



Meeting Agenda

Work Session

Tuesday, October 22, 2024

4:30 PM

Board Room

CALL TO ORDER

CITIZEN COMMENTS

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

WORK SESSION DISCUSSION ITEMS

1. Discussion Of An Update To The Historic Parks Audio Tour, A Subcommittee Project Of The Civil War Historical Commission

Sponsors: Kelly Dannenfelser, Emily Huffer, Elizabeth Bulay

2. Development Activity Report

Sponsors: Michael Walters Young, Katherine Harelson

3. Discussion Of City Hall Commercial Space Options

Sponsors: Alderman Patrick Baggett

4. *Consideration Of Ordinance 2024-30, An Ordinance To Establish An Updated Occupational Safety And Health Program Plan, Devise Rules, Provide For A Safety Director And The Implementation Of Such Program Plan

Sponsors: Kevin Townsel

5. Consideration Of COF Contract No. 2024-0329, License Agreement Between Williamson County, Tennessee And City Of Franklin, Tennessee For Periodic Scheduled Use Of The County's Auditorium

Sponsors: Vernon Gerth, Blake Harper

6. Consideration Of COF Contract No. 2024-0098, With Thompson Energy Solutions For Preventative Maintenance For Twenty-Seven (27) Generators For A Term Of Three (3) Years

Sponsors: Brad Wilson

7. Discussion Of Zoning Ordinance Standards Regarding The Display Of Flags And Standard Enforcement Process Followed By The Building And Neighborhood Services (BNS) Department

Sponsors: Tom Marsh, Alex Brown, Dillon Gaster

8. *Consideration Of Resolution 2024-57, A Resolution To Approve Temporary Median Barrier Installation On SR-96 (Murfreesboro Rd) Between Royal Oaks And Interstate 65
CIC 6/27/24, 4-0
WS 8/27/24
BOMA 9/10/24, 5-4 postpone to 10/22/24
Sponsors: Paul Holzen, Adam Moser
9. *Consideration Of Ordinance 2023-41, An Ordinance To Amend Chapter 4 Of Title 16 Of The Franklin Municipal Code, Concerning Road Impact Fees
WS 4/23/24; 8/27/24; 9/10/24; 10/8/24
BOMA 5/14/24, 7-0; 5/28/24, 8-0 postpone to 9/10/24; 9/10/24, 7-1 postpone to 10/22/24
Sponsors: Vernon Gerth, Paul Holzen
10. Presentation & Discussion Of 10-Year Capital Improvement Plan (CIP) Rankings

Sponsors: Paul Holzen
11. Discussion Of Downtown Paid Parking And Parking Management
WS 7/9/24
Sponsors: Emily Wright, Shanna McCoy, Adam Moser

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 #: 21-0779

DATE: September 19, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Kelly Dannenfelser, Asst. Director of Planning
Emily Huffer, Preservation Planner
Elizabeth Bulay, Assistant Preservation Planner

SUBJECT:

Discussion Of An Update To The Historic Parks Audio Tour, A Subcommittee Project Of The Civil War Historical Commission

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning an update to the existing Historic Parks Audio Tour.

BACKGROUND/STAFF COMMENTS:

The intent of updating and adding to the Historic Parks Audio Tour is to expand upon the narrative of our town's history and clean up the audio as it is presented. The update to the audio tour introduces ten new stops, edits existing stops, and combines the remaining stops into fewer stops. Many existing stops feature sound effects that make it difficult to hear the audio, so a portion of this update is to make the overall listening experience better and expand our presentation of our history. The Audio Tour is available through a Dial-by-Cell program, which we also intend to update to a more engaging app and web-based program. The existing historic parks audio tour will be preserved and will also be available on the new platform alongside new recordings, written materials, and historic photographs.

Staff believes the progress of the committee warrants an update to the Board of Mayor and Aldermen and strongly supports the update to the tour stops and platform to engage with and share a more inclusive history of Franklin with both residents and visitors.

FINANCIAL IMPACT:

This item has been before the IT Steering Committee and was deemed a software that the City does not have and is innovative to reach a broader audience. The Parks Department has agreed to fund this program within their existing operating budget. The cost of the software is \$10,000 for two years.

RECOMMENDATION:

Staff recommends that the Board of Mayor and Aldermen give feedback on the proposed update.

The background of the slide is a photograph of a historic site. On the left, a stone wall features a plaque with a classical building icon and the years '17' and '99'. To the right, a wooden fence runs along a grassy field under a grey sky.

Historic Parks Audio Tour Update

OCTOBER 2024 BOMA WORK SESSION
SUBCOMMITTEE OF THE CIVIL WAR HISTORICAL
COMMISSION

What is the Historic Parks Audio Tour?

CIVIL WAR HISTORICAL COMMISSION SUBCOMMITTEE

- Existing Historic Parks Audio Tour
- Includes 6 Historic Parks and other historic sites – 15 stops
- Introduced in 2012 by the C.W.H.C. & Parks Department
- Current operating system is a dial-by-number program with signage on site
- Tour can also be accessed on the City of Franklin YouTube and Parks Department Webpage

Goals for the Parks Audio Tour Update

CIVIL WAR HISTORICAL COMMISSION SUBCOMMITTEE

- Expand upon the narrative of the History of Franklin post-Civil War
- Update verbiage, background sounds, and presentation of audio
- Update the platform to be more engaging with visitors and residents



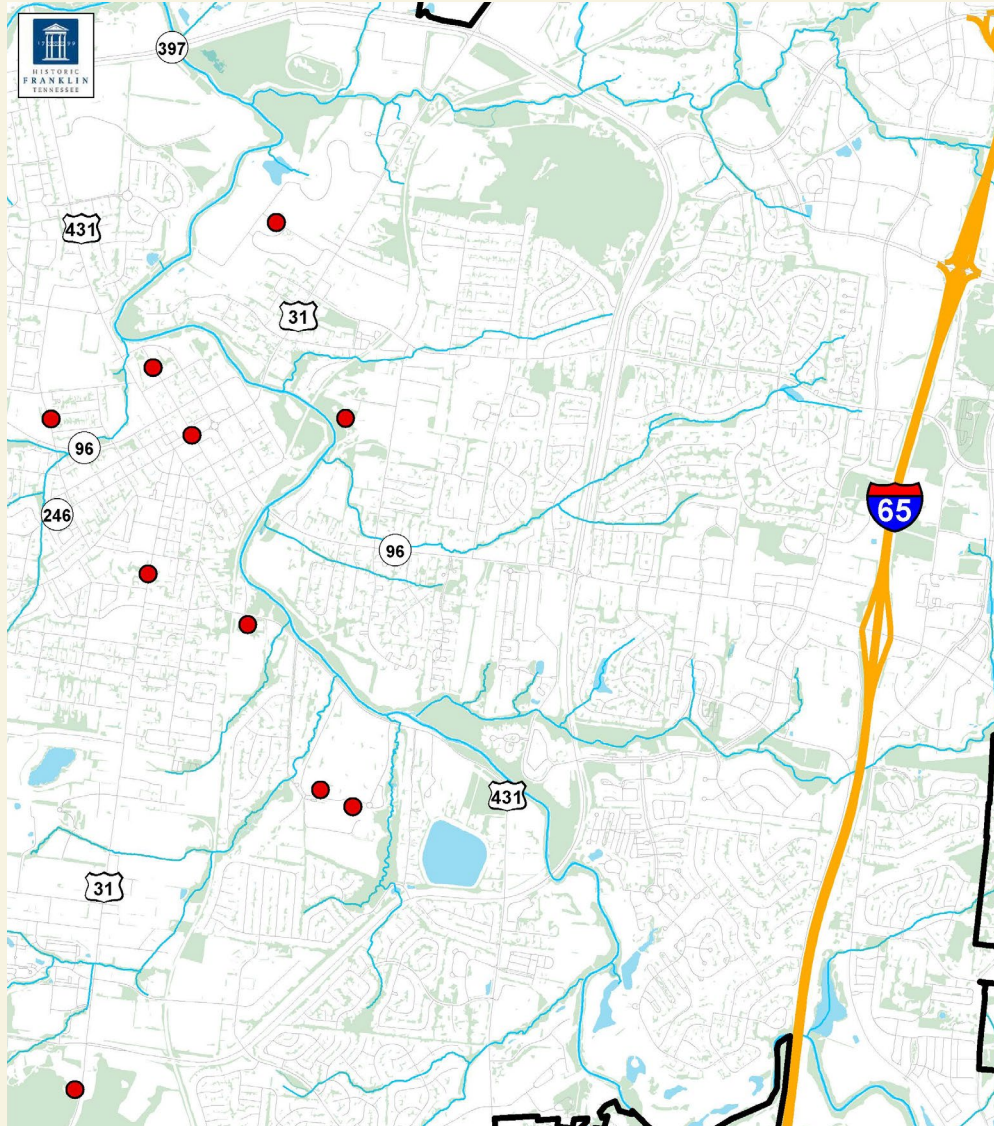
Parks Audio Tour Update

CIVIL WAR HISTORICAL COMMISSION SUBCOMMITTEE

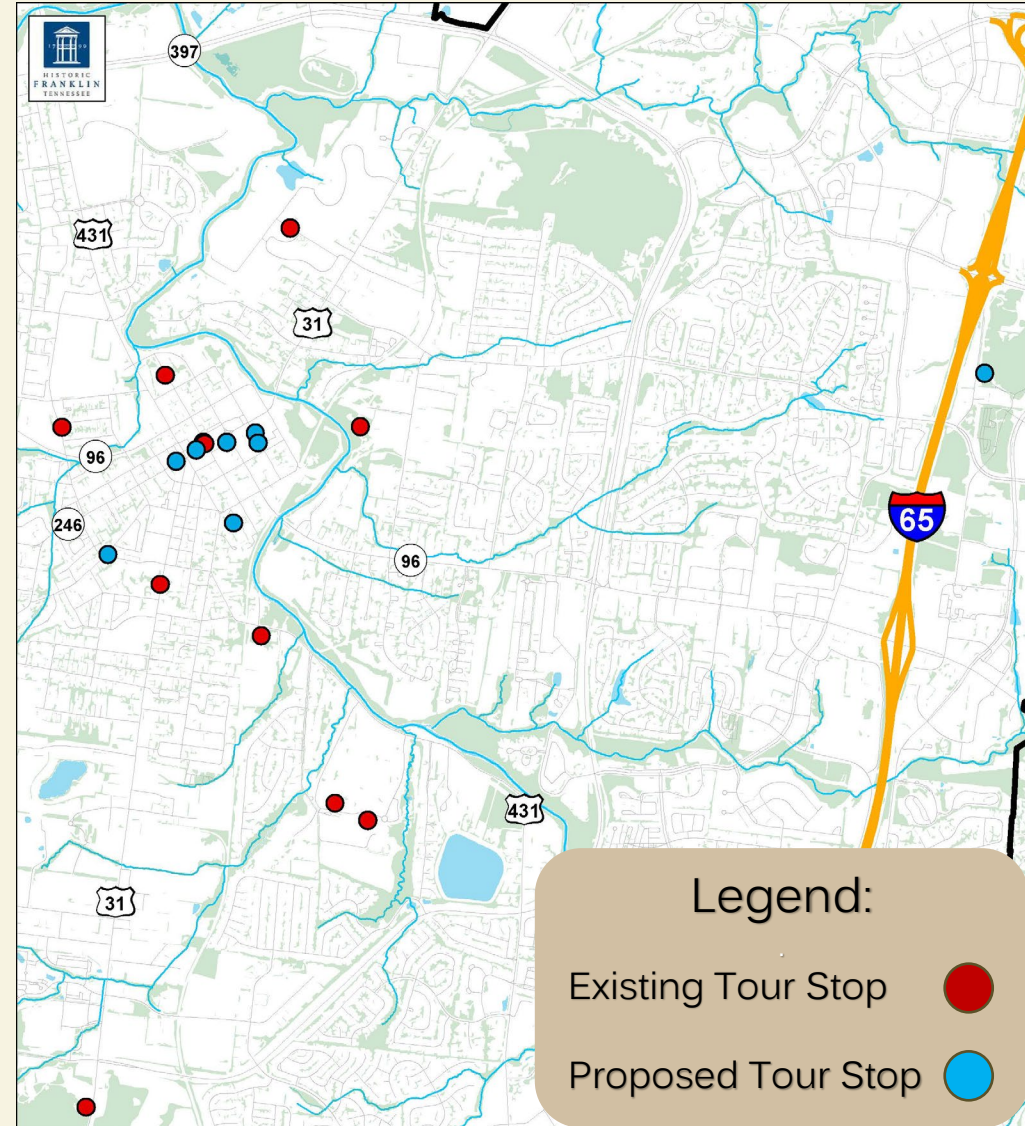
- 10 new stops created
 - 6 new stops in the Downtown core
 - John Carothers House
 - Natchez Street Neighborhood
 - Merrill-Williams House
 - Franklin Grove Campus
- Combines 9 existing stops into 5 stops
- Minor modifications to 5 existing Stops
- Update the platform
- Update the on-site signage at each location for each tour stop

Parks Audio Tour Update

CIVIL WAR HISTORICAL COMMISSION SUBCOMMITTEE



EXISTING TOUR



PROPOSED TOUR

Existing Audio Tour

EXISTING STOP OVERVIEW

AUDIO TOUR OVERVIEW

This information will be available at each stop. Provides an introduction and explanation of the structure of the audio tour for listeners who join at any point.



OVERVIEW OF THE BATTLE OF FRANKLIN

Provides background information to understand the significance of the Battle of Franklin and its impact on this region.



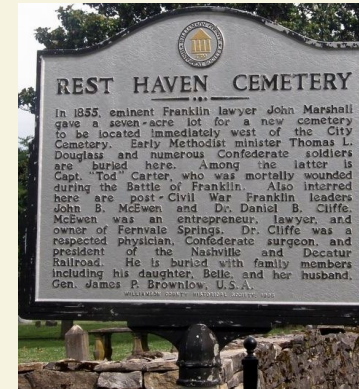
ASSAULT ON THE COTTON GIN, CARTER HILL LOTZ HOUSE, CARTER HOUSE

Adds information to the existing stop and expands on the narrative of the enslaved family in the basement.



CITY CEMETERY & RESTHAVEN CEMETERY

Combines two existing stops into one stop. Expands on the information about both cemeteries and their roles during and after the Civil War.



THE PARK AT HARLINSDALE

Combines two existing stops into one stop. Refines the information about the retreat from Nashville.



Existing Audio Tour

EXISTING STOPS OVERVIEW

FORT GRANGER & ROPER'S KNOB

WINSTEAD HILL

COLLINS FARM

EASTERN FLANK & CARNTON

MCGAVOCK CONFEDERATE CEMETERY

Refines and adds information about both locations.

Refines and expands upon the history of the Harrison house.

Refines and adds information about the property and history.

Refines and adds information about Carnton and the family cemetery.

Refines and expands on the existing information.



Proposed Tour Stops

NEW STOP OVERVIEW

DOWNTOWN CHURCHES

Provides information about the downtown churches and their roles during the Civil War.



ANC WILLIAMS: BUSINESS ON MAIN ST.

Expands narrative with the history of ANC Williams and the first black-owned business in Franklin, Provides information about Business on Main St.



THE SQUARE

Expands upon the Square with information about the Race Riots, the lynching of Amos Miller, the Confederate monument, and the USCT monument.



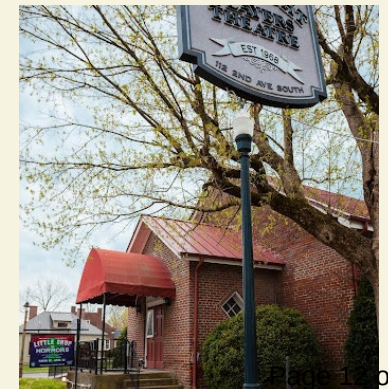
FRANKLIN MASONIC HALL

Provides new information about the Hiram Lodge no.7, and its history in Franklin before, during, and after the civil war.



WILEY METHODIST EPISCOPAL CHURCH & PULL TIGHT PLAYERS THEATRE

Introduce the first church for formerly enslaved people and the corner lot that now houses the Pull-Tight Players Theatre.



Proposed Tour Stops

NEW STOPS OVERVIEW

LILLIE MILLS & BUCKET OF BLOOD NEIGHBORHOOD

Introduces the history of the Lillie Mills in Franklin and the “Bucket of Blood” neighborhood.



JOHN CAROTHERS HOUSE

Expands upon the history of Reconstruction in Franklin. Provides a history of the African American farmstead post-Civil War.



MCLEMORE HOUSE, HARD BARGAIN NEIGHBORHOOD & TOUSSAINT L'OUVETURE

Expands on Reconstruction in Franklin with a focus on the Hard Bargain Neighborhood. McLemore House, and the Toussaint L'Ouverture Cemetery.



SHORTER CHAPEL AME, MERRILL-WILLIAMS HOUSE, NATCHEZ ST.

Expands the history of reconstruction in Franklin with a focus on the Natchez Street neighborhood, the AME church relocation, Green Book house, and more.



FRANKLIN GROVE & PERKINS-WINSTEAD HOUSE

Introduces two properties and their connections to the Civil War, access to education, and the Freedman's Bureau.



Platform Update: Interactive Web-based program

- User-friendly and engaging platform
- QR code to website or app
- Historic Photographs
- Mapping capabilities
- Retains existing audio
- New audio recordings
- Written descriptions
- Media & related documents
- Potential for additional future stops & tours
- Example: Stained Glass Tour

[Stories](#) [Tours](#) [Map](#)

All Tours: 31

[All](#) | [Featured](#) | [Tags](#)

Sort by: • Default [Title](#) [Date Added](#) [i](#) Tours are self-guided.



Downtown Architecture

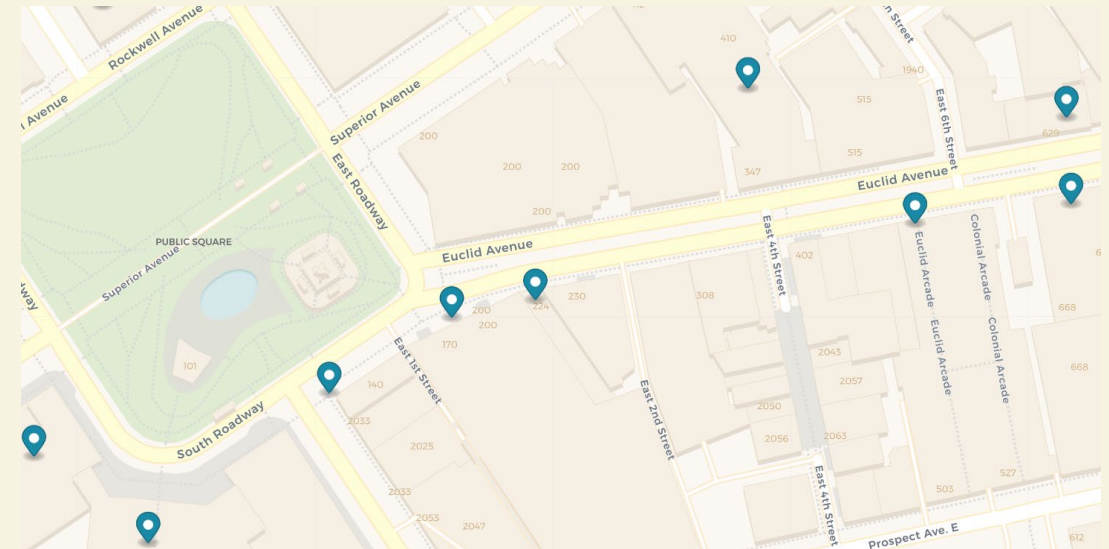
26 Locations

As a Great Lakes legacy city, Cleveland still has a trove of impressive architecture in its downtown district. Like other cities, it has lost some architectural gems along the way, but this two-mile,...

[VIEW TOUR](#)



Cleveland Metroparks



Future Platform Updates

EXISTING



- Dial by cell program
- City YouTube page

PROPOSED



- Interactive webpage
- Additional information on the site
- City YouTube page



City of Franklin

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

File #: 21-0824

DATE: October 2, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Michael Walters Young, Chief Budget & Performance Officer
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 development activity in Franklin over fiscal year 2024 and the last three quarters of calendar year 2024.

BACKGROUND/STAFF COMMENTS:

Every quarter, the Board of Mayor and Aldermen receive an update on the City's development activity. This report contains data regarding the number of permits that are issued, impact fees collected from new developments, and new dwelling units that are being constructed. This will be a longer presentation because it covers the activity that's occurred so far in the calendar year as well as activity over the last fiscal year.

FINANCIAL IMPACT:

There is no financial impact.

RECOMMENDATION:

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

DEVELOPMENT ACTIVITY REPORT

BOMA Work Session – October 22nd, 2024

CY24 Mid-Year
Update (3 Quarters)

FY24 Review

OVERVIEW

CY24 MID-YEAR UPDATE

PERMITTING

	2020	2021	2022	2023	2024
Total Permits Issued	4,716	4,573	4,503	4,249	5,373
Building Permits	900	876	885	752	925
Trade Permits	3,685	3,552	3,523	3,334	4,093
Swimming Pool Permits	81	96	63	53	43
Demolition Permits	33	31	18	31	42
Other Permits	17	18	14	79	270

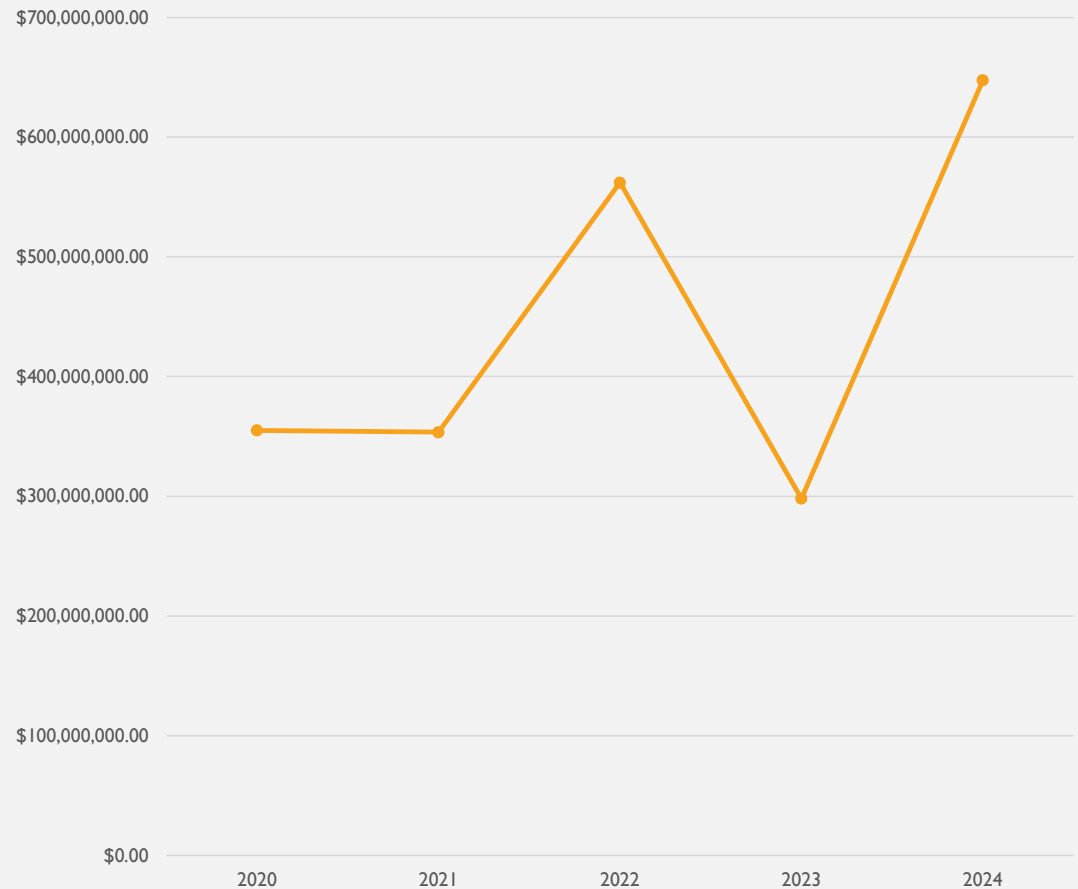
IMPACT FEES

	Road Impact Fees	Water Impact Fees	Sewer Impact Fees	City Facilities Tax
2020	\$6,725,584	\$587,177	\$1,562,946	\$2,049,828
2021	\$7,238,115	\$565,915	\$1,755,089	\$1,571,783
2022	\$5,169,305	\$179,951	\$1,320,031	\$1,438,729
2023	\$2,035,128	\$245,967	\$914,025	\$834,575
2024	\$6,330,817	\$925,443	\$4,504,632	\$1,662,539

CONSTRUCTION VALUATION

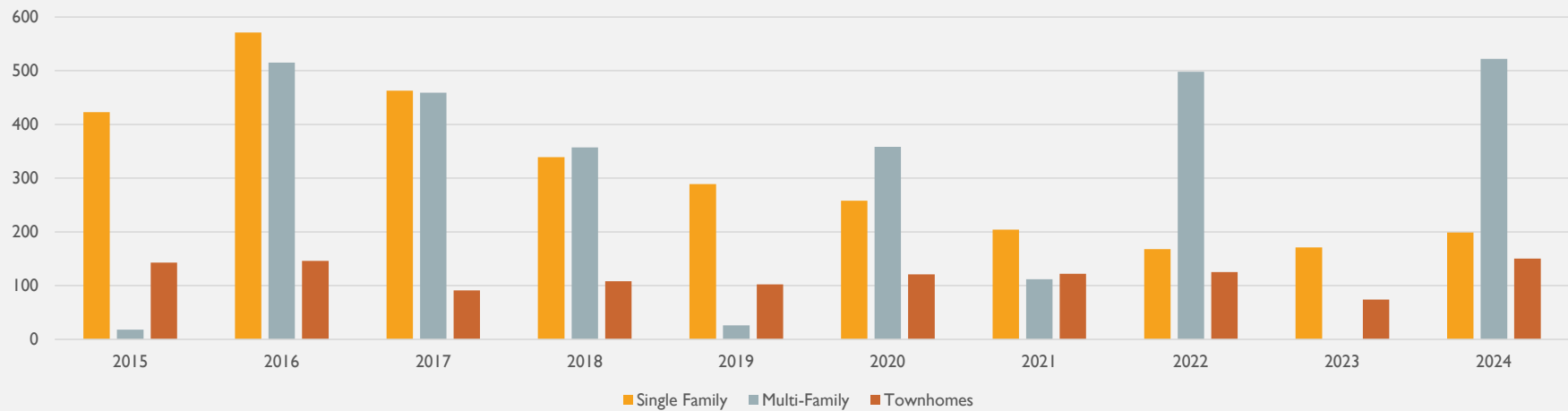
- Construction value of permits from January – September 2024 is \$647.5 million.
- 117% increase from September 2023.
- 15% increase from September 2022.

Construction Value of Permitted Projects



NEW DWELLING UNITS

3rd Quarter (2015-2024)



FY24 REVIEW

FY24 PERMITS

	2020	2021	2022	2023	2024
Total Permits Issued	6271	6336	5703	5432	6625
Building Permits	1252	1341	1092	1034	1103
Trade Permits	4890	4808	4478	4254	5098
Swimming Pool Permits	65	123	92	74	55
Demolition Permits	43	39	31	42	47
Other Permits	21	25	10	28	322

IMPACT FEES

	Road Impact Fees	Water Impact Fees	Sewer Impact Fees	City Facilities Tax
2020	\$12,265,885	\$557,813	\$2,069,939	\$3,051,868
2021	\$6,984,291	\$681,255	\$2,177,291	\$2,682,395
2022	\$10,671,101	\$256,833	\$1,902,060	\$2,224,932
2023	\$4,252,924	\$298,722	\$1,205,359	\$1,305,154
2024	\$6,829,497	\$834,042	\$5,007,215	\$2,323,658

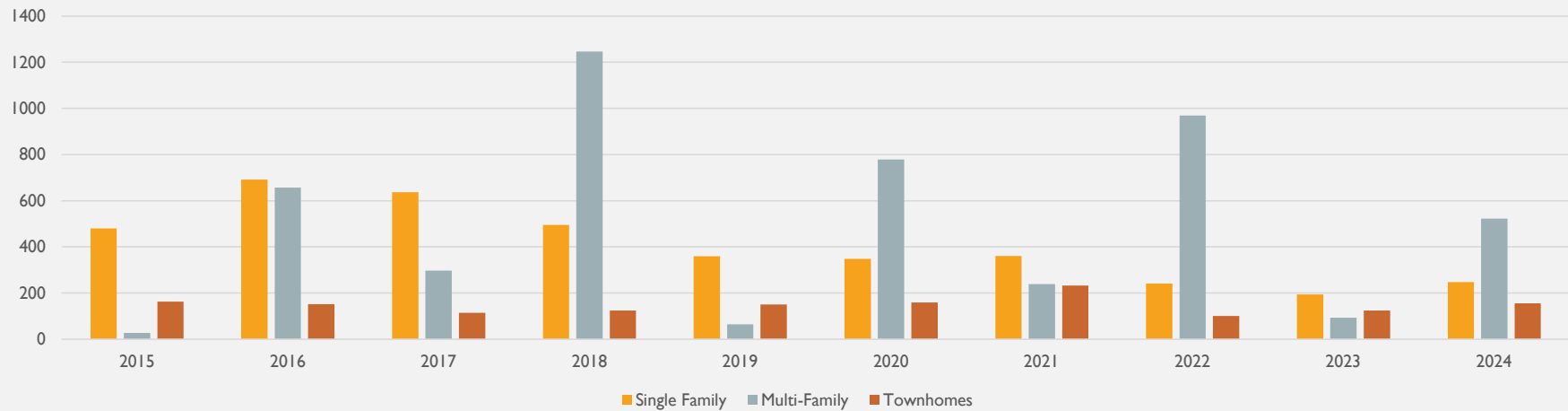
CONSTRUCTION VALUATION

- The construction value of issued permits in FY24 rose to \$861 million.
- 13% increase compared to FY23



NEW DWELLING UNITS

Fiscal Year 2015 – Fiscal Year 2024



FINAL THOUGHTS

- After facing a decrease in development activity in 2023, the last three quarters of 2024 have shown a rebound of activity that's been consistent with what the City has seen over the last five years.
- That rebound of activity is also shown in the FY24 data following the decrease in FY23.
- This reflects the strong plan review activity that was occurring last year. Those projects that were approved and entitled in the last couple of years started construction in 2024.



File #: 21-0850

DATE: October 9, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Kevin Townsel, Director of Human Resources

SUBJECT:

*Consideration Of Ordinance 2024-30, An Ordinance To Establish An Updated Occupational Safety And Health Program Plan, Devise Rules, Provide For A Safety Director And The Implementation Of Such Program Plan

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning consideration of Ordinance 2024-30 to update the Occupational Safety and Health Program Plan.

BACKGROUND/STAFF COMMENTS:

The City of Franklin, in accordance with Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972, has adopted an Occupational Safety and Health Program Plan ("Program Plan") for its employees which was codified by Ordinance 99-51, updated by Ordinance 2013-43, and updated by 2017-05. This Program Plan is required by the Tennessee Occupational Safety and Health Administration (TOSHA) to be updated every seven years due to various changes to TOSHA regulations or recent state requirements. The purpose of this Program Plan is to provide a safe and healthful place and condition of employment that includes top management commitment, employment involvement, identification of worksite hazards or potential hazards, developing and maintaining methods for preventing or controlling identified hazards, and training managers, supervisors and employees on how to deal with worksite hazards. The only significant update to this Program Plan is aligning the disciplinary measures with the current version of the City's HR Manual.

FINANCIAL IMPACT:

This Program Plan is required by TOSHA. However, this Program Plan helps the City of Franklin manage employee safety, which in turn, reduces employees from being injured on the job, therefore, lowering our workers' compensation claims.

RECOMMENDATION:

Staff recommends that the Board of Mayor and Aldermen approve Ordinance 2024-30.

ORDINANCE 2024-30

AN ORDINANCE TO ESTABLISH AN UPDATED OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN, DEVISE RULES, PROVIDE FOR A SAFETY DIRECTOR, AND THE IMPLEMENTATION OF SUCH PROGRAM PLAN

WHEREAS, The City of Franklin, in accordance with Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972, has adopted an Occupational Safety and Health Program Plan ("Program Plan") for its employees which was codified by Ordinance 99-51, updated by Ordinance 2013-43, and updated by 2017-05; and

WHEREAS, based on guidance by the Tennessee Occupational Safety and Health division of the Department of Labor and Workforce Development, it becomes necessary from time to time to amend the Program Plan; and

WHEREAS, the Human Resources Director has been designated by the Board of Mayor and Alderman as the Director of Occupational Safety and Health (Director), and the Director is responsible for planning, developing, and administering the Program Plan for the City of Franklin; and

WHEREAS, due to various changes in subsequent years, it has become necessary to amend the program to comply with more recent state requirements; and

WHEREAS, in the interest of efficiency, the Board of Mayor and Alderman desire to allow the Director to be able to modify the Program Plan as needed.

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

TITLE: This section shall be known as "The Occupational Safety and Health Program Plan" for the employees of the City of Franklin.

PURPOSE: The City of Franklin in electing to update the established Program Plan will maintain an effective and comprehensive Occupational Safety and Health Program Plan for its employees and shall:

1. Provide a safe and healthful place and condition of employment that includes:
 - a. Top management commitment and employee involvement;
 - b. Continually analyze the worksite to identify all hazards and potential hazards;
 - c. Develop and maintain methods for preventing or controlling the existing or potential hazards; and
 - d. Train managers, supervisors, and employees to understand and deal with worksite hazards.
2. Acquire, maintain, and require the use of safety equipment, personal protective equipment, and devices reasonably necessary to protect employees.
3. Record, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, adequate records of all occupational

accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.

