approval.

(a) No construction shall be initiated for any new landfill for solid waste disposal or for solid waste processing until the plans for such new landfill have been submitted to and approved by:

(1) The county legislative body in which the proposed landfill is located, if such new construction is located in an unincorporated area;

(2) Both the county legislative body and the governing body of the municipality in which the proposed landfill is located, if such new construction is located in an incorporated area; or

(3) Both the county legislative body of the county in which such proposed landfill is located and the governing body of any municipality which is located within one (1) mile of such proposed landfill.

LOCAL GOVERNMENTS WHICH HAVE ADOPTED "JACKSON LAW"

T.C.A. 68-211-701 et. seq.

(PUBLIC CHAPTER 515/HOUSE BILL 741)

Revised January 23, 2023

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COOKEVILLE EFO

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City of Crossville 1-9-90
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Benton County 6-21-93
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Anderson County 8-20-12
Campbell County 11-18-13
City of Sevierville 9-16-02
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NASHVILLE EFO

City of Ridgeway 7-1-99
Davidson County 05/3/17
Dickson County 6-8-89
Humphreys County 12-9-91 (re-adopted 2-10-03)
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Williamson County 11-17-22

MEMPHIS EFO

City of Piperton 8-8-96
Fayette County 3-28-95
Town of Somerville 11-10-97

NOTE: *8-22-89 letter from Commissioner J.W. Luna refers to Lawrence County adoption of Jackson Law.

West's Tennessee Code Annotated

Title 68. Health, Safety and Environmental Protection

Environmental Protection

Chapter 211. Solid Waste Disposal (Refs & Annos)

Part 7. Local Approval of Solid Waste Facilities (Refs & Annos)

T. C. A. § 68-211-701

§ 68-211-701. Counties; municipal corporations

Effective: May 13, 2013

Currentness

(a) No construction shall be initiated for any new landfill for solid waste disposal or for solid waste processing until the plans for such new landfill have been submitted to and approved by:

(1) The county legislative body in which the proposed landfill is located, if such new construction is located in an unincorporated area;

(2) Both the county legislative body and the governing body of the municipality in which the proposed landfill is located, if such new construction is located in an incorporated area; or

(3) Both the county legislative body of the county in which such proposed landfill is located and the governing body of any municipality which is located within one (1) mile of such proposed landfill.

(b) Prior to accepting any waste that would require a change in the classification of a landfill under rules promulgated pursuant to this chapter to a classification with higher standards including, but not limited to, changing the classification from a Class III or IV to a Class I or II or from a Class II to a Class I, the plans for which were approved pursuant to subsection (a), the landfill operator shall first submit the proposal to accept the waste to:

(1) The county legislative body in which the landfill that is the subject of the proposed change in classification is located, if such landfill is located in an unincorporated area;

(2) Both the county legislative body and the governing body of the municipality in which the landfill that is the subject of the proposed change in classification is located, if such landfill is located in an incorporated area; or

(3) Both the county legislative body of the county in which the landfill that is the subject of the proposed change in classification is located and the governing body of any municipality which is located within one (1) mile of such landfill.

(c) After submission to the county legislative body or municipality under subsection (b), the county legislative body or the municipality or both shall give public notice and an opportunity for public hearing on the proposal and then approve or disapprove it in accordance with § 68-211-704(a) and (b). Judicial review of the decision shall be available in accordance with § 68-211-704(c).

Credits

1989 Pub.Acts, c. 515, § 3; 1995 Pub.Acts, c. 5, § 1, eff. March 15, 1995; 2013 Pub.Acts, c. 342, § 1, eff. May 13, 2013.

Formerly § 68-31-701.

T. C. A. § 68-211-701, TN ST § 68-211-701

Current with effective legislation through Chapter 672 of the 2024 Regular Session of the 113th Tennessee General Assembly. Some sections may be more current; see credits for details. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

End of Document

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West's Tennessee Code Annotated
Title 68. Health, Safety and Environmental Protection
Environmental Protection
Chapter 211. Solid Waste Disposal (Refs & Annos)
Part 7. Local Approval of Solid Waste Facilities (Refs & Annos)

T. C. A. § 68-211-702

§ 68-211-702. Definition

Currentness

For purposes of this part, “landfill or landfilling” means any land used for disposal of solid waste by filling and covering.

Credits

1989 Pub.Acts, c. 515, § 3.

Formerly § 68-31-702.

T. C. A. § 68-211-702, TN ST § 68-211-702

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West's Tennessee Code Annotated

Title 68. Health, Safety and Environmental Protection

Environmental Protection

Chapter 211. Solid Waste Disposal (Refs & Annos)

Part 7. Local Approval of Solid Waste Facilities (Refs & Annos)

T. C. A. § 68-211-703

§ 68-211-703. Public notice; written comments; hearings

Effective: May 20, 2011

Currentness

(a) In order to inform interested persons in the area of a proposed landfill, public notice shall be circulated by the county legislative body, the municipal governing body, or both such entities within the geographical area of the proposed landfill approval by any of the following means:

- (1) Posting in the post office and public places of the municipality nearest the landfill under consideration; or
- (2) Publishing in local newspapers and periodicals, or, if appropriate, in a daily newspaper of general circulation.

(b) Public notice of a proposed landfill approval includes the following:

- (1) Name, address and telephone number of the local city/county/official/department/agency reviewing the application;
- (2) Name and address of the proposed landfill owner and/or operator;
- (3) Location and size of the proposed landfill;
- (4) Brief description of the type operation to be operated at the landfill, the location of the landfill and the type waste that will be accepted;
- (5) A description of the time frame and procedures for making a final determination on the landfill application approval or

disapproval; and

(6) Address and telephone number of the premises at which persons may obtain further information, request copies of data on the landfill, and inspect this data.

(c) A copy of the public notice and fact sheet shall be sent to any person who specifically requests one. A copy of each notice of application and fact sheet shall also be sent to those persons who have requested the addition of their names to a mailing list.

(d) Interested persons may submit written comments on the proposed landfill within thirty (30) days of the public notice or such greater period as is allowed. All written comments submitted shall be retained and made available to the department of environment and conservation in its final determination of registration of the proposed site.

(e) Interested persons may request in writing that the county legislative body, municipal governing body or both such entities hold a public hearing on any proposed new construction for solid waste disposal by landfilling or solid waste processing by landfilling prior to approval of such new construction. The request must be filed within the period allowed for public comment and must indicate the interest of the party filing it and the reason why a hearing is warranted. If there is a significant public interest in having a hearing, one (1) hearing shall be held in the geographical area of the proposed landfill. Instances of doubt should be resolved in favor of holding a hearing. The comments made at the hearing shall be transcribed or recorded to assist in the final determination of approval of the proposed new landfill.