4. Consult with the Commissioner of Labor and Workforce Development about the adequacy of the form and content of records.
5. Consult with the Commissioner of Labor and Workforce Development, as appropriate, regarding safety and health problems which are unusual or peculiar and are such that they cannot be achieved under a standard promulgated by the State.
6. Provide reasonable opportunity for the participation of employees in the effectuation of the objectives of this Program Plan, including the opportunity to make anonymous complaints concerning conditions or practices injurious to employee safety and health.
7. Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards, including this Program Plan.

COVERAGE: The provisions of the Occupational Safety and Health Program Plan for the Employee of the City of Franklin shall apply to all employees of each administrative department, commission, board, division, or other agency whether part-time or full-time, seasonal or permanent.

STANDARDS AUTHORIZED: The Occupational Safety and Health standards adopted by the City of Franklin are the same as, but not limited to, the State of Tennessee Occupational Safety and Health Standards promulgated, or which may be promulgated, in accordance with Section 6 of the Tennessee Occupational Safety and Health Act of 1972 (T.C.A. Title 50, Chapter 3).

VARIANCES FROM STANDARDS AUTHORIZED: Upon written application to the Commissioner of Labor and Workforce Development of the State of Tennessee, we may request an order granting a temporary variance from any approved standards. Applications for variances shall be in accordance with Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, VARIANCES FROM OCCUPATIONAL SAFETY AND HEALTH STANDARDS, CHAPTER 0800-01-02, as authorized by T.C.A. Title 50. Prior to requesting such temporary variance, we will notify or serve notice to our employees, their designated representatives, or interested parties and present them with an opportunity for a hearing. The posting of notice on the main bulletin board shall be deemed sufficient notice to employees.

ADMINISTRATION: For the purposes of this ordinance, the Human Resources Director is designated as the Safety Director of Occupational Safety and Health to perform duties and to exercise powers assigned to plan, develop, and administer this Program Plan. The Safety Director shall develop a plan of operation for the Program Plan in accordance with the Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, SAFETY AND HEALTH PROVISIONS FOR THE PUBLIC SECTOR, CHAPTER 0800-01-05, as authorized by T.C.A., Title 50.

FUNDING THE PROGRAM PLAN: Sufficient funds for administering and staffing the Program Plan pursuant to this ordinance shall be made available as authorized by the City of Franklin.

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

If any section, sub-section, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

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 second and final reading, the health, safety, and welfare of the citizens of Franklin, Tennessee, requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
Angie Skarp
City Recorder

By: _____
Dr. Ken Moore
Mayor

Approved as to form by:

Shauna R. Billingsley
City Attorney

PASSED FIRST READING

PASSED SECOND READING:

ORDINANCE NO. 2017-05

TO BE ENTITLED: "AN ORDINANCE TO AMEND TITLE 4 OF THE CITY OF FRANKLIN MUNICIPAL CODE TO REMOVE THE CITY'S OCCUPATIONAL SAFETY AND HEALTH PROGRAM PLAN FROM THE MUNICIPAL CODE AND ADOPT IT BY REFERENCE."

WHEREAS, in accordance with Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972, the City of Franklin has adopted an Occupational Safety and Health Program Plan ("Program Plan") for its employees which was codified by Ordinance 99-51, and updated by Ordinance 2013-43; and

WHEREAS, based on guidance by the Tennessee Occupational Safety and Health division of the Department of Labor and Workforce Development, it becomes necessary from time to time to amend the Program Plan; and

WHEREAS, the Human Resources Director has been designated by the Board of Mayor and Aldermen as the Director of occupational safety and health (Director), and the Director is responsible for planning, developing, and administering the Program Plan for the City of Franklin; and

WHEREAS, in the interest of efficiency, the Board of Mayor and Aldermen desire to allow the Director to be able to modify the Program Plan as needed; and

WHEREAS, in the best interest of the employees and citizens of the City of Franklin, to remove the Program Plan from being in the Municipal Code verbatim, and instead adopt it by reference.

NOW, THEREFORE:

SECTION I: BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that Title 4, Chapter 3, of the Franklin Municipal Code shall be deleted in its entirety and replaced with the following:

"CHAPTER 3. – OCCUPATIONAL SAFETY AND HEALTH PROGRAM

Sec. 4-301. – Occupational Safety and Health Program adopted; authority.

- (1) *Purpose.* In order to provide guidelines and procedures for implementing the Occupational Safety and Health Program for the employees of the City of Franklin, the Board of Mayor and Aldermen of the City of Franklin hereby adopt the "City of Franklin Plan of Operation for the Occupational Safety and Health Program Plan for the Employees of the City of Franklin" ("Program Plan").
- (2) *Administration of Program Plan.* The human resources director shall have the authority, to plan, administer, and/or modify the Program Plan as may be required from time to time to continue to facilitate a safe workplace environment for the employees of the City of Franklin.

ORDINANCE NO. 2013-43

TO BE ENTITLED: "AN ORDINANCE TO AMEND TITLE 4 OF THE CITY OF FRANKLIN MUNICIPAL CODE RELATIVE TO THE CITY'S OCCUPATIONAL SAFETY AND HEALTH PROGRAM, TO INCLUDE CERTAIN UPDATES AS REQUIRED BY TENNESSEE OCCUPATIONAL SAFETY HEALTH ADMINISTRATION."

WHEREAS, in accordance with Public Chapter 561 of the General Assembly of the State of Tennessee for the year 1972, the City of Franklin has adopted an Occupational Safety and Health Program Plan for its employees which was codified by Ordinance 99-51; and

WHEREAS, due to various changes by the Tennessee Occupational Safety and Health division of the Department of Labor and Workforce Development, it has become necessary to amend the program plan; and

WHEREAS, in the best interest of the employees and citizens of the City of Franklin, the Board of Mayor and Aldermen desire to adopt these modifications.

NOW, THEREFORE:

SECTION I: BE IT ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that Title 4, Chapter 3, Section 4-302 of the Franklin Municipal Code shall be amended by adding the text shown in **bold** and deleting the text shown in ~~strike through~~ so that it shall read as follows:

Sec. 4-302. - Purpose and coverage.

The purpose of this chapter is to provide guidelines and procedures for implementing the Occupational Safety and Health Program for the employees of the City of Franklin.

This chapter is applicable to all employees, part-time or full-time seasonal or permanent.

The City of Franklin in electing to establish and maintain an effective occupational safety and health program for its employees shall:

- (1) Provide a safe and healthful place and condition of employment.
 - a. **Top Management Commitment and Employee Involvement;**
 - b. **Continually analyze the worksite to identify all hazards and potential hazards;**
 - c. **Develop and maintain methods for preventing or controlling existing or potential hazards; and**
 - d. **Train managers, supervisors, and employees to understand and deal with worksite hazards.**
- (2) **Acquire, maintain, and** require the use of safety equipment, personal protective equipment, and other devices where reasonably necessary to protect employee.
- (3) ~~Make,~~ **Record,** keep, preserve, and make available to the commissioner of labor, his designated representatives, or persons within the department of labor to whom such responsibilities have been delegated, including the director of the division of occupational safety and health, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- (4) Consult with the commissioner of labor or his designated representative with regard to the adequacy of the form and content of such records.

(5) Consult with the commissioner of labor, **as appropriate**, regarding safety and health problems, which are considered to be unusual or peculiar and are such that they cannot be resolved under an occupational safety and health standard promulgated by the state.

~~(6) Assist the commissioner of labor or his monitoring activities to determine program effectiveness and compliance with the occupational safety and health standards.~~

~~(7) Make a report to the commissioner of labor annually, or as may otherwise be required, including information on occupational accidents, injuries, and illnesses on accomplishments and progress made toward achieving the goals of the occupational and health program.~~

(86) Provide reasonable opportunity for and encourage the participation of employees in the effectuation of the objectives of this program, including the opportunity to make anonymous complaints concerning conditions or practices which may be injurious to employees' safety and health.

(7) Provide for education and training of personnel for the fair and efficient administration of occupational safety and health standards, and provide for education and notification of all employees of the existence of this Program Plan.

SECTION II: BE IT FURTHER ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that Title 4, Chapter 3, Section 4-303(3) of the Franklin Municipal Code shall be amended by adding the text shown in bold and deleting the text shown in strikethrough so that it shall read as follows:

Sec. 4-303. - Definitions.

* * *

(3) *Director of occupational safety and health, safety director or director* means the person designated by the establishing ordinance, resolution, or executive order to perform duties or to exercise powers assigned so as to plan, develop, and administer the occupational safety and health program for the employees of the City of Franklin. ~~The risk manager~~ **Human Resources Director** shall be the person designated within the City of Franklin to be the director of occupational safety and health.

SECTION III: BE IT FURTHER ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that Title 4, Chapter 3, Section 4-309 of the Franklin Municipal Code shall be amended by adding the text shown in bold and deleting the text shown in strikethrough so that it shall read as follows:

Sec. 4-309. - Recordkeeping and reporting.

(1) Recordkeeping and reporting of all occupational accidents, injuries, and illnesses shall be in accordance with ~~instruments~~ **instructions** and on forms prescribed in the booklet, Recordkeeping Requirements Under the Occupational Safety and Health Act of 1970 (Revised 1978) or as may be prescribed by the Tennessee Department of Labor. **You can get a copy of the Forms for Recordkeeping from the internet. Go to www.osha.gov and click on Recordkeeping Forms located on the home page.**

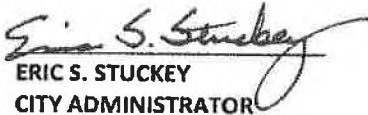
(2) The position responsible for recordkeeping is shown on the Safety and Health Organizational Chart, Appendix V to this chapter.

- (3) *Available in recorder's office.* Once adopted, copies of the Program Plan and any amendments shall be placed on file at the city recorder's office and at the Human Resources office."

SECTION II: 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 second and final reading, the public health, safety and welfare requiring it.

ATTEST

By:


ERIC S. STUCKEY
CITY ADMINISTRATOR

CITY OF FRANKLIN, TENNESSEE

By:


DR. KEN MOORE
MAYOR

Approved as to form by:


Kristen L. Corn
Assistant City Attorney

PASSED FIRST READING:

June 27, 2017

PASSED SECOND READING:

July 11, 2017

(3) Details of how reports of occupational accidents, injuries, and illnesses will reach the recordkeeper are specified by Accident Reporting Procedures, Appendix V to this chapter. **The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, OCCUPATIONAL SAFETY AND HEALTH RECORD-KEEPING AND REPORTING, CHAPTER 0800-01-03, as authorized by Tennessee Code Annotated, Title 50.**

SECTION IV: BE IT FURTHER ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that Title 4, Chapter 3, of the Franklin Municipal Code shall be amended by adding a new Section 4-317, renumbering subsequent sections accordingly, which shall read as follows:

Sec. 4-317. – Discrimination Investigations and Sanctions.

The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, DISCRIMINATION AGAINST EMPLOYEES EXERCISING RIGHTS UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1972 0800-01-08, as authorized by Tennessee Code Annotated, Title 50. The employer agrees that any employee who believes they have been discriminated against or discharged in violation of Tenn. Code Ann § 50-3-409 can file a complaint with their Safety Director within 30 days, after the alleged discrimination occurred. Also, the employer agrees the employee has a right to file their complaint with the Commissioner of Labor and Workforce Development within the same 30 day period. The Commissioner of Labor and Workforce Development may investigate such complaints, make recommendations, and/or issue a written notification of a violation.

SECTION V: 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 second and final reading, the public health, safety and welfare requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE

BY:


ERIC S. STUCKEY
City Administrator

BY:


DR. KEN MOORE
Mayor

PASSED FIRST READING

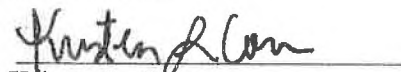
September 24, 2013

PASSED SECOND READING

October 8, 2013 ✓

Approved as to form:

By:


Kristen L. Corn
Staff Attorney



HISTORIC
FRANKLIN
TENNESSEE

MEMORANDUM

August 30, 2013

TO: Board of Mayor and Aldermen

FROM: City Administrator Eric S. Stuckey
Sara E. Sylvis, Risk Manager

SUBJECT: Ordinance No. 2013-43, an ordinance to amend Title 4 of the City of Franklin Municipal Code relative to the City's Occupational Health and Safety Program, to include certain updates as required by Tennessee Occupational Safety and Health Administration

Purpose

The purpose is to update guidelines and procedures for implementing the Occupational Safety and Health Program for the employees of the City of Franklin.

Background

This ordinance has not been updated since 2003. In the last TOSHA inspection the City of Franklin received, it was mandated that this ordinance be updated with their current guidelines. The ordinance specifically addresses the importance the City of Franklin places in maintaining an effective occupational safety and health program for all City employees. It also establishes a commitment to all employees that the City of Franklin will continually analyze and identify all hazards and potential hazards, develop and maintain methods for preventing or controlling hazards, and training managers, supervisors and employees to deal with worksite hazards.

Financial Impact

If the City of Franklin continues to be proactive in claims management and following the updated TOSHA guidelines, the financial impact will be noticeable in the reduction of costs per claim. In updating these guidelines, we will continue to lower insurance premiums for our workers' compensation coverage. In our FY 2014 insurance renewal, our WC retention decreased approximately 6% and the WC Loss Fund Deposit decreased approximately 16% due the relatively low level of WC claims.

Options

Not applicable to this item.

Recommendation

Approval of the Ordinance is recommended.

PLAN OF OPERATION FOR THE OCCUPATIONAL SAFETY AND HEALTH
PROGRAM PLAN FOR THE EMPLOYEES OF THE CITY OF FRANKLIN

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I. PURPOSE AND COVERAGE

The purpose of this plan is to provide guidelines and procedures for implementing the Occupational Safety and Health Program Plan for the employees of the City of Franklin.

This plan is applicable to all employees, part-time, full-time or seasonal.

The City of Franklin in electing to update and maintain an effective Occupational Safety and Health Program Plan for its employees,

- a. Provide a safe and healthful place and condition of employment.
- b. Require the use of safety equipment, personal protective equipment, and other devices where reasonably necessary to protect employees.
- c. Make, keep, preserve, and make available to the Commissioner of Labor and Workforce Development, his designated representatives, or persons within the Department of Labor and Workforce Development to whom such responsibilities have been delegated, including the Human Resources Director or their designee, adequate records of all occupational accidents and illnesses and personal injuries for proper evaluation and necessary corrective action as required.
- d. Consult with the Commissioner of Labor and Workforce Development or his designated representative with regard to the adequacy of the form and content of such records.
- e. Consult with the Commissioner of Labor and Workforce Development regarding safety and health problems which are considered to be unusual or peculiar and are such that they cannot be resolved under an occupational safety and health standard promulgated by the State.
- f. Assist the Commissioner of Labor and Workforce Development or his monitoring activities to determine Program Plan effectiveness and compliance with the occupational safety and health standards.
- g. Make a report to the Commissioner of Labor and Workforce Development annually, or as may otherwise be required, including information on occupational accidents, injuries, and illnesses and accomplishments and progress made toward achieving the goals of the Occupational Safety and Health Program Plan.
- h. Provide reasonable opportunity for and encourage the participation of employees in the effectuation of the objectives of this Program Plan, including the opportunity to make anonymous complaints concerning conditions or practices which may be injurious to employees' safety and health.

II. DEFINITIONS

For the purposes of this Program Plan, the following definitions apply:

- a. COMMISSIONER OF LABOR and Workforce Development means the chief executive officer of the Tennessee Department of Labor and Workforce Development. This includes any person appointed, designated, or deputized to perform the duties or to exercise the powers assigned to the Commissioner of Labor and Workforce Development.
- b. EMPLOYER means the City of Franklin and includes each administrative department, board, commission, division, or other agency of the City of Franklin.
- c. HUMAN RESOURCES DIRECTOR means the person designated by the establishing ordinance, or executive order to perform duties or to exercise powers assigned so as to

- plan, develop, and administer the Occupational Safety and Health Program Plan for the employees of the City of Franklin.
- d. INSPECTOR(S) means the individual(s) appointed or designated by the Human Resources Director to conduct inspections provided for herein. If no such compliance inspector(s) is appointed, inspections shall be conducted by the Human Resources Director.
 - e. APPOINTING AUTHORITY means any official or group of officials of the employer having legally designated powers of appointment, employment, or removal there from for a specific department, board, commission, division, or other agency of this employer.
 - f. EMPLOYEE means any person performing services for the City of Franklin and listed on the payroll of this employer, either as part-time, full-time, seasonal, or permanent. It also includes any persons normally classified as volunteers provided such persons received remuneration of any kind for their services. This definition shall not include independent contractors, their agents, servants, and employees.
 - g. PERSON means one or more individuals, partnerships, associations, corporations, business trusts, or legal representatives of any organized group of persons.
 - h. STANDARD means an occupational safety and health standard promulgated by the Commissioner of Labor and Workforce Development in accordance with Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972 which requires conditions or the adoption or the use of one or more practices, means, methods, operations, or processes or the use of equipment or personal protective equipment necessary or appropriate to provide safe and healthful conditions and places of employment.
 - i. IMMINENT DANGER means any conditions or practices in any place of employment which are such that a hazard exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such hazard can be eliminated through normal compliance enforcement procedures.
 - j. ESTABLISHMENT or WORKSITE means a single physical location under the control of this employer where business is conducted, services are rendered, or industrial type operations are performed.
 - k. SERIOUS INJURY or HARM means that type of harm that would cause permanent or prolonged impairment of the body in that:
 - 1. A part of the body would be permanently removed (e.g., amputation of an arm, leg, finger(s); loss of an eye) or rendered functionally useless or substantially reduced in efficiency on or off the job (e.g., leg shattered so severely that mobility would be permanently reduced), or
 - 2. A part of an internal body system would be inhibited in its normal performance or function to such a degree as to shorten life or cause reduction in physical or mental efficiency (e.g., lung impairment causing shortness of breath).

On the other hand, simple fractures, cuts, bruises, concussions, or similar injuries would not fit either of these categories and would not constitute serious physical harm.

- l. ACT or TOSH Act shall mean the Tennessee Occupational Safety and Health Act of 1972.
- m. GOVERNING BODY means the Board of Mayor and Alderman
- n. CHIEF EXECUTIVE OFFICER means the Mayor, City Administrator, Assistant City Administrator, etc., as may be applicable.

III. EMPLOYERS RIGHTS AND DUTIES

Rights and duties of the employer shall include, but are not limited to, the following provisions:

- a. The City of Franklin shall furnish to each employee conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.
- b. The City of Franklin shall comply with occupational safety and health standards and regulations promulgated pursuant to Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972.
- c. The City of Franklin shall refrain from and unreasonable restraint on the right of the Commissioner of Labor and Workforce Development to inspect the employers place(s) of business. Employer shall assist the Commissioner of Labor and Workforce Development in the performance of their monitoring duties by supplying or by making available information, personnel, or aids reasonably necessary to the effective conduct of the monitoring activity.
- d. The City of Franklin is entitled to participate in the development of standards by submission of comments on proposed standards, participation in hearing on proposed standards, or by requesting the development of standards on a given issue under Section 6 of the Tennessee Occupational Safety and Health Act of 1972.
- e. The City of Franklin is entitled to request an order granting a variance from an occupational safety and health standard.
- f. The City of Franklin is entitled to protection of its legally privileged communication.
- g. The City of Franklin shall inspect all worksites to insure the provisions of this Program Plan are complied with and carried out.
- h. The City of Franklin shall notify and inform any employee who has been or is being exposed in a biologically significant manner to harmful agents or material in excess of the applicable standard and of corrective action being taken.
- i. The City of Franklin shall notify all employees of their rights and duties under this Program Plan.

IV. EMPLOYEES RIGHTS AND DUTIES

Rights and duties of employees shall include, but are not limited to, the following provisions:

- a. Each employee shall comply with occupational safety and health act standards and all rules, regulations, and orders issued pursuant to this Program Plan and the Tennessee Occupational Safety and Health Act of 1972 which are applicable to his or her own actions and conduct.
- b. Each employee shall be notified by the placing of a notice upon bulletin boards, or other places of common passage, of any application for a permanent or temporary order granting the employer a variance from any provision of the TOSH Act or any standard or regulation promulgated under the Act.
- c. Each employee shall be given the opportunity to participate in any hearing which concerns an application by the employer for a variance from a standard or regulation promulgated under the Act.
- d. Any employee who may be adversely affected by a standard or variance issued pursuant to the Act or this Program Plan may file a petition with the Commissioner of Labor and Workforce Development or whoever is responsible for the promulgation of the standard or the granting of the variance.

- e. Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by any applicable standard shall be provided by the employer with information on any significant hazards to which they are or have been exposed, relevant symptoms, and proper conditions for safe use or exposure. Employees shall also be informed of corrective action being taken.
- f. Subject to regulations issued pursuant to this Program Plan, any employee or authorized representative of employees shall be given the right to request an inspection and to consult with the Human Resources Director, their designee or Inspector at the time of the physical inspection of the worksite.
- g. Any employee may bring to the attention of the Human Resources Director or their designee, any violation or suspected violations of the standards or any other health or safety hazards.
- h. No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceeding or inspection under or relating to this Program Plan.
- i. Any employee who believes that he or she has been discriminated against or discharged in violation of subsection (h) of this section may file a complaint alleging such discrimination with the Human Resources Director. Such employee may also, within thirty (30) days after such violation occurs, file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.
- j. Nothing in this or any other provisions of this Program Plan shall be deemed to authorize or require any employee to undergo medical examination, immunization, or treatment for those who object thereto on religious grounds, except where such is necessary for the protection of the health or safety of others or when a medical examination may be reasonably required for performance of a specific job.
- k. Employees shall report any accident, injury, or illness resulting from their job, however minor it may seem to be, to their supervisor or the Human Resources Director or their designee within twenty-four (24) hours after the occurrence.

V. ADMINISTRATION

- a. The Human Resources Director is designated to perform duties or to exercise powers assigned so as to administer this Occupational Safety and Health Program Plan.
 - 1. The Human Resources Director may designate person or persons as he deems necessary to carry out his powers, duties, and responsibilities under this Program Plan.
 - 2. The Human Resources Director may delegate the power to make inspections, provided procedures employed are as effective as those employed by the Human Resources Director (or their designee).
 - 3. The Human Resources Director shall employ measures to coordinate, to the extent possible, activities of all departments to promote efficiency and to minimize any inconveniences under this Program Plan.
 - 4. The Human Resources Director may request qualified technical personnel from any department or section of government to assist him in making compliance inspections, accident investigations, or as he may

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 3. The Human Resources Director shall employ measures to coordinate, to the extent possible, activities of all departments to promote efficiency and to minimize any inconveniences under this Program Plan.
 4. The Human Resources Director may request qualified technical personnel from any department or section of government to assist him in making compliance inspections, accident investigations, or as he may otherwise deem necessary and appropriate in order to carry out his duties under this Program Plan.
 5. The Human Resources Director shall prepare the report to the Commissioner of Labor and Workforce Development required by subsection (g) of Section 1 of this plan.
 6. The Human Resources Director shall make or cause to be made periodic and follow-up inspections of all facilities and worksites where employees of this employer are employed. He shall make recommendations to correct any hazards or exposures observed. He shall make or cause to be made any inspections required by complaints submitted by employees or inspections requested by employees.
 7. The Human Resources Director shall assist any officials of the employer in the investigation of occupational accidents or illnesses.
 8. The Human Resources Director shall maintain or cause to be maintained records required under Section VIII of this plan.
 9. **The Human Resources Director shall, in the eventuality that there is a fatality or an accident resulting in the hospitalization of three or more employees insure that the Commissioner of Labor and Workforce Development receives notification of the occurrence within eight (8) hours. All work-related inpatient hospitalizations, amputations, and loss of an eye must be reported to TOSHA within twenty-four (24) hours.**
- b. The administrative or operational head of each department of this employer shall be responsible for the implementation of this Occupational Safety and Health Program Plan within their respective areas.
 1. The department head shall follow the directions of the Human Resources Director on all issues involving occupational safety and health of employees as set forth in this plan.
 2. The department head shall comply with all abatement orders issued in accordance with the provisions of this plan or request a review of the order with the Human Resources Director within the abatement period.
 3. The department head should make periodic safety surveys of the establishment under his jurisdiction to become aware of hazards or standards violations that may exist and make an attempt to immediately correct such hazards or violations.
 4. The department head shall investigate all occupational accidents, injuries, or illnesses reported to him. He shall report such accidents, injuries, or illnesses to the Human Resources Director along with his findings and/or recommendations in accordance with APPENDIX IV of this plan.

VI. STANDARDS AUTHORIZED

The standards adopted under this Program Plan are the applicable standards developed and promulgated under Section VI (6) of the Tennessee Occupational Safety and Health Act of 1972. Additional standards may be promulgated by the governing body of this employer as that body may deem necessary for the safety and health of employees. Note: 29 CFR 1910 General Industry Regulations; 29 CFR 1926 Construction Industry Regulations; and the Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, CHAPTER 0800-01-1 through CHAPTER 0800-01-11 are the standards and rules invoked.

VII. VARIANCE PROCEDURE

The Human Resources Director may apply for a variance as a result of a complaint from an employee or of his knowledge of certain hazards or exposures. The Human Resources Director should definitely believe that a variance is needed before the application for a variance is submitted to the Commissioner of Labor and Workforce Development.

The procedure for applying for a variance to the adopted safety and health standards is as follows:

- a. The application for a variance shall be prepared in writing and shall contain:
 1. A specification of the standard or portion thereof from which the variance is sought.
 2. A detailed statement of the reason(s) why the employer is unable to comply with the standard supported by representations by qualified personnel having first-hand knowledge of the facts represented.
 3. A statement of the steps employer has taken and will take (with specific date) to protect employees against the hazard covered by the standard.
 4. A statement of when the employer expects to comply and what steps have or will be taken (with dates specified) to come into compliance with the standard.
 5. A certification that the employer has informed employees, their authorized representative(s), and/or interested parties by giving them a copy of the request, posting a statement summarizing the application (to include the location of a copy available for examination) at the places where employee notices are normally posted and by other appropriate means. The certification shall contain a description of the means actually used to inform employees and that employees have been informed of their right to petition the Commissioner of Labor and Workforce Development for a hearing.
- a. The application for a variance should be sent to the Commissioner of Labor and Workforce Development by registered or certified mail.
- b. The Commissioner of Labor and Workforce Development will review the application for a variance and may deny the request or issue an order granting the variance. An order granting a variance shall be issued only if it has been established that:
 1. The employer
 - i. Is unable to comply with the standard by the effective date because of unavailability of professional or technical personnel or materials and equipment

- required or necessary construction or alteration of facilities or technology.
 - ii. Has taken all available steps to safeguard employees against the hazard(s) covered by the standard.
 - iii. Has as effective Program Plan for coming into compliance with the standard as quickly as possible.
- 2. The employee is engaged in an experimental Program Plan as described in subsection (b), section 13 of the Act.
- d. A variance may be granted for a period of no longer than is required to achieve compliance or one (1) year, whichever is shorter.
- e. Upon receipt of an application for an order granting a variance, the Commissioner to whom such application is addressed may issue an interim order granting such a variance for the purpose of permitting time for an orderly consideration of such application. No such interim order may be effective for longer than one hundred eighty (180) days.
- f. The order or interim order granting a variance shall be posted at the worksite and employees notified of such order by the same means used to inform them of the application for said variance (see subsection (a)(5) of this section).

VIII. RECORDKEEPING AND REPORTING

Recording and reporting of all occupational accident, injuries, and illnesses shall be in accordance with instructions and on forms prescribed in the booklet. You can get a copy of the Forms for Recordkeeping from the internet. Go to www.osha.gov and click on Recordkeeping Forms located on the home page.

The position responsible for recordkeeping is shown on the SAFETY AND HEALTH ORGANIZATIONAL CHART, Appendix IV to this plan.

Details of how reports of occupational accidents, injuries, and illnesses will reach the record-keeper are specified by ACCIDENT REPORTING PROCEDURES, Appendix IV to this plan. The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, OCCUPATIONAL SAFETY AND HEALTH RECORD-KEEPING AND REPORTING, CHAPTER 0800-01-03, as authorized by T.C.A., Title 50.

IX. EMPLOYEE COMPLAINT PROCEDURE

If any employee feels that he is assigned to work in conditions which might affect his health, safety, or general welfare at the present time or at any time in the future, he should report the condition to the HUMAN RESOURCES DIRECTOR.

- a. The complaint should be in the form of a letter and give details on the condition(s) and how the employee believes it affects or will affect his health, safety, or general welfare. The employee should sign the letter but need not do so if he wishes to remain anonymous (see subsection (h) of Section 1 of this plan).

- b. Upon receipt of the complaint letter, the Human Resources Director or their designee will evaluate the condition(s) and institute any corrective action, if warranted. Within ten (10) working days following the receipt of the complaint, the Human Resources Director or their designee will answer the complaint in writing stating whether or not the complaint is deemed to be valid and if no, why not, what action has been or will be taken to correct or abate the condition(s), and giving a designated time period for correction or abatement. Answers to anonymous complaints will be posted upon bulletin boards or other places of common passage where the anonymous complaint may be reasonably expected to be seen by the complainant for a period of three (3) working days.
- c. If the complainant finds the reply not satisfactory because it was held to be invalid, the corrective action is felt to be insufficient, or the time period for correction is felt to be too long, he may forward a letter to the City Administrator or to the governing body explaining the condition(s) cited in his original complaint and why he believes the answer to be inappropriate or insufficient.
- d. The City Administrator or a representative of the governing body will evaluate the complaint and will begin to take action to correct or abate the condition(s) through arbitration or administrative sanctions or may find the complaint to be invalid. An answer will be sent to the complainant within ten (10) working days following receipt of the complaint or the next regularly scheduled meeting of the governing body following receipt of the complaint explaining decisions made and action taken or to be taken.
- e. After the above steps have been followed and the complainant is still not satisfied with the results, he may then file a complaint with the Commissioner of Labor and Workforce Development. Any complaint filed with the Commissioner of Labor and Workforce Development in such cases shall include copies of all related correspondence with the Human Resources Director (or their designee) and the City Administrator or the representative of the governing body.
- f. Copies of all complaint and answers thereto will be filed by the Human Resources Director who shall make them available to the Commissioner of Labor and Workforce Development or his designated representative upon request.

X. EDUCATION AND TRAINING

- 1. The Human Resources Director or their designee and/or Compliance Inspector(s):

Arrangements will be made for the Human Resources Director or their designee and/or Compliance Inspector(s) to attend training seminars, workshops, etc., conducted by the State of Tennessee or other agencies. A list of Seminars can be obtained.

- 2. Access will be made to reference materials such as 29 CFR 1910 General Industry Regulations; 29 CFR 1926 Construction Industry Regulations; The Rules of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, and other equipment/supplies, deemed necessary for use in conducting compliance inspections, conducting local training, wiring technical reports, and informing officials, supervisors, and employees of the existence of safety and health hazards will be furnished.

- b. All Employees (including supervisory personnel):

A suitable safety and health training program for employees will be established. This program will, as a minimum:

1. Instruct each employee in the recognition and avoidance of hazards or unsafe conditions and of standards and regulations applicable to the employees work environment to control or eliminate any hazards, unsafe conditions, or other exposures to occupational illness or injury.
2. Instruct employees who are required to handle or use poisons, acids, caustics, toxicants, flammable liquids, or gases including explosives, and other harmful substances in the proper handling procedures and use of such items and make them aware of the personal protective measures, person hygiene, etc., which may be required.
3. Instruct employees who may be exposed to environments where harmful plants or animals are present, of the hazards of the environment, how to best avoid injury or exposure, and the first aid procedures to be followed in the event of injury or exposure.
4. Instruct all employees of the common deadly hazards and how to avoid them, such as Falls; Equipment Turnover; Electrocution; Struck by/Caught In; Trench Cave In; Heat Stress and Drowning.
5. Instruct employees on hazards and dangers of confined or enclosed spaces.
 - i. Confined or enclosed space means space having a limited means of egress and which is subject to the accumulation of toxic or flammable contaminants or has an oxygen deficient atmosphere. Confined or enclosed spaces include, but are not limited to, storage tanks, boilers, ventilation or exhaust ducts, sewers, underground utility accesses, tunnels, pipelines, and open top spaces more than four feet (4) in depth such as pits, tubs, vaults, and vessels.
 - ii. Employees will be given general instruction on hazards involved, precautions to be taken, and on use of personal protective and emergency equipment required. They shall also be instructed on all specific standards or regulations that apply to work in dangerous or potentially dangerous areas.
 - iii. The immediate supervisor of any employee who must perform work in a confined or enclosed space shall be responsible for instructing employees on danger of hazards which may be present, precautions to be taken, and use of personal protective and emergency equipment, immediately prior to their entry into such an area and shall require use of appropriate personal protective equipment.

XI. GENERAL INSPECTION PROCEDURES

It is the intention of the governing body and responsible officials to have an Occupational Safety and Health Program Plan that will insure the welfare of employees. In order to be aware of hazards, periodic inspections must be performed. These inspections will enable the finding of hazards or unsafe conditions or operations that will need correction in order to maintain safe and healthful worksites. Inspections made on a pre-designated basis may not yield the desired results. Inspections will be conducted, therefore, on a random basis at intervals not to exceed thirty (30) calendar days. In order to carry out the purposes of this Ordinance, the Human Resources Director or their designee is authorized:

To enter at any reasonable time, any establishment, facility, or worksite where work is being performed by an employee when such establishment, facility, or worksite is under the jurisdiction of the employer and;

To inspect and investigate during regular working hours and at other reasonable times, within reasonable limits, and in a reasonable manner, any such place of employment and all pertinent conditions, processes, structures, machines, apparatus, devices, equipment, and materials therein, and to question privately any supervisor, operator, agent, or employee working therein.

If an imminent danger situation is found, alleged, or otherwise brought to the attention of the Human Resources Director or their designee during a routine inspection, he shall immediately inspect the imminent danger situation in accordance with Section XII of this plan before inspecting the remaining portions of the establishment, facility, or worksite.

An administrative representative of the employer and a representative authorized by the employees shall be given an opportunity to consult with and/or to accompany the Human Resources Director or their designee during the physical inspection of any worksite for the purpose of aiding such inspection.

The right of accompaniment may be denied any person whose conduct interferes with a full and orderly inspection.

The conduct of the inspection shall be such as to preclude unreasonable disruptions of the operation(s) of the workplace.

Interviews of employees during the course of the inspection may be made when such interviews are considered essential to investigative techniques.

Advance Notice of Inspections:

Generally, advance notice of inspections will not be given as this precludes the opportunity to make minor or temporary adjustments in an attempt to create misleading impression of conditions in an establishment.

There may be occasions when advance notice of inspections will be necessary in order to conduct an effective inspection or investigation. When advance notice of inspection is given, employees or their authorized representative(s) will also be given notice of the inspection.

The Human Resources Director need not personally make an inspection of each and every worksite once every thirty (30) days. He may delegate the responsibility for such inspections to supervisors or other personnel provided:

Inspections conducted by supervisors or other personnel are at least as effective as those made by the Human Resources Director.

Records are made of the inspections, any discrepancies found and corrective actions taken. This information is forwarded to the Human Resources Director.

The Human Resources Director shall maintain records of inspections to include identification of worksite inspected, date of inspection, description of violations of standards or other unsafe conditions or practices found, and corrective action taken toward abatement. Those inspection records shall be subject to review by the Commissioner of Labor and Workforce Development or his authorized representative.

XII. IMMINENT DANGER PROCEDURES

- a. Any discovery, any allegation, or any report of imminent danger shall be handled in accordance with the following procedures:
 - 1. The Human Resources Director shall immediately be informed of the alleged imminent danger situation and he shall immediately ascertain whether there is a reasonable basis for the allegation.
 - 2. If the alleged imminent danger situation is determined to have merit by the Human Resources Director, he shall make or cause to be made an immediate inspection of the alleged imminent danger location.
 - 3. As soon as it is concluded from such inspection that conditions or practices exist which constitutes an imminent danger, the Human Resources Director shall attempt to have the danger corrected. All employees at the location shall be informed of the danger and the supervisor or person in charge of the worksite shall be requested to remove employees from the area, if deemed necessary.
 - 4. The administrative or operational head of the workplace in which the imminent danger exists, or his authorized representative, shall be responsible for determining the manner in which the imminent danger situation will be abated. This shall be done in cooperation with the Human Resources Director to the mutual satisfaction of all parties involved.
 - 5. The imminent danger shall be deemed abated if:

The imminence of the danger has been eliminated by removal of employees from the area of danger. Conditions or practices which resulted in the imminent danger have been eliminated or corrected to the point where an unsafe condition or practice no longer exists.

- 6. A written report shall be made by or to the Human Resources Director describing in detail the imminent danger and its abatement. This report will be maintained by the Human Resources Director in accordance with subsection (i) of Section XI of this plan.
- b. Refusal to Abate.
 - 1. Any refusal to abate an imminent danger situation shall be reported to the Human Resources Director and the City Administrator immediately.
 - 2. The Human Resources Director and/or the City Administrator shall take whatever action may be necessary to achieve abatement.

XIII. ABATEMENT ORDERS AND HEARINGS

- A. Whenever, as a result of an inspection or investigation, the Human Resources Director finds that a worksite is not in compliance with the standards, rules or regulations pursuant to this plan and is unable to negotiate abatement with the administrative or operational head of the worksite within a reasonable period of time, the Human Resources Director shall:
 - 1. Issue an abatement order to the head of the worksite.
 - 2. Post or cause to be posted, a copy of the abatement order at or near each location referred to in the abatement order.
- B. Abatement orders shall contain the following information:
 - 1. The standard, rule, or regulation which was found to violated.
 - 2. A description of the nature and location of the violation.
 - 3. A description of what is required to abate or correct the violation.
 - 4. A reasonable period of time during which the violation must be abated or corrected.
- C. At any time within ten (10) days after receipt of an abatement order, anyone affected by the order may advise the Human Resources Director in writing of any objections to the terms and conditions of the order. Upon receipt of such objections, the Human Resources Director shall act promptly to hold a hearing with all interested and/or responsible parties in an effort to resolve any objections. Following such hearing, the Human Resources Director shall, within three (3) working days, issue an abatement order and such subsequent order shall be binding on all parties and shall be final.

XIV. DISCIPLINE

The City of Franklin administration, management and departmental directors condemns all unsafe acts performed by employees and those allowed to occur by supervisors when no action is taken to address the infraction.

This policy will be implemented for management, supervisory and non-supervisory employees.

Non-Supervisory Employees:

Safety discipline shall be issued when the near miss, accident, injury or incident was caused by the employee's unsafe act or failure on the part of the employee to inform management of unsafe conditions. However, occasions can arise that are of such significant magnitude that just cause for immediate suspension and or termination is warranted. The specific occasions may include but are not limited to those that result in serious injury or death to another employee or citizen, catastrophic property damage, or a blatant disregard for known safety practices is determined through investigation.

The Safety Discipline Policy will follow the City of Franklin Human Resource Manual

Typically, however the progression for this policy should be:

<u>1st Offense:</u>	Counseling Letter
<u>2nd Offense:</u>	Written Warning Letter
<u>3rd Offense:</u>	Suspension with pay or demotion
<u>4th Offense:</u>	Termination of Employment

Management Personnel:

Management and supervisory personnel are key to the enforcement of the safety policies and procedures. They must make safety equal to every other aspect of the employee job performance. Supervisors have the responsibility to ensure that employees are properly trained, provided with the proper protective equipment and supplies and follow the proper safety procedures while performing their job. Supervisors are required to address all unsafe acts and conditions immediately.

The safety discipline shall consist of two parts for management and supervisory personnel.

Management and supervisory personnel shall receive discipline when employees experience a near miss, accident, injury or incident because the supervisor failed to:

- Stop the unsafe act being performed by the employee,
- Provide the employee with the proper safety equipment
- Ensure that the employee received proper training,
- Address a known unsafe condition,
- Permitted the employee to work where in a known hazardous condition was present,
- Enforce the wearing of the proper protective equipment,
- Enforce the proper procedures and current best practices,
- Report unsafe conditions to management, or
- Follow all regulatory safety standards.

The progression for this policy should be:

<u>1st Offense:</u>	Counseling Letter
<u>2nd Offense:</u>	Written Warning Letter
<u>3rd Offense:</u>	Suspension without pay
<u>4th Offense:</u>	Termination

Supervisory safety performance shall be reviewed annually. Specific safety goals shall be developed for the supervisor's area of responsibility. If the goals are not achieved, the supervisor shall receive the proper performance rating as would be assessed for any other part of the appraisal that was deficient, (i.e., less than "meets expectations.")

XV. CONFIDENTIALITY OF PRIVILEGED INFORMATION

All information obtained by or reported to the Human Resources Director or their designee pursuant to this plan of operation or the legislation (ordinance, or executive order) enabling this Occupational Safety and Health Program Plan which contains or might reveal information which is otherwise privileged shall be considered confidential. Such information may be disclosed to other officials or employees concerned with carrying out this Program Plan or when relevant in any proceeding under this Program Plan. Such information may also be disclosed to the Commissioner of

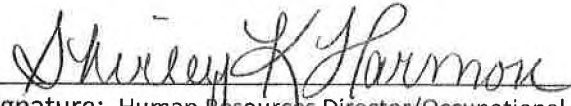
Labor and Workforce Development or their authorized representatives in carrying out their duties under the Tennessee Occupational Safety and Health Act of 1972.

XVI. DISCRIMINATION INVESTIGATIONS AND SANCTIONS

The Rule of Tennessee Department of Labor and Workforce Development Occupational Safety and Health, DISCRIMINATION AGAINST EMPLOYEES EXERCISING RIGHTS UNDER THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1972 0800-01-08, as authorized by T.C.A., Title 50. The agency agrees that any employee who believes they have been discriminated against or discharged in violation of Tenn. Code Ann § 50-3-409 can file a complaint with their Human Resources Director (or their designee) within 30 days, after the alleged discrimination occurred. Also, the agency agrees the employee has a right to file their complaint with the Commissioner of Labor and Workforce Development within the same 30 day period. The Commissioner of Labor and Workforce Development may investigate such complaints, make recommendations, and/or issue a written notification of a violation.

XVII. COMPLIANCE WITH OTHER LAWS NOT EXCUSED

- A. Compliance with any other law, statute, ordinance, or executive order, which regulates safety and health in employment and places of employment, shall not excuse the employer, the employee, or any other person from compliance with the provisions of this Program Plan.
- B. Compliance with any provisions of this Program Plan or any standard, rule, regulation, or order issued pursuant to this Program Plan shall not excuse the employer, the employee, or any other person from compliance with the law, statute, ordinance, or executive order, as applicable, regulating and promoting safety and health unless such law, statute, ordinance, or executive order, as applicable, is specifically repealed.


Signature: Human Resources Director/Occupational Health & Safety Director

01/09/2014
Date

APPENDIX – II NOTICE TO ALL EMPLOYEES OF THE CITY OF FRANKLIN

The Tennessee Occupational Safety and Health Act of 1972 provide job safety and health protection for Tennessee workers through the promotion of safe and healthful working conditions. Under a plan reviewed by the Tennessee Department of Labor and Workforce Development, this government, as an employer, is responsible for administering the Act to its employees. Safety and health standards are the same as State standards and jobsite inspections will be conducted to insure compliance with the Act.

Employees shall be furnished conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or harm to employees.

Each employee shall comply with occupational safety and health standards and all rules, regulations, and orders issued pursuant to this Program Plan which are applicable to his or her own actions and conduct.

Each employee shall be notified by the placing upon bulletin boards or other places of common passage of any application for a temporary variance from any standard or regulation.

Each employee shall be given the opportunity to participate in any hearing which concerns an application for a variance from a standard.

Any employee who may be adversely affected by a standard or variance issued pursuant to this Program Plan may file a petition with the Human Resources Director.

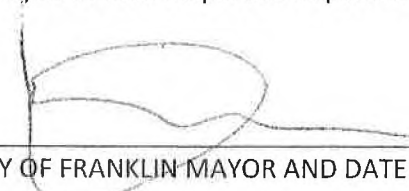
Any employee who has been exposed or is being exposed to toxic materials or harmful physical agents in concentrations or at levels in excess of that provided for by an applicable standard shall be notified by the employer and informed of such exposure and corrective action being taken.

Subject to regulations issued pursuant to this Program Plan, any employee or authorized representative(s) of employees shall be given the right to request an inspection.

No employee shall be discharged or discriminated against because such employee has filed any complaint or instituted or caused to be instituted any proceedings or inspection under, or relating to, this Program Plan.

Any employee who believes he or she has been discriminated against or discharged in violation of these sections may, within thirty (30) days after such violation occurs, have an opportunity to appear in a hearing before the City of Franklin for assistance in obtaining relief or to file a complaint with the Commissioner of Labor and Workforce Development alleging such discrimination.

A copy of the Occupational Safety and Health Program Plan for the Employees of the City of Franklin is available for inspection by any employee at their respective department during regular office hours.



Signature: CITY OF FRANKLIN MAYOR AND DATE

APPENDIX - III PROGRAM PLAN BUDGET

STATEMENT OF FINANCIAL RESOURCE AVAILABILITY

Be assured that the City of Franklin has sufficient financial resources available or will make sufficient financial resources available as may be required in order to administer and staff its Occupational Safety and Health Program Plan and to comply with standards.

22

APPENDIX – IV ACCIDENT REPORTING PROCEDURES

(1-15) Employees shall report all accidents, injuries, or illnesses directly to the Human Resources Director or their designee as soon as possible, but not later than twenty-four (24) hours after the occurrence. Such reports may be verbal or in writing. All fatalities or accidents involving the hospitalization of three (3) or more employees shall be reported to the Human Resources Director and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The Human Resources Director or their designee will insure completion of required reports and records in accordance with Section VIII of the basic plan.

(16-50) Employees shall report all accidents, injuries, or illnesses to their supervisor as soon as possible, but not later than two (2) hours after the occurrence. All fatalities or accidents involving the hospitalization of three (3) or more employees shall be reported to the Human Resources Director or their designee and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The supervisor will investigate the accident or illness, complete an accident report, and forward the accident report to the Human Resources Director or their designee and/or record keeper within twenty-four (24) hours of the time the accident or injury occurred or the time of the first report of the illness.

(51-250) Employees shall report all accidents, injuries, or illnesses to their supervisors as soon as possible, but not later than two (2) hours after the occurrence. The supervisor will provide the Human Resources Director or their designee and/or record keeper with the name of the injured or ill employee and a brief description of the accident or illness by telephone as soon as possible, but not later than four (4) hours, after the accident or injury occurred or the time of the first report of the illness. All fatalities or accidents involving the hospitalization of three (3) or more employees shall be reported to the Human Resources Director or their designee and/or record keeper immediately, either by telephone or verbally, and will be followed by a written report within four (4) hours after their occurrence. The supervisor will then make a thorough investigation of the accident or illness (with the assistance of the Human Resources Director or their designee or Compliance Inspector, if necessary) and will complete a written report on the accident or illness and forward it to the Human Resources Director or their designee within seventy-two (72) hours after the accident, injury, or first report of illness and will provide one (1) copy of the written report to the record-keeper.

(251-Plus) Employees shall report all accidents, injuries, or illnesses to their supervisors as soon as possible, but not later than two (2) hours after their occurrence. The supervisor will provide the administrative head of the department with a verbal or telephone report of the accident as soon as possible, but not later than four (4) hours, after the accident. If the accident involves loss of consciousness, a fatality, broken bones, severed body member, or third degree burns, the Human Resources Director or their designee will be notified by telephone immediately and will be given the name of the injured, a description of the injury, and a brief description of how the accident occurred. The supervisor or the administrative head of the accident within seventy-two (72) hours after the accident occurred (four (4) hours in the event of accidents involving a fatality or the hospitalization of three (3) or more employees).

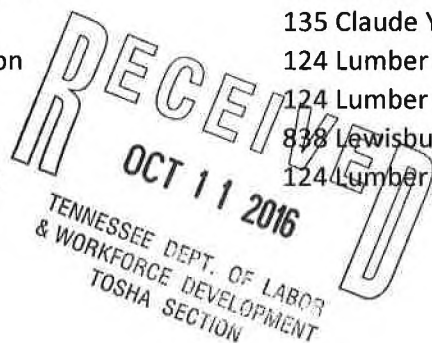
Since Workers Compensation Form 6A or OSHA NO. 301 Form must be completed; all reports submitted in writing to the person responsible for recordkeeping shall include the following information as a minimum:

1. Accident location, if different from employer's mailing address and state whether accident occurred on premises owned or operated by employer.
2. Name, social security number, home address, age, sex, and occupation (regular job title) of injured or ill employee.
3. Title of the department or division in which the injured or ill employee is normally employed.
4. Specific description of what the employee was doing when injured.
5. Specific description of how the accident occurred.
6. A description of the injury or illness in detail and the part of the body affected.
7. Name of the object or substance which directly injured the employee.
8. Date and time of injury or diagnosis of illness.
9. Name and address of physician, if applicable.
10. If employee was hospitalized, name and address of hospital.
11. Date of report.

Appendix - I Work Locations
City of Franklin Department Phone Numbers

Department	Address	Telephone	# of Employees
Administration	109 3rd Avenue South	(615) 791-3217	7
Administration - Board of Mayor & Aldermen	109 3rd Avenue South	(615) 791-3217	9
Administration - CIP	109 3rd Avenue South	(615) 791-3217	1
Administration - Communications	109 3rd Avenue South	(615) 791-3217	8
City Court	109 3rd Avenue South	(615) 794-5362	2
Building & Neighborhood Services	109 3rd Avenue South	(615) 794-7012	31
Engineering	109 3rd Avenue South	(615) 791-3218	16
Engineering - TOC	109 3rd Avenue South	(615) 791-3218	3
Finance	109 3rd Avenue South	(615) 791-1457	13
Fire	109 3rd Avenue South	(615) 791-3270	168
Fire Station #1	500 N. Highway 96 West	(615) 791-3209	
Fire Station #2	907 Murfreesboro Road	(615) 791-3275	
Fire Station #3	298 Mallory Station Road	(615) 791-3229	
Fire Station #4	2039 Fieldstone Blvd	(615) 791-3292	
Fire Station #5	215 Noah Drive	(615) 591-5635	
Fire Station #6	1061 Cool Springs Blvd.	(615) 550-6899	
Fire Station #7	4201 Long Lane	(615) 290-6539	
Fire Station #8	200 Front Street	(615) 550-8441	
Fire Training Center	419 Century Court	(615) 791-3362	
Human Resources	109 3rd Avenue South	(615) 791-3216	12
Law	109 3rd Avenue South	(615) 550-6603	4
Administration - Facilities Maintenance	109 3rd Avenue South	(615) 550-6715	6
Information Technology	109 3rd Avenue South	(615) 550-6613	21
Planning	109 3rd Avenue South	(615) 791-3212	16
Parks	705 Boyd Mill Avenue	(615) 794-2103	46
Police - Administration	900 Columbia Avenue	(615) 794-2513	13
Police - Criminal Investigation	900 Columbia Avenue	(615) 794-2513	32
Police - Patrol	900 Columbia Avenue	(615) 794-2513	105
Purchasing	109 3rd Avenue South	(615) 550-6692	3
Revenue Management	109 3rd Avenue South	(615) 794-4572	18
Sanitation & Environmental Services (SES)	417 Century Court	(615) 794-1516	7
SES Collections	417 Century Court	(615) 794-1516	29
SES Disposal	417 Century Court	(615) 794-1516	6
Street	124 Lumber Drive	(615) 791-3254	41
Street - Fleet Maintenance	124 Lumber Drive	(615) 791-3252	10
Street - Stormwater	124 Lumber Drive	(615) 791-3254	14
Street - Traffic	124 Lumber Drive	(615) 791-3254	10
Water - Sewer Collection	124 Lumber Drive	(615) 794-4554	21
Water - Sewer Plant	135 Claude Yates Road	(615) 791-3240	17
Water - Administration	124 Lumber Drive	(615) 794-4554	11
Water - Distribution	124 Lumber Drive	(615) 794-4554	16
Water - Water Plant	838 Lewisburg Pike	(615) 791-3260	12
Water - Water Billing	124 Lumber Drive	(615) 794-4554	3

Total: 731



APPENDIX - I WORK LOCATIONS**CITY OF FRANKLIN DEPARTMENT PHONE NUMBERS**

<u>Department</u>	<u>Address</u>	<u>Telephone</u>	<u># of Employees</u>
Administration	109 3 rd Avenue South	(615) 791-3217	7
Admin – CIP	109 3 rd Avenue South	(615) 791-3217	2
Admin – Comm	109 3 rd Avenue South	(615) 791-3217	7
City Court	109 3 rd Avenue South	(615) 794-5362	4
Codes	109 3 rd Avenue South	(615) 794-7012	31
Engineering	109 3 rd Avenue South	(615) 791-3218	10
Engineering TOC	109 3 rd Avenue South	(615) 791-3218	3
Finance	109 3 rd Avenue South	(615) 791-1457	11
Fire Department	109 3 rd Avenue South	(615) 791-3270	151
Fire Station#1	500 N. Highway 96 W.	(615) 791-3209	
Fire Station#2	907 Murfreesboro Rd.	(615) 791-3275	
Fire Station#3	298 Mallory Station Rd.	(615) 791-3229	
Fire Station#4	2039 Fieldstone Blvd.	(615) 791-3292	
Fire Station#5	215 Noah Drive	(615) 591-5635	
Fire Station#6	1061 Cool Springs Blvd	(615) 550-6899	
Fire Training Center	419 Century Court	(615) 791-3362	
Human Resources	109 3 rd Avenue South	(615) 791-3216	12
Law	109 3 rd Avenue South	(615) 550-6603	4
Maintenance	109 3 rd Avenue South	(615) 550-6715	8
MIT	109 3 rd Avenue South	(615) 550-6613	22
Planning	109 3 rd Avenue South	(615) 791-3212	19
Parks	705 Boyd Mill Avenue	(615) 794-2103	36
Police	900 Columbia Avenue	(615) 794-2513	158
Purchasing	109 3 rd Avenue South	(615) 550-6692	3
Revenue Mgmt.	109 3 rd Avenue South	(615)794-4572	18
SW Administration	417 Century Court	(615)794-1516	5
SW Collections	417 Century Court	(615)794-1516	32
SW Disposal	417 Century Court	(615)794-1516	6
SW Recycling	417 Century Court	(615)794-1516	4
Stormwater Street	108 Southeast Parkway	(615)791-3254	14
Street	108 Southeast Parkway	(615)791-3254	33
Street – Fleet Maint.	405 Hillsboro Road	(615)791-3252	8
Street –Traffic	108 Southeast Parkway	(615)791-3254	9
Water – SC	405 Hillsboro Road	(615)794-4554	18
Water – SP	135 Claude Yates Road	(615)791-3240	15
Water – Admin.	405 Hillsboro Road	(615)794-4554	6
Water – WD	405 Hillsboro Road	(615)794-4554	12
Water – WP	838 Lewisburg Pike	(615)791-3260	13
Water – WB	405 Hillsboro Road	(615)794-4554	3
TOTAL NUMBER OF EMPLOYEES: <u>684</u>			



City of Franklin, Tennessee

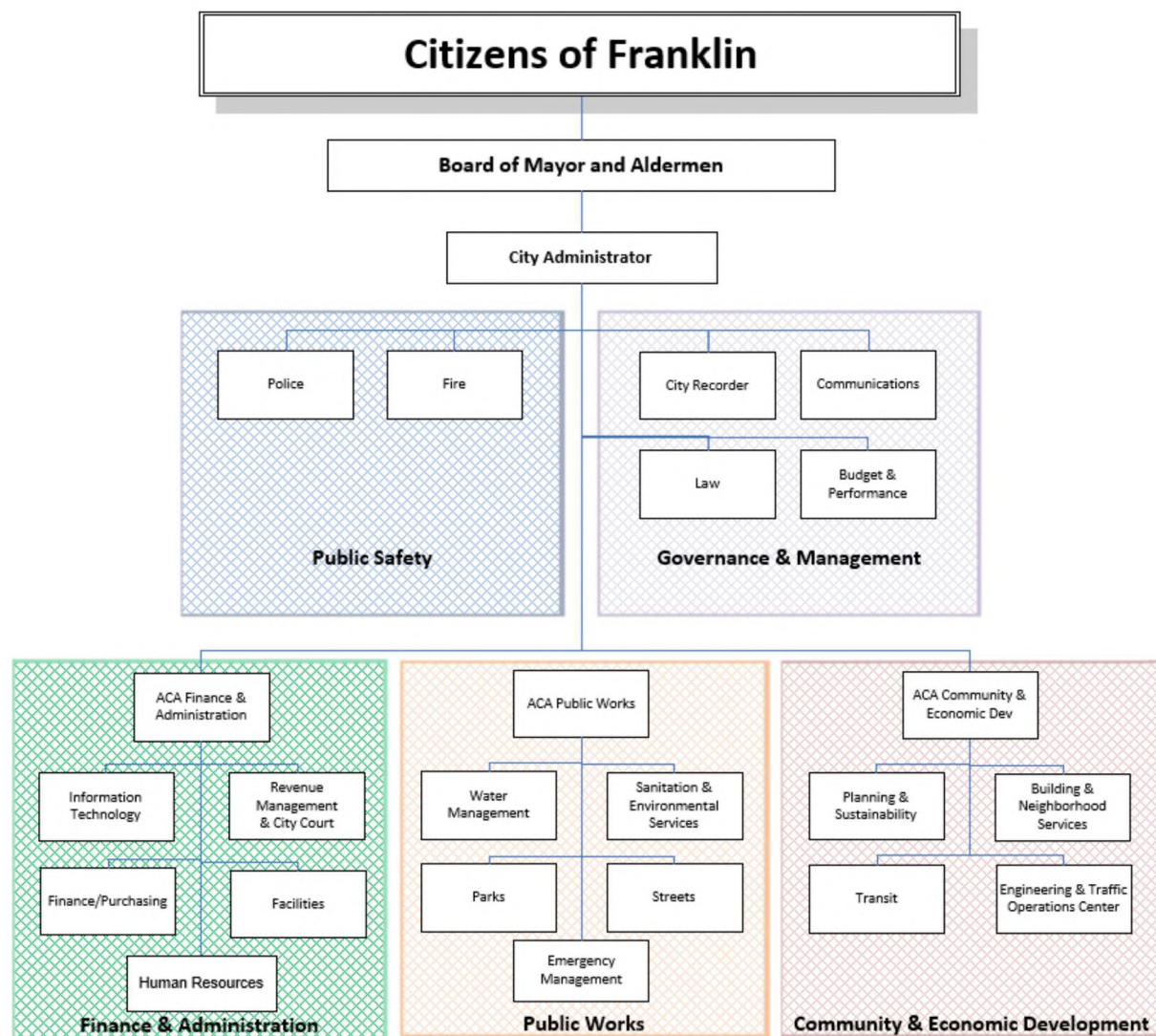
FY 2025 Operating Budget

City of Franklin Information & Organization

Our Vision: *America's finest Hometown, driven by excellence, balancing preservation and progress.*

Organizational Chart

Responsible to its citizens, the mission of the City government is to foster community cooperation, innovation, and opportunity by providing quality services to Franklin residents and businesses in an efficient, effective, and economical manner.





TENNESSEE SELF-INSURED - EMPLOYEES WORKING LOCATIONS FORM

THIS FORM IS ONLY FOR EMPLOYERS WHO DO NOT HAVE ANY AFFILIATES OR SUBSIDIARIE IN TN

TN'S SELF INSURED LEGAL NAME : _____ **City of Franklin, TN** _____ **FEIN#** 62-6000290 **DATE:** 08/13/2024

No.	Location Name	TN Physical Address	Effective Date of Self-Insured	End Date of Self-Insured	Type of Employment	Number of Employees	Payroll Amount	Contact Person Information		
								Name	E-Mail	Phone
1	City Hall	109 3rd Avenue South	7/1/2020		Office Staff	215		Sara E. Sylvis	sara.sylvis@franklintn.gov	615/791-3216
2	Police HQ	900 Columbia Avenue	7/1/2020		Police Officers	150		Sara E. Sylvis	sara.sylvis@franklintn.gov	615/791-3216
3	Fire Station 1	500 New Highway 96 West	7/1/2020		Firefighters	4-6 per shift		Sara E. Sylvis	sara.sylvis@franklintn.gov	615/791-3216
4	Fire Station 2	907 Murfreesboro Road	7/1/2020		Firefighters	4-6 per shift		Sara E. Sylvis	sara.sylvis@franklintn.gov	615/791-3216
5	Fire Station 3	298 Mallory Station Rd.	7/1/2020		Firefighters	4-6 per shift		Sara E. Sylvis	sara.sylvis@franklintn.gov	615/791-3216
6	Fire Station 4	2019 Fieldstone Parkway	7/1/2020		Firefighters	4-6 per shift		Sara E. Sylvis	sara.sylvis@franklintn.gov	615/791-3216
7	Fire Station 5	215 Noah Drive	7/1/2020		Firefighters	4-6 per shift		Sara E. Sylvis	sara.sylvis@franklintn.gov	615/791-3216
8	Fire Station 6	1061 Cool Springs Blvd.	7/1/2020		Firefighters	4-6 per shift		Sara E. Sylvis	sara.sylvis@franklintn.gov	615/791-3216
9	Fire Station 7	4201 Long Lane	7/1/2020		Firefighters	4-6 per shift		Sara E. Sylvis	sara.sylvis@franklintn.gov	615/791-3216
10	Fire Station 8	200 Front Street	7/1/2020		Firefighters	4-6 per shift		Sara E. Sylvis	sara.sylvis@franklintn.gov	615/791-3216
11	Fire Training Center	419 Century Court	7/1/2020		Firefighters	155 total fire personnel,		Sara E. Sylvis	sara.sylvis@franklintn.gov	615/791-3216
12	Public Works (Water & Street)	124 Lumber Drive	7/1/2020		Laborers	129		Sara E. Sylvis	sara.sylvis@franklintn.gov	615/791-3216
13	Parks	705 Boyd Mill Avenue	7/1/2020		Laborers	46		Sara E. Sylvis	sara.sylvis@franklintn.gov	615/791-3216
14	Sanitation	417 Century Court	7/1/2020		Driver/Operators	47		Sara E. Sylvis	sara.sylvis@franklintn.gov	615/791-3216
15	Water Plant	838 Lewisburg Pike	7/1/2020		Operators	11		Sara E. Sylvis	sara.sylvis@franklintn.gov	615/791-3216
16	Wastewater Plant	135 Claude Yates Drive	7/1/2020		Operators	25		Sara E. Sylvis	sara.sylvis@franklintn.gov	615/791-3216
17	Eastern Flank Battlefield Park	1368 Eastern Flank Circle	7/1/2020		Office Staff	3		Sara E. Sylvis	sara.sylvis@franklintn.gov	615/791-3216

Note: Please send an updated Organizational Chart along with this attachment. Attach another sheet, if needed.



City of Franklin

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

File #: 21-0819

DATE: October 1, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Vernon Gerth, Asst. City Administrator Community Development
Blake Harper, Staff Attorney

SUBJECT:

Consideration Of COF Contract No. 2024-0329, License Agreement Between Williamson County, Tennessee And City Of Franklin, Tennessee For Periodic Scheduled Use Of The County's Auditorium

PURPOSE:

The purpose of this memorandum is to provide information to the City of Franklin Board of Mayor and Aldermen concerning the license agreement with Williamson County for the periodic use of their auditorium during the construction of the new City Hall building.

BACKGROUND/STAFF COMMENTS:

This agreement defines certain financial and operational responsibilities of City concerning the use of the Williamson County Auditorium in the Williamson County Administrative Complex located at 1320 West Main Street, Franklin, Tennessee for the City to conduct its Board of Mayor and Aldermen and Planning Commission meetings during the construction of the new City Hall building.

FINANCIAL IMPACT:

Neither party is being compensated for the City's use of the Auditorium.

RECOMMENDATION:

Staff recommends that the Board of Mayor and Aldermen approve COF Contract No. 2024-0329.

**LICENSE AGREEMENT BETWEEN WILLIAMSON COUNTY, TENNESSEE AND
THE CITY OF FRANKLIN, TENNESSEE FOR PERIODIC SCHEDULED USE OF THE COUNTY'S AUDITORIUM**

THIS LICENSE AGREEMENT ("Agreement") is made and entered, by and between **WILLIAMSON COUNTY, TENNESSEE** (hereinafter "County"), and the **CITY OF FRANKLIN, TENNESSEE** (hereinafter "City"), concerning the periodic use of the Williamson County Auditorium for its regularly scheduled meetings of the Board of Mayor and Aldermen and the City's Planning Commission.

NOW, THEREFORE, in consideration of the mutual covenants and promises contained herein, the parties agree as follows:

- 1. PURPOSE.** The purpose of this Agreement is to define certain financial and operational responsibilities of City concerning the use of the Williamson County Auditorium in the Williamson County Administrative Complex located at 1320 West Main Street, Franklin, TN ("Auditorium") for the City to conduct its Board of Mayor and Aldermen and its Planning Commission meetings.
- 2. USE.** County shall provide City access to its Auditorium beginning at 3 p.m. for its regularly scheduled Board of Mayor and Aldermen meeting which meets the evening of the second (2nd) and fourth (4th) Tuesday of each month and for its Planning Commission meeting which meets on the fourth (4th) Thursday of each month beginning at 3 p.m. City shall have access to the video and audio equipment located in the Auditorium which it shall use at its own risk and without warranty as to suitability for its use during public meetings. With the exception of using County's audio and video equipment, use of the Auditorium by City shall be at the sole cost of City. City shall be responsible for the equipment and furniture located in the Auditorium and shall bear risk of loss and damage to the equipment or furniture occurring during City's use of the Auditorium.
- 3. COMPENSATION.** Neither party is being compensated for City's use of the Auditorium.
- 4. TERM.** The term of this Agreement shall extend from February 1, 2025 and shall continue until July 1, 2027. The parties may agree to extend this Agreement by written agreement of both parties.
- 5. TERMINATION.**
 - a. **Convenience.** Any party may terminate this Agreement by providing thirty (30) days written notice to the other party.
 - b. **Breach.** Should any party fail to fulfill in a timely and proper manner a material obligation under this Agreement or if any party should violate a material term of this Agreement, the non-breaching party shall provide the breaching party with notice of the breach. The breaching party will then have seven (7) calendar days from the receipt of the notice to cure the breach. Termination shall become effective immediately if the breach is not cured within the seven (7) day period. Upon breach or default of any of the provisions set forth herein, the non-breaching party shall be entitled to any and all damages and other equitable relief permitted under the laws of the State of Tennessee.
- 6. INSURANCE.** Each party shall be responsible for obtaining and maintaining its own liability and property insurance against losses or liability related to this Agreement.
- 7. NO THIRD-PARTY BENEFICIARIES.** There are no third-party beneficiaries to this Agreement. No person or entity other than a party to this Agreement shall have any rights hereunder or any authority to enforce its provisions, and any such rights or enforcement must be consistent with and subject to the terms of this Agreement.

8. AUTHORITY TO ENTER INTO AGREEMENT. This Agreement is made and entered into pursuant to the laws of the State of Tennessee, and the parties agree that all approvals and filings required by the terms of said Act shall be achieved as soon as possible from and after the execution of this Agreement.

9. NOTICE. The individuals identified in this section, with appropriate input from public safety staff, shall develop and approve joint policies and procedures for: (1) responding to requests for notifications that include areas both within a municipality and outside that municipality, and (2) requests for backup services when the notification system used by one of the parties hereto is unavailable or fails to operate as needed. Notice of the need for backup services under this Agreement will be in person, by telephone, or by such other means as may be reasonably used to apprise the backup party of the initiating party's need for services under the circumstances. All other notices under this Agreement, with the exception of equipment testing, shall be given in writing, addressed to the following persons:

To: Williamson County
Attn: Office of County Mayor
1320 West Main St., Suite 125
Franklin, TN 37064

To: City of Franklin
Attn: City Manager
103 3rd Ave S.
Franklin, TN 37064

Written notices shall be deemed received three (3) days after the same are deposited in the United States Mail, postage prepaid, addressed as provided above.