(f) No less than fifteen (15) days in advance of the hearing, public notice of it shall be circulated at least as widely as was the notice of the proposed landfill approval. The procedure for circulation of public notice for the hearing shall include the following:

(1) Publication in a newspaper of general circulation within the geographical area of the landfill; and

(2) Sending notice to all persons who received a copy of the notice or fact sheet for the proposed landfill approval and any person who specifically requests a copy of the notice of the hearing.

(g) Each notice of a public hearing shall include at least the following contents:

(1) Name, address and telephone number of the city/county official/department/agency who/which was responsible for the review of the application;

(2) Name and address of each proposed landfill owner or operator who will be heard at the hearing;

- (3) A description of the proposed landfill and the type of disposal methods to be used;
 - (4) A brief reference to the public notice issued for each proposed landfill;
 - (5) Information regarding the time and location for the hearing;
 - (6) The purpose of the hearing;
 - (7) A concise statement of the issues raised by the persons requesting the hearing;
 - (8) Address and telephone number of the premises at which interested persons may obtain further information, request a copy of each draft permit, request a copy of each fact sheet, and inspect and copy forms and related documents; and
 - (9) A brief description of the nature of the hearing, including the rules and procedures to be followed.
- (h)(1) In addition to all other notice requirements of this section, the proposed landfill owner shall provide notice to persons owning property within a three-mile radius of such landfill no less than fifteen (15) days in advance of any hearing scheduled in accordance with this part by having signs erected on all roads leading directly to the proposed landfill site. The signs shall contain the information required in subdivision (h)(2), shall be erected on such roads at the perimeter of the three-mile radius and be clearly visible to persons traveling into the area.
- (2) The signs shall be at least three feet (3') high and five feet (5') wide and include the following in legible type:
 - (A) Name of the local city/county/official/department/agency reviewing the application;
 - (B) Name and address of the proposed landfill owner and/or operator;
 - (C) Location and size of the proposed landfill;

- (D) Brief description of the type operation to be operated at the landfill and the type waste that will be accepted;
- (E) A description of the time frame for making a final determination on the landfill application approval or disapproval; and
- (F) Address and telephone number of the premises at which persons may obtain further information, request copies of data on the landfill, and inspect this data.
- (3) The highway department for the county in which the landfill is proposed to be located may erect and maintain the signs, and remove the signs within ten (10) days of the completion of all hearings related to the application for a proposed landfill.
- (4) All costs associated with the erection of the signs including, but not limited to, their design, construction, delivery and removal shall be borne by the proposed landfill owner.
- (5) A violation of this subsection (h) shall be a Class B misdemeanor punishable by a fine only of up to five hundred dollars (\$500). Each day a violation occurs constitutes a separate offense.

Credits

1989 Pub.Acts, c. 515, § 4; 2011 Pub.Acts, c. 207, § 1, eff. May 20, 2011.

Formerly § 68-31-703.

T. C. A. § 68-211-703, TN ST § 68-211-703

Current with effective legislation through Chapter 672 of the 2024 Regular Session of the 113th Tennessee General Assembly. Some sections may be more current; see credits for details. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated

Title 68. Health, Safety and Environmental Protection

Environmental Protection

Chapter 211. Solid Waste Disposal (Refs & Annos)

Part 7. Local Approval of Solid Waste Facilities (Refs & Annos)

T. C. A. § 68-211-704

§ 68-211-704. Evaluation of construction

Currentness

(a) Within thirty (30) days after notice and an opportunity for a public hearing as provided in § 68-211-703, the county legislative body, the municipal governing body or both such entities shall approve or disapprove the proposed new construction for solid waste disposal by landfilling or solid waste processing by landfilling.

(b) The following criteria shall be considered in evaluating such construction:

(1) The type of waste to be disposed of at the landfill;

(2) The method of disposal to be used at the landfill;

(3) The projected impact on surrounding areas from noise and odor created by the proposed landfill;

(4) The projected impact on property values on surrounding areas created by the proposed landfill;

(5) The adequacy of existing roads and bridges to carry the increased traffic projected to result from the proposed landfill;

(6) The economic impact on the county, city or both;

(7) The compatibility with existing development or zoning plans; and

(8) Any other factor which may affect the public health, safety or welfare.

(c) Judicial review of the legislative body's determination shall be a de novo review before the chancery court for the county in which the landfill is proposed to be located.

Credits

1989 Pub.Acts, c. 515, § 5.

Formerly § 68-31-704.

T. C. A. § 68-211-704, TN ST § 68-211-704

Current with effective legislation through Chapter 672 of the 2024 Regular Session of the 113th Tennessee General Assembly. Some sections may be more current; see credits for details. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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Environmental Protection
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Part 7. Local Approval of Solid Waste Facilities (Refs & Annos)

T. C. A. § 68-211-705

§ 68-211-705. Repealed by 1995 Pub.Acts, c. 5, § 2, eff. March 15, 1995

Currentness

T. C. A. § 68-211-705, TN ST § 68-211-705
Current with effective legislation through Chapter 672 of the 2024 Regular Session of the 113th Tennessee General Assembly. Some sections may be more current; see credits for details. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

West's Tennessee Code Annotated
Title 68. Health, Safety and Environmental Protection
Environmental Protection
Chapter 211. Solid Waste Disposal (Refs & Annos)
Part 7. Local Approval of Solid Waste Facilities (Refs & Annos)

T. C. A. § 68-211-706

§ 68-211-706. Applicability

Effective: May 13, 2009

Currentness

- (a) This part shall not apply to any private landfill that accepts solid waste solely generated by its owner if the waste is solely generated within the county subject to this part and if the private landfill does not accept county or municipal solid waste or ordinary household garbage.
- (b) This part shall not apply to any municipal or county owned and/or operated landfill.

Credits

1989 Pub.Acts, c. 515, §§ 10, 12; 2009 Pub.Acts, c. 199, § 1, eff. May 13, 2009.

Formerly § 68-31-706.

T. C. A. § 68-211-706, TN ST § 68-211-706
Current with effective legislation through Chapter 672 of the 2024 Regular Session of the 113th Tennessee General Assembly. Some sections may be more current; see credits for details. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.

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West's Tennessee Code Annotated

Title 68. Health, Safety and Environmental Protection

Environmental Protection

Chapter 211. Solid Waste Disposal (Refs & Annos)

Part 7. Local Approval of Solid Waste Facilities (Refs & Annos)

T. C. A. § 68-211-707

§ 68-211-707. Required vote

Effective: May 13, 2013

Currentness

(a) Sections 68-211-701 -- 68-211-704 and 68-211-705 [repealed] and this section shall only apply in any county or municipality in which it is approved by a two-thirds ($\frac{2}{3}$) vote of the appropriate legislative body. Sections 68-211-701 -- 68-211-704 and 68-211-705 [repealed] and this section are for local review and approval and shall be conducted prior to issuance of a permit by the department of environment and conservation or the commissioner.