10. MISCELLANEOUS.

a. Relationship. In consideration of the mutual covenants provided herein, the parties agree that nothing contained herein is intended to be or should be construed in any manner as creating or establishing the relationship of co-partners between the parties hereto or as constituting an agency relationship in any manner whatsoever. The individual parties are and shall remain independent entities with respect to this Agreement.

b. Binding. This Agreement shall be binding upon the parties and shall take effect from and after its ratification and signing by all parties after obtaining appropriate approval pursuant to the requirements of the Interlocal Cooperation Act.

c. Dispute Resolution. The parties may agree to participate in non-binding mediation in an attempt to resolve any disputes. Notwithstanding the foregoing statement, any claims, disputes, or other matters in question between the parties to this Agreement arising out of or relating to this Agreement or breach thereof shall be subject to and decided by a court of law.

d. Severability. The parties agree that if any part, term, or provision of this Agreement is determined to be illegal or in conflict with any law of the State of Tennessee by any court with jurisdiction, the validity of the remaining portions or provisions shall not be affected. The rights and obligations of the parties shall be construed and enforced as if the Agreement did not contain the particular part, term, or provision held to be invalid.

e. Specific Performance. The parties recognize that the rights afforded to each under this Agreement are unique and, accordingly, the individual agencies shall, in addition to such other remedies as may be available to them in equity, have the right to enforce their respective rights hereunder by an action for injunctive relief and/or specific performance to the extent permitted by law.

f. Cooperation. The parties agree to cooperate fully in order to successfully execute the terms and conditions of this Agreement including obtaining all regulatory and governmental approvals required by this Agreement recognizing that the intent of each party to the other is to serve the individual interests of each party while respecting the conditions and obligations of this Agreement.

g. Assignment. The rights and obligations of this Agreement are not assignable.

h. Law/Venue. This Agreement shall be exclusively governed by the laws of the State of Tennessee. In the event that any section and/or term of this Agreement, or any exhibits hereto, becomes subject to litigation, the venue for such action will be exclusively maintained in a court of competent jurisdiction sitting in Williamson County, Tennessee.

i. Entire Agreement. This Agreement represents the entire agreement between the parties and supersedes all prior negotiations, representations, or agreements, either written or oral, with respect to the subject matter hereof. This Agreement may be amended only by written instrument signed by all parties.

IN WITNESS WHEREOF, each party has caused this Agreement to be executed by an authorized person effective as of the date and year written below.

WILLIAMSON COUNTY, TENNESSEE:

CITY OF FRANKLIN, TENNESSEE:

By: _____

By: _____

Date: _____

Date: _____

Williamson County Attorney

City of Franklin Attorney

Williamson County\Agts\Real Property Agts\City of Franklin\Use of AOC Space\2024.09.23 Franklin Licenses K24-528.doc



File #: 21-0879

DATE: October 15, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Brad Wilson, Facilities Project Manager

SUBJECT:

Consideration Of COF Contract No. 2024-0098, With Thompson Energy Solutions For Preventative Maintenance For Twenty-Seven (27) Generators For A Term Of Three (3) Years

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning COF Contract No. 2024-0098.

BACKGROUND/STAFF COMMENTS:

Thompson Energy Solutions will provide preventative maintenance for 27 generators for the City. The Scope of Work will include annual preventative maintenance services consisting of inspection per the attached checklist, plus oil change, oil filters, and fuel filters. Inspection will include checking the cooling system for proper freeze protection and corrosion inhibitor, loading test batteries, and taking oil samples for analysis.

The schedule will be as follows: July 2024/2025/2026 for 5 units; January 2025-2026/2027 for 22 units.

FINANCIAL IMPACT:

The cost of this maintenance will be as follows:

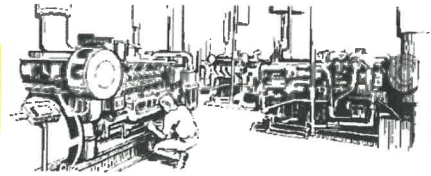
June 2024 - May 2025: \$73,117.29
June 2025 - May 2026: \$80,389.24
June 2026 - May 2027: \$90,550.40

RECOMMENDATION:

Staff recommends that the Board of Mayor and Aldermen approve COF Contract No. 2024-0098.

Customer Value Agreement (CVA)

RLF03282024-SW



CITY OF FRANKLIN (163600)

109 3rd Ave S

Attn: Brad Wilson

brad.wilson@franklintn.gov
Thompson
 Energy Solutions


March 28, 2024

RE: Sourcewell Preventative Maintenance Agreement for 27 Generators located in Franklin, TN. 37214
 3 year agreement for your F.Y. starting on June 1st 2024 to May 31st 2027 - **Sourcewell agreement #092222-CAT**
 City of Franklin Sourcewell membership # 2081
 Serial #'s: F060929631, I060969821, E060927937, 1LZ00345, 4ZR03765, C19052684, 8201003, K080219142,
 L080224181, WA5364A-93706-1203, 2034439, E3663A/001, 779219, F7402A/001, 2036683, F0387A/001,
 F060941033, 33CFGMGP0021, L150876782, SGM32BFTH, 22221714, 3000362576, 2283168, 2094688, 755130,
 68734, 3002913935

Brad,

We are pleased to quote the following services for your generator fleet at the City of Franklin, TN.

Terms of Agreement: The Preventative Maintenance pricing included in the scope of work below, and detailed in the chart on page 2, will receive a 5% discount from the quoted pricing on page 2.

The Agreement includes PM1, PM2 and ATS inspections listed as the scope of work.

This scope of work shall constitute the agreement between Thompson Machinery Commerce Corporation and City of Franklin, TN.

Discounts offered in the scope of work for this agreement will apply from date of receipt of fully executed agreement and conclude upon expiration date of this agreement.

Please note that any additional repairs outside of the quoted scope of work will now receive a 5% discount on labor rates, during this agreement, for those serial numbers listed as part of the agreement.

Parts and miscellaneous fees will remain at normal rates for any additional repairs that are authorized for the duration of this agreement. A Multiyear discount of 1% off total Sourcewell pricing will be applied for signed agreement.

SCOPE OF WORK (SOW)

- A) One Annual Preventative Maintenance Service. - Annual PM2 Service consists of Inspection per attached checklist, plus change oil, oil filters and fuel filters. Check cooling system for proper freeze protection and corrosion inhibitor. Load test starting batteries. Take oil sample for analysis.
JULY 2024/2025/2026 (5 units) – JANUARY 2025/2026/2027 (22 units)
- B) PM1 Inspection consists of Inspection per attached checklist. **Semiannual (19 units), Quarterly (8 units)**
- C) Energized ATS inspection with 30-minute transfer as allowed. **Annual (26)**
- D) Provide repair recommendations for items found during site inspections/maintenance.

Total Net Fleet Pricing (as per attached chart pages 2-4)

FY	June 2024-May 2025	June 2025-May 2026	June 2026-May 2027
Annual PM2 Service (27)	\$36,213.00	\$39,835.00	\$46,174.00
PM1 Inspection (43)	\$21,930.00	\$24,080.00	\$26,445.00
ATS Inspection (28)	\$19,600.00	\$21,560.00	\$23,660.00
Total pricing page 2	\$77,743.00	\$85,475.00	\$96,279.00
Less 5% Sourcewell Discount price	-\$ 3,887.15	-\$ 4,273.75	-\$ 4,813.95
Total Sourcewell pricing	\$73,855.85	\$81,201.25	\$91,465.05
Multiyear discount 1%	-\$ 738.56	-\$ 812.01	-\$ 914.65
Total price all discounts (per year)	\$73,117.29	\$80,389.24	\$90,550.40

Asset Name	Make	Model	Serial Number	KW	PM 1 \$510 per visit	Date	PM 2	Date	ATS Insp (1) \$700 per ATS	Date	TOTAL
Liberty Pike - Radio Tower and Water Tank	CU	DGDA	F060929631	80	510	Jul-24	1149	Jan-25	700	Jan-25	2359
Lula Lane - Radio Tower	CU	DGDA	I060969821	80	510	Jul-24	1149	Jan-25	700	Jan-25	2359
Long Lane - Radio Tower	CU	DGCA	E060927937	80	510	Jul-24	1149	Jan-25	700	Jan-25	2359
*Water Treatment Plant (Extended Oil change)	CAT	3516	1L200345	1750	510	Jul-24	3048	Jan-25	700	Jan-25	4258
(2 ATS)									700	Jan-25	700
City Hall	CAT	3406	4ZR03765	300	510	Jul-24	1511	Jan-25	700	Jan-25	2721
Police HQ Command Vehicle	ON	5.5HGJAD	C19052684	5	510	Jul-24	735	Jan-25			1245
Police HQ -Light Tower	MQ	DCA-45US1	8201003	26	510	Jul-24	1021	Jan-25			1531
Police HQ Gen #1	CU	DSGAC	K080219142	150	510	Jul-24	1254	Jan-25	700	Jan-25	2464
Police HQ Gen #2	CU	DFEK	L080224181	500	510	Jul-24	1762	Jan-25	700	Jan-25	2972
Sanitation and Environmental Services	KATO	D250FPJ4	WA5364A-93706-	250	510	Jul-24	1453	Jan-25	700	Jan-25	2663
PUBLIC WORKS Municipal Complex	OY	97A02065-S	2034439	200	510	Jul-24	1453	Jan-25	700	Jan-25	2663
Fire Station 1	OY	D100PS	E3663A/001	100	510	Jul-24	1149	Jan-25	700	Jan-25	2359
					510	Oct-24					510
					510	Apr-25					510
Fire Station 2	KH	230REOZV	779219	230	510	Oct-24	1453	Jul-24	700	Jan-25	2663
(3 ATS)					510	Jan-25			700	Jan-25	1210
					510	Apr-25			700	Jan-25	1210
Fire Station 3	OY	D100P1	F7402A/001	100	510	Jul-24	1149	Jan-25	700	Jan-25	2359
					510	Oct-24					510
					510	Apr-25					510
Fire Station 4	OY	97A04441-S	2036683	100	510	Jul-24	1149	Jan-25	700	Jan-25	2359
					510	Oct-24					510
					510	Apr-25					510
Fire Station 5	OY	D100P1	F0387A/001	100	510	Oct-24	1149	Jul-24	700	Jan-25	2359
					510	Jan-25					510
					510	Apr-25					510
Fire Station 6	CU	DGFB	F060941033	175	510	Oct-24	1342	Jul-24	700	Jan-25	2552
					510	Jan-25					510
					510	Apr-25					510
Fire Station 7	KH	250REOZJE	33CFGMP0021	250	510	Oct-24	1453	Jul-24	700	Jan-25	2663
					510	Jan-25					510
					510	Apr-25					510
Fire Station 8	CU	DSGAC	L150876782	150	510	Oct-24	1254	Jul-24	700	Jan-25	2464
(2 ATS)					510	Jan-25			700	Jan-25	1210
					510	Apr-25					510
Amelia Park Liftstation	KH	200REOZFJ	SGM32BFTH	200	510	Jul-24	1453	Jan-25	700	Jul-24	2663
Red Wing / Goose Creek Liftstation	KH	ROEZDJD	22221714	180	510	Jul-24	1453	Jan-25	700	Jul-24	2663
Fieldstone Liftstation Gen #1	GK	SD150	3000362576	150	510	Jul-24	1453	Jan-25	700	Jul-24	2663
Fieldstone Liftstation Gen #2	KH	REOZDJD	2283168	80	510	Jul-24	1149	Jan-25	700	Jul-24	2359
Founders Pointe Liftstation	GK	8567120100	2094688	80	510	Jul-24	1149	Jan-25	700	Jul-24	2359
Westhaven Liftstation	KH	350REOZ	755130	350	510	Jul-24	1604	Jan-25	700	Jul-24	2814
Westhaven Liftstation Portable	ZZ	MMG125	68734	90	510	Jul-24	1149	Jan-25			1659
	GK	RG02224GNAX	3002913935	22	510	Jul-24	1021	Jan-25	700	Jul-24	2231
					FY-24-25 (June 2024-May 2025)						
					\$ 21,930.00		\$ 36,213.00		\$ 19,600.00		\$ 77,743.00

*Additional ATS or PM1 inspections available at quoted pricing for equipment in this agreement.

Asset Name	Make	Model	Serial Number	KW	PM 1 \$560 per visit	Date	PM 2	Date	ATS Insp (1) \$770 per ATS	Date	TOTAL
Liberty Pike - Radio Tower and Water Tank	CU	DGDA	F060929631	80	560	Jul-25	1264	Jan-26	770	Jan-26	2594
Lula Lane - Radio Tower	CU	DGDA	I060969821	80	560	Jul-25	1264	Jan-26	770	Jan-26	2594
Long Lane - Radio Tower	CU	DGCA	E060927937	80	560	Jul-25	1264	Jan-26	770	Jan-26	2594
*Water Treatment Plant (Extended Oil change) (2 ATS)	CAT	3516	1L200345	1750	560	Jul-25	3353	Jan-26	770	Jan-26	4683
									770	Jan-26	770
City Hall	CAT	3406	4ZR03765	300	560	Jul-25	1662	Jan-26	770	Jan-26	2992
Police HQ Command Vehicle	ON	5.5HGJAD	C19052684	5	560	Jul-25	809	Jan-26			1369
Police HQ -Light Tower	MQ	DCA-45US1	8201003	26	560	Jul-25	1123	Jan-26			1683
Police HQ Gen #1	CU	DSGAC	K080219142	150	560	Jul-25	1380	Jan-26	770	Jan-26	2710
Police HQ Gen #2	CU	DFEK	L080224181	500	560	Jul-25	1938	Jan-26	770	Jan-26	3268
Sanitation and Environmental Services	KATO	D250FPJ4	WA5364A-93706-	250	560	Jul-25	1598	Jan-26	770	Jan-26	2928
PUBLIC WORKS Municipal Complex	OY	97A02065-S	2034439	200	560	Jul-25	1598	Jan-26	770	Jan-26	2928
Fire Station 1	OY	D100PS	E3663A/001	100	560	Jul-25	1264	Jan-26	770	Jan-26	2594
					560	Oct-25					560
					560	Apr-26					560
Fire Station 2 (3 ATS)	KH	230REOZV	779219	230	560	Oct-25	1598	Jul-25	770	Jan-26	2928
					560	Jan-26			770	Jan-26	1330
					560	Apr-26			770	Jan-26	1330
Fire Station 3	OY	D100P1	F7402A/001	100	560	Jul-25	1264	Jan-26	770	Jan-26	2594
					560	Oct-25					560
					560	Apr-26					560
Fire Station 4	OY	97A04441-S	2036683	100	560	Jul-25	1264	Jan-26	770	Jan-26	2594
					560	Oct-25					560
					560	Apr-26					560
Fire Station 5	OY	D100P1	F0387A/001	100	560	Oct-25	1264	Jul-25	770	Jan-26	2594
					560	Jan-26					560
					560	Apr-26					560
Fire Station 6	CU	DGFB	F060941033	175	560	Oct-25	1476	Jul-25	770	Jan-26	2806
					560	Jan-26					560
					560	Apr-26					560
Fire Station 7	KH	250REOZJE	33CFGMG0021	250	560	Oct-25	1598	Jul-25	770	Jan-26	2928
					560	Jan-26					560
					560	Apr-26					560
Fire Station 8 (2 ATS)	CU	DSGAC	L150876782	150	560	Oct-25	1380	Jul-25	770	Jan-26	2710
					560	Jan-26			770	Jan-26	1330
					560	Apr-26					560
Amelia Park Liftstation	KH	200REOZFJ	SGM328FTH	200	560	Jul-25	1598	Jan-26	770	Jan-26	2928
Red Wing / Goose Creek Liftstation	KH	ROEZDJD	22221714	180	560	Jul-25	1598	Jan-26	770	Jan-26	2928
Fieldstone Liftstation Gen #1	GK	SD150	3000362576	150	560	Jul-25	1598	Jan-26	770	Jan-26	2928
Fieldstone Liftstation Gen #2	KH	REOZDJD	2283168	80	560	Jul-25	1264	Jan-26	770	Jan-26	2594
Founders Pointe Liftstation	GK	8567120100	2094688	80	560	Jul-25	1264	Jan-26	770	Jan-26	2594
Westhaven Liftstation	KH	350REOZ	755130	350	560	Jul-25	1765	Jan-26	770	Jan-26	3095
Westhaven Liftstation Portable	ZZ	MMG125	68734	90	560	Jul-25	1264	Jan-26			1824
	GK	RG02224GNAX	3002913935	22	560	Jul-25	1123	Jan-26	770	Jan-26	2453
											
FY-25-26 (June 2025-May 2026)					\$ 24,080.00		\$ 39,835.00		\$ 21,560.00		\$ 85,475.00

*Additional ATS or PM1 inspections available at quoted pricing for equipment in this agreement.

Asset Name	Make	Model	Serial Number	KW	PM 1 \$615 per visit	Date	PM 2	Date	ATS Insp (1) \$846 per ATS	Date	TOTAL
Liberty Pike - Radio Tower and Water Tank	CU	DGDA	F060929631	80	615	Jul-26	1390	Jan-27	845	Jan-27	2850
Lula Lane - Radio Tower	CU	DGDA	I060969821	80	615	Jul-26	1390	Jan-27	845	Jan-27	2850
Long Lane - Radio Tower	CU	DGCA	E060927937	80	615	Jul-26	1390	Jan-27	845	Jan-27	2850
*Water Treatment Plant - (Full Annual)	CAT	3516	1L200345	1750	615	Jul-26	6045	Jan-27	845	Jan-27	7505
(2 ATS)									845	Jan-27	845
City Hall	CAT	3406	4ZR03765	300	615	Jul-26	1829	Jan-27	845	Jan-27	3289
Police HQ Command Vehicle	ON	5.5HGJAD	C19052684	5	615	Jul-26	890	Jan-27			1505
Police HQ -Light Tower	MQ	DCA-45US1	8201003	26	615	Jul-26	1235	Jan-27			1850
Police HQ Gen #1	CU	DSGAC	K080219142	150	615	Jul-26	1518	Jan-27	845	Jan-27	2978
Police HQ Gen #2	CU	DFEK	L080224181	500	615	Jul-26	2132	Jan-27	845	Jan-27	3592
Sanitation and Environmental Services	KATO	D250FPJ4	WA5364A-93706-	250	615	Jul-26	1758	Jan-27	845	Jan-27	3218
PUBLIC WORKS Municipal Complex	OY	97A02065-S	2034439	200	615	Jul-26	1758	Jan-27	845	Jan-27	3218
Fire Station 1	OY	D100PS	E3663A/001	100	615	Jul-26	1390	Jan-27	845	Jan-27	2850
					615	Oct-26					615
					615	Apr-27					615
Fire Station 2	KH	230REOZV	779219	230	615	Oct-26	1758	Jul-26	845	Jan-27	3218
(3 ATS)					615	Jan-27			845	Jan-27	1460
					615	Apr-27			845	Jan-27	1460
Fire Station 3	OY	D100P1	F7402A/001	100	615	Jul-26	1390	Jan-27	845	Jan-27	2850
					615	Oct-26					615
					615	Apr-27					615
Fire Station 4	OY	97A04441-S	2036683	100	615	Jul-26	1390	Jan-27	845	Jan-27	2850
					615	Oct-26					615
					615	Apr-27					615
Fire Station 5	OY	D100P1	F0387A/001	100	615	Oct-26	1390	Jul-26	845	Jan-27	2850
					615	Jan-27					615
					615	Apr-27					615
Fire Station 6	CU	DGFB	F060941033	175	615	Oct-26	1624	Jul-26	845	Jan-27	3084
					615	Jan-27					615
					615	Apr-27					615
Fire Station 7	KH	250REOZJE	33CFGMGPO021	250	615	Oct-26	1758	Jul-26	845	Jan-27	3218
					615	Jan-27					615
					615	Apr-27					615
Fire Station 8	CU	DSGAC	L150876782	150	615	Oct-26	1518	Jul-26	845	Jan-27	2978
(2 ATS)					615	Jan-27			845	Jan-27	1460
					615	Apr-27					615
Amelia Park Liftstation	KH	200REOZFJ	SGM32BFTH	200	615	Jul-26	1758	Jan-27	845	Jan-27	3218
Red Wing / Goose Creek Liftstation	KH	ROEJDJD	22221714	180	615	Jul-26	1758	Jan-27	845	Jan-27	3218
Fieldstone Liftstation Gen #1	GK	SD150	3000362576	150	615	Jul-26	1758	Jan-27	845	Jan-27	3218
Fieldstone Liftstation Gen #2	KH	REOJDJD	2283168	80	615	Jul-26	1390	Jan-27	845	Jan-27	2850
Founders Pointe Liftstation	GK	8567120100	2094688	80	615	Jul-26	1390	Jan-27	845	Jan-27	2850
Westhaven Liftstation	KH	350REOZ	755130	350	615	Jul-26	1942	Jan-27	845	Jan-27	3402
Westhaven Liftstation Portable	ZZ	MMG125	68734	90	615	Jul-26	1390	Jan-27			2005
4th Ave Garage	GK	RG02224GNAX	3002913935	22	615	Jul-26	1235	Jan-27	845	Jan-27	2695
  FY-26-27 (June 2026-May 2027)					\$ 26,445.00		\$ 46,174.00		\$ 23,660.00		\$ 96,279.00

*Additional ATS or PM1 inspections available at quoted pricing for equipment in this agreement.

All quoted work listed above to be performed during our normal working hours of 7:30am to 4:00 pm. Monday through Friday. **Any additional repairs that are not included in the scope of work above will be billed at our current rates at time of service unless otherwise stated.** Pricing excludes applicable taxes, freight, and overtime unless otherwise stated in agreement above.

Quote is valid for 30 days.

I accept the above Preventative Maintenance Agreement, agree to the terms and conditions, and wish to proceed. Material will be ordered, and services scheduled upon receipt of the customer purchase order. Customer purchase order and signed quotation should be emailed to Rick.Ferguson@tmcat.com for confirmation. You may contact me at 360-448-0802 with any questions.

City of Franklin

Authorized Signature

Name _____

Title City Administrator

Date _____

Thompson Machinery Commerce Corporation

Authorized Signature

Name Title Chief Operating OfficerDate 8/14/2024

Sourcewell agreement #092222-CAT

City of Franklin Sourcewell membership #

2081 Preventative Maintenance Agreement

Approved as to form:

J. Blake Harper, Staff Attorney

We appreciate the opportunity to quote you and look forward to your response.

Thank you,

*Rick Ferguson*Rick Ferguson
EPG Parts & Service Sales Representative

Addendum No. 1 to COF Contract No. 2024-0098

This Addendum shall modify and supersede the attached document COF Contract No. 2024-0098 (the "Agreement") and entered into on the 14 day of August, 2024, by the City of Franklin, Tennessee ("City") and Thompson Machinery Commerce Corporation ("Contractor"). The Agreement together with this Addendum and the attached document(s) constitute the entire agreement ("Agreement"). Acceptance of payment as stated in the Agreement constitutes Contractor's acceptance of all terms and conditions stated herein.

Standard Terms and Conditions

1. Drug Tests and Background Checks. Contractor shall perform, acquire, and retain background checks on prospective employees. Said background check(s) shall be completed by Contractor for the City prior to an employees' assignment to City.
 - a. Background checks shall include, at a minimum: (1) a criminal search for each county the employee has resided in for the past seven years; (2) a sex offender registry search; and (3) a driving record search.
 - b. Contractor shall cause to be conducted and validate the successful completion of drug tests for all potential employees prior to their assignment to the City.
 - c. Contractor shall contact and notify the City if anything appears on the background check and/or drug test.
2. Maximum Liability. The payment rates as described in the Agreement shall constitute the entire compensation due the Contractor for all travel, professional services, and software regardless of the difficulty, materials, or equipment required, unless amended. The payment rates include, but are not limited to, all applicable taxes, fees, overheads, and all other direct and indirect costs incurred or to be incurred by the Contractor.
3. Indemnification and Limitations of Liability. The City, being a Tennessee governmental entity, is governed by the provisions of the Tennessee Governmental Tort Liability Act, Tenn. Code Ann. § 29-20-101 et. seq. for causes of action sounding in tort. Further, no contract provision requiring a Tennessee political entity to indemnify or hold harmless the Contractor beyond the liability imposed by law is enforceable because it appropriates public money and nullifies governmental immunity without the authorization of the General Assembly.
4. Conflicts of Interest. The Contractor warrants that no part of the total Agreement amount shall be paid directly or indirectly to an employee or official of the GNRC or the State of Tennessee as wages, compensation, or gifts in exchange for acting as an officer, agent, employee, subcontractor, or consultant to the Contractor in connection with any work contemplated or performed relative to this Contract.
5. Nondiscrimination. The Contractor hereby agrees, warrants, and assures that no person shall be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination in the performance of this Agreement or in the employment practices of the Contractor on the grounds of handicap or disability, age, race, color, religion, sex, national origin, or any other classification protected by Federal, Tennessee State constitutional, or statutory law. The Contractor shall, upon request, show proof of such nondiscrimination and shall post in conspicuous places, available to all employees and applicants, notices of nondiscrimination.
6. Iran Divestment Act. By 1) entering into this Agreement and/or by 2) submission of a bid or proposal to the City of Franklin, the Consultant and each person signing on behalf of any consultant, certifies, and in the case of a joint bid or proposal each party thereto certifies as to its own organization, under penalty of perjury, that to the best of its knowledge and belief that neither they, nor any assignee of the resulting contract, is on the list created pursuant to T.C.A. § 12-12-106. The Consultant further certifies that it shall not utilize any subcontractor/subconsultant identified on the list created pursuant to T.C.A. § 12-12-106.

Addendum No. 1 to COF Contract No. 2024-0098

7. Non-Boycott of Israel. Except for any contract with a total potential value of less than \$250,000, each consultant, except those with fewer than ten employees, and each person signing on behalf of any such consultant, by entering into this agreement certifies, under penalty of perjury, that, to the best of its knowledge and belief, such consultant is not currently engaged in, and will not, for the duration of any such contract, engage in, a boycott of Israel, as that term is defined in Tenn. Code Ann. § 12-4-119.
8. Lobbying. The Contractor certifies, to the best of its knowledge and belief, that:
- a. No federally appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
 - b. If any funds other than federally appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this contract, grant, loan, or cooperative agreement, the Contractor shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
 - c. The Contractor shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into and is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, *U.S. Code*.

9. Public Accountability. If the Contractor is subject to Tenn. Code Ann. § 8-4-401, *et seq.*, or if this Agreement involves the provision of services to citizens by the Contractor on behalf of the State, the Contractor agrees to establish a system through which recipients of services may present grievances about Contractor's operation of the service program. The Contractor shall also display in a prominent place, located near the passageway through which the public enters in order to receive contract-supported services, a sign at least eleven inches (11") in height and seventeen inches (17") in width stating the following:

NOTICE: THIS AGENCY IS A RECIPIENT OF TAXPAYER FUNDING. IF YOU OBSERVE AN AGENCY DIRECTOR OR EMPLOYEE ENGAGING IN ANY ACTIVITY THAT YOU CONSIDER TO BE ILLEGAL, IMPROPER, OR WASTEFUL, PLEASE CALL THE STATE COMPTROLLER'S TOLL-FREE HOTLINE: 1-800-232-5454

The sign shall be of the form prescribed by the Comptroller of the Treasury. The GNRC shall request copies of the sign from the Comptroller of the Treasury and provide signs to contractors.

10. Records. The Contractor shall maintain documentation for all charges under this Agreement. The books, records, and documents of the Contractor, for work performed or money received under this Contract, shall be maintained for a period of seven (7) full years from the date of the final payment and shall be subject to audit at any reasonable time and upon reasonable notice by the City. The financial statements shall be prepared in accordance with generally accepted accounting principles.
11. Time of the Essence. The parties agree that TIME IS OF THE ESSENCE with respect to the parties' performance of all provisions of the Agreement.

Addendum No. 1 to COF Contract No. 2024-0098

12. Confidentiality and Proprietary rights. Contractor waives any right to confidentiality of any document, e-mail or file it fails to clearly mark on each page (or section as the case may be) as confidential or proprietary. Proprietary rights do not extend to the data created by the City's users of the System; all rights to that data (including derivative or hidden data such as metadata) shall vest solely in City at the moment of creation and City shall retain exclusive rights, title, and ownership of all data and images created therefrom at the moment of creation and utilization, through and including image creation. City may be required to disclose documents under state or federal law. City shall notify Contractor if a request for documents has been made and shall give Contractor a reasonable opportunity under the circumstances to respond to the request by redacting proprietary or other confidential information. In exchange, Contractor agrees to indemnify, defend, and hold harmless City for any claims by third parties relating thereto or arising out of (i) the City's failure to disclose such documents or information required to be disclosed by law, or (ii) the City's release of documents as a result of City's reliance upon Contractor's representation that materials supplied by Contractor (in full or redacted form) do not contain trade secrets or proprietary information, provided that the City impleads Contractor and Contractor assumes control over that claim.
13. Derivative Works. To the extent that the Agreement contains Contractor's reservation of rights, such definitions and limitations are superseded by the following: "Derivative Work" means a program that is based on or derived from one or more existing programs or components. If the original software is modified to create a new program, a derived work is created. If the original software was designed to accept plug-ins or drivers using a defined mechanism, such a driver or plug-in does not form a derived work. Linking to a library in the way it was designed to be interfaced with, does *not* constitute deriving a work. "Derivative work" is *not* the data that the Licensee inputs, manipulates, modifies or otherwise improves, nor the images resulting therefrom.
14. Warranties/Limitation of Liability/Waiver. The City reserves all rights afforded to local governments under law for all general and implied warranties. The City does not waive any rights it may have to all remedies provided by law and therefore any attempt by Contractor to limit its liability shall be void and unenforceable.
15. Arbitration/Mediation. No arbitration shall be required as a condition precedent to filing any legal claim arising out of or relating to the Contract. No arbitration or mediation shall be binding.
16. No Taxes, No Interest Payments. As a tax-exempt entity, the City shall not be responsible for sales or use taxes incurred for products or services. The City shall supply Contractor with its Sales and Use Tax Exemption Certificate upon Contractor's request. Contractor shall bear the burden of providing its suppliers with a copy of the City's tax exemption certificate and shall assume all liability for such taxes, if any, that should be incurred. The City does not agree to pay any interest for late payments, having agreed to pay in a timely manner.
17. Licensed users/"seats". If and whenever the Agreement defines or refers to "licensed users" such shall be read to allow installation of the program and its components in a larger number of computers as long as the number of licensed users granted access does not exceed the number of "licensed seats." This provision is intended to allow efficient dissemination of the licensed program, such as disk mastering and other methods of mass installation.
18. Notices. Any notice provided pursuant to the Contract, 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 set forth in such other document which the Agreement or this Addendum may accompany, or such other address as either party may in the future specify in writing to the other):

Addendum No. 1 to COF Contract No. 2024-0098

In the case of the City:

City of Franklin
Attn: _____
109 Third Ave. South
P.O. Box 305
Franklin, TN 37065-0305
FAX: (615) _____
E-mail: _____

In the case of Contractor:

Thompson Machinery Commerce Corporation
dba: Thompson Energy Solutions
Attn: CFO
1245 Bridgestone Pkwy
La Vergne, TN 37086

19. Waiver. Neither party's failure or delay to exercise any of its rights or powers under the Agreement will constitute or be deemed a waiver or forfeiture of those rights or powers. For a waiver of a right or power to be effective, it must be in writing signed by the waiving party. An effective waiver of a right or power shall not be construed as either (a) a future or continuing waiver of that same right or power, or (b) the waiver of any other right or power.
20. Severability. If any term or provision of the Agreement is held to be illegal or unenforceable, the validity or enforceability of the remainder of the Agreement will not be affected.
21. Precedence. In the event of conflict between this Addendum and the provisions of the Agreement, or any other contract, agreement or other document to which the Agreement or this Addendum may accompany or incorporate by reference, the provisions of this Addendum will, to the extent of such conflict (or to the extent the Agreement is silent), take precedence unless such document expressly states that it is amending this Addendum.
22. Entire Agreement. The Agreement between the parties supersedes any prior or contemporaneous communications, representations or agreements between the parties, whether oral or written, regarding the subject matter of the entire Agreement. The terms and conditions of this Addendum may not be changed except by an amendment expressly referencing this Addendum by section number and signed by an authorized representative of each party.
23. Additions/Modifications. If seeking any addition or modification to the Agreement, the parties agree to reference the specific paragraph number sought to be changed on any future document or purchase order issued in furtherance of the Contract, however, an omission of the reference to same shall not affect its applicability. In no event shall either party be bound by any terms contained in any purchase order, acknowledgement, or other writings unless: (a) such purchase order, acknowledgement, or other writings specifically refer to the Agreement or to the specific clause they are intended to modify; (b) clearly indicate the intention of both parties to override and modify the Contract; and (c) such purchase order, acknowledgement, or other writings are signed, with specific material clauses separately initialed, by authorized representatives of both parties.
24. Applicable Law; Choice of Forum/Venue. The Agreement constitutes the entire agreement and is made under and will be construed in accordance with the laws of the State of Tennessee without giving effect to any state's choice-of-law rules. The choice of forum and venue shall be exclusively in the Courts of Williamson County, Tennessee. The Contractor acknowledges and agrees that any rights or claims against the City of Franklin or its employees, or elected or appointed officials hereunder, and any remedies arising there from, shall be subject to and limited to those rights and remedies, if any, available under Tenn. Code Ann. §§ 9-8-101 through 9-8-407.
25. Breach. Upon deliberate breach of the Agreement by either party, the non-breaching party shall be entitled to terminate the Agreement without notice, with all of the remedies it would have in the event of termination and may also have such other remedies as it may be entitled to in law or in equity.
26. Survival. This Addendum shall survive the completion of or any termination of the Contract, agreement or other document to which it may accompany or incorporate by reference.
27. Modification and Amendment. This Agreement may be modified only by a written amendment signed by all Parties.

**Addendum No. 1 to
COF Contract No. 2024-0098**

CITY OF FRANKLIN, TENNESSEE

**THOMPSON MACHINERY
COMMERCE CORPORATION**

Signature



Signature

Eric Stuckey, City Administrator _____
Print Name and Title

Mark McDonell Chief Operating Officer

Print Name and Title

Date

8/14/2024

Date



File #: 21-0856

DATE: October 9, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Tom Marsh, Building and Neighborhood Services Director
Alex Brown, Asst. Director of BNS
Dillon Gaster, Management Fellow

SUBJECT:

Discussion Of Zoning Ordinance Standards Regarding The Display Of Flags And Standard Enforcement Process Followed By The Building And Neighborhood Services (BNS) Department

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning current and previous standards for the display of flags per the City of Franklin Zoning Ordinance.

BACKGROUND/STAFF COMMENTS:

Recently there has been conversation and discussion with the Board of Mayor and Aldermen regarding City of Franklin standards with respect to the display of flags on private property. Section 15.9 of the Zoning Ordinance limits the quantity of flags being displayed to a "maximum of three per lot". Recent discussion questioned the source for this standard and if there might be reason to increase or even eliminate the limit on the quantity of fags that may be displayed. This presentation is intended to provide context for further discussion with the Board and seek guidance on how staff should proceed.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends that the Board of Mayor and Aldermen acknowledge the information provided and provide direction to staff on any further action that may be desired.



DATE: October 22, 2024

SUBJECT:

Discussion Of Zoning Ordinance Standard Regarding The Display Of Flags And Standard Enforcement Process Followed By The Building And Neighborhood Services (BNS) Department

OVERVIEW:

This attachment contains excerpts from the zoning ordinances of various cities in Tennessee and other jurisdictions in the United States. The cities referenced here provide examples of flag display ordinances. The terminology used in these ordinances identifies the following categories for flag classification:

- Official / Unofficial
- Commercial / Non-Commercial
- Permanent / Temporary

Comparable Cities

1. Brentwood, Tennessee –

Code of Ordinances City of Brentwood, Tennessee § 78-420 (b)(7)

(b) Signs permitted in all residential districts:

(7) Non-commercial flags.

Specifications: No flag shall exceed 40 square feet per face; flag pole height - 25 feet, maximum. No more than one flag pole may be erected on a lot consisting of three acres or less; for lots exceeding three acres, one additional flag pole per acre may be erected. Flag poles must meet minimum yard setback requirements."

2. Murfreesboro, Tennessee –

Code of Ordinances City of Murfreesboro, Tennessee § 25.2

"Flag signs, permanent:" A sign made of flexible material of distinctive color and designed to attract attention used as a symbol, standard, emblem or advertising message, permanent in nature, which is hoisted on a flag pole.

"Flag signs, temporary:" A sign made of flexible material of distinctive color and designed to attract attention used as a symbol, standard, emblem or advertising message which is by reason of construction or purpose intended to be used for a limited period of time, and which is not hoisted on a flag pole.



(f)Permanent flag signs: Category - Non-commercial only. Type - Ground-mounted or wall mounted. Number - 3 per lot. Size - 40 sq. ft. maximum any one flag sign.- 98 sq. ft. maximum total flag signage. Setback - 5 ft. ROW, 8 ft. power lines minimum. Height - 35 ft. maximum if ground-mounted.- 20 ft. maximum if wall-mounted vertical.- 16 ft. maximum if wall-mounted outrigger. Illumination - Indirect only. Must not direct glare into any building on any other property. Zone - RS, RD, RZ and PRD only. Neither the flag sign, flagpole or other support structure may extend over a public ROW. Neither the flag sign, flagpole or other support structure may extend over an adjoining property line without the written consent of the adjoining property owner.

(g)Temporary flag signs: Category - Non-commercial only. Number - One per lot. Setback - 5 ft. ROW, 8 ft. power lines minimum. Illumination - Indirect only. Must not direct glare into any building on any other property. Zone - RS, RD, RZ and PRD only. Display time - Not more than ten consecutive days; not more than 50 total calendar days per year. "Display time" does not apply to flag signs of 24 sq. ft. total or less. Neither the flag sign, flagpole or other support structure may extend over a public ROW. Neither the flag sign, flagpole or other support structure may extend over an adjoining property line without the written consent of the adjoining property owner.

3. Germantown, TN –

Code of Ordinances City of Germantown, Tennessee Chapter 14

Sign means any identification, description, illustration or device, illuminated or nonilluminated, which is exposed to the view of potential clients or customers and/or the general public; is located on public or private property, inside or outside of buildings; and which directs attention to a product, service, place, activity, person, institution, business or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant or placard designed to advertise, identify or convey information, except the following:

(1)Merchandise temporarily displayed in show windows that is available for sale on the premises and that does not include flashing, neon, or colored lights;

(2)National flags; and

(3)Decorative devices or emblems as may be displayed on a residential mailbox.

For the purpose of removal, signs shall also include all sign structures.



Residential Signs (non-national flags):

Sec. 14-61. - Single-family residential districts, two-family residential districts, multifamily districts and planned unit developments.

(a)Generally. This section shall apply to all districts designated by the zoning ordinance as R-E, R-E-1, R-E-10, R, R-1, R-2, R-3, R-T, R-H, and PUD.(b)Allowable signs. Temporary signs limited to one sign per subject matter, per street front are permitted in the R-E, R-E-1, R-E-10, R, R-1, R-2, R-3, R-T, R-H, and PUD districts.(c)Size. The size of temporary signs in the R-E, R-E-1, R-E-10, R, R-1, R-2, R-3, R-T and PUD districts shall be as follows:(1)All signs in the R-E and R-E-1 districts shall not exceed eight square feet per face and eight feet above grade.(2)All signs in the R-E-10, R, R-1, R-2, R-3, R-T and PUD districts shall not exceed six square feet per face and six feet above grade.(d)Location. Location of temporary signs in the R-E, R-E-1, R-E-10, R, R-1, R-2, R-3, R-T and PUD districts shall be as follows:(1)All signs shall be located on lots with the consent of the property owner. Signs shall be located a minimum of ten feet behind the curb face or edge of pavement of any street. The height of the sign shall be a maximum of four feet, as measured from the surrounding grade.(2)All signs on corner lots, for sight line and safety reasons, may be no closer to the corner than 35 feet from the center of the corner curb.

4. Hoover, Alabama –

City of Hoover, Alabama Zoning Ordinance 2020 §12.09 and §14.07

§12.09 Signs Prohibited in the City

§12.09.03 Miscellaneous signs and posters, banners, pennants, twirling signs, balloons, and unofficial flags

§14.07.11 Signs permitted throughout the corridor. The following signs are permitted on private property throughout the corridor, subject to the following restrictions:

A. Not more than three flags of governmental, religious, charitable, fraternal or other organizations may be displayed on any lot or parcel of land. Each flag shall not exceed 60 square feet in area and shall be flown from a pole, the top of which is less than 40 feet in height.



5. Carmel, Indiana –

City of Carmel Unified Development Ordinance § 5.39 (C) (6)

C. Exempted Signs: The following types of signs are exempted from all provisions of Section 5.39: Sign Standards, but shall be established and maintained in such a manner as to not cause safety hazards. Signs which are included as part of a Sign Plan may require approval by the Planning Administrator, however, do not require fees. Otherwise, no procedures, approvals, permits or fees are required to the following signs:

6. *Flags*

- a. Flag Poles shall meet the minimum yard setback requirements for a Principal Building or a minimum of ten (10) feet, whichever is more restrictive.*
- b. Flag Poles mounted onto a building shall not extend above the cornice line of the building.*
- c. Standalone Flag Poles shall not exceed 40 feet in height.*

6. Cary, North Carolina –

Cary, NC Code of Ordinances Appendix A § 9.2.7

(A) Permanent Flagpoles with Flags

There shall be no more than three (3) flagpoles and two (2) flags per pole. Flagpoles shall not exceed twenty-five (25) feet in height, and flags shall not exceed five (5) feet by eight (8) feet in size. Flags shall contain no commercial message.

7. Chattanooga, Tennessee –

Code of Ordinances City of Chattanooga, Tennessee § 3-99

Sec. 3-99. - Flags.

In addition to the display of the flags of the United States, any State of the United States, the County of Hamilton and the City of Chattanooga, each premises may display one (1) additional flag as an on-premise sign provided that such additional flag shall not exceed ninety-six (96) square feet in surface area and provided further that in no case shall such additional flag exceed the size of the flag of the United States displayed on the same premises. Such additional flag may be displayed only on a flagpole and only when the flag of the United States, a State, the County of Hamilton or the City of Chattanooga is being displayed on a flagpole. At no time may such additional flag be secured by any means on more than one (1) side of the flag. The foregoing limitation on



the display of flags shall not apply to stadiums or athletic fields in which sporting events are routinely held.

8. Alpharetta, Georgia –
Unified Development Code City of Alpharetta, Georgia § 2.6

2.6.7 Exemptions from permit requirements.

The following signs shall be exempt from the permit requirements of Section 2.6.4, provided all standards set forth in this Ordinance are met, including, but not limited to, the standards set forth below:

C.Flags provided that the height of a flag pole shall not exceed the allowed height provided for a structure or a building in the applicable zoning district, or sixty (60) ft., whichever is less, and in residential districts shall not exceed twenty-five (25) ft. in height or the height of the primary structure on the lot, whichever is less. In addition, the maximum dimensions of any flag shall be proportional to the flag pole height and the hoist side of the flag shall not exceed twenty percent (20%) of the vertical height of the flag pole. Each lot shall be allowed a maximum of three (3) flag poles unless a special land use permit or variance is obtained. A maximum of 2 flags per pole is allowed.

9. McKinney, Texas –
Unified Development Code of the City of McKinney, Texas § 502 (E) (2)

Government Flags

Government flags are permitted in conjunction with any use for which a building permit or certificate of occupancy has been issued, provided that each flag does not exceed 40 square feet. A maximum of 3 flags are permitted per site.

Other Cities

10. Columbia, Tennessee –
City of Columbia, Tennessee Zoning Ordinance § 7.1.7

Sign: Any name, number, symbol, identification, description, direction, declaration, demonstration, display, representation, illustration, insignia, instruction, directive, information, illustration, object, graphic, device, display, visual communication, material, Structure or device, or part thereof, in view of the general public, whether permanent, temporary, portable, or affixed, composed of lettered, or pictorial, or graphical matter or upon which lettered or pictorial, or graphical matter is used, that announces, directs attention to,



names, gives notice of, informs, advertises, or promotes an ideology, position, interest, cause, object, project, product, place, activity, person, institution, organization, or Business; provided that the term “Sign” shall not be deemed to include any badge or insignia of any government agency or any civic, charitable, religious, patriotic, fraternal or similar organization, Public Art, or any directional sign erected and maintained pursuant to law.

§ 7.1.7 Temporary Signs In addition to all other Signs allowed in accordance with Table 7.1.2.B-1(Sign Types – Summary) and Table 7.1.2.B-2 (Sign Types – Specific Standards), non-illuminated Temporary Signs are allowed without a Sign Permit subject to the following:

A. Single-Family, Two-Family, Owner-Occupied Multi-Family Residential. On any Lot or Building Site used as a single-family, two-family, or owner-occupied multi-family dwelling, up to 2 temporary Signs may be displayed on a pole or stake affixed to the ground. Such Signs shall not exceed 9 square feet in area per side, and the top of such Sign shall be no taller than 5 feet from ground.

Exempt Signs: § 7.1.10 The following Signs are Exempt Signs and do not require a Sign Permit:

- 1. Address Sign One Address Sign per tenant or owner.*
- 2. Certain Small Signs On-premises Signs not exceeding four (4) square feet in area that are located along the route to a place or location within such premises or are provided for safety.*
- 3. Governmental Signs Signs placed by the City or any other governmental unit with jurisdiction over the area where the Sign is placed.*
- 4. Certain Integrated Signs Signs carved into stone, concrete or similar material or made of bronze, aluminum, or other permanent construction and made an integral part of the Structure.*
- 5. Temporary Signs Temporary Signs allowed under Section 7.1.7.*

11. Huntsville, Alabama

1989 Huntsville Zoning Ordinance (2024) § 72

72.6.3 Temporary Signs on Residential Premises

(1) The total combined sign area of all temporary signs on any lot with a permitted residential use building or on any vacant lot in a residential zoning district shall not exceed 40 square feet. No individual temporary sign shall exceed 20 square feet in sign area. (2) On vacant lots that are five acres or larger, the total combined sign area may be increased to a total of 40 square feet of temporary sign area along each street frontage and no individual temporary sign shall exceed 40 square feet. (3) The maximum height of any sign shall be four feet.



72.7.2 Permanent Signs in the Residence 1, Residence 1-A, Residence 1- B, Residence 1-C, Residence 2, Residence 2-A, and Residence 2-C Districts (1) Either one monument sign or one ground sign is permitted, per street frontage, on any lot used for a permitted nonresidential use building in accordance with the applicable provisions of this article and the following: (a) Monument signs shall not exceed five feet in height, excluding a base that does not exceed one foot in height. (b) Ground signs shall not exceed 20 feet in height. (c) The maximum sign area of any monument or ground sign shall be 40 square feet. (d) Such signs may incorporate an electronic display sign when the sign is located on a street frontage along a major or minor arterial and complies with Section 72.8.21. (2) Wall signs are permitted on all permitted nonresidential use buildings provided they do not exceed 100 square feet of total sign area per street frontage.

12. Greenville, South Carolina –
Greenville Development Code (2023) §19-4.11.3.

D. Flags

Flags are any fabric or other flexible material designed to be flown from a flagpole. Flags must meet the following standards: 1. A maximum of 3 flags are permitted per lot; 2. The flag area cannot exceed 1.5 times the height of the pole. For example, a 40-foot tall flag pole yields a maximum 60 square foot flag; 3. The maximum height of a flagpole is 40 feet, measured from the highest point of the flagpole to average adjacent grade; and 4. A freestanding flagpole must be set back from a lot line a distance equal to the height of the pole. For example, a flagpole 40 feet in height must be set back at least 40 feet from a lot line.

F. Small Temporary Signs

A small temporary sign is any sign with a sign area of 12 square feet or less which is not designed or intended to be placed permanently. Any temporary sign with a sign area larger than 12 square feet is considered a large temporary sign and must meet the standards of Sec. 4.11.4. 1. House-Scale and Neighborhood-Scale Districts In a House-Scale and Neighborhood-Scale District, small temporary signs must meet the following standards: 2 a. Maximum total sign area of 12 square feet per lot. Greenville, South Carolina | Development Code 4-95 Signs March 11, 2024 b. Maximum area of an individual sign is 6 feet. c. Maximum of 2 small temporary signs are allowed per lot. d. Small temporary signs may be installed for a period not exceeding 60 consecutive calendar days, up to 2 times per 12 month period. e. No internal or external illumination of small temporary signs is permitted

Zoning Ordinance Regarding Flags and Basic Enforcement Process

Tom Marsh, Director Building and Neighborhood Services
Alex Brown, Assistant Director Development Services
Dillon Gaster, Management Fellow



October 22, 2024

Excellence ~ Innovation ~ Teamwork ~ Integrity ~ Action-oriented



Basis for Sign Regulation

- Flags treated as signs because they are used to convey a message.
- City has authority to regulate size, location, timing, and materials of signs, but not the message.
- Current ZO regulates quantity, location, size, height, materials of flags

Flag Regulation History

Zoning Ordinance *Draft*, August 1988

“Flags bearing the official design of a government, educational institution, church or fraternal organization. Flags bearing only the official seal or emblem of a company or corporation shall be permitted, provided that they contain no other slogans, messages or graphics. A maximum of three (3) flags per street frontage shall be permitted.”

Flag Regulation History

Zoning Ordinance Excerpt *as of* August 11, 1992

“8.7.6 Prohibited Signs

* * *

- (2) Windblown display devices, **such as flags**, pennants, spinners or streamers, except in connection with a grand opening.”

Flag Regulation History

Zoning Ordinance Excerpt *as of* October 10, 2005

“8.7.7 Signs Allowed in All Zoning Districts

* * *

(3) Freestanding flags

- a. Maximum of 3 per lot.
- b. Maximum sign area shall be one-fourth the height of the pole.
- c. Maximum pole height shall be 40 feet, 20 feet for rooftop poles.
- d. Minimum setback shall be at the right-of-way line.”



Flag Regulation Current

Zoning Ordinance Effective July 1, 2024

15.9 Flag

* * *

Permitted Districts	All districts
Quantity	Maximum of three per lot.
Sign Area	Maximum width of the flag shall not exceed one-fourth the height of the pole (e.g. 40-foot pole = maximum width of 10 feet)
Placement	Minimum setback at the property line
Pole Height	Maximum of 40 feet or 20 feet for rooftop poles

Other Jurisdictions

City	Maximum Number of Flags	Other Specifications
Brentwood, TN ¹	< 3 acres – 1 flagpole >3 acres – 1 flagpole per acre over 3	- Non-commercial flags permitted in all residential districts - Maximum flag and flagpole sizes are regulated - Flag poles must meet minimum setback requirements - Number of flagpoles dependent on zoning district
Murfreesboro, TN ²	3 per lot (permanent) 1 per lot (temporary)	- Detailed regulations for permanent and temporary flags - Extensive specifications on category, number, location, illumination, display time, and size limit of any flag - Dependent on zoning district and property use, unless qualified for exception
Germantown, TN ³	Unclear	- National flags are not considered signs - Temporary non-national flags could be considered banners and subject to one sign per subject matter per street front rule - Size limitations apply to banners

1- Brentwood, Tennessee – Code of Ordinances - Chapter 78 – Article V – Sec. 78-420 (b)(7)

2- Murfreesboro, Tennessee – Code of Ordinances – Chapter 25.2 - SIGNS

3- Germantown, TN – Code of Ordinances – Chapter 14 – SIGNS

Other Jurisdictions, cont.

City	Maximum Number of Flags	Other Specifications
Hoover, AL ⁴	3	• Unofficial flags prohibited • Flags must be flown from a pole • Maximum size of flag and pole are regulated
Carmel, IN ⁵	N/A	• Flags are exempt from Sign Standards • Flagpoles must follow setback requirements • Height restrictions in place for flagpoles
Cary, NC ⁶	3 Flagpoles 2 flags per pole	• Subject to size restrictions • Permanent flags are defined by ordinance • Temporary flags are not specified

4- Hoover, Alabama – Zoning Ordinance – Article 12.09 and 14.07

5- Carmel, Indiana – Unified Development Ordinance – Article 5.39.C.6.

6- Cary, North Carolina – Code of Ordinances – Appendix A Land Development Ordinance – Chapter 9 – 9.27

Other Jurisdictions, cont.

City	Maximum Number of Flags	Other Specifications
Columbia, TN ⁷	2 (temporary signs)	- Definition of Signs excludes government or official signs - Temporary signs are limited to 2 and size restrictions apply - Temporary sign displays do not require a sign permit
Huntsville, AL ⁸	40 sqft total combined sign area	- Flags are not specified in the ordinance - Temporary signs are measured by total area of signs on the property 20 sqft maximum applies to individual signs
Greenville, SC ⁹	3	- Size and setback requirements apply to flags - Maximum of 2 small temporary signs allowed - Temporary signs are regulated by size and length of display

7- City of Columbia, Tennessee Zoning Ordinance § 7.1.7

8- 1989 Huntsville Zoning Ordinance (2024) § 72.

9- Greenville Development Code (2023) §19-4.11.3.

Enforcement Process

Educate First then Enforce

- If there is violation, first contact may be just conversation to inform and explain violation
 - Reasonable time given to take action – depends on nature and severity of situation
- If no action, then Notice of Violation (NOV) issued
 - Formal document that states that if corrective action not taken, then citation to court may be issued
 - Again, reasonable time given to take action- minimum 10 days, could be 60+ days
- If violation persists, then issue Citation to Municipal Court
 - Still time before court date to correct violation
 - BNS Department staff does not issue fines
 - Judge may assess fine – max \$50 per day per offense
 - Judge may give more time to correct violation



Questions and Guidance



File #: 21-0381

DATE: October 16, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Paul Holzen, Director of Engineering
Adam Moser, Traffic Engineer

SUBJECT:

*Consideration Of Resolution 2024-57, A Resolution To Approve Temporary Median Barrier Installation On SR-96 (Murfreesboro Rd) Between Royal Oaks And Interstate 65
CIC 6/27/24, 4-0
WS 8/27/24
BOMA 9/10/24, 5-4 postpone to 10/22/24

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning Resolution 2024-57, a resolution to approve installation of temporary median barrier with flexible delineators along SR-96 (Murfreesboro Rd) between Royal Oaks and I-65.

BACKGROUND/STAFF COMMENTS:

In the Spring of 2020, the Vintage Franklin development was approved by the Planning Commission and the Board of Mayor and Aldermen. In the development's traffic impact study, a transportation safety mitigation project proposed the installation of a concrete median on SR-96 (Murfreesboro Road) between Royal Oaks and I-65 where the crash rate was over 3 times the statewide average, at that time. This project was part of the development conditions of approval for when the office building on Riverside Drive was constructed. This office building has no timetable to be constructed. This section of roadway continues to be the highest vehicular crash location in the City and was identified for study by TDOT in July of 2022. At that same time, a TDOT repaving project was happening and TDOT proposed a less invasive striping solution to further discourage left turns along this section of roadway. The section was restudied in April 2024 and found that the striping and hatching has made zero reductions in left turn crashes and in fact, the crash rate has increased slightly since the striping was implemented. The crash rate is now over four times the statewide average for this type of roadway and is still the number one crash area in the City of Franklin.

At the request of the property owners and some Board members, City staff is working with our on-call traffic engineer to evaluate a conceptual layout that includes the ability to do U-Turns at key intersections. Should the Board wish to have this work completed prior to installing the temporary

median barriers, staff would request this item to be deferred to the December 10th work session to allow for additional evaluation and coordination with the property owners.

FINANCIAL IMPACT:

TDOT has proposed to pay for the temporary curbing with flexible delineators as long as the City of Franklin installs the device. The cost of installation could be handled under existing annual budgets.

An alternative option would be to install a mountable concrete median. This option would cost approximately \$400,000 and the work would be completed by our annual contractor. Engineering staff would need to work with the Finance Department to determine a funding source.

RECOMMENDATION:

Staff recommends the installation of temporary median barriers along State Route 96 between Royal Oaks and Interstate 65. Staff is seeking further direction regarding the timing of the insulation related to work to further mitigate the impact of these changes on some nearby businesses.

RESOLUTION 2024-57

**A RESOLUTION TO APPROVE TEMPORARY MEDIAN BARRIER INSTALLATION ON SR-96
(MURFREESBORO RD) BETWEEN ROYAL OAKS BLVD AND I-65**

WHEREAS, in March 2020, the traffic engineering consultant for the Vintage Franklin development identified a safety project to install a concrete median along SR-96 (Murfreesboro Road) between Royal Oaks Blvd and Interstate 65 as part of the development's transportation safety mitigation to address above average left turn vehicle crashes; and

WHEREAS, said safety project has been delayed until the construction of the Riverside Drive office building that was included in the Vintage Franklin development; and

WHEREAS, this section of SR-96 (Murfreesboro Road) between Royal Oaks Blvd and I-65 continues to be the number one location for vehicle crashes in the City of Franklin being over four times above the statewide average for this roadway type; and

WHEREAS, in July of 2022, TDOT identified this area as a high crash area to study installation of a permanent center median; and

WHEREAS, in July of 2022, as part of TDOT's SR-96 repaving project, TDOT implemented a new striping treatment to discourage left turn movements to see if it would have any effect on reducing vehicular crashes; and

WHEREAS, in April of 2024, a crash analysis was performed showing zero reduction in the crash rate for this section with the new striping treatment; and

WHEREAS, in May of 2024, TDOT and the City of Franklin Traffic Engineer have proposed a solution of temporary curbing with flexible delineators for this section of roadway to reduce left turn vehicle crashes.

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

The temporary curbing with flexible delineators shall be installed at the location specified in Exhibit A.

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

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

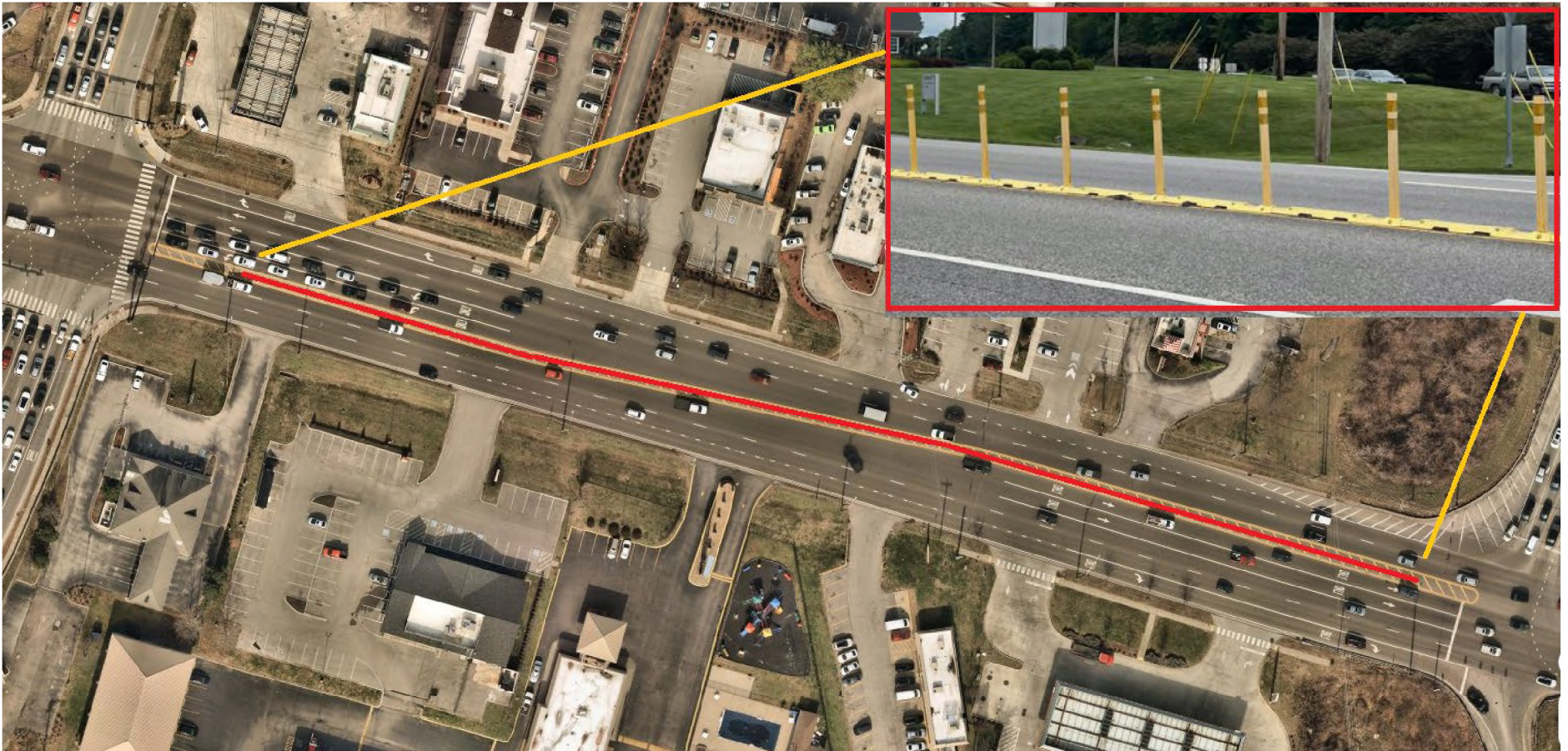
By: _____
Angie Skarp
City Recorder

By: _____
Dr. Ken Moore
Mayor

Approved as to form:

By: _____
William E. Squires
Assistant City Attorney

EXHIBIT A



From: [Zane Pannell](#)
To: [Adam Moser](#)
Cc: [Nathan Vatter](#); [Jordan Burress](#)
Subject: SR 96 curbed delineators
Date: Monday, May 20, 2024 10:40:22 AM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)

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.

Adam,

Are you all still wanting to install curbed delineators along SR 96 between I-65 and Royal Oaks? Based on my discussion with Nathan, TDOT would purchase the delineators and provide traffic control if the City of Franklin can install. I'm looking to purchase about 1,100 feet. Here's an example below of what I had in mind but able to handle drainage.





Zane Pannell | Traffic Operations Manager
Region 3 Traffic Operations
6601 Centennial Blvd. Nashville, TN 37243-0360
615-741-6538
Zane.pannell@tn.gov
tn.gov/tdot



DATE: April 5, 2024 (Updated 8/9/2024)

TO: TDOT Region 3 Traffic Operations Division

FROM: Paul Holzen, Director of Engineering
Adam Moser, Traffic Engineer

SUBJECT: SR-96 (Murfreesboro Rd) from Royal Oaks to I-65 Turn Restriction Treatment

Purpose

The purpose of this memo is to summarize the crash data for the subject section of roadway and collaborate with the Tennessee Department of Transportation (TDOT) to implement further safety measures to restrict turning movements along this section of roadway.

Background

The section of SR-96 (Murfreesboro Road) from Royal Oaks to I-65 continues to be the highest crash rate area in the City of Franklin. While crashes are a majority property damage (minor), there have been both minor injuries and serious injuries reported. On average, between 40 and 50 crashes per year are reported in this section. This accounts to almost one crash per week per year.



Figure 1 Crash Analysis Location

In the Fall of 2022, and as seen in Figure 1, TDOT completed a repaving of this section and added a hatched area in the median to try and emphasize that left turning movements are discouraged for

this section, and to see if the pavement markings would help reduce left turn movements and crashes in this area. This first step was implemented as an alternative that could be added at no cost with the repaving project TDOT was performing at that time.

A year of crash data has now been collected since the implementation of this hatched median for a before/after analysis.

Analysis

Over the last five years, this section of roadway is Franklin's highest crash area (and crash rate) in the City, as shown circled in Figure 2.

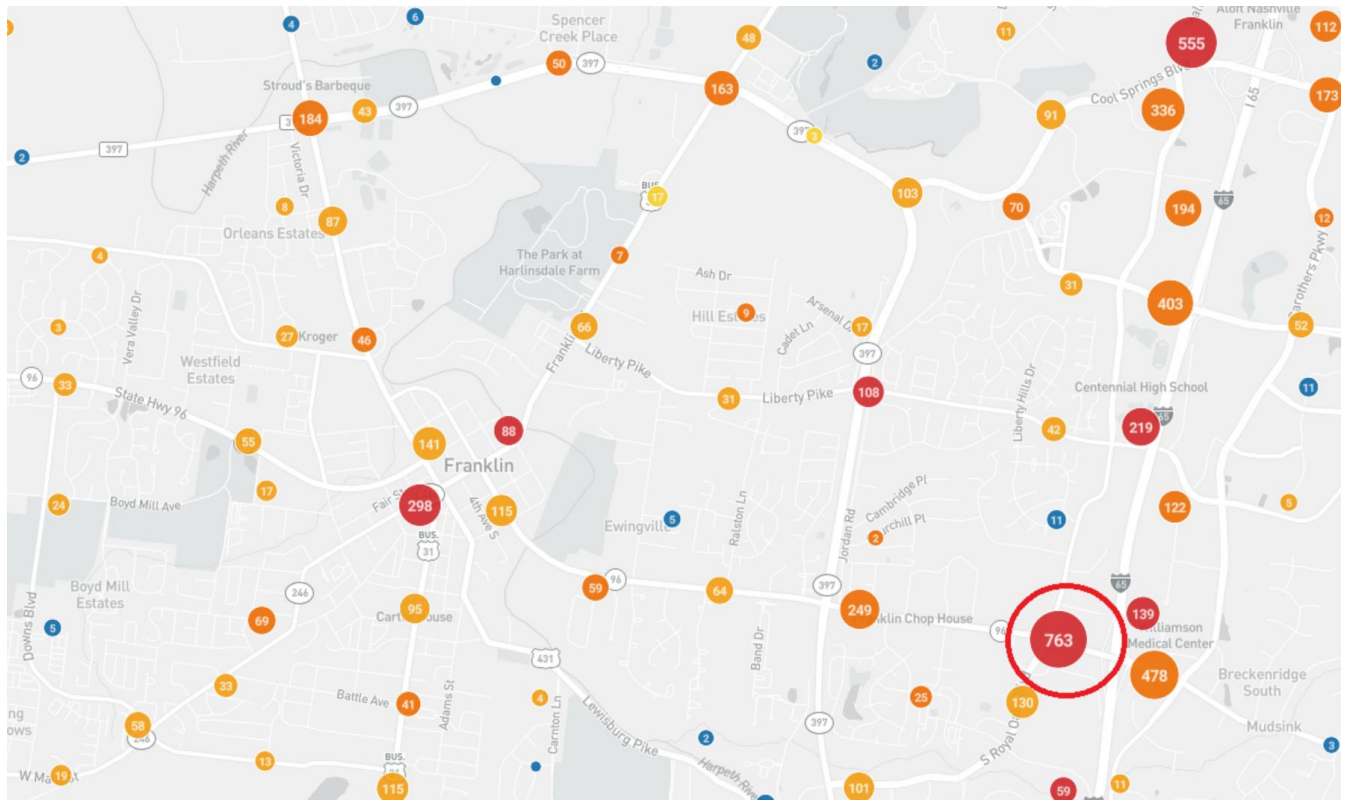


Figure 2 Five Year Crash History - Franklin, TN – Location Circled

The following tables represent crash rates on SR-96 in this section of roadway before and after the pavement marking (hatching). Table 1 represents the crash rate before the hatching was completed, and Table 2 shows 2023, the year after the hatching was completed.