(b) In any county or municipality in which §§ 68-211-701 -- 68-211-704 and this section have been approved by a two-thirds ($\frac{2}{3}$) vote of the appropriate legislative body prior to May 13, 2013, § 68-211-701(b) shall only apply if it is approved by a two-thirds ($\frac{2}{3}$) vote of the appropriate legislative body.

(c) Any county or municipality which has approved this part by a two-thirds ($\frac{2}{3}$) vote of the appropriate legislative body pursuant to subsection (a) shall have the authority to later reject this part by a two-thirds ($\frac{2}{3}$) vote of the appropriate legislative body. If the appropriate legislative body votes by two-thirds ($\frac{2}{3}$) to reject this part after having previously voted to approve this part, then this part shall no longer apply to such county or municipality.

Credits

1989 Pub.Acts, c. 515, § 7; 1995 Pub.Acts, c. 5, § 3, eff. March 15, 1995; 2013 Pub.Acts, c. 342, § 2, eff. May 13, 2013.

Formerly § 68-31-707.

T. C. A. § 68-211-707, TN ST § 68-211-707

Current with effective legislation through Chapter 672 of the 2024 Regular Session of the 113th Tennessee General Assembly. Some sections may be more current; see credits for details. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to

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Part 7. Local Approval of Solid Waste Facilities (Refs & Annos)

T. C. A. § 68-211-708

§ 68-211-708. Repealed by 1995 Pub.Acts, c. 5, § 4, eff. March 15, 1995

Currentness

T. C. A. § 68-211-708, TN ST § 68-211-708
Current with effective legislation through Chapter 672 of the 2024 Regular Session of the 113th Tennessee General Assembly. Some sections may be more current; see credits for details. Pursuant to §§ 1-1-110, 1-1-111, and 1-2-114, the Tennessee Code Commission certifies the final, official version of the Tennessee Code and, until then, may make editorial changes to the statutes. References to the updates made by the most recent legislative session should be to the Public Chapter and not to the T.C.A. until final revisions have been made to the text, numbering, and hierarchical headings on Westlaw to conform to the official text. Unless legislatively provided, section name lines are prepared by the publisher.



City of Franklin

109 3rd Ave S.
Franklin, TN 37064
(615) 791-3217

File #: 21-06098

DATE: May 1, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Mark Hilty, Asst. City Administrator Public Works
Jack Tucker, Sanitation and Environmental Services Director
Nate Ridley, Asst Director of SES
Chris Franklin, Public Works Operations Analyst

SUBJECT:

Consideration Of Resolution 2024-39, A Resolution To Adopt A Five-Year Rate Plan And Cost Of Service Study For The Sanitation And Environmental Services Fund, Fiscal Year 2025 Through Fiscal Year 2029

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning Resolution 2024-39, adopting a Cost of Service Study and Five-Year Rate Plan performed by staff to understand the revenue requirements for the Sanitation and Environmental Services Department (SES).

BACKGROUND/STAFF COMMENTS:

In recent years, there have been a number of changes that have affected personnel costs, including the addition of three positions, pay study increases and compression adjustments, and increases in retirement costs. Costs for operations have also changed. The City of Franklin for years benefited from landfill disposal costs well below market rates, whereas now, those fees are moving closer to market. Finally, the SES Department has implemented a replacement program to keep the fleet operational and safe.

To account for these changes, staff performed a cost of service study with the primary goal of understanding the revenue requirements to fully recover operations, maintenance, and capital costs for the SES Department. Resolution 2024-39 is being used as the mechanism to adopt the Cost of Service Study and Five-Year Rate Plan.

FINANCIAL IMPACT:

The financial impact will be established based on guidance from the BOMA.

RECOMMENDATION:

Staff recommends that the Board of Mayor and Aldermen approve Resolution 2024-39 to adopt Option B of the cost of service study and establish the scenario as the five-year rate plan to address the revenue requirements of the SES Department.

City of Franklin Sanitation and Environmental Services

Cost of Service Study
B.O.M.A. Work Session
February 27, 2024



What is a Cost of Service

- Cost of Service is an approach used to determine customer rates based on the revenue required to fully recover operation, maintenance, and capital costs.
- The goal of this study is to understand the revenue requirements necessary to meet expenditures.

SES Department Overview

- Jack Tucker – SES Director
- Consists of three divisions
 - Administration
 - 10 personnel
 - Collections
 - 32 personnel
 - Disposal
 - 6 personnel
- 48 Vehicles and Pieces of Equipment
- 25,809 Tons of Residential MSW collected and sent to landfill in FY 2023
- 60,204 Tons of Commercial MSW processed at Transfer Station and sent to landfill
- 2,579 Tons of Recycling collected in FY 2023
- 2,265 Tons of Brush collected in FY 2023
- Current Monthly Residential Rate is \$23 per month
- 24,823 Residential Accounts as of FY 2024
- Current COF Transfer Station Tipping Fee for Commercial Haulers is \$65 per Ton

Major Revenue Sources



Residential Revenue

Residential rates account for approximately 58% of total revenue.

Residential revenue is calculated by multiplying the number of residential accounts X the monthly rate X 12 months.



Commercial Revenue

Commercial revenue consists of tipping fees paid to the COF by commercial haulers at a rate of \$65 per ton dumped at the COF transfer station.

Commercial revenues account for approximately 36% of all revenues.

Total Revenues

Fiscal Year	Commercial Revenue	Residential Revenue	Residential Plus Commercial Revenue	Total All Revenues
Actual 2021	\$ 4,149,853	\$ 5,534,270	\$ 9,684,123	\$ 11,197,464
Actual 2022	\$ 4,335,569	\$ 6,066,325	\$ 10,401,893	\$ 11,610,525
Actual 2023	\$ 4,079,676	\$ 6,442,128	\$ 10,521,804	\$ 11,508,153
Estimated 2024	\$ 3,937,310	\$ 6,851,148	\$ 10,788,458	\$ 11,873,803
Projected 2025	\$ 3,961,360	\$ 6,967,344	\$ 10,928,704	\$ 11,241,739
Projected 2026	\$ 4,291,980	\$ 7,083,540	\$ 11,375,520	\$ 11,695,896
Projected 2027	\$ 4,317,880	\$ 7,199,736	\$ 11,517,616	\$ 11,837,992
Projected 2028	\$ 4,654,050	\$ 7,315,932	\$ 11,969,982	\$ 12,290,358
Projected 2029	\$ 4,681,800	\$ 7,432,128	\$ 12,113,928	\$ 12,434,304

Commercial Revenue is projected based on the COF Transfer Station Tipping Fee being \$65 in FY25, \$70 in FY26 and FY27, and \$75 in FY28 and FY29. Residential Revenue is projected based on the Residential Monthly Rate remaining at \$23 per month. Approximately \$300,000 of miscellaneous revenue is projected for each fiscal year, which is consistent with past actuals (Late Pay Penalties, Sale of Surplus Assets, Blue Bin Setup Fees, Additional Waste Container Fees).