State Route 96, Williamson County			LM 12.880 to 13.040	
Section - Royal Oaks Blvd to I-65 Interchange				
93 Crashes	- 2021 to 2023	Actual	- 13.848	Acc/MMM
State Average	- 3.223	Acc/MMM	Critical	- 4.909
A/S Ratio	= 4.30		A/C Ratio	= 2.82

Table 1 2021 to 2023 (Prior to Hatching)

State Route 96, Williamson County			LM 12.880 to 13.040	
Section - Royal Oaks Blvd to I-65 Interchange				
50 Crashes	- 2023 to 2024	Actual	- 14.890	Acc/MVM
State Average	- 3.223	Acc/MVM	Critical	- 5.652
A/S Ratio	= 4.62	A/C Ratio	= 2.63	

Table 2 2023 to 2024 (After Hatching)

As one can see from the analysis, the median hatching has been ineffective as to reducing the crash rate. In fact, it has gone up a bit from the prior years. The actual crash rate for this section is almost five times the state average for an urban multilane state route.

Conclusions & Recommendations

In 2020, the Vintage Franklin development, located along Oak Meadow Drive, included in their Traffic Impact Analysis (TIA) a recommendation restricting left turn movements along SR-96 from Royal Oaks to I-65, citing the unusually high crash rate during their safety analysis for the development. As a condition of approval, the developer was to install a concrete rolled curb median along this section, however, this condition was not to be implemented until the office building phase of the project was completed. That office building construction timeline is unknown, and likely years away from being constructed. This information was relayed to TDOT when discussing the hatching in 2022.

Since this roadway section continues to be the City's highest crash rate area, the City of Franklin recommends implementing near-term solutions to reduce the crash rate. As a possible solution, and as discussed with TDOT, 1000' of temporary curbing with flexible delineators could be installed along the center of the hatched median (TDOT Pay Item 712-12.10). It is estimated that the cost for this measure is approximately \$65 per linear foot, for a total estimate of \$65,000 for this work. The advantages of this temporary solution are the following:

1. Survey would not be required for installation to ensure proper stormwater drainage. This type of curbing has drain holes to allow water to pass through.
2. Flexible delineators allow for emergency vehicles to 'push through' to access businesses on each side of the roadway as necessary.
3. Should it be found that the temporary curbing either creates an issue, or proves to be effective in reducing crashes, a more permanent solution, such as what is required of the Vintage Franklin developer, can be implemented – or it can be removed.

The permanent median concept was presented to the Board of Mayor and Alderman as part of the Vintage at Watson glen PUD Subdivision. At the time, there was no major objection with our elected officials. If the state is willing to implement and fund this temporary solution, city staff would be more than willing to obtain approval from our Board of Mayor and Alderman to ensure TDOT has local support. In addition, we would work with future development to fund the installation of a rolled curb concrete median as a permanent solution as planned. Please let us know if this temporary solution is an option that TDOT can support and fund.



Figure 3 Example of Temporary Curbing with Delineators

Update 8/9/2024 – Alderman Request for More info on crashes/crash type – CIC Meeting 6/27/2024

The Franklin Police Department pulled detailed crash data for the past year. The following is a crash synopsis from 8/1/2023 – 8/1/2024

Total Crashes			53
Total Angle Crashes			30
Total Minor Injury			8
Total Injury			6

Location Map 8/1/2023 – 8/1/2024





HISTORIC
FRANKLIN
TENNESSEE

MEMORANDUM

Master #	Incident #	Date/Time	Officer	Synopsis	Injury
103738484	2308175381	8/4/2023 21:40	Munford	Westbound left turn into Shell, struck by eastbound vehicle	
103749771	323078823	8/16/2023 17:51	Achinger	Westbound left turn into Shell, struck by eastbound vehicle	Suspected minor injury, transported to WMC
400004346	2308189480	8/21/2023 17:18	Gibson	Westbound Murfreesboro left turn into Wafflehouse, struck by eastbound vehicle	
103758752	2308196819	8/30/2023 5:40	Langhi	Eastbound exiting Hardees, struck by westbound vehicle	
103770286	2309205000	9/9/2023 11:52	Durham	Eastbound left turn into Mapco, struck by westbound vehicle	Possible injury, transported to WMC
400009284	2309214860	9/22/2023 16:05	Lecates	Westbound left turn into Best Western, struck by eastbound vehicle	
103778416	2309215521	9/23/2023 12:00	Travis	Eastbound left turn into Candlewood, struck by westbound vehicle	
400012017	2310223945	10/4/2023 8:43	Brandon	Eastbound left turn into Hardees, struck by westbound vehicle	
400015614	2310233728	10/17/2023 17:02	Gibson	Westbound vehicle turning left into Twice Daily's was struck by eastbound vehicle	
400015923	2310234490	10/18/2023 17:01	Gibson	Westbound vehicle turning left into Twice Daily's was struck by eastbound vehicle	
400022725	2311249893	11/7/2023 18:17	Lecates	Westbound left turn into Best Western, struck by eastbound vehicle	
400024007	2311253165	11/11/2023 0:00	Lipinski	Eastbound left turn into Candlewood, struck by westbound vehicle	Possible injury, transported to WMC
400034633	2312276168	12/12/2023 13:02	Sanchez	Eastbound left turn into Wendy's, struck by westbound vehicle	
400045981	2401009746	1/13/2024 10:40	Donegan	Eastbound left turn into Hardees, struck by westbound vehicle	
400053448	2402029146	2/9/2024 7:55	Johnson	Westbound left turn into Shell, struck by eastbound vehicle	Possible injury, NOT transported
400057899	2402039550	2/22/2024 17:45	Gibson	Westbound vehicle turning left into Best Western struck vehicle	Possible injury, transported to WMC
400058328	2402040309	2/23/2024 15:59	Lecates	Westbound left turn into Twice Daily, struck by eastbound vehicle	2 people with suspected minor injury, transported to WMC
400059897	2402044177	2/28/2024 16:17	Anderson	Eastbound left turn into Wendy's, struck by westbound vehicle	
400060631	2403045747	3/1/2024 18:09	Lecates	Eastbound left turn into Candlewood, struck by westbound vehicle	
400064301	2403053940	3/12/2024 11:52	Jenkins	Eastbound left turn into Wendy's, struck by westbound vehicle	
400067568	2403061258	3/21/2024 17:45	Buffa	Eastbound left turn into Candlewood, struck by westbound vehicle	
400068572	2403063078	3/24/2024 13:01	Alexander	Westbound left turn into Shell, struck by eastbound vehicle	Possible injury, transported to WMC
400080715	2404086925	4/24/2024 12:00	Tuck	Eastbound left turn into KFC, struck by westbound vehicle	1 Suspected minor injury, transported to WMC, 1 Suspected minor injury not transported
400082041	2404089416	4/27/2024 10:58	Bennett	Eastbound left turn into Hardees, struck by westbound vehicle	Suspected minor injury, transported to WMC
400084279	2405093335	5/2/2024 12:50	Buffa	Eastbound left turn into Candlewood, struck by westbound vehicle	
400096860	2405114010	5/29/2024 12:27	Gibson	Eastbound left turn into Wendy's, struck by westbound vehicle	
400097772	2405115614	5/31/2024 11:39	Sanchez	Eastbound left turn into Wendy's, struck by westbound vehicle	
400107370	2406131351	6/21/2024 15:02	Lecates	Eastbound left turn into Wendy's, struck by westbound vehicle	Suspected minor injury, transported to Vanderbilt (Refused an interview)
400116366	2407146911	7/12/2024 10:26	Bennett	Eastbound left turn into Mapco, struck by westbound vehicle	Suspected minor injury, NOT transported (minor shoulder injury)
400124146	2407159493	7/29/2024 15:17:00 PM		Eastbound left turn into Candlewood, struck by westbound vehicle	Possible injury



File #: 21-06334

DATE: October 16, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Vernon Gerth, Asst. City Administrator Community Development
Paul Holzen, Director of Engineering

SUBJECT:

*Consideration Of Ordinance 2023-41, An Ordinance To Amend Chapter 4 Of Title 16 Of The Franklin Municipal Code, Concerning Road Impact Fees

WS 4/23/24; 8/27/24; 9/10/24; 10/8/24

BOMA 5/14/24, 7-0; 5/28/24, 8-0 postpone to 9/10/24; 9/10/24, 7-1 postpone to 10/22/24

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning the 2023 Road Impact Fee Study and the recommendations for updates to the City's Road Impact Fees.

BACKGROUND/STAFF COMMENTS:

City Staff periodically evaluates City policies and structure regarding road impact fees. As part of such evaluation, the City Staff utilizes the services of outside expert(s) to determine fees that are reasonable and prudent. The primary goal of such an endeavor is to ensure the City's infrastructure adequately supports the growing needs of our community and to make recommendations that align with the best interests of our City and its residents. City staff has presented the proposed road impact fees at multiple BOMA work sessions and held meetings with the Design Professionals Group, NAIOP (Commercial Real Estate Development Association), the Development Services Advisory Commission, and the Housing Commission.

The 2023 Study indicates that the current fee structure falls short of the required funds to keep pace with pressing infrastructure needs. An update of the Road Impact Fees is crucial to bridge this funding gap and to assist in maintaining a funding source for essential road projects. The proposed increase in Road Impact Fees is needed to ensure the burden of infrastructure costs is proportionally distributed among developers and their projects.

During recent meetings with the Design Professionals Group, NAIOP, the Development Services Advisory Commission and the Housing Commission, staff prepared and reviewed several iterations for implementing the updated fees. These iterations are included as attachments and remain options for the BOMA for implementing the updated road impact fees.

Proposed Road Impact Fee Amendment

During the October 8th BOMA Work Session, the Aldermen provided staff additional guidance on implementing the updated road impact fees and while this guidance was not unanimous, staff modified Ordinance 2023-41 as follows:

1. The updated Road Impact Fees will be implemented over a four (4) year period and are applicable to projects entitled on or after July 1, 2025.
2. Road Impact Fees will be published 5-years into the future and indexed annually based on the National Highway Construction Index.
3. For projects entitled prior to July 1, 2025, the current fees, indexed 10% annually, will remain in effect for eight (8) years.
4. Developers/Contractors/Building Permit applicants are provided with two options for paying the road impact fees that are assessed at the time the foundation or building permit is issued (whichever is issued first).
 - a. The entire Road Impact Fee is paid prior to requesting final inspections for the building.
 - b. The entire Road Impact Fee is paid at the time the foundation or building permit is issued (whichever is issued first) at a 10% discount.

FINANCIAL IMPACT:

The updated Road Impact Fee structure provides for an increased contribution by newly entitled projects and projects entitled prior to July 1, 2025. The specific amount will depend on the type of project, the timing when the project was entitled, and when the building permit is issued. For predictability, the road impact fee tables will be published in Appendix A of the Municipal Code.

RECOMMENDATION:

Staff recommends that the Board of Mayor and Aldermen approve Ordinance 2023-41 as modified on Second Reading or provide additional guidance for any changes that are not included in Ordinance 2023-41.

ORDINANCE 2023-41

AN ORDINANCE TO AMEND CHAPTER 4 OF TITLE 16 OF THE FRANKLIN MUNICIPAL CODE, CONCERNING ROAD IMPACT FEES.

WHEREAS, the Board of Mayor and Aldermen desires to set road impact fees to assure the provision of adequate arterial road improvements to serve such new development, by requiring the developer to pay the pro rata share of the cost of new road improvements or expansions reasonably attributable to such new development, based upon recent growth in residential and nonresidential developments; arterial road improvements actually constructed; changing levels of service and transportation needs; inflation; revised cost estimates for arterial road improvements; and changes in the availability of other funding sources for arterial road improvements; and

WHEREAS, the Board of Mayor and Aldermen commissioned and received a Road Impact Fee Update study conducted by Alfred Benesch & Co. dated January 5, 2024, that indicates a need to increase the Road Impact Fees in order to recover funds for the City's roadway infrastructure improvements more efficiently; and

WHEREAS, the Board of Mayor and Aldermen commissioned Duncan Associates to validate the methodology and data studied by Alfred Benesch & Co.; and

WHEREAS, the City of Franklin Municipal Charter, art. H, § 1 (38), as amended by Priv. Acts 1987, Ch. 54 and by Priv. Acts 1987, Ch. 117 (HB 1311) confers such power to increase Road Impact Fees.

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

SECTION I. That Title 16 Chapter 4 Section 16-412 (1) is hereby amended in its entirety and approved to read as follows:

- (1)** The road impact fee for a proposed new building shall be computed at the time a foundation or building permit (whichever is to be issued first) is approved for issuance and shall be collected as follows:
 - (a) Prior to requesting final inspections, or
 - (b) At the time of issuance of the foundation or building permit (whichever is to be issued first), for which the total computed road impact fee shall be reduced ten (10) percent if collected at this time.

SECTION II. That Title 16 Chapter 4 Section 16-412 (4) is hereby deleted in its entirety.

SECTION III. That Appendix A, Title 16, of the City of Franklin Municipal Code is hereby amended to delete the "Road Impact Fees" and "Implementation of Fee Schedule" tables, and by replacing them with the tables included herewith in **Exhibit A** – 4-Year Phase-in New Fees and **Exhibit B** – 8-Year Phase-in Grandfathering.

SECTION IV. This Ordinance shall take effect for foundation and building permits issued on or after July 1, 2025, after its passage on third and final reading, the health, safety, and welfare of the citizens requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE

BY: _____

ANGIE SKARP

City Recorder

BY: _____

DR. KEN MOORE

Mayor

Approved as to Form

By: _____

William E. Squires

Assistant City Attorney

PASSED FIRST READING

PUBLIC HEARING

PASSED SECOND READING

PASSED THIRD READING

Implementation of Road Impact Fees For Projects Entitled After July 1, 2025																
Land Use Type	Unit	Fees Effective July 1, 2025			Fees Effective July 1, 2026			Fees Effective July 1, 2027			Fees Effective July 1, 2028			Fees Effective July 1, 2029		
		Arterial	Collector	Total	Arterial	Collector	Total	Arterial	Collector	Total	Arterial	Collector	Total	Arterial	Collector	Total
Single-Family Detached	Dwelling	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Single-Family Det <1,500 sf	Dwelling	\$8,295	\$1,705	\$10,000	\$9,745	\$2,004	\$11,749	\$11,196	\$2,302	\$13,498	\$12,543	\$2,704	\$15,247	\$13,279	\$2,730	\$16,009
Single-Family Det 1,500-2,999 sf	Dwelling	\$8,759	\$1,797	\$10,556	\$10,672	\$2,189	\$12,862	\$12,585	\$2,582	\$15,167	\$14,374	\$3,098	\$17,472	\$15,223	\$3,123	\$18,346
Single-Family Det 3,000 sf or	Dwelling	\$9,180	\$1,887	\$11,067	\$11,515	\$2,367	\$13,883	\$13,851	\$2,848	\$16,698	\$16,054	\$3,460	\$19,514	\$16,996	\$3,494	\$20,490
Single-Family Att <1,500 sf	Dwelling	\$7,724	\$1,583	\$9,307	\$8,600	\$1,763	\$10,363	\$9,477	\$1,942	\$11,419	\$10,263	\$2,212	\$12,475	\$10,871	\$2,228	\$13,099
Single-Family Att 1,500-2,999 sf	Dwelling	\$8,102	\$1,660	\$9,763	\$9,357	\$1,918	\$11,275	\$10,612	\$2,175	\$12,786	\$11,763	\$2,535	\$14,298	\$12,459	\$2,553	\$15,013
Single-Family Att 3,000 sf or	Dwelling	\$8,440	\$1,733	\$10,173	\$10,035	\$2,061	\$12,096	\$11,629	\$2,388	\$14,018	\$13,113	\$2,827	\$15,940	\$13,885	\$2,852	\$16,737
Multi-Family	Dwelling	\$5,805	\$1,192	\$6,998	\$7,269	\$1,493	\$8,763	\$8,733	\$1,794	\$10,527	\$10,111	\$2,181	\$12,292	\$10,707	\$2,199	\$12,907
Mobil Home Park	Site	\$5,139	\$1,054	\$6,194	\$7,018	\$1,439	\$8,457	\$8,896	\$1,825	\$10,721	\$10,683	\$2,301	\$12,984	\$11,313	\$2,320	\$13,633
Congregate Care Facility	Dwelling	\$2,047	\$421	\$2,469	\$2,572	\$529	\$3,101	\$3,096	\$637	\$3,734	\$3,590	\$776	\$4,366	\$3,802	\$783	\$4,584
Hotel/Motel	Room	\$4,336	\$892	\$5,228	\$5,092	\$1,047	\$6,139	\$5,847	\$1,203	\$7,050	\$6,547	\$1,414	\$7,961	\$6,933	\$1,426	\$8,359
Retail/Commercial																
Shopping Center/Gen. Retail	1,000 ft ²	\$11,636	\$ 2,400	\$14,036	\$14,254	\$ 2,940	\$17,195	\$16,872	\$ 3,480	\$20,353	\$19,325	\$4,186	\$23,511	\$20,465	\$ 4,222	\$24,687
Restaurant, Quality	1,000 ft ²	\$25,065	\$ 5,176	\$30,242	\$33,343	\$ 6,886	\$40,229	\$41,620	\$ 8,595	\$50,215	\$49,474	\$10,728	\$60,202	\$52,393	\$ 10,820	\$63,212
Restaurant, Fast Food	1,000 ft ²	\$32,530	\$ 6,717	\$39,247	\$40,772	\$ 8,419	\$49,191	\$49,013	\$ 10,120	\$59,134	\$56,769	\$12,308	\$69,077	\$60,118	\$ 12,413	\$72,531
Office/Institutional																
Office, General	1,000 ft ²	\$8,158	\$ 1,690	\$9,848	\$9,853	\$ 2,041	\$11,894	\$11,548	\$ 2,392	\$13,939	\$13,130	\$2,855	\$15,985	\$13,905	\$ 2,880	\$16,784
Hospital	1,000 ft ²	\$8,930	\$ 1,831	\$10,762	\$10,382	\$ 2,129	\$12,512	\$11,834	\$ 2,427	\$14,261	\$13,174	\$2,837	\$16,011	\$13,951	\$ 2,861	\$16,812
Nursing Home	1,000 ft ²	\$5,307	\$ 1,086	\$6,393	\$6,312	\$ 1,292	\$7,605	\$7,318	\$ 1,498	\$8,816	\$8,254	\$1,774	\$10,028	\$8,740	\$ 1,789	\$10,529
Church	1,000 ft ²	\$4,986	\$ 1,018	\$6,004	\$5,424	\$ 1,108	\$6,532	\$5,863	\$ 1,197	\$7,060	\$6,248	\$1,340	\$7,588	\$6,616	\$ 1,351	\$7,967
Elementary/Sec. School	1,000 ft ²	\$2,996	\$ 615	\$3,611	\$3,754	\$ 771	\$4,526	\$4,513	\$ 927	\$5,440	\$5,227	\$1,127	\$6,354	\$5,535	\$ 1,137	\$6,672
Industrial																
Manufacturing	1,000 ft ²	\$3,957	\$ 819	\$4,777	\$5,082	\$ 1,052	\$6,134	\$6,207	\$ 1,285	\$7,492	\$7,269	\$1,580	\$8,849	\$7,698	\$ 1,594	\$9,291
Industrial Park	1,000 ft ²	\$5,105	\$ 1,054	\$6,159	\$5,137	\$ 1,061	\$6,198	\$5,169	\$ 1,067	\$6,236	\$5,157	\$1,118	\$6,275	\$5,461	\$ 1,128	\$6,589
Business Park	1,000 ft ²	\$11,730	\$ 2,428	\$14,158	\$14,237	\$ 2,947	\$17,184	\$16,744	\$ 3,466	\$20,210	\$19,087	\$4,149	\$23,236	\$20,213	\$ 4,184	\$24,398
Warehouse	1,000 ft ²	\$2,639	\$ 544	\$3,183	\$2,635	\$ 543	\$3,178	\$2,631	\$ 542	\$3,174	\$2,605	\$564	\$3,169	\$2,759	\$ 569	\$3,327
Mini-Warehouse	1,000 ft ²	\$1,481	\$ 307	\$1,788	\$1,730	\$ 358	\$2,088	\$1,979	\$ 410	\$2,389	\$2,209	\$480	\$2,689	\$2,339	\$ 485	\$2,823

Starting January 1, 2029, the City Engineer, in consultation with the City Administrator and such other City staff as the City Administrator may designate, shall adjust the road impact fee annually. A 5% inflation factor shall be applied to future impact fees. 5% inflation was based on the the National Highway Construction Cost Index (NHCCI) as published by the U.S. Department of Transportation Federal Highway Administration.

Implementation of Road Impact Fees For Projects Entitled Prior to July 1, 2025																
		Current Fees			Fees Effective July 1, 2025			Fees Effective July 1, 2026			Fees Effective July 1, 2027			Fees Effective July 1, 2028		
	Unit	Arterial	Collector	Total	Arterial	Collector	Total	Arterial	Collector	Total	Arterial	Collector	Total	Arterial	Collector	Total
Single-Family Detached	Dwelling	\$ 4,911	\$ 3,340	\$ 8,251	\$7,529	\$1,547	\$9,076	\$8,281	\$1,702	\$9,984	\$9,110	\$1,872	\$10,982	\$10,021	\$2,060	\$12,080
Single-Family Det <1,500 sf	Dwelling	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Single-Family Det 1,500-2,999 sf	Dwelling	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Single-Family Det 3,000 sf or more	Dwelling	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Single-Family Att <1,500 sf	Dwelling	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Single-Family Att 1,500-2,999 sf	Dwelling	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Single-Family Att 3,000 sf or more	Dwelling	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Multi-Family	Dwelling	\$ 3,112	\$ 2,121	\$ 5,233	\$4,775	\$ 981	\$ 5,756	\$ 5,253	\$ 1,079	\$ 6,332	\$5,778	\$ 1,187	\$ 6,965	\$6,356	\$ 1,306	\$ 7,662
Mobil Home Park	Site	\$ 2,338	\$ 1,592	\$ 3,930	\$3,587	\$ 736	\$ 4,323	\$ 3,946	\$ 809	\$ 4,755	\$4,341	\$ 890	\$ 5,231	\$4,775	\$ 979	\$ 5,754
Congregate Care Facility	Dwelling	\$ 1,093	\$ 743	\$ 1,836	\$1,675	\$ 345	\$ 2,020	\$ 1,842	\$ 379	\$ 2,222	\$2,026	\$ 417	\$ 2,444	\$2,229	\$ 459	\$ 2,688
Hotel/Motel	Room	\$ 2,567	\$ 1,750	\$ 4,317	\$3,939	\$ 810	\$ 4,749	\$ 4,333	\$ 891	\$ 5,224	\$4,766	\$ 980	\$ 5,746	\$5,242	\$ 1,078	\$ 6,321
Retail/Commercial																
Shopping Center/Gen. Retail	1,000 ft ²	\$ 6,484	\$ 4,394	\$ 10,878	\$9,920	\$ 2,046	\$ 11,966	\$ 10,912	\$ 2,251	\$ 13,162	\$12,003	\$ 2,476	\$ 14,479	\$13,203	\$ 2,724	\$ 15,926
Restaurant, Quality	1,000 ft ²	\$ 12,069	\$ 8,186	\$ 20,255	\$18,467	\$ 3,814	\$ 22,281	\$ 20,314	\$ 4,195	\$ 24,509	\$22,345	\$ 4,614	\$ 26,959	\$24,579	\$ 5,076	\$ 29,655
Restaurant, Fast Food	1,000 ft ²	\$ 17,442	\$ 11,862	\$ 29,304	\$26,718	\$ 5,517	\$ 32,234	\$ 29,390	\$ 6,068	\$ 35,458	\$32,328	\$ 6,675	\$ 39,004	\$35,561	\$ 7,343	\$ 42,904
Office/Institutional																
Office, General	1,000 ft ²	\$ 4,632	\$ 3,170	\$ 7,802	\$7,110	\$ 1,472	\$ 8,582	\$ 7,821	\$ 1,620	\$ 9,440	\$8,603	\$ 1,782	\$ 10,384	\$9,463	\$ 1,960	\$ 11,423
Hospital	1,000 ft ²	\$ 5,359	\$ 3,653	\$ 9,012	\$8,226	\$ 1,687	\$ 9,913	\$ 9,049	\$ 1,856	\$ 10,905	\$9,954	\$ 2,041	\$ 11,995	\$10,949	\$ 2,245	\$ 13,194
Nursing Home	1,000 ft ²	\$ 3,082	\$ 2,099	\$ 5,181	\$4,731	\$ 968	\$ 5,699	\$ 5,204	\$ 1,065	\$ 6,269	\$5,724	\$ 1,172	\$ 6,896	\$6,297	\$ 1,289	\$ 7,586
Church	1,000 ft ²	\$ 3,258	\$ 2,218	\$ 5,476	\$5,002	\$ 1,022	\$ 6,024	\$ 5,502	\$ 1,124	\$ 6,626	\$6,052	\$ 1,236	\$ 7,289	\$6,248	\$1,340	\$7,588
Elementary/Sec. School	1,000 ft ²	\$ 1,606	\$ 1,091	\$ 2,697	\$2,461	\$ 505	\$ 2,967	\$ 2,707	\$ 556	\$ 3,263	\$2,978	\$ 612	\$ 3,590	\$3,276	\$ 673	\$ 3,949
Industrial																
Manufacturing	1,000 ft ²	\$ 2,030	\$ 1,389	\$ 3,419	\$3,116	\$ 645	\$ 3,761	\$ 3,427	\$ 710	\$ 4,137	\$3,770	\$ 781	\$ 4,551	\$4,147	\$ 859	\$ 5,006
Industrial Park	1,000 ft ²	\$ 3,636	\$ 2,484	\$ 6,120	\$5,157	\$1,118	\$6,275	\$5,157	\$1,118	\$6,275	\$5,157	\$1,118	\$6,275	\$5,157	\$1,118	\$6,275
Business Park	1,000 ft ²	\$ 6,613	\$ 4,519	\$ 11,132	\$10,145	\$ 2,100	\$ 12,245	\$ 11,160	\$ 2,310	\$ 13,470	\$12,276	\$ 2,541	\$ 14,817	\$13,503	\$ 2,795	\$ 16,298
Warehouse	1,000 ft ²	\$ 1,893	\$ 1,294	\$ 3,187	\$2,605	\$564	\$3,169	\$2,605	\$564	\$3,169	\$2,605	\$564	\$3,169	\$2,605	\$564	\$3,169
Mini-Warehouse	1,000 ft ²	\$ 885	\$ 602	\$ 1,487	\$1,355	\$ 281	\$ 1,636	\$ 1,490	\$ 309	\$ 1,799	\$1,640	\$ 340	\$ 1,979	\$1,803	\$ 374	\$ 2,177

Implementation of Road Impact Fees For Projects Entitled Prior to July 1, 2025													
		Fees Effective July 1, 2029			Fees Effective July 1, 2030			Fees Effective July 1, 2031			Fees Effective July 1, 2032		
		Arterial	Collector	Total	Arterial	Collector	Total	Arterial	Collector	Total	Arterial	Collector	Total
Single-Family Detached	Dwelling	\$11,023	\$2,266	\$13,288	\$12,125	\$2,492	\$14,617	\$13,337	\$2,741	\$16,079	\$14,671	\$3,016	\$17,687
Single-Family Det <1,500 sf	Dwelling	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Single-Family Det 1,500-2,999 sf	Dwelling	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Single-Family Det 3,000 sf or more	Dwelling	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Single-Family Att <1,500 sf	Dwelling	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Single-Family Att 1,500-2,999 sf	Dwelling	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Single-Family Att 3,000 sf or more	Dwelling	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
Multi-Family	Dwelling	\$6,992	\$1,436	\$8,428	\$7,691	\$1,580	\$9,271	\$8,460	\$1,738	\$10,198	\$9,306	\$1,911	\$11,217
Mobile Home Park	Site	\$5,252	\$1,077	\$6,329	\$5,777	\$1,185	\$6,962	\$6,355	\$1,303	\$7,658	\$6,991	\$1,434	\$8,424
Congregate Care Facility	Dwelling	\$2,452	\$505	\$2,957	\$2,697	\$555	\$3,253	\$2,967	\$611	\$3,578	\$3,264	\$672	\$3,936
Hotel/Motel	Room	\$5,767	\$1,186	\$6,953	\$6,343	\$1,304	\$7,648	\$6,978	\$1,435	\$8,413	\$7,675	\$1,578	\$9,254
Retail/Commercial													
Shopping Center/Gen. Retail	1,000 ft ²	\$14,523	\$2,996	\$17,519	\$15,976	\$3,296	\$19,271	\$17,573	\$3,625	\$21,198	\$19,330	\$3,988	\$23,318
Restaurant, Quality	1,000 ft ²	\$27,037	\$5,583	\$32,621	\$29,741	\$6,142	\$35,883	\$32,715	\$6,756	\$39,471	\$35,987	\$7,432	\$43,418
Restaurant, Fast Food	1,000 ft ²	\$39,117	\$8,077	\$47,194	\$43,029	\$8,885	\$51,914	\$47,332	\$9,773	\$57,105	\$52,065	\$10,750	\$62,816
Office/Institutional													
Office, General	1,000 ft ²	\$10,409	\$2,156	\$12,565	\$11,450	\$2,371	\$13,822	\$12,595	\$2,609	\$15,204	\$13,855	\$2,869	\$16,724
Hospital	1,000 ft ²	\$12,044	\$2,470	\$14,514	\$13,248	\$2,717	\$15,965	\$14,573	\$2,989	\$17,562	\$16,031	\$3,287	\$19,318
Nursing Home	1,000 ft ²	\$6,926	\$1,418	\$8,344	\$7,619	\$1,560	\$9,178	\$8,381	\$1,715	\$10,096	\$9,219	\$1,887	\$11,106
Church	1,000 ft ²	\$6,248	\$1,340	\$7,588	\$6,248	\$1,340	\$7,588	\$6,248	\$1,340	\$7,588	\$6,248	\$1,340	\$7,588
Elementary/Sec. School	1,000 ft ²	\$3,603	\$740	\$4,344	\$3,964	\$814	\$4,778	\$4,360	\$896	\$5,256	\$4,796	\$985	\$5,781
Industrial													
Manufacturing	1,000 ft ²	\$4,562	\$944	\$5,506	\$5,018	\$1,039	\$6,057	\$5,520	\$1,143	\$6,663	\$6,072	\$1,257	\$7,329
Industrial Park	1,000 ft ²	\$5,157	\$1,118	\$6,275	\$5,157	\$1,118	\$6,275	\$5,157	\$1,118	\$6,275	\$5,157	\$1,118	\$6,275
Business Park	1,000 ft ²	\$14,853	\$3,075	\$17,928	\$16,339	\$3,382	\$19,721	\$17,973	\$3,720	\$21,693	\$19,770	\$4,093	\$23,862
Warehouse	1,000 ft ²	\$2,605	\$564	\$3,169	\$2,605	\$564	\$3,169	\$2,605	\$564	\$3,169	\$2,605	\$564	\$3,169
Mini-Warehouse	1,000 ft ²	\$1,984	\$411	\$2,395	\$2,182	\$452	\$2,634	\$2,400	\$497	\$2,898	\$2,640	\$547	\$3,188

September 30, 2024

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Michael Walters Young, Chief Budget & Performance Officer
Katherine Harelson, Development Services Operations Analyst

RE: Updated Review of Road Impact Fee Model Scenarios

Purpose

The purpose of this item is to review with the Board of Mayor and Aldermen staff's ongoing analysis of the possible financial impacts of revising the Road Impact Fees charged to projects wishing to build in the City of Franklin.

Background

After the last presentation to the Board of Mayor and Aldermen on September 8th, staff went back and re-ran possible scenarios on anticipated Road Impact fee revenue collections and unrealized Road Impact fee revenue from various methods of phasing in and grandfathering existing projects as they pertain to Ordinance 2023-41.

As a reminder, staff started by calculating, project by project, the amount of money collected in Road Impact Fees over the last five audited fiscal years, FY 2019-2023.

Figure 1: Annual Road Impact Fees Collected - FY 2019-2023						
Actual Revenue Collected*	2019	2020	2021	2022	2023	Average
	\$7,659,855	\$12,251,152	\$6,975,153	\$10,641,106	\$4,235,737	\$ 8,352,601

*Actual collections as provided from Annual Comprehensive Financial Reports, City of Franklin, FY 2019-2023

After assessing what was collected, staff evaluated the amount of money that would have been collected had the full implementation of the proposed fees under Ordinance 2023-41 been implemented over the same timeframe. This is shown in Figure 2.

Figure 2: Road Impact Fees Collections with Full Implementation of fees proposed - FY 2019-2023						
Full RIF Implementation	2019	2020	2021	2022	2023	Average
	\$24,499,167	\$19,191,952	\$26,628,181	\$19,191,952	\$16,764,329	\$ 21,255,116

It is important to review what actually has been recorded to properly evaluate possibilities of what might occur. Because it is impossible to project development activity – when permits are actually pulled, whether or not a development comes to fruition, the variability of economic winds, changing market desires (e.g. office desirability pre-pandemic vs. post-pandemic) – staff can only base possible projections off of past experience.

As part of conversations with the development community and the Board of Mayor and Alderman, we have provided multiple year phase-in projections below, including a two-year, a three-year, a four-year and a five-year phase in option. The projected unrealized revenue is shown at the far right.

Figure 3: Road Impact Fee Forecasted Collections w/ Phase-In Options							
	Year 1	Year 2	Year 3	Year 4	Year 5	Total	Unrealized Revenue
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F (A+B+C+D+E)</u>	<u>G (F - Phase-In Total)</u>
Full Implementation	\$24,499,167	\$19,191,952	\$26,628,181	\$19,191,952	\$16,764,329	\$106,275,581	
Phase-In Plan							
2-Year							
Amount of phase-in	50%	100%	100%	100%	100%		
Existing Average	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$41,763,003	
Phase In	\$6,451,258	\$12,902,516	\$12,902,516	\$12,902,516	\$12,902,516	\$58,061,321	
2-Year Total	\$14,803,858	\$21,255,116	\$21,255,116	\$21,255,116	\$21,255,116	\$99,824,324	-\$6,451,258
3-Year							
Amount of phase-in	33%	66%	100%	100%	100%		
Existing Average	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$41,763,003	
Phase In	\$4,300,839	\$8,601,677	\$12,902,516	\$12,902,516	\$12,902,516	\$51,610,063	
3-Year Total	\$12,653,439	\$16,954,278	\$21,255,116	\$21,255,116	\$21,255,116	\$93,373,066	-\$12,902,516
4-Year							
Amount of phase-in	25%	50%	75%	100%	100%		
Existing Average	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$41,763,003	
Phase In	\$3,225,629	\$6,451,258	\$9,676,887	\$12,902,516	\$12,902,516	\$45,158,805	
4-Year Total	\$11,578,230	\$14,803,858	\$18,029,487	\$21,255,116	\$21,255,116	\$86,921,808	-\$19,353,774
5-Year							
Amount of phase-in	20%	40%	60%	80%	100%		
Existing Average	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$41,763,003	
Phase In	\$2,580,503	\$5,161,006	\$7,741,509	\$10,322,013	\$12,902,516	\$38,707,547	
5-Year Total	\$10,933,104	\$13,513,607	\$16,094,110	\$18,674,613	\$21,255,116	\$80,470,550	-\$25,805,031

As shown above, phasing the Road Impact Fee over multiple years would result in unrealized revenue for the City (based upon actual activity FY 2019-2023) from a low of \$6.4 million to a high of \$25.8 million dollars over a five-year period.

From last meeting, we have calculated 10 different scenarios (now labeled Scenarios A-J) and attached to the end of this memorandum. There are nine internal scenarios and one external as requested by the development community. Though each are different, the key variables in each are:

- 1) Phase-in for new projects would be in increments of 3, 4 or 5 years.
- 2) Grandfathering is assumed over 5, 8, or 10 years.
- 3) Future development activity assumes the same as the previous five years of audited development activity.
- 4) As grandfathered projects are built, the proportionate share of impact fees collected would drop and be replaced by new projects.

The categories of scenarios are organized by years of phase-in:

Three(3) Year Phase-In

Scenario A: 3 Year Phase-In of New Fees with 5-year Grandfathering vs. Phase-In

Scenario B: 3 Year Phase-In of New Fees with 8-year Grandfathering vs. Phase-In

Scenario C: 3 Year Phase-In of New Fees with 10-year Grandfathering vs. Phase-In

Scenario A: 3 Year Phase-In of New Fees with 5-year Grandfathering vs. Full Phased-In Implementation	
3-Year Phase-In Cumulative Total	\$ 232,575,136
Impact of Grandfathering (5 Years)	\$ (21,058,262)
Net Revenue - Scenario A	\$ 211,516,874
Scenario B: 3 Year Phase-In of New Fees with 8-year Grandfathering vs. Full Phased-In Implementation	
3-Year Phase-In Cumulative Total	\$ 232,575,136
Impact of Grandfathering (8 Years)	\$ (37,317,624)
Net Revenue - Scenario B	\$ 195,257,512
Scenario C: 3 Year Phase-In of New Fees with 10-year Grandfathering vs. Full Phased-In Implementation	
3-Year Phase-In Cumulative Total	\$ 232,575,136
Impact of Grandfathering (10 Years)	\$ (39,157,309)
Net Revenue - Scenario C	\$ 193,417,827

Four (4) Year Phase-In

Scenario D: 4 Year Phase-In of New Fees with 5-year Grandfathering vs. Phase-In

Scenario E: 4 Year Phase-In of New Fees with 8-year Grandfathering vs. Phase-In

Scenario F: 4 Year Phase-In of New Fees with 10-year Grandfathering vs. Phase-In

Scenario D: 4 Year Phase-In of New Fees with 5-year Grandfathering vs. Full Phased-In Implementation	
4-Year Phase-In Cumulative Total	\$ 227,765,546
Impact of Grandfathering (5 Years)	\$ (19,514,497)
Net Revenue - Scenario D	\$ 208,251,049
Scenario E: 4 Year Phase-In of New Fees with 8-year Grandfathering vs. Full Phased-In Implementation	
4-Year Phase-In Cumulative Total	\$ 227,765,546
Impact of Grandfathering (8 Years)	\$ (32,856,657)
Net Revenue - Scenario E	\$ 194,908,889
Scenario F: 4 Year Phase-In of New Fees with 10-year Grandfathering vs. Full Phased-In Implementation	
4-Year Phase-In Cumulative Total	\$ 227,765,546
Impact of Grandfathering (10 Years)	\$ (37,345,099)
Net Revenue - Scenario F	\$ 190,420,447

Five (5) Year Phase-In

Scenario G: 5 Year Phase-In of New Fees with 5-year Grandfathering vs. Phase-In

Scenario H: 5 Year Phase-In of New Fees with 8-year Grandfathering vs. Phase-In

Scenario I: 5 Year Phase-In of New Fees with 10-year Grandfathering vs. Phase-In

Scenario J: (Development Community): 5 Year Phase-In of New Fees with Grandfathering

Scenario G: 5 Year Phase-In of New Fees with 5-year Grandfathering vs. Full Phased-In Implementation	
5-Year Phase-In Cumulative Total	\$ 203,790,881
Impact of Grandfathering (5 Years)	\$ (11,595,752)
Net Revenue - Scenario G	\$ 192,195,129
Scenario H: 5 Year Phase-In of New Fees with 8-year Grandfathering vs. Full Phased-In Implementation	
5-Year Phase-In Cumulative Total	\$ 203,790,881
Impact of Grandfathering (8 Years)	\$ (22,625,799)
Net Revenue - Scenario H	\$ 181,165,083
Scenario I: 5 Year Phase-In of New Fees with 10-year Grandfathering vs. Full Phased-In Implementation	
5-Year Phase-In Cumulative Total	\$ 203,790,881
Impact of Grandfathering (10 Years)	\$ (25,121,070)
Net Revenue - Scenario I	\$ 178,669,811

One additional scenario (J) shows the impact of a proposal made by the development community on September 27, 2024. Although several components are included, for this forecasting, the points included are:

- Grandfathering (the proposal asked for a Grandfathering based upon Vested dates shown on an attached schedule. For comparative purposes with other scenarios, City Staff has capped that grandfathering at 10 years like all other maximum proposals)
- Phase In: 5-year phase in of full fees for new projects as follows: Year 1) 10%, Year 2) 25%, Year 3) 40%, Year 4) 70% and Year 5) 100%.
- Indexing: a 5% growth in fees (for indexing purposes) is included, (like in all other Scenarios A-I)

Other considerations requested regarding the timing of fee calculations, development milestones, and the timing of payments are not reflected in this costing.

Summary

While ten (10) scenarios are a lot of permutations, the overall impact of these proposals is as follows:

- 1) Should no Grandfathering be applied, the maximum available revenue per year of phase-in (3, 4 or 5 years) would be as follows:

Total Revenue over 10-years by Phase-in Approach	
3-year Phase In: (Scenarios A-C)	\$ 232,575,136
4-year Phase In: (Scenarios D-F)	\$ 227,765,546
5-year Phase-In: (Scenarios G-J)	\$ 203,790,881

As shown above, phasing in over 3, 4 or 5 years would result in unrealized revenue of up to \$28.8 million over the 10-year forecast window when comparing the 3-year phase in (\$232,575,136) to the 5-year phase in (\$203,790,881)

- 2) Grandfathering over 5, 8 or 10 years results in significantly less revenue dependent upon the scenario. The total forecast revenues range between a high of \$211,516,874 for 5 years of grandfathering via a 3-year phase-in to a low of \$170,871,846 as proposed by the development community for 10 years of grandfathering via a 5-year graduated phase-in.

3-Year Phase-In Cumulative Total	\$ 232,575,136
Net Revenue - Scenario A	\$ 211,516,874
Net Revenue - Scenario B	\$ 195,257,512
Net Revenue - Scenario C	\$ 193,417,827
4-Year Phase-In Cumulative Total	\$ 227,765,546
Net Revenue - Scenario D	\$ 208,251,049
Net Revenue - Scenario E	\$ 194,908,889
Net Revenue - Scenario F	\$ 190,420,447
5-Year Phase-In Cumulative Total	\$ 203,790,881
Net Revenue - Scenario G	\$ 192,195,129
Net Revenue - Scenario H	\$ 181,165,083
Net Revenue - Scenario I	\$ 178,669,811
Net Revenue - Scenario J (Development Community)	\$ 170,871,846

- 3) Taken all together, the maximum revenue forecast is the **3-year phase in with no grandfathering** and the minimum revenue forecast is the **5-year phase-in with a 10-year grandfathering proposed by the development community** (over the 10-year forecast window).

3-year phase in with no grandfathering	\$232,575,136
- 5-year phase-in with a 10-year grandfathering*	\$170,871,846
Difference	\$ 61,703,290

Finally, please remember these models are an estimate, based on averages derived from actual activity from FY 2019-2023. They are a best attempt to evaluate what revenues would be unrealized from a delayed implementation of the revised fees.

Attachments

Summary of each option
Scenarios A-K Detail Sheets

Road Impact Fee Phase In/Grandfathering Revenue Scenarios		10/1/2024
Scenario A: 3 Year Phase-In of New Fees with 5-year Grandfathering vs. Full Phased-In Implementation		
3-Year Phase-In Cumulative Total	\$	232,575,136
Impact of Grandfathering (5 Years)	\$	(21,058,262)
Net Revenue - Scenario A	\$	211,516,874
Scenario B: 3 Year Phase-In of New Fees with 8-year Grandfathering vs. Full Phased-In Implementation		
3-Year Phase-In Cumulative Total	\$	232,575,136
Impact of Grandfathering (8 Years)	\$	(37,317,624)
Net Revenue - Scenario B	\$	195,257,512
Scenario C: 3 Year Phase-In of New Fees with 10-year Grandfathering vs. Full Phased-In Implementation		
3-Year Phase-In Cumulative Total	\$	232,575,136
Impact of Grandfathering (10 Years)	\$	(39,157,309)
Net Revenue - Scenario C	\$	193,417,827
Scenario D: 4 Year Phase-In of New Fees with 5-year Grandfathering vs. Full Phased-In Implementation		
4-Year Phase-In Cumulative Total	\$	227,765,546
Impact of Grandfathering (5 Years)	\$	(19,514,497)
Net Revenue - Scenario D	\$	208,251,049
Scenario E: 4 Year Phase-In of New Fees with 8-year Grandfathering vs. Full Phased-In Implementation		
4-Year Phase-In Cumulative Total	\$	227,765,546
Impact of Grandfathering (8 Years)	\$	(32,856,657)
Net Revenue - Scenario E	\$	194,908,889
Scenario F: 4 Year Phase-In of New Fees with 10-year Grandfathering vs. Full Phased-In Implementation		
4-Year Phase-In Cumulative Total	\$	227,765,546
Impact of Grandfathering (10 Years)	\$	(37,345,099)
Net Revenue - Scenario F	\$	190,420,447
Scenario G: 5 Year Phase-In of New Fees with 5-year Grandfathering vs. Full Phased-In Implementation		
5-Year Phase-In Cumulative Total	\$	203,790,881
Impact of Grandfathering (5 Years)	\$	(11,595,752)
Net Revenue - Scenario G	\$	192,195,129
Scenario H: 5 Year Phase-In of New Fees with 8-year Grandfathering vs. Full Phased-In Implementation		
5-Year Phase-In Cumulative Total	\$	203,790,881
Impact of Grandfathering (8 Years)	\$	(22,625,799)
Net Revenue - Scenario H	\$	181,165,083
Scenario I: 5 Year Phase-In of New Fees with 10-year Grandfathering vs. Full Phased-In Implementation		
5-Year Phase-In Cumulative Total	\$	203,790,881
Impact of Grandfathering (10 Years)	\$	(25,121,070)
Net Revenue - Scenario I	\$	178,669,811
Scenario J: 5 Year Phase-In of New Fees with 10-year Grandfathering vs. Full Phased-In Implementation		
5-Year Phase-In Cumulative Total (10%, 25%, 40%, 70%, 100%)	\$	203,790,881
Impact of Grandfathering (10 Years)	\$	(32,919,036)
Net Revenue - Scenario J	\$	170,871,846

Scenario A: 3 Year Phase-In of New Fees with 5-year Grandfathering vs. Full Phased-In Implementation

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>
<i>A</i> Existing Average	\$ 8,352,601	\$ 9,187,861	\$ 10,106,647	\$ 11,117,311	\$ 12,229,043
<i>B</i> Add 10% escalator	\$ 9,187,861	\$ 10,106,647	\$ 11,117,311	\$ 12,229,043	\$ 13,451,947
<i>C</i> Completion Scale	100%	80%	60%	40%	20%
<i>D</i> Total Existing Projects	\$ 9,187,861	\$ 8,085,317	\$ 6,670,387	\$ 4,891,617	\$ 2,690,389
<i>E</i> 3- Year Phase-In (5% escalator)	\$ 12,653,439	\$ 16,954,278	\$ 21,255,116	\$ 22,317,872	\$ 23,433,766
<i>F</i> Completion Scale	0%	20%	40%	60%	80%
<i>G</i> Total New Projects	\$ -	\$ 3,390,856	\$ 8,502,047	\$ 13,390,723	\$ 18,747,013
<i>H (D+G)</i> Total Existing + New	\$ 9,187,861	\$ 11,476,173	\$ 15,172,433	\$ 18,282,340	\$ 21,437,402
<i>Cumulative Revenue Earned</i>	\$ 9,187,861	\$ 20,664,034	\$ 35,836,467	\$ 54,118,807	\$ 75,556,209

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 6</u>	<u>Year 7</u>	<u>Year 8</u>	<u>Year 9</u>	<u>Year 10</u>
<i>A</i> Existing Average	\$ 13,451,947	\$ 14,797,141	\$ 16,276,856	\$ 17,904,541	\$ 19,694,995
<i>B</i> Add 10% escalator	\$ 14,797,141	\$ 16,276,856	\$ 17,904,541	\$ 19,694,995	\$ 21,664,495
<i>C</i> Completion Scale	0%	0%	0%	0%	0%
<i>D</i> Total Existing Projects	\$ -	\$ -	\$ -	\$ -	\$ -
<i>E</i> 3- Year Phase-In (5% escalator)	\$ 24,605,454	\$ 25,835,727	\$ 27,127,513	\$ 28,483,889	\$ 29,908,083
<i>F</i> Completion Scale	100%	100%	100%	100%	100%
<i>G</i> Total New Projects	\$ 24,605,454	\$ 25,835,727	\$ 27,127,513	\$ 28,483,889	\$ 29,908,083
<i>H (D+G)</i> Total Existing + New	\$ 24,605,454	\$ 25,835,727	\$ 27,127,513	\$ 28,483,889	\$ 29,908,083
<i>Cumulative Revenue Earned</i>	\$ 100,161,663	\$ 125,997,390	\$ 153,124,903	\$ 181,608,791	\$ 211,516,874

Scenario B: 3 Year Phase-In of New Fees with 8-year Grandfathering vs. Full Phased-In Implementation

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>
<i>A</i> Existing Average	\$ 8,352,601	\$ 9,187,861	\$ 10,106,647	\$ 11,117,311	\$ 12,229,043
<i>B</i> Add 10% escalator	\$ 9,187,861	\$ 10,106,647	\$ 11,117,311	\$ 12,229,043	\$ 13,451,947
<i>C</i> Completion Scale	100%	100%	85%	70%	55%
<i>D</i> Total Existing Projects	\$ 9,187,861	\$ 10,106,647	\$ 9,449,715	\$ 8,560,330	\$ 7,398,571
<i>E</i> 3- Year Phase-In (5% escalator)	\$ 12,653,439	\$ 16,954,278	\$ 21,255,116	\$ 22,317,872	\$ 23,433,766
<i>F</i> Completion Scale	0%	0%	15%	30%	45%
<i>G</i> Total New Projects	\$ -	\$ -	\$ 3,188,267	\$ 6,695,362	\$ 10,545,195
<i>H (D+G)</i> Total Existing + New	\$ 9,187,861	\$ 10,106,647	\$ 12,637,982	\$ 15,255,691	\$ 17,943,765
<i>Cumulative Revenue Earned</i>	\$ 9,187,861	\$ 19,294,507	\$ 31,932,490	\$ 47,188,181	\$ 65,131,946

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 6</u>	<u>Year 7</u>	<u>Year 8</u>	<u>Year 9</u>	<u>Year 10</u>
<i>A</i> Existing Average	\$ 13,451,947	\$ 14,797,141	\$ 16,276,856	\$ 17,904,541	\$ 19,694,995
<i>B</i> Add 10% escalator	\$ 14,797,141	\$ 16,276,856	\$ 17,904,541	\$ 19,694,995	\$ 21,664,495
<i>C</i> Completion Scale	40%	20%	0%	0%	0%
<i>D</i> Total Existing Projects	\$ 5,918,857	\$ 3,255,371	\$ -	\$ -	\$ -
<i>E</i> 3- Year Phase-In (5% escalator)	\$ 24,605,454	\$ 25,835,727	\$ 27,127,513	\$ 28,483,889	\$ 29,908,083
<i>F</i> Completion Scale	60%	80%	100%	100%	100%
<i>G</i> Total New Projects	\$ 14,763,272	\$ 20,668,581	\$ 27,127,513	\$ 28,483,889	\$ 29,908,083
<i>H (D+G)</i> Total Existing + New	\$ 20,682,129	\$ 23,923,952	\$ 27,127,513	\$ 28,483,889	\$ 29,908,083
<i>Cumulative Revenue Earned</i>	\$ 85,814,075	\$ 109,738,028	\$ 136,865,541	\$ 165,349,429	\$ 195,257,512

Scenario C: 3 Year Phase-In of New Fees with 10-year Grandfathering vs. Full Phased-In Implementation

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>
<i>A</i> Existing Average	\$ 8,352,601	\$ 9,187,861	\$ 10,106,647	\$ 11,117,311	\$ 12,229,043
<i>B</i> Add 10% escalator	\$ 9,187,861	\$ 10,106,647	\$ 11,117,311	\$ 12,229,043	\$ 13,451,947
<i>C</i> Completion Scale	100%	100%	85%	70%	55%
<i>D</i> Total Existing Projects	\$ 9,187,861	\$ 10,106,647	\$ 9,449,715	\$ 8,560,330	\$ 7,398,571
<i>E</i> 3- Year Phase-In (5% escalator)	\$ 12,653,439	\$ 16,954,278	\$ 21,255,116	\$ 22,317,872	\$ 23,433,766
<i>F</i> Completion Scale	0%	0%	15%	30%	45%
<i>G</i> Total New Projects	\$ -	\$ -	\$ 3,188,267	\$ 6,695,362	\$ 10,545,195
<i>H (D+G)</i> Total Existing + New	\$ 9,187,861	\$ 10,106,647	\$ 12,637,982	\$ 15,255,691	\$ 17,943,765
<i>Cumulative Revenue Earned</i>	\$ 9,187,861	\$ 19,294,507	\$ 31,932,490	\$ 47,188,181	\$ 65,131,946

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 6</u>	<u>Year 7</u>	<u>Year 8</u>	<u>Year 9</u>	<u>Year 10</u>
<i>A</i> Existing Average	\$ 13,451,947	\$ 14,797,141	\$ 16,276,856	\$ 17,904,541	\$ 19,694,995
<i>B</i> Add 10% escalator	\$ 14,797,141	\$ 16,276,856	\$ 17,904,541	\$ 19,694,995	\$ 21,664,495
<i>C</i> Completion Scale	40%	25%	10%	5%	0%
<i>D</i> Total Existing Projects	\$ 5,918,857	\$ 4,069,214	\$ 1,790,454	\$ 984,750	\$ -
<i>E</i> 3- Year Phase-In (5% escalator)	\$ 24,605,454	\$ 25,835,727	\$ 27,127,513	\$ 28,483,889	\$ 29,908,083
<i>F</i> Completion Scale	60%	75%	90%	95%	100%
<i>G</i> Total New Projects	\$ 14,763,272	\$ 19,376,795	\$ 24,414,762	\$ 27,059,694	\$ 29,908,083
<i>H (D+G)</i> Total Existing + New	\$ 20,682,129	\$ 23,446,009	\$ 26,205,216	\$ 28,044,444	\$ 29,908,083
<i>Cumulative Revenue Earned</i>	\$ 85,814,075	\$ 109,260,084	\$ 135,465,300	\$ 163,509,744	\$ 193,417,827

Scenario D: 4 Year Phase-In of New Fees with 5-year Grandfathering vs. Full Phased-In Implementation

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>
<i>A</i> Existing Average	\$ 8,352,601	\$ 8,770,231	\$ 9,208,742	\$ 9,669,179	\$ 10,152,638
<i>B</i> Add 10% escalator	\$ 9,187,861	\$ 9,647,254	\$ 10,129,616	\$ 10,636,097	\$ 11,167,902
<i>C</i> Completion Scale	100%	80%	60%	40%	20%
<i>D</i> Total Existing Projects	\$ 9,187,861	\$ 7,717,803	\$ 6,077,770	\$ 4,254,439	\$ 2,233,580
<i>E</i> 4- Year Phase-In (5% escalator)	\$ 11,578,230	\$ 15,544,051	\$ 18,930,962	\$ 22,317,872	\$ 23,433,766
<i>F</i> Completion Scale	0%	20%	40%	60%	80%
<i>G</i> Total New Projects	\$ -	\$ 3,108,810	\$ 7,572,385	\$ 13,390,723	\$ 18,747,013
<i>H (D+G)</i> Total Existing + New	\$ 9,187,861	\$ 10,826,613	\$ 13,650,155	\$ 17,645,162	\$ 20,980,593
<i>Cumulative Revenue Earned</i>	\$ 9,187,861	\$ 20,014,474	\$ 33,664,628	\$ 51,309,791	\$ 72,290,383

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 6</u>	<u>Year 7</u>	<u>Year 8</u>	<u>Year 9</u>	<u>Year 10</u>
<i>A</i> Existing Average	\$ 10,660,270	\$ 11,193,284	\$ 11,752,948	\$ 12,340,595	\$ 12,957,625
<i>B</i> Add 10% escalator	\$ 11,726,297	\$ 12,312,612	\$ 12,928,243	\$ 13,574,655	\$ 14,253,387
<i>C</i> Completion Scale	0%	0%	0%	0%	0%
<i>D</i> Total Existing Projects	\$ -	\$ -	\$ -	\$ -	\$ -
<i>E</i> 4- Year Phase-In	\$ 24,605,454	\$ 25,835,727	\$ 27,127,513	\$ 28,483,889	\$ 29,908,083
<i>F</i> Completion Scale	100%	100%	100%	100%	100%
<i>G</i> Total New Projects	\$ 24,605,454	\$ 25,835,727	\$ 27,127,513	\$ 28,483,889	\$ 29,908,083
<i>H (D+G)</i> Total Existing + New	\$ 24,605,454	\$ 25,835,727	\$ 27,127,513	\$ 28,483,889	\$ 29,908,083
<i>Cumulative Revenue Earned</i>	\$ 96,895,837	\$ 122,731,564	\$ 149,859,077	\$ 178,342,966	\$ 208,251,049

Scenario E: 4 Year Phase-In of New Fees with 8-year Grandfathering vs. Full Phased-In Implementation

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>
<i>A</i> Existing Average	\$ 8,352,601	\$ 9,187,861	\$ 10,106,647	\$ 11,117,311	\$ 12,229,043
<i>B</i> Add 10% escalator	\$ 9,187,861	\$ 10,106,647	\$ 11,117,311	\$ 12,229,043	\$ 13,451,947
<i>C</i> Completion Scale	100%	100%	85%	70%	55%
<i>D</i> Total Existing Projects	\$ 9,187,861	\$ 10,106,647	\$ 9,449,715	\$ 8,560,330	\$ 7,398,571
<i>E</i> 4- Year Phase-In (5% escalator)	\$ 11,578,230	\$ 15,544,051	\$ 18,930,962	\$ 22,317,872	\$ 23,433,766
<i>F</i> Completion Scale	0%	0%	15%	30%	45%
<i>G</i> Total New Projects	\$ -	\$ -	\$ 2,839,644	\$ 6,695,362	\$ 10,545,195
<i>H (D+G)</i> Total Existing + New	\$ 9,187,861	\$ 10,106,647	\$ 12,289,359	\$ 15,255,691	\$ 17,943,765
<i>Cumulative Revenue Earned</i>	\$ 9,187,861	\$ 19,294,507	\$ 31,583,866	\$ 46,839,558	\$ 64,783,323

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 6</u>	<u>Year 7</u>	<u>Year 8</u>	<u>Year 9</u>	<u>Year 10</u>
<i>A</i> Existing Average	\$ 13,451,947	\$ 14,797,141	\$ 16,276,856	\$ 17,904,541	\$ 19,694,995
<i>B</i> Add 10% escalator	\$ 14,797,141	\$ 16,276,856	\$ 17,904,541	\$ 19,694,995	\$ 21,664,495
<i>C</i> Completion Scale	40%	20%	0%	0%	0%
<i>D</i> Total Existing Projects	\$ 5,918,857	\$ 3,255,371	\$ -	\$ -	\$ -
<i>E</i> 4- Year Phase-In	\$ 24,605,454	\$ 25,835,727	\$ 27,127,513	\$ 28,483,889	\$ 29,908,083
<i>F</i> Completion Scale	60%	80%	100%	100%	100%
<i>G</i> Total New Projects	\$ 14,763,272	\$ 20,668,581	\$ 27,127,513	\$ 28,483,889	\$ 29,908,083
<i>H (D+G)</i> Total Existing + New	\$ 20,682,129	\$ 23,923,952	\$ 27,127,513	\$ 28,483,889	\$ 29,908,083
<i>Cumulative Revenue Earned</i>	\$ 85,465,452	\$ 109,389,404	\$ 136,516,917	\$ 165,000,806	\$ 194,908,889

Scenario F: 4 Year Phase-In of New Fees with 10-year Grandfathering vs. Full Phased-In Implementation

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>
<i>A</i> Existing Average	\$ 8,352,601	\$ 9,187,861	\$ 10,106,647	\$ 11,117,311	\$ 12,229,043
<i>B</i> Add 10% escalator	\$ 9,187,861	\$ 10,106,647	\$ 11,117,311	\$ 12,229,043	\$ 13,451,947
<i>C</i> Completion Scale	100%	100%	85%	70%	55%
<i>D</i> Total Existing Projects	\$ 9,187,861	\$ 10,106,647	\$ 9,449,715	\$ 8,560,330	\$ 7,398,571
<i>E</i> 4- Year Phase-In (5% escalator)	\$ 11,578,230	\$ 15,544,051	\$ 18,930,962	\$ 22,317,872	\$ 23,433,766
<i>F</i> Completion Scale	0%	0%	15%	30%	45%
<i>G</i> Total New Projects	\$ -	\$ -	\$ 2,839,644	\$ 6,695,362	\$ 10,545,195
<i>H (D+G)</i> Total Existing + New	\$ 9,187,861	\$ 10,106,647	\$ 12,289,359	\$ 15,255,691	\$ 17,943,765
<i>Cumulative Revenue Earned</i>	\$ 9,187,861	\$ 19,294,507	\$ 31,583,866	\$ 46,839,558	\$ 64,783,323

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 6</u>	<u>Year 7</u>	<u>Year 8</u>	<u>Year 9</u>	<u>Year 10</u>
<i>A</i> Existing Average	\$ 10,660,270	\$ 11,726,297	\$ 12,898,927	\$ 14,188,820	\$ 15,607,702
<i>B</i> Add 10% escalator	\$ 11,726,297	\$ 12,898,927	\$ 14,188,820	\$ 15,607,702	\$ 17,168,472
<i>C</i> Completion Scale	40%	25%	10%	5%	0%
<i>D</i> Total Existing Projects	\$ 4,690,519	\$ 3,224,732	\$ 1,418,882	\$ 780,385	\$ -
<i>E</i> 4- Year Phase-In (5% escalator)	\$ 24,605,454	\$ 25,835,727	\$ 27,127,513	\$ 28,483,889	\$ 29,908,083
<i>F</i> Completion Scale	60%	75%	90%	95%	100%
<i>G</i> Total New Projects	\$ 14,763,272	\$ 19,376,795	\$ 24,414,762	\$ 27,059,694	\$ 29,908,083
<i>H (D+G)</i> Total Existing + New	\$ 19,453,791	\$ 22,601,527	\$ 25,833,644	\$ 27,840,079	\$ 29,908,083
<i>Cumulative Revenue Earned</i>	\$ 84,237,114	\$ 106,838,641	\$ 132,672,285	\$ 160,512,364	\$ 190,420,447

Scenario G: 5 Year Phase-In of New Fees with 5-year Grandfathering vs. Full Phased-In Implementation

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>
<i>A</i> Existing Average	\$ 8,352,601	\$ 9,187,861	\$ 10,106,647	\$ 11,117,311	\$ 12,229,043
<i>B</i> Add 10% escalator	\$ 9,187,861	\$ 10,106,647	\$ 11,117,311	\$ 12,229,043	\$ 13,451,947
<i>C</i> Completion Scale	100%	80%	60%	40%	20%
<i>D</i> Total Existing Projects	\$ 9,187,861	\$ 8,085,317	\$ 6,670,387	\$ 4,891,617	\$ 2,690,389
<i>E</i> 5- Year Phase-In (5% escalator)	\$ 10,933,104	\$ 13,513,607	\$ 16,094,110	\$ 18,674,613	\$ 21,255,116
<i>F</i> Completion Scale	0%	20%	40%	60%	80%
<i>G</i> Total New Projects	\$ -	\$ 2,702,721	\$ 6,437,644	\$ 11,204,768	\$ 17,004,093
<i>H (D+G)</i> Total Existing + New	\$ 9,187,861	\$ 10,788,039	\$ 13,108,031	\$ 16,096,385	\$ 19,694,482
<i>Cumulative Revenue Earned</i>	\$ 9,187,861	\$ 19,975,899	\$ 33,083,930	\$ 49,180,315	\$ 68,874,798

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 6</u>	<u>Year 7</u>	<u>Year 8</u>	<u>Year 9</u>	<u>Year 10</u>
<i>A</i> Existing Average	\$ 13,451,947	\$ 14,797,141	\$ 16,276,856	\$ 17,904,541	\$ 19,694,995
<i>B</i> Add 10% escalator	\$ 14,797,141	\$ 16,276,856	\$ 17,904,541	\$ 19,694,995	\$ 21,664,495
<i>C</i> Completion Scale	0%	0%	0%	0%	0%
<i>D</i> Total Existing Projects	\$ -	\$ -	\$ -	\$ -	\$ -
<i>E</i> 5- Year Phase-In (5% escalator)	\$ 22,317,872	\$ 23,433,766	\$ 24,605,454	\$ 25,835,727	\$ 27,127,513
<i>F</i> Completion Scale	100%	100%	100%	100%	100%
<i>G</i> Total New Projects	\$ 22,317,872	\$ 23,433,766	\$ 24,605,454	\$ 25,835,727	\$ 27,127,513
<i>H (D+G)</i> Total Existing + New	\$ 22,317,872	\$ 23,433,766	\$ 24,605,454	\$ 25,835,727	\$ 27,127,513
<i>Cumulative Revenue Earned</i>	\$ 91,192,670	\$ 114,626,435	\$ 139,231,889	\$ 165,067,616	\$ 192,195,129

Scenario H: 5 Year Phase-In of New Fees with 8-year Grandfathering vs. Full Phased-In Implementation

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>
<i>A</i> Existing Average	\$ 8,352,601	\$ 9,187,861	\$ 10,106,647	\$ 11,117,311	\$ 12,229,043
<i>B</i> Add 10% escalator	\$ 9,187,861	\$ 10,106,647	\$ 11,117,311	\$ 12,229,043	\$ 13,451,947
<i>C</i> Completion Scale	100%	100%	85%	70%	55%
<i>D</i> Total Existing Projects	\$ 9,187,861	\$ 10,106,647	\$ 9,449,715	\$ 8,560,330	\$ 7,398,571
<i>E</i> 5- Year Phase-In (5% escalator)	\$ 10,933,104	\$ 13,513,607	\$ 16,094,110	\$ 18,674,613	\$ 21,255,116
<i>F</i> Completion Scale	0%	0%	15%	30%	45%
<i>G</i> Total New Projects	\$ -	\$ -	\$ 2,414,117	\$ 5,602,384	\$ 9,564,802
<i>H (D+G)</i> Total Existing + New	\$ 9,187,861	\$ 10,106,647	\$ 11,863,831	\$ 14,162,714	\$ 16,963,373
<i>Cumulative Revenue Earned</i>	\$ 9,187,861	\$ 19,294,507	\$ 31,158,339	\$ 45,321,052	\$ 62,284,425

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 6</u>	<u>Year 7</u>	<u>Year 8</u>	<u>Year 9</u>	<u>Year 10</u>
<i>A</i> Existing Average	\$ 13,451,947	\$ 14,797,141	\$ 16,276,856	\$ 17,904,541	\$ 19,694,995
<i>B</i> Add 10% escalator	\$ 14,797,141	\$ 16,276,856	\$ 17,904,541	\$ 19,694,995	\$ 21,664,495
<i>C</i> Completion Scale	40%	20%	0%	0%	0%
<i>D</i> Total Existing Projects	\$ 5,918,857	\$ 3,255,371	\$ -	\$ -	\$ -
<i>E</i> 5- Year Phase-In (5% escalator)	\$ 22,317,872	\$ 23,433,766	\$ 24,605,454	\$ 25,835,727	\$ 27,127,513
<i>F</i> Completion Scale	60%	80%	100%	100%	100%
<i>G</i> Total New Projects	\$ 13,390,723	\$ 18,747,013	\$ 24,605,454	\$ 25,835,727	\$ 27,127,513
<i>H (D+G)</i> Total Existing + New	\$ 19,309,580	\$ 22,002,384	\$ 24,605,454	\$ 25,835,727	\$ 27,127,513
<i>Cumulative Revenue Earned</i>	\$ 81,594,005	\$ 103,596,389	\$ 128,201,843	\$ 154,037,570	\$ 181,165,083