Increases in Expenditures



Personnel

Since FY 2021, Personnel costs have increased 37% due to vacancies being filled, 3 positions being added, pay study increases, compression adjustments, and increases in retirement costs.



Operations

Over half of all Operational Expenditures are attributed to MSW Disposal costs. In FY 2021, the COF paid \$37.03 per ton to dispose of MSW. This fee is expected to rise to **\$66.24** by FY 2029.



Capital

The SES Department has a fleet of 48 vehicles and pieces of equipment that must be replaced based on the life expectancy of the equipment to ensure consistent and continued operation of all services.

Total Expenditures

Fiscal Year	Total Personnel	Total Operations	Total Capital	Total Expenditures
Actual 2021	\$ 3,352,325	\$ 6,224,928	\$ 635,165	\$ 10,212,418
Actual 2022	\$ 3,570,258	\$ 6,652,699	\$ 1,410,107	\$ 11,633,064
Actual 2023	\$ 4,357,612	\$ 5,988,822	\$ 125,409	\$ 10,471,844
Estimated 2024	\$ 4,583,690	\$ 7,180,870	\$ 2,650,000	\$ 14,414,560
Projected 2025	\$ 4,861,807	\$ 7,478,781	\$ 1,332,337	\$ 13,672,925
Projected 2026	\$ 5,144,317	\$ 7,827,472	\$ 1,436,049	\$ 14,407,839
Projected 2027	\$ 5,443,910	\$ 8,779,878	\$ 1,479,131	\$ 15,702,918
Projected 2028	\$ 5,761,660	\$ 9,171,385	\$ 1,523,505	\$ 16,456,549
Projected 2029	\$ 6,098,714	\$ 9,582,052	\$ 1,638,863	\$ 17,319,629

Personnel cost projections include 5% for salaries and wages, and 7.5% for benefits. Operations cost projections include 2% for all expenditures except landfill costs, which are calculated per the contract with Bi-County and MBI Hauling. Capital cost projections are a yearly average of the replacement cost of all vehicles and pieces of equipment.

Revenues vs Expenditures

Fiscal Year	Total Revenues Minus General Fund Transfer	General Fund Transfer	Total All Revenues	Total Expenditures	SES Fund Balance Usage	Surplus/(Deficit)
Actual 2021	\$ 10,297,464	\$ 900,000	\$ 11,197,464	\$ 10,212,418		\$ 985,046
Actual 2022	\$ 11,094,845	\$ 515,680	\$ 11,610,525	\$ 11,633,064		\$ (22,539)
Actual 2023	\$ 11,008,153	\$ 500,000	\$ 11,508,153	\$ 10,471,844		\$ 1,036,310
Estimated 2024	\$ 11,123,803	\$ 750,000	\$ 11,873,803	\$ 14,414,560	\$ (2,540,757)	\$ -
Projected 2025	\$ 11,241,739		\$ 11,241,739	\$ 13,672,925		\$ (2,431,186)
Projected 2026	\$ 11,695,896		\$ 11,695,896	\$ 14,407,839		\$ (2,711,943)
Projected 2027	\$ 11,837,992		\$ 11,837,992	\$ 15,702,918		\$ (3,864,927)
Projected 2028	\$ 12,290,358		\$ 12,290,358	\$ 16,456,549		\$ (4,166,191)
Projected 2029	\$ 12,434,304		\$ 12,434,304	\$ 17,319,629		\$ (4,885,325)

The State of Tennessee recommends that local governments maintain an unrestricted fund balance of not less than two months of the regular operating revenue or expenditures for operating funds.

Scenario 1

Keep the monthly rate static over the next 5 years and increase the COF Transfer Station Tipping Fee to ensure commercial tipping revenues received are greater than the cost to dispose of the commercial waste received. Additionally, the Sanitation Fund would be subsidized by the General Fund by the amount in the column on the right.

Fiscal Year	Required GF Transfer	Surplus/(Deficit)	COF Transfer Station Tipping Fee	Monthly Rate
Estimated 2024		\$ -	\$ 65	\$ 23.00
Projected 2025	\$ 2,431,186	\$ (2,431,186)	\$ 65	\$ 23.00
Projected 2026	\$ 2,711,943	\$ (2,711,943)	\$ 70	\$ 23.00
Projected 2027	\$ 3,864,927	\$ (3,864,927)	\$ 70	\$ 23.00
Projected 2028	\$ 4,166,191	\$ (4,166,191)	\$ 75	\$ 23.00
Projected 2029	\$ 4,885,325	\$ (4,885,325)	\$ 75	\$ 23.00

Scenario 2

Increase the monthly rate in FY 2025 to \$31 and additionally increase that rate by \$2 per year through FY 2029. The COF Transfer Station Tipping Fee will also be increased to ensure commercial tipping revenues received are greater than the cost to dispose of the commercial waste received. This will eliminate the need for a General Fund subsidy beginning in FY 2025.

Fiscal Year	Required GF Transfer	Surplus/(Deficit)	COF Transfer Station Tipping Fee	Monthly Rate
Estimated 2024		\$ -	\$ 65	\$ 23.00
Projected 2025	\$ -	\$ (7,762)	\$ 65	\$ 31.00
Projected 2026	\$ -	\$ 367,857	\$ 70	\$ 33.00
Projected 2027	\$ -	\$ (108,543)	\$ 70	\$ 35.00
Projected 2028	\$ -	\$ 286,985	\$ 75	\$ 37.00
Projected 2029	\$ -	\$ 284,851	\$ 75	\$ 39.00

Any deficit will be covered by the SES Fund Balance, which will grow with each surplus.
Beginning in FY 2025, the SES Fund will total approximately \$500,000.

Scenario 3

Raise the COF Transfer Station Tipping Fees as shown in the column below and increase the Residential Monthly Rate by \$3 each year from FY 2025 until FY 2029. This would eliminate the deficit by FY 2029. The General Fund would still be required to help supplement the Sanitation Fund until FY 2029, as shown in the Surplus/(Deficit) column below.

Fiscal Year	Required GF Transfer	Surplus/(Deficit)	COF Transfer Station Tipping Fee	Monthly Rate
Estimated 2024		\$ -	\$ 65	\$ 23.00
Projected 2025	\$ 1,522,402	\$ (1,522,402)	\$ 65	\$ 26.00
Projected 2026	\$ 864,063	\$ (864,063)	\$ 70	\$ 29.00
Projected 2027	\$ 1,047,639	\$ (1,047,639)	\$ 70	\$ 32.00
Projected 2028	\$ 349,183	\$ (349,183)	\$ 75	\$ 35.00
Projected 2029	\$ 38,285	\$ (38,285)	\$ 75	\$ 38.00

Scenario 4

Increase the COF Transfer Station Tipping Fees as shown in the column below, supplementing the Sanitation Fund with a yearly transfer equal to the estimated cost to operate COF brush pickup and a \$3 monthly residential rate increase from FY 2025 until FY 2027, followed by an additional \$1.50 in FY 2028 and in FY 2029 ending with a Residential rate of \$35 per month.

Fiscal Year	Cost Of Brush Assigned To GF	Surplus/(Deficit)	COF Transfer Station Tipping Fee	Monthly Rate
Estimated 2024		\$ -	\$ 65	\$ 23.00
Projected 2025	\$ 1,045,640	\$ (476,762)	\$ 65	\$ 26.00
Projected 2026	\$ 1,077,009	\$ 212,946	\$ 70	\$ 29.00
Projected 2027	\$ 1,109,319	\$ 61,681	\$ 70	\$ 32.00
Projected 2028	\$ 1,142,599	\$ 316,290	\$ 75	\$ 33.50
Projected 2029	\$ 1,176,877	\$ 169,184	\$ 75	\$ 35.00

The Brush Pickup Cost includes a 3% yearly increase starting in FY 2026.

Cost of Service Summary

City Staff recommends Scenario 2

- The SES Department would become self sufficient and no longer require transfers from the General Fund.
- Allows General Fund monies to be used toward other essential city expenditures.
- Even with increased rates, the SES department will be able to continue providing high quality services (MSW, Recycling, Brush, and Bulky Pickup) to all citizens at a competitive rate.

Discussion

RESOLUTION 2024-39

**A RESOLUTION TO ADOPT A FIVE-YEAR RATE PLAN AND COST OF SERVICE STUDY FOR THE
SANITATION AND ENVIRONMENTAL SERVICES FUND, FISCAL YEAR 2025 THROUGH FISCAL
YEAR 2029**

WHEREAS, the Board of Mayor and Aldermen endeavor to have the Sanitation and Environmental Services (SES) fund operate in a sustainable manner based on revenues received through the department without subsidy from the General Fund; and

WHEREAS, it is deemed to be in the public interest to provide for the long range fiscal health of the system; and

WHEREAS, a five-year financial plan would be beneficial in establishing levels of expenditures and revenue estimates beyond a single fiscal period; and

WHEREAS, a five-year plan would demonstrate the capability of current and proposed rates to adequately cover the operating expenses of the department; and

WHEREAS, a five-year plan would incorporate the estimated effects of inflation and customer growth on revenues and expenses, and allow the Board and staff to better plan for future system needs; and

WHEREAS, the Board of Mayor and Aldermen believes it is in the best interest of the City of Franklin to adopt a five-year rate plan for the SES Department.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF
FRANKLIN, TENNESSEE, AS FOLLOWS:**

SECTION 1. The Sanitation and Environmental Services Five-Year Rate Plan FY 2025 – 2029, Option ____, for the Sanitation and Environmental Services Fund, as set forth more fully in Attachment A, is herewith approved and adopted.

SECTION 2. This Resolution shall take effect upon adoption, the public welfare requiring it.

IT IS SO RESOLVED AND DONE on this ____ day of _____, 20__.

ATTEST:

By: _____
Eric S. Stuckey
City Administrator

CITY OF FRANKLIN, TENNESSEE:

By: _____
Dr. Ken Moore
Mayor

Approved as to Form:

By: _____
Shauna R. Billingsley
City Attorney



Cost of Service Study

SANITATION AND ENVIRONMENTAL SERVICES DEPARTMENT

MAY 1, 2024

Introduction

On April 9, 2024, staff presented the results of a cost of service (COS) study performed for the Sanitation and Environmental Services (SES) operations to the Board of Mayor and Aldermen. The COS study was the approach used to determine customer rates based on the revenue requirements needed to fully fund operation, maintenance, and capital costs. The goal of the study was to understand the revenue requirements necessary to meet the projected expenditures of the SES Department for FY 2025 through FY 2029.

SES Department Background

The SES Department has 46 budgeted position that include 10 in Administration, 32 in Collections, and 6 in Disposal (transfer station). The bullets below provide additional background for the department:

- 25,809 Tons of Residential MSW collected and sent to landfill in FY 2023
- 60,204 Tons of Commercial MSW processed at Transfer Station and sent to landfill
- 2,579 Tons of Recycling collected in FY 2023
- 2,265 Tons of Brush collected in FY 2023
- Current Monthly Residential Rate is \$23 per month
- 24,823 Residential Accounts as of FY 2024
- Current COF Transfer Station Tipping Fee for Commercial Haulers is \$65 per Ton

There are two major sources of revenue for SES operations. Residential rates account for approximately 58% of total revenue. Commercial revenue consists of tipping fees paid to the COF by commercial haulers at a rate of \$65 per ton brought to the COF transfer station.

In recent years there have been several drivers that are increasing expenditures. These include the following:

- Personnel – since FY 2021, personnel costs have increased 37% due to vacancies being filled, the addition of three positions, personnel cost increases based on a compensation study, adjustments intended to mitigate compression issues, and increases in retirement costs.
- Operations – over half of all operational expenditures are attributed to municipal solid waste (MSW) disposal costs. In FY 2021, the COF paid \$37.03 per ton to dispose of MSW. This fee is expected to rise to approximately \$66.24 by FY 2029.
- Capital – the SES Department has a fleet of 48 vehicles and pieces of equipment that must be replaced based on a sustainable life expectancy to where the equipment remains safe and operational.

Cost of Service Analysis and Options

Table 1 below compares the projected revenues and expenditures for the next five fiscal years. As shown, the SES Department will be operating in a deficit over each of the next five years with the largest deficit in FY 2029 of nearly \$5M.

Table 1: Revenues vs. Expenditures

Fiscal Year	Total Revenues Minus General Fund Transfer	General Fund Transfer	Total All Revenues	Total Expenditures	SES Fund Balance Usage	Surplus/(Deficit)
Actual 2021	\$10,297,464	\$900,000	\$11,197,464	\$10,212,418		\$985,046
Actual 2022	\$11,094,845	\$515,680	\$11,610,525	\$11,633,064		(\$22,539)
Actual 2023	\$11,008,153	\$500,000	\$11,508,153	\$10,471,844		\$1,036,310
Estimated 2024	\$11,123,803	\$750,000	\$11,873,803	\$14,414,560	(\$2,540,757)	\$ -
Projected 2025	\$11,241,739		\$11,241,739	\$13,672,925		(\$2,431,186)
Projected 2026	\$11,695,896		\$11,695,896	\$14,407,839		(\$2,711,943)
Projected 2027	\$11,837,992		\$11,837,992	\$15,702,918		(\$3,864,927)
Projected 2028	\$12,290,358		\$12,290,358	\$16,456,549		(\$4,166,191)
Projected 2029	\$12,434,304		\$12,434,304	\$17,319,629		(\$4,885,325)

After a thorough and extensive analysis of the revenues generated and expenditures incurred by the Sanitation and Environmental Services Department, five rate design options have been developed for consideration to address the shortfall in revenues.

Option A: Keep the residential monthly rate at \$23 over the next 5 years and increase the COF Transfer Station Tipping Fee to \$70 per ton in FY 2026 and \$75 per ton in FY 2028. Additionally, the Sanitation Fund would be subsidized by the General Fund to cover any deficits incurred in each fiscal year.

Table 2: Option A

Fiscal Year	Required GF Transfer	Surplus/(Deficit)	COF Transfer Station Tipping Fee	Monthly Rate
Estimated 2024		\$ -	\$65.00	\$23.00
Projected 2025	\$2,431,186	(\$2,431,186)	\$65.00	\$23.00
Projected 2026	\$2,711,943	(\$2,711,943)	\$70.00	\$23.00
Projected 2027	\$3,864,927	(\$3,864,927)	\$70.00	\$23.00
Projected 2028	\$4,166,191	(\$4,166,191)	\$75.00	\$23.00
Projected 2029	\$4,885,325	(\$4,885,325)	\$75.00	\$23.00

Option B: Increase the residential monthly rate in FY 2025 to \$31 and additionally increase that rate by \$2 per year through FY 2029. Increase the COF Transfer Station Tipping Fee to \$70 per ton in FY 2026 and \$75 per ton in FY 2028. There would be no need for a General Fund transfer in any of the five fiscal years.

Table 3: Option B

Fiscal Year	Required GF Transfer	Surplus/(Deficit)	COF Transfer Station Tipping Fee	Monthly Rate
Estimated 2024		\$ -	\$65.00	\$23.00
Projected 2025	\$ -	(\$7,762)	\$65.00	\$31.00
Projected 2026	\$ -	\$367,857	\$70.00	\$33.00
Projected 2027	\$ -	(\$108,543)	\$70.00	\$35.00
Projected 2028	\$ -	\$286,985	\$75.00	\$37.00
Projected 2029	\$ -	\$284,851	\$75.00	\$39.00

Option C: Increase the residential monthly rate by \$3 each year from FY 2025 until FY 2029. Increase the COF Transfer Station Tipping Fee to \$70 per ton in FY 2026 and \$75 per ton in FY 2028. This would eliminate the deficit by FY 2029. The Sanitation Fund would be subsidized by the General Fund to cover any deficits incurred in each fiscal year until FY 2029.

Table 4: Option C

Fiscal Year	Required GF Transfer	Surplus/(Deficit)	COF Transfer Station Tipping Fee	Monthly Rate
Estimated 2024		\$ -	\$65.00	\$23.00
Projected 2025	\$1,522,402	(\$1,522,402)	\$65.00	\$26.00
Projected 2026	\$864,063	(\$864,063)	\$70.00	\$29.00
Projected 2027	\$1,047,639	(\$1,047,639)	\$70.00	\$32.00

Table 4: Option C

Fiscal Year	Required GF Transfer	Surplus/(Deficit)	COF Transfer Station Tipping Fee	Monthly Rate
Projected 2028	\$349,183	(\$349,183)	\$75.00	\$35.00
Projected 2029	\$38,285	(\$38,285)	\$75.00	\$38.00

Option D: Supplement the Sanitation Fund with a yearly transfer equal to the estimated cost to operate COF brush pickup and a \$3 monthly residential rate increase from FY 2025 until FY 2027, followed by an additional \$1.50 in FY 2028 and in FY 2029 ending with a Residential rate of \$35 per month. Increase the COF Transfer Station Tipping Fee to \$70 per ton in FY 2026 and \$75 per ton in FY 2028.

Table 5: Option D

Fiscal Year	Required GF Transfer	Surplus/(Deficit)	COF Transfer Station Tipping Fee	Monthly Rate
Estimated 2024		\$ -	\$65.00	\$23.00
Projected 2025	\$1,045,640	(\$476,762)	\$65.00	\$26.00
Projected 2026	\$1,077,009	\$212,946	\$70.00	\$29.00
Projected 2027	\$1,109,319	\$61,681	\$70.00	\$32.00
Projected 2028	\$1,142,599	\$316,290	\$75.00	\$33.50
Projected 2029	\$1,176,877	\$169,184	\$75.00	\$35.00

Option E: Increase the residential monthly rate by \$4 each year for FY 2025 and FY 2026. Additionally increase that rate by \$2 per year from FY 2027 through FY 2029. This would eliminate the deficit by FY 2027. Increase the COF Transfer Station Tipping Fee to \$70 per ton in FY 2026 and \$75 per ton in FY 2028. The General Fund would still need to subsidize the Sanitation Fund until FY 2028.

Table 6: Option E

Fiscal Year	Required GF Transfer	Surplus/(Deficit)	COF Transfer Station Tipping Fee	Monthly Rate
Estimated 2024		\$ -	\$65.00	\$23.00
Projected 2025	\$1,219,474	(\$1,219,474)	\$65.00	\$27.00
Projected 2026	\$248,103	(\$248,103)	\$70.00	\$31.00
Projected 2027	\$108,543	(\$108,543)	\$70.00	\$35.00
Projected 2028		\$286,985	\$75.00	\$37.50
Projected 2029		\$284,851	\$75.00	\$39.00

Staff recommendation during the April 9, 2024, Work Session was Option B as presented in Table 3. Based on input from that meeting, staff has created Option E as presented in Table 6 for consideration by the BOMA.



File #: 21-0160

DATE: May 1, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Mark Hilty, Asst. City Administrator Public Works

SUBJECT:

Consideration Of Ordinance 2024-11, An Ordinance To Amend Appendix A - Comprehensive Fees And Penalties, Chapter 17 Refuse And Trash Disposal, Of The Franklin Municipal Code To Increase The Fees For Collection Of Garbage And Refuse

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning Draft Ordinance 2024-11, An Ordinance To Amend Appendix A - Comprehensive Fees And Penalties, Chapter 17 Refuse And Trash Disposal, Of The Franklin Municipal Code To Increase The Fees for Collection Of Garbage And Refuse.

BACKGROUND/STAFF COMMENTS:

In recent years, there have been a number of changes that have affected personnel costs, including the addition of three positions, pay study increases and compression adjustments, and increases in retirement costs. Costs for operations have also changed. The City of Franklin for years benefited from landfill disposal costs well below market rates, whereas now, those fees are moving closer to market. Finally, the SES Department has implemented a replacement program to keep the fleet operational and safe.

To account for these changes, staff performed a cost of service study with the primary goal of understanding the revenue requirements to fully recover operations, maintenance, and capital costs for the SES Department. Ordinance 2024-11 reflects the residential rates for the next two years based on Option B of the Cost of Service Study and Five-Year Rate Plan.

In addition, staff has proposed changes to the commercial collection rates and increased costs for additional containers to reflect increased costs and the recycling container setup fee to reflect actual costs of the container.

FINANCIAL IMPACT:

By approving Option B, the necessity to subsidize the SES fund from the General Fund would be eliminated.

RECOMMENDATION:

Staff recommends that the Board of Mayor and Aldermen approve Ordinance 2024-11 to adopt Option B of the Cost of Service Study establishing rates for calendar years 2025 and 2026.

ORDINANCE 2024-11

AN ORDINANCE TO AMEND APPENDIX A – COMPREHENSIVE FEES AND PENALTIES, CHAPTER 17 REFUSE AND TRASH DISPOSAL, OF THE FRANKLIN MUNICIPAL CODE TO INCREASE THE FEES FOR COLLECTION OF GARBAGE AND REFUSE

WHEREAS, for the purpose of promoting the public health, safety, comfort, convenience, and general welfare of the people of Franklin, Tennessee, the Board of Mayor and Aldermen is authorized to prescribe regulations and standards that encourage and advance the quality of life within the City; and

WHEREAS, the Franklin Board of Mayor and Aldermen have, on behalf of the citizens of Franklin, invested in a solid waste management facility located at 411 Century Court; and

WHEREAS, the City has performed a cost of service study identifying the need to adjust rates in order to have self-sustaining funding for the Sanitation and Environmental Services Department; and

WHEREAS, the City Charter, Article VIII, provides for adoption of an annual budget for all departments of the City of Franklin; and

WHEREAS, an annual budget process appropriating funds to the various departments and divisions of the City government for the fiscal year beginning July 1, 2024, has been completed in accordance with state law and local ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, TENNESSEE, AS FOLLOWS:

SECTION I: Appendix A, Chapter 17 of the Franklin Municipal Code is hereby amended and the following substituted in lieu thereof and shall take effect for billing cycles beginning January 1, 2025, from and after its passage on third and final reading, the health, safety, and welfare of the citizens requiring it:

<i>Containers—Administrative Setup Fee</i>	
Residential MSW—City approved rollout container	\$75.00 per container
Nonresidential MSW—City approved rollout container	\$75.00 per container
Recycling—City-approved rollout container	\$75.00 per container
<i>Collection Service Fees</i>	
<i>Residential</i>	
First MSW rollout container	\$31.00 per month (one pick-up/week)
Second and subsequent MSW rollout containers	\$10.50 per month/per container
<i>Nonresidential</i>	
First rollout container	\$38.00 per month/per container

	(one pick-up service/week)
Rollout – Additional pick-up service	\$38.00 per pick-up service
<i>Special Collection Services for Residential Customers</i>	
Pick-up service for noncontainerized bulky waste	\$125.00 per vehicle/per request
Temporary residential remodeling/clean-up dumpster	\$110.00 per service
<i>Special Event</i>	
Collection service	As determined by the Sanitation and Environmental Services Director
<i>Tipping Fees at Transfer Station</i>	
Class I	\$65.00 per ton—\$65.00 minimum

SECTION II: Appendix A, Chapter 17 of the Franklin Municipal Code is hereby amended and the following substituted in lieu thereof and shall take effect for billing cycles beginning January 1, 2026, from and after its passage on third and final reading, the health, safety, and welfare of the citizens requiring it:

<i>Containers—Administrative Setup Fee</i>	
Residential MSW—City approved rollout container	\$75.00 per container
Nonresidential MSW—City approved rollout container	\$75.00 per container
Recycling—City-approved rollout container	\$48.00 per container
<i>Collection Service Fees</i>	
<i>Residential</i>	
First MSW rollout container	\$33.00 per month (one pick-up/week)
Second and subsequent MSW rollout containers	\$11.00 per month/per container
<i>Nonresidential</i>	
First rollout container	\$40.00 per month/per container (one pick-up service/week)
Rollout – Additional pick-up service	\$40.00 per pick-up service
<i>Special Collection Services for Residential Customers</i>	
Pick-up service for noncontainerized bulky waste	\$125.00 per vehicle/per request
Temporary residential remodeling/clean-up dumpster	\$110.00 per service
<i>Special Event</i>	
Collection service	As determined by the Sanitation and Environmental Services Director

<i>Tipping Fees at Transfer Station</i>	
Class I	\$65.00 per ton—\$65.00 minimum

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
Eric Stuckey
City Administrator

By: _____
Dr. Ken Moore
Mayor

Approved as to form by:

Shauna R. Billingsley
City Attorney

PASSED FIRST READING _____

PUBLIC HEARING _____

PASSED SECOND READING _____

PASSED THIRD READING _____

Subject: Proposal to Increase City Council Pay: Empowering Younger Candidates with Families and Full-Time Jobs

Dear Esteemed City Council Members,

As we continue to serve our vibrant and rapidly growing city of 86,000 residents, it's imperative that we reflect on ways to ensure effective governance and representation. I am advocating for an increase in Alderman and Mayor monthly pay for the board of Mayor and Aldermen, with a particular reason to focus on empowering those how are coming after us as well as younger candidates who juggle family responsibilities and full-time employment.

Here are compelling reasons why such an increase is not only warranted but crucial for the continued success of our city:

1. **Attracting Diverse Talent:** Our city boasts highly talented citizens and it's essential that our city council reflects the diversity those individuals and the skill-sets they can offer to our city. By offering compensation that contributes somewhat more towards all the responsibilities we must cover we can attract a wider range of candidates, especially those who may currently be deterred by the investment of time, study, and the financial strain of serving in public office alongside their existing family, job, and community commitments.
2. **Ensuring Representation for Working Families:** Many of our residents are young professionals with families and demanding careers. By increasing the compensation, we send a clear message that our community values and supports individuals from all walks of life, including those who may not have the financial flexibility to cover sitters (at \$15 and \$20 per hour), attending community meeting, events, seminars and just juggling their family and career lives.
3. **Encouraging Civic Engagement:** A increased compensation can incentivize more individuals, particularly younger demographics, to engage in local public service and consider running for the Board of Mayor and Aldermen. This infusion of fresh perspectives and energy is essential for keeping our governance dynamic and responsive to the evolving needs of our community.
4. **Balancing Commitments:** Serving on the Board of Mayor and Aldermen is a significant responsibility that often requires time away from family and work obligations. Increasing compensation can assist in alleviating the financial burden associated with this important commitment, enabling BOMA members to strike a better balance between their civic duties and personal and professional lives.
5. **Investment in Effective Governance:** Ultimately, investing in fair compensation for Board of Mayor and Aldermen members is an investment in the effectiveness and integrity of our governance and can help attract and retain dedicated individuals who are representative of our community.

In conclusion, raising the monthly compensation for city council members is not just about fair compensation—it's about fostering inclusivity, promoting civic engagement, and ensuring effective governance for the benefit of all residents. I urge my fellow Aldermen to consider this proposal seriously and to join me in taking this important step towards a future vibrant and representative Board of Mayor and Aldermen.

Let's remember:

1. No one takes on this position / job as a working income or expects anything close to a sustainable income. That is not why any of us do this job or the public servants to come after us. I have never met any Alderman who ran for office because they thought a monthly compensation was a paying job they were applying for.
2. People should not be penalized for wanting to serve or be disincentivized because of the demands on time and finances.
3. Let's not overlook the non-visible things, working through the issues, studying massive amounts of material at times, attending seminars, community meetings, and dealing with explosive growth and all the challenges that brings to our city and board.
4. BOMA members are not just board members, they are members of an executive board the take on critical responsibilities for our city.
5. Look at the growth over the last 10 year and the work load the complexities of the issues (sewer treatment plant, drinking water plant, impact fees, growth, sewer basins challenges, long term planning, financial planning for a fast-growing community, the list goes on).
6. Aldermen and the Mayor in reality, don't have a day off a they serve 365 days a year. Yes, one of us even got a call on Christmas day. So, the Aldermen and Mayor are on the clock.
7. Just one metric for the increase growth and increased activity is look at the number of increased numbers of employees that work for the city, the increases in pay for staff and especially the increase in pay for administration over the last 15 years. In a weak Mayor system, the actual decision-making via votes on important issue primarily rest on the shoulders of the Aldermen. It is their responsivity to become extremely well informed on each decision, thus adding more to the workload of the current board and to those to come. The workload of our mayor has increase just as well and his ambassadorship for a nationally and internationally recognized city is very demanding here locally and at the state level and beyond.

Currently Compensation for:

Aldermen \$1000 per month /per year \$12,000

Mayor: \$2,000 per month / per year \$24,000

Proposed:

Aldermen \$2,250 per month/ per year \$27,000

Mayor: \$4,000 per month / Per year \$48,000

Thank you for your attention to this needed matter.

Elected Official Pay Data

Alcoa	Mayor – \$350 per month (\$4,200/yr) Commissioners – \$275 per month (\$3,300/yr) No additional pay. Elected officials do not receive benefits.
Bartlett	Mayor – \$105,000/yr Board Members – \$12,000/yr Mayor is full-time and receives \$500/month stipend for personal use vehicle. No additional pay. Defined Pension Plan if elected before 7/1/14. City's Defined Pension Benefit 401 Plan if elected after 7/1/14. Can participate in health, vision, and disability plans like city employees.
Brentwood	Mayor – \$1000 per month (\$12,000/yr) Commissioners – \$950 per month (\$11,400/yr) No additional pay. Both receive Health and Life Insurance benefits only.
Bristol	Mayor – \$8,077.60/yr Council Member – \$8,077.60/yr No additional pay. Elected officials are eligible for all the same benefits as full-time employees except for Life Insurance or Short Term Disability.
Chattanooga	Mayor – \$192,237.53/yr (calculated) Council Member – 15% of Mayoral Salary (\$28,835.63/yr) Council Chair – \$33,835.63/yr (additional \$5,000 from Council Member) Council Vice Chair – \$31,335.63/yr (additional \$2,500 from Council Member) No additional pay. Each Council Member is allotted \$6,000 for District-specific expenses (reimbursement) Elected Officials are eligible to receive all city employee benefits, except for longevity bonuses.
Collierville	Mayor – \$35,000/yr Vice-Mayor – \$15,000/yr Aldermen – \$12,000/yr No additional pay. Found salary based on charter (resolution amendments) Increase by \$2,000 for Mayor and \$1,000 for Aldermen in 4 year increments.*

	Board members receive health and life insurance benefits.
Columbia	Mayor – \$346.15 every two weeks (\$9,000/yr) Vice-Mayor – \$279.96 every two weeks (\$7,278.96/yr) Council – \$230.77 every two weeks (\$6,000/yr) No additional pay. All are offered medical and dental insurance like City employees.
Fairview	Mayor – \$1,000 per month (\$12,000/yr) Commissioners – \$950 per month (\$11,400/yr) No additional pay. Elected officials do not receive benefits.
Germantown	Mayor – \$24,000/yr Aldermen – \$12,000/yr The Mayor receives a vehicle allowance. All are eligible to be on the city’s health care insurance.
Johnson City	Mayor – \$150 per month (\$1,800/yr) Commissioners – \$100 per month (\$1,200/yr) No additional pay. Elected Officials are eligible to participate in City insurance.
Kingsport	Mayor – \$3,000/yr Aldermen – \$2,400/yr No additional pay. No benefits.
Knoxville	Mayor – \$162,500/yr Council – \$24,000/yr No additional pay. Elected Officials are eligible for City benefits.
Maryville	Mayor – \$50 per month (\$600/yr) Council – \$25 per month (\$300/yr) Elected Officials do not receive any City-provided benefits.
Murfreesboro	Mayor – \$12,000/yr Council – \$11,400/yr Council Members receive a car allowance of \$4,800/yr and a phone allowance of \$1,800/yr.

	The Mayor receives a car allowance of \$9,600/yr and a phone allowance of \$1,800/yr. All are eligible for benefits like employees.
Nashville (found on General Pay Plan)	Mayor – \$180,000/yr (change to \$209,898/yr in September 2023) Vice-Mayor – \$25,230/yr (change to \$27,977/yr in September 2023) Council Member – \$23,100/yr (change to \$25,615/yr in September 2023)
Nolensville	Mayor – \$425 per month (\$5,100/yr) Vice-Mayor – \$425 per month (\$5,100/yr) Commissioners – \$425 per month (\$5,100/yr) No additional pay. Elected officials do not receive city-provided benefits.
Spring Hill	Mayor – \$925 per month (\$11,100/yr) Aldermen – \$450 per month (\$5,400/yr) Aldermen on the Planning Commission – \$500 per month (\$6,000/yr) No additional pay. All are eligible for benefits like employees, but is not eligible for medical opt-out pay.
Thompson's Station	Mayor – \$10,000/yr Alderman – \$5,000/yr No additional pay. Mayor can use a town paid-for cell phone for official business (\$360/yr) No benefits aside from required training by the State.