Scenario I: 5 Year Phase-In of New Fees with 10-year Grandfathering vs. Full Phased-In Implementation

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>
<i>A</i> Existing Average	\$ 8,352,601	\$ 9,187,861	\$ 10,106,647	\$ 11,117,311	\$ 12,229,043
<i>B</i> Add 10% escalator	\$ 9,187,861	\$ 10,106,647	\$ 11,117,311	\$ 12,229,043	\$ 13,451,947
<i>C</i> Completion Scale	100%	100%	85%	70%	55%
<i>D</i> Total Existing Projects	\$ 9,187,861	\$ 10,106,647	\$ 9,449,715	\$ 8,560,330	\$ 7,398,571
<i>E</i> 5- Year Phase-In (5% escalator)	\$ 10,933,104	\$ 13,513,607	\$ 16,094,110	\$ 18,674,613	\$ 21,255,116
<i>F</i> Completion Scale	0%	0%	15%	30%	45%
<i>G</i> Total New Projects	\$ -	\$ -	\$ 2,414,117	\$ 5,602,384	\$ 9,564,802
<i>H (D+G)</i> Total Existing + New	\$ 9,187,861	\$ 10,106,647	\$ 11,863,831	\$ 14,162,714	\$ 16,963,373
<i>Cumulative Revenue Earned</i>	\$ 9,187,861	\$ 19,294,507	\$ 31,158,339	\$ 45,321,052	\$ 62,284,425

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 6</u>	<u>Year 7</u>	<u>Year 8</u>	<u>Year 9</u>	<u>Year 10</u>
<i>A</i> Existing Average	\$ 12,229,043	\$ 13,451,947	\$ 14,797,141	\$ 16,276,856	\$ 17,904,541
<i>B</i> Add 10% escalator	\$ 13,451,947	\$ 14,797,141	\$ 16,276,856	\$ 17,904,541	\$ 19,694,995
<i>C</i> Completion Scale	40%	25%	10%	5%	0%
<i>D</i> Total Existing Projects	\$ 5,380,779	\$ 3,699,285	\$ 1,627,686	\$ 895,227	\$ -
<i>E</i> 5- Year Phase-In (5% escalator)	\$ 22,317,872	\$ 23,433,766	\$ 24,605,454	\$ 25,835,727	\$ 27,127,513
<i>F</i> Completion Scale	60%	75%	90%	95%	100%
<i>G</i> Total New Projects	\$ 13,390,723	\$ 17,575,324	\$ 22,144,909	\$ 24,543,940	\$ 27,127,513
<i>H (D+G)</i> Total Existing + New	\$ 18,771,502	\$ 21,274,610	\$ 23,772,594	\$ 25,439,167	\$ 27,127,513
<i>Cumulative Revenue Earned</i>	\$ 81,055,927	\$ 102,330,537	\$ 126,103,131	\$ 151,542,298	\$ 178,669,811

Scenario J: 5 Year Phase-In of New Fees with 10-year Grandfathering vs. Full Phased-In Implementation

<i>from Development Community</i>	Single-Phase Projects & Multi Phase Projects				
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>
<i>A</i> Existing Average	\$ 8,352,601	\$ 8,770,231	\$ 9,208,742	\$ 9,669,179	\$ 10,152,638
<i>B</i> Add 5% escalator	\$ 8,770,231	\$ 9,208,742	\$ 9,669,179	\$ 10,152,638	\$ 10,660,270
<i>C</i> Completion Scale	100%	100%	85%	70%	55%
<i>D</i> Total Existing Projects	\$ 8,770,231	\$ 9,208,742	\$ 8,218,802	\$ 7,106,847	\$ 5,863,149
<i>NAIOP Phase In</i>	10%	25%	40%	70%	100%
<i>E</i> 5- Year Phase-In (Phased)	\$ 9,642,852	\$ 11,578,230	\$ 13,513,607	\$ 17,384,362	\$ 21,255,116
<i>F</i> Completion Scale	0%	0%	15%	30%	45%
<i>G</i> Total New Projects	\$ -	\$ -	\$ 2,027,041	\$ 5,215,309	\$ 9,564,802
<i>H (D+G)</i> Total Existing + New	\$ 8,770,231	\$ 9,208,742	\$ 10,245,843	\$ 12,322,155	\$ 15,427,951
<i>Cumulative Revenue Earned*</i>	\$ 8,770,231	\$ 17,978,973	\$ 28,224,816	\$ 40,546,972	\$ 55,974,922

	Single-Phase Projects & Multi Phase Projects				
	<u>Year 6</u>	<u>Year 7</u>	<u>Year 8</u>	<u>Year 9</u>	<u>Year 10</u>
<i>A</i> Existing Average	\$ 10,660,270	\$ 11,726,297	\$ 12,898,927	\$ 14,188,820	\$ 15,607,702
<i>B</i> Add 10% escalator	\$ 11,726,297	\$ 12,898,927	\$ 14,188,820	\$ 15,607,702	\$ 17,168,472
<i>C</i> Completion Scale	40%	25%	10%	5%	0%
<i>D</i> Total Existing Projects	\$ 4,690,519	\$ 3,224,732	\$ 1,418,882	\$ 780,385	\$ -
<i>E</i> 5- Year Phase-In (5% escalator)	\$ 22,317,871	\$ 23,433,765	\$ 24,605,453	\$ 25,835,726	\$ 27,127,512
<i>F</i> Completion Scale	60%	75%	90%	95%	100%
<i>G</i> Total New Projects	\$ 13,390,723	\$ 17,575,324	\$ 22,144,908	\$ 24,543,940	\$ 27,127,512
<i>H (D+G)</i> Total Existing + New	\$ 18,081,242	\$ 20,800,055	\$ 23,563,790	\$ 25,324,325	\$ 27,127,512
<i>Cumulative Revenue Earned*</i>	\$ 74,056,164	\$ 94,856,219	\$ 118,420,009	\$ 143,744,334	\$ 170,871,846

*Assumes all projects are completed within 10 years, not according to the Vesting schedule as proposed from Development Community memo dated 9/27/2024. This is done for consistency in modeling; should it take longer than 2035 for projects to be completed (as shown in the attached Vesting schedule), cumulative revenue would be less than projected.



City of Franklin, Tennessee

Road Impact Fee Proposals Financial Review: Update

Board of Mayor and Aldermen

October 8, 2024



City of Franklin, Tennessee

Road Impact Fee Proposals – Financial Review

Slide 2

Outline

- Overview
- New Scenarios
- Summary

Overview

- On September 10, 2024, staff presented an initial Financial Review of Ordinance 2023-41 – an ordinance to revise the Road Impact Fees of the City of Franklin, Tennessee. The review was focused on a comparison of the average amount of total road impact fees collected annually for the last 5 audited years of financial information (FY 2019-2023) vs. what would have been collected had the full proposed implementation as proposed under Ord. 2023-41 been in place.



City of Franklin, Tennessee

Road Impact Fee Proposals – Financial Review

Overview

- To review, staff of the Office of Budget & Performance first evaluated, permit by permit, project by project, the amount of money collected in Road Impact Fees over the last 5 audited fiscal years, FY 2019-2023. That annual average amount was \$8,352,601.

Figure 1: Annual Road Impact Fees Collected - FY 2019-2023

Actual Revenue Collected*	2019	2020	2021	2022	2023	Average
	\$7,659,855	\$12,251,152	\$6,975,153	\$10,641,106	\$4,235,737	\$ 8,352,601

*Actual collections as provided from Annual Comprehensive Financial Reports, City of Franklin, FY 2019-2023

The average amount collected per year had the fees been implemented was \$21,255,116.

Figure 2: Road Impact Fees Collections with Full Implementation of fees proposed - FY 2019-2023

Full RIF Implementation	2019	2020	2021	2022	2023	Average
	\$24,499,167	\$19,191,952	\$26,628,181	\$19,191,952	\$16,764,329	\$ 21,255,116

Overview

- Staff then presented several options pertaining to the implementation of the fees aside from maintaining the status quo and implementing the full recommended fees all at once:
 - **Phasing in over a period of years:** Given the large increase in the fees year over year, staff has proposed a two-year or three-year phase-in of the fees to assist the development community in accommodating the difference. As part of conversations with the development community and the Board of Mayor and Alderman, we have provided multiple year phase-in projections below, including a two-year, a three-year, a four-year and a five-year phase in option. Those are shown on the next slide.
 - **Grandfathering existing projects**

City of Franklin, Tennessee

Road Impact Fee Proposals – Financial Review

Phase-In Options

Figure 3: Road Impact Fee Forecasted Collections w/ Phase-In Options

	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>	<u>Total</u>	<u>Unrealized Revenue</u>
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F (A+B+C+D+E)</u>	<u>G (F - Phase-In Total)</u>
Full Implementation	\$24,499,167	\$19,191,952	\$26,628,181	\$19,191,952	\$16,764,329	\$106,275,581	
Phase-In Plan							
2-Year							
Amount of phase-in	50%	100%	100%	100%	100%		
Existing Average	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$41,763,003	
Phase In	\$6,451,258	\$12,902,516	\$12,902,516	\$12,902,516	\$12,902,516	\$58,061,321	
2-Year Total	\$14,803,858	\$21,255,116	\$21,255,116	\$21,255,116	\$21,255,116	\$99,824,324	-\$6,451,258
3-Year							
Amount of phase-in	33%	66%	100%	100%	100%		
Existing Average	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$41,763,003	
Phase In	\$4,300,839	\$8,601,677	\$12,902,516	\$12,902,516	\$12,902,516	\$51,610,063	
3-Year Total	\$12,653,439	\$16,954,278	\$21,255,116	\$21,255,116	\$21,255,116	\$93,373,066	-\$12,902,516
4-Year							
Amount of phase-in	25%	50%	75%	100%	100%		
Existing Average	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$41,763,003	
Phase In	\$3,225,629	\$6,451,258	\$9,676,887	\$12,902,516	\$12,902,516	\$45,158,805	
4-Year Total	\$11,578,230	\$14,803,858	\$18,029,487	\$21,255,116	\$21,255,116	\$86,921,808	-\$19,353,774
5-Year							
Amount of phase-in	20%	40%	60%	80%	100%		
Existing Average	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$41,763,003	
Phase In	\$2,580,503	\$5,161,006	\$7,741,509	\$10,322,013	\$12,902,516	\$38,707,547	
5-Year Total	\$10,933,104	\$13,513,607	\$16,094,110	\$18,674,613	\$21,255,116	\$80,470,550	-\$25,805,031

New Scenarios

- From the comments made at that last meeting, Based upon the last meeting of the Board of Mayor and Aldermen, staff has forecast a series of other scenarios – 10 to be exact – which focus on the two variables of both phasing in the new fees over a period of time and grandfathering existing projects. For all of these scenarios, the assumptions which were made include:

- 1) Phase-in for new projects would be in increments of 3, 4 or 5 years.***
- 2) Grandfathering is assumed over 5, 8, or 10 years.***
- 3) Future development activity assumes the same as the previous five years of audited development activity.***
- 4) As grandfathered projects are built, the proportionate share of impact fees collected would drop and be replaced by new projects.***

City of Franklin, Tennessee

Road Impact Fee Proposals – Financial Review

New Scenarios

Scenario A: 3 Year Phase-In of New Fees with 5-year Grandfathering vs. Phase-In

Scenario B: 3 Year Phase-In of New Fees with 8-year Grandfathering vs. Phase-In

Scenario C: 3 Year Phase-In of New Fees with 10-year Grandfathering vs. Phase-In

Scenario D: 4 Year Phase-In of New Fees with 5-year Grandfathering vs. Phase-In

Scenario E: 4 Year Phase-In of New Fees with 8-year Grandfathering vs. Phase-In

Scenario F: 4 Year Phase-In of New Fees with 10-year Grandfathering vs. Phase-In

Scenario G: 5 Year Phase-In of New Fees with 5-year Grandfathering vs. Phase-In

Scenario H: 5 Year Phase-In of New Fees with 8-year Grandfathering vs. Phase-In

Scenario I: 5 Year Phase-In of New Fees with 10-year Grandfathering vs. Phase-In

Scenario J (Development Community): 5 Year Phase-In of New Fees with

Grandfathering

New Scenarios: Phase-In

To start, staff analyzed what the maximum available revenue collected would be by years of phase-in scenario (3, 4 & 5 years) with no grandfathering:

Total Revenue over 10-years by Phase-in Approach	
3-year Phase In: (Scenarios A-C)	\$ 232,575,136
4-year Phase In: (Scenarios D-F)	\$ 227,765,546
5-year Phase-In: (Scenarios G-J)	\$ 203,790,881

New Scenarios

Revenue differential based upon 3-year phase-ins and 5, 8 & 10 year grandfathering: (Scenarios A-C)

Scenario A: 3 Year Phase-In of New Fees with 5-year Grandfathering vs. Full Phased-In Implementation

3-Year Phase-In Cumulative Total	\$ 232,575,136
Impact of Grandfathering (5 Years)	\$ (21,058,262)
Net Revenue - Scenario A	\$ 211,516,874

Scenario B: 3 Year Phase-In of New Fees with 8-year Grandfathering vs. Full Phased-In Implementation

3-Year Phase-In Cumulative Total	\$ 232,575,136
Impact of Grandfathering (8 Years)	\$ (37,317,624)
Net Revenue - Scenario B	\$ 195,257,512

Scenario C: 3 Year Phase-In of New Fees with 10-year Grandfathering vs. Full Phased-In Implementation

3-Year Phase-In Cumulative Total	\$ 232,575,136
Impact of Grandfathering (10 Years)	\$ (39,157,309)
Net Revenue - Scenario C	\$ 193,417,827

New Scenarios

Revenue differential based upon 4-year phase-ins and 5, 8 & 10 year grandfathering: (Scenarios D-F)

Scenario D: 4 Year Phase-In of New Fees with 5-year Grandfathering vs. Full Phased-In Implementation

4-Year Phase-In Cumulative Total	\$ 227,765,546
Impact of Grandfathering (5 Years)	\$ (19,514,497)
Net Revenue - Scenario D	\$ 208,251,049

Scenario E: 4 Year Phase-In of New Fees with 8-year Grandfathering vs. Full Phased-In Implementation

4-Year Phase-In Cumulative Total	\$ 227,765,546
Impact of Grandfathering (8 Years)	\$ (32,856,657)
Net Revenue - Scenario E	\$ 194,908,889

Scenario F: 4 Year Phase-In of New Fees with 10-year Grandfathering vs. Full Phased-In Implementation

4-Year Phase-In Cumulative Total	\$ 227,765,546
Impact of Grandfathering (10 Years)	\$ (37,345,099)
Net Revenue - Scenario F	\$ 190,420,447

New Scenarios

Revenue differential based upon 5-year phase-ins and 5, 8 & 10 year grandfathering: (Scenarios G-I)

Scenario G: 5 Year Phase-In of New Fees with 5-year Grandfathering vs. Full Phased-In Implementation

5-Year Phase-In Cumulative Total	\$	203,790,881
Impact of Grandfathering (5 Years)	\$	(11,595,752)
Net Revenue - Scenario G	\$	192,195,129

Scenario H: 5 Year Phase-In of New Fees with 8-year Grandfathering vs. Full Phased-In Implementation

5-Year Phase-In Cumulative Total	\$	203,790,881
Impact of Grandfathering (8 Years)	\$	(22,625,799)
Net Revenue - Scenario H	\$	181,165,083

Scenario I: 5 Year Phase-In of New Fees with 10-year Grandfathering vs. Full Phased-In Implementation

5-Year Phase-In Cumulative Total	\$	203,790,881
Impact of Grandfathering (10 Years)	\$	(25,121,070)
Net Revenue - Scenario I	\$	178,669,811

New Scenarios

One additional scenario (J) shows the impact of a proposal made by the development community on September 27, 2024. Although several components are included, for this forecasting, the points included are:

- **Grandfathering (the proposal asked for a Grandfathering based upon Vested dates shown on an attached schedule. For comparative purposes with other scenarios, City Staff has capped that grandfathering at 10 years like all other maximum proposals)**
- **Phase In: 5-year phase in of full fees for new projects as follows: Year 1) 10%, Year 2) 25%, Year 3) 40%, Year 4) 70% and Year 5) 100%.**
- **Indexing: a 5% growth in fees (for indexing purposes) is included, (like in all other Scenarios A-I)**

Other considerations requested regarding the timing of fee calculations, development milestones, and the timing of payments are not reflected in this costing.

New Scenarios

Scenario (J): 5-year phase-in with 10-year Grandfathering*

Scenario J: 5 Year Phase-In of New Fees with 10-year Grandfathering vs. Full Phased-In Implementation

5-Year Phase-In Cumulative Total (10%, 25%, 40%, 70%, 100%)	\$	203,790,881
Impact of Grandfathering (10 Years)	\$	(32,919,036)
Net Revenue - Scenario J	\$	170,871,846

**Assumes all projects are completed within 10 years, not according to the Vesting schedule as proposed from Development Community memo dated 9/27/2024. This is done for consistency in modeling; should it take longer than 2035 for projects to be completed (as shown in the attached Vesting schedule), cumulative revenue would be less than projected.*

Summary

- Phasing in over 3, 4 or 5 years would result in ***unrealized revenue of up to \$28.8 million*** over the 10-year forecast window when comparing the 3-year phase in (\$232,575,136) to the 5-year phase in (\$203,790,881)

Total Revenue over 10-years by Phase-in Approach	
3-year Phase In: (Scenarios A-C)	\$ 232,575,136
4-year Phase In: (Scenarios D-F)	\$ 227,765,546
5-year Phase-In: (Scenarios G-J)	\$ 203,790,881
Difference (<i>unrealized revenue</i>)	\$ 28,784,255

This summary shown above assumes NO grandfathering.

Summary

- **Grandfathering** over 5, 8 or 10 years results in significantly less revenue dependent upon the scenario.

3-Year Phase-In Cumulative Total	\$ 232,575,136
Net Revenue - Scenario A	\$ 211,516,874
Net Revenue - Scenario B	\$ 195,257,512
Net Revenue - Scenario C	\$ 193,417,827
4-Year Phase-In Cumulative Total	\$ 227,765,546
Net Revenue - Scenario D	\$ 208,251,049
Net Revenue - Scenario E	\$ 194,908,889
Net Revenue - Scenario F	\$ 190,420,447
5-Year Phase-In Cumulative Total	\$ 203,790,881
Net Revenue - Scenario G	\$ 192,195,129
Net Revenue - Scenario H	\$ 181,165,083
Net Revenue - Scenario I	\$ 178,669,811
Net Revenue - Scenario J (Development Community)	\$ 170,871,846

Summary

- Taken all together, the maximum revenue forecast is the **3-year phase in with no grandfathering** and the minimum revenue forecast is the **5-year phase-in with a 10-year grandfathering** proposed by the development community (over the 10-year forecast window).

3-year phase in with <u>no</u> grandfathering	\$232,575,136
- <u>5-year phase-in with a 10-year grandfathering*</u>	\$170,871,846
Difference	\$ 61,703,290

*Extrapolated from proposal put forward by Development Community, dated September 27, 2024.



City of Franklin, Tennessee

Road Impact Fee Proposals – Financial Review

Questions

Revised Proposal to City of Franklin & Board of Mayor and Alderman

The Development Community of Franklin Tennessee sincerely appreciates BOMA's receptiveness to our advocacy on this road impact fee issue. Roadway impact fees pose a substantial financial consequence to the development community, and we respect the thoughtfulness and consideration that city staff has given to this subject.

We understand that increases in impact fees are required to support the continued growth of Franklin, however we are grateful for all efforts by BOMA and City staff to arrive at an equitable solution for both the City and the Development Community.

In fairness to all stakeholders (City of Franklin, landowners, and developers), we are proposing the terms below:

1. Grandfathering – We propose a “Grandfathering” of current impact fees for any project that has either 1) an approved Development Plan AND an approved site plan within that PUD or 2) base zoning and infrastructure work completed or in progress pursuant to approved grading permits. This would apply to both single-phase projects and multi-phase projects. For multi-phase projects, the “Grandfathering” would apply to the entire entitled project and not just the portion or phase that may have started site work since its PUD Development Plan or grading permit. This “grandfathering” would follow the Vesting Periods as outlined by the City of Franklin in the Table- “Approved Projects 2024.pdf” (see attached) for PUDs or within five (5) years from 1/1/ 2025 for base zoned projects with infrastructure completed or in-progress. A 5% index increase will be added to this grandfathered fee annually. Additionally, modifications to grandfathered development projects will not be subject to the the new fee structure unless the changes require BOMA approval per Section 20.8.16.A of the Zoning Ordinance, AND the proposed modifications result in a new traffic study showing additional trips generated. In this scenario, only the incremental increase in trips will be subject to the new fee structure.
2. Phase In- We propose a 5 year phase of the new fee at the following or similar structure:
 - Year 1 – 10%
 - Year 2 – 15%
 - Year 3 – 15%
 - Year 4 – 30%
 - Year 5 – 30%
3. Looking forward, with the hope of avoiding “grandfathering” discussions in the future we propose adopting the below standards for timing of implementing fee increases:
 - a. Timing of Fee Calculation and Assessment – Fees would be determined and distributed to the applicant at the time of staff responses to initial FMPC

submittal. “Draft” fees would be determined at Pre-App, but “Final” fees would be tied to the FMPC cycle and initial staff response.

- b. Development Milestones – New projects would be vested per state law and the impact fee schedule would be listed on the cover page of the site plan and approved at FMPC and One Stop. The fee amount would be assessed for the life of the project at the time of site plan approval and would remain at that amount unless site work does not begin within three years.
- c. Pricing Index – After the 5 year phase in of the new fees, road impact fees would increase annually based on a construction index similar to the published TDOT Bituminous Index.
- d. Timing of Fee Payment – All impact fees (roadway, water/sewer, parkland, etc.) should be paid at the time of CO, when the impact actually hits the infrastructure system, or other time as identified below:
 - i. Single Family Residential – Due at Closing
 - ii. Multifamily Residential – Due at the issuance of Certificate of Occupancy.
 - iii. Commercial Office or Retail – Due at the issuance of Certificate of Occupancy for the “tenant”. Unless the office or retail building is a build to suit project, the developer will be pulling a permit for the shell, and the subsequent tenants (office or retail users) will then be pulling their individual build out permits for their space. The impact fees should be due at the time of CO for the individual user. This will in effect also spread out the payment of fees and more coincide with the lease up schedule of a project and the actual use of the purchased road capacity.

We look forward to working with staff on the details of this proposal.

Sincerely,

The Development Community of Franklin, Tennessee

NAIOP Nashville, The Commercial Real Estate Development Association

Home Builders Association of Middle Tennessee

Table 1

Residential Projects & Vesting Expiration Dates						
Project Name	Year Approved	Residential Units	Non-Res SF	Vesting Milestone Expiration Date	Status	Total Vesting Period
Berry Farms Reams-Fleming	2006	400	1,100,000	N/A	None	
Ovation	2014	950	480,000	N/A	None	
BOMA Approval						
West Franklin Park PUD	2021	555	320,116	Sep-24	Need to begin site prep	Sept 2036
Gateway Village PUD	2021	60		Oct-24	Need to begin site prep	Oct 2036
Haven at Cool Springs PUD	2021	297	8,595	Dec-24	Need to begin site prep	Dec 2031
Hillhaven PUD	2022	43	0	Jan-25	Need to begin site prep	Jan 2032
Shawnee PUD	2022	26	0	Feb-25	Need to begin site prep	Feb 2032
Legends View PUD	2022	18	3,903	Mar-25	Need to begin site prep	Mar 2032
Avalon Square PUD	2019	614	450,000	Mar-25	Need to begin site prep	March 2034
East Works PUD	2020	1624	995,084	Jul-25	Need to begin site prep	July 2035
555 Franklin Rd PUD	2023	201	110,273	Oct-25	Need to begin site prep	Oct 2032
Novara PUD	2023	77	0	Feb-26	Need to begin site prep	Feb 2038
Madison PUD	2020	72	0	Mar-26	Need to begin site prep	March 2030
Aureum PUD	2019	480	850,000	Jun-26	Need to begin vertical construction	June 2034
Southvale PUD	2021	512	0	Jun-26	Need to begin vertical construction	June 2036
Middle Eight PUD	2023	275	3,000	Aug-26	Need to begin site prep	Aug 2033
Hamilton PUD	2021	58	0	Oct-26	Need to begin vertical construction	Oct 2031
Poplar Farms PUD	2021	546	0	Nov-26	Need to begin vertical construction	Nov 2036
Carothers Glen PUD	2020	45	0	Dec-26	Need to begin vertical construction	Dec 2029
Colletta Park PUD	2017	199	0	Dec-26	Need to begin vertical construction	Dec 2032
Historic Magnolia Hall PUD	2021	10	0	Dec-26	Need to begin vertical construction	Dec 2031
Hard Bargain II PUD	2023	2	0	Dec-26	Need to begin site prep	Dec 2033
Tuckaway PUD	2021	0	120,000	Mar-27	Need to begin site prep	March 2031
Cottages at 509 Hill Drive PUD	2022	4	0	Aug-27	Need to begin vertical construction	Aug 2032
Wood Duck Ct PUD	2019	237	0	Sep-27	Need to begin vertical construction	Sept 2029
Optima Franklin PUD	2023	348	203,968	Jan-28	Need to begin vertical construction	Jan 2038
611 Mt Hope St PUD	2023	2	0		Began vertical construction	Sep 2033
Fields at Reese Farm PUD	2019	132	0		Began vertical construction	Feb 2034
Huffines Ridge	2019		693,297		Began vertical construction	April 2034
McEwen Place Town Center PUD	2020		338,000		Began vertical construction	Aug 2035
Vintage at Watson Glen PUD	2020		17,320		Began vertical construction	Sept 2035
FMPC Only Approval						
Woodwick Stone	2022	6	0	Mar-25	Need to begin site prep	March 2032
Eastview	2023	2	0	Apr-26	Need to begin site prep	Apr 2033
Tavistock / Laguna	2021	7	0	Aug-26	Need to begin vertical construction	Aug 2031
Silagi Subdivision	2023	32	0	Dec-26	Need to begin site prep	Dec 2033
Franklin Ridge	2024	34	0	Jun-27	Need to begin site prep	June 2034
Poteat Place	2023	7	0	Apr 2028 (North) & Aug 2026	Need to begin vertical construction	Apr & Aug 2033
TOTAL VESTED		7,875	5,693,556			

As of July 2024

Table 2

Residential Projects Under Construction						
Project Name	Year Approved	Units Constructed	Units Approved	Units Remaining	Percent Complete	Vesting Deadline
Waters Edge	2013	385	395	10	97%	N/A
Simmons Ridge Rev 4	2017	390	408	18	96%	2032
Avalon	2002	416	445	29	93%	N/A
Lockwood Glen Rev 5	2008	586	638	52	92%	2031
The Standard at Cool Springs	2016	328	359	31	91%	2026
Riverbluff Rev 3	2018	70	81	11	86%	2033
Preserve at Echo Estates	2013	37	43	6	86%	N/A
Stream Valley Rev 1	2017	696	824	128	84%	N/A
Fountains of Franklin (Silver Grace)	2009	87	123	36	71%	N/A
Westhaven Rev 5	2020	2,467	3,444	977	72%	2035
Bushnell Farms	2017	13	20	7	65%	2027
Berry Farms Town Center Rev 1	2021	671	1,052	381	64%	2036
McEwen Town Center Rev 3	2020	711	1,191	480	60%	2035
Meadows and Villages of Southbrooke	2020	94	205	111	46%	2035
Cherokee Place PUD	2021	3	100	97	3%	2030
TOTALS		6,954	9,328	2,374	75%	

All projects listed have at least one completed residential unit.

September 5, 2024

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Michael Walters Young, Chief Budget & Performance Officer
Katherine Harelson, Development Services Operations Analyst

RE: Review of Road Impact Fee Model Scenarios

Purpose

The purpose of this item is to review with the Board of Mayor and Aldermen staff's ongoing analysis of the possible financial impacts of revising the Road Impact Fees charged to projects wishing to build in the City of Franklin.

Background

City staff periodically evaluates City policies regarding all of its development related impact fees. As part of such evaluation, in 2023, staff secured the services of two outside expert(s) to update and determine road impact fees that are reasonable and prudent. The primary goal of such an endeavor is to ensure the City's infrastructure adequately supports the growing needs of our community and that development contributes appropriately to the funding of infrastructure needs driven by growth.

Beginning in April 2024, staff presented to the Board of Mayor and Aldermen a revision of the existing Road Impact Fees authorized under Ordinance 1988-13. Over the ensuing five months, a series of discussions, meetings and questions have been had and raised between elected officials, professional staff, and partners in the development community. This memorandum attempts to summarize and quantify the proposals and modifications proposed to date.

Financial Impact

To evaluate the financial impacts of modifying the Road Impact Fees as proposed under Ordinance 2023-41, the Office of Budget & Performance first evaluated, permit by permit, project by project, the amount of money collected in Road Impact Fees over the last five audited fiscal years, FY 2019-2023.

Figure 1: Annual Road Impact Fees Collected - FY 2019-2023						
Actual Revenue Collected*	2019	2020	2021	2022	2023	Average
	\$7,659,855	\$12,251,152	\$6,975,153	\$10,641,106	\$4,235,737	\$ 8,352,601

*Actual collections as provided from Annual Comprehensive Financial Reports, City of Franklin, FY 2019-2023

After assessing what was collected, staff evaluated the amount of money that would have been collected had the full implementation of the proposed fees under Ordinance 2023-41 been implemented over the same timeframe. This is shown in Figure 2.

Figure 2: Road Impact Fees Collections with Full Implementation of fees proposed - FY 2019-2023

	2019	2020	2021	2022	2023	Average
Full RIF Implementation	\$24,499,167	\$19,191,952	\$26,628,181	\$19,191,952	\$16,764,329	\$ 21,255,116

It is important to review what actually has been recorded to properly evaluate possibilities of what might occur. Because it is impossible to project development activity – when permits are actually pulled, whether or not a development comes to fruition, the variability of economic winds, changing market desires (e.g. office desirability pre-pandemic vs. post-pandemic) – staff can only base possible projections off of past experience.

To that end, once the dialogue of Ordinance 2023-41 began, both elected officials and partners in the development community asked to consider phasing the fees over a multi-year timeframe. Given the large increase in the fees year over year, staff has proposed either a two-year or a three-year phase-in of the fees to assist the development community in accommodating the difference. As part of conversations with the development community and the Board of Mayor and Alderman, we have provided multiple year phase-in projections below, including a two-year, a three-year, a four-year and a five-year phase in option. The projected unrealized revenue is shown at the far right.

Figure 3: Road Impact Fee Forecasted Collections w/ Phase-In Options

	Year 1 <i>A</i>	Year 2 <i>B</i>	Year 3 <i>C</i>	Year 4 <i>D</i>	Year 5 <i>E</i>	Total <i>F (A+B+C+D+E)</i>	Unrealized Revenue <i>G (F - Phase-In Total)</i>
Full Implementation	\$24,499,167	\$19,191,952	\$26,628,181	\$19,191,952	\$16,764,329	\$106,275,581	
Phase-In Plan							
2-Year							
Amount of phase-in	50%	100%	100%	100%	100%		
Existing Average	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$41,763,003	
Phase In	\$6,451,258	\$12,902,516	\$12,902,516	\$12,902,516	\$12,902,516	\$58,061,321	
2-Year Total	\$14,803,858	\$21,255,116	\$21,255,116	\$21,255,116	\$21,255,116	\$99,824,324	-\$6,451,258
3-Year							
Amount of phase-in	33%	66%	100%	100%	100%		
Existing Average	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$41,763,003	
Phase In	\$4,300,839	\$8,601,677	\$12,902,516	\$12,902,516	\$12,902,516	\$51,610,063	
3-Year Total	\$12,653,439	\$16,954,278	\$21,255,116	\$21,255,116	\$21,255,116	\$93,373,066	-\$12,902,516
4-Year							
Amount of phase-in	25%	50%	75%	100%	100%		
Existing Average	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$41,763,003	
Phase In	\$3,225,629	\$6,451,258	\$9,676,887	\$12,902,516	\$12,902,516	\$45,158,805	
4-Year Total	\$11,578,230	\$14,803,858	\$18,029,487	\$21,255,116	\$21,255,116	\$86,921,808	-\$19,353,774
5-Year							
Amount of phase-in	20%	40%	60%	80%	100%		
Existing Average	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$41,763,003	
Phase In	\$2,580,503	\$5,161,006	\$7,741,509	\$10,322,013	\$12,902,516	\$38,707,547	
5-Year Total	\$10,933,104	\$13,513,607	\$16,094,110	\$18,674,613	\$21,255,116	\$80,470,550	-\$25,805,031

An alternative phasing proposal would spread the implementation over 3 years – 25% in year one, 25% in year two and 50% in year three. This is shown below.

Figure 4: Alternative Phase-in Option							
	Year 1	Year 2	Year 3	Year 4	Year 5	Total	Unrealized Revenue
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F (A+B+C+D+E)</u>	<u>G (F - Phase-In Total)</u>
Full Implementation	\$24,499,167	\$19,191,952	\$26,628,181	\$19,191,952	\$16,764,329	\$106,275,581	
Alternate 3-Year Plan							
Amount of phase-in	25%	50%	100%	100%	100%		
Existing Average	\$ 8,352,601	\$ 8,352,601	\$ 8,352,601	\$ 8,352,601	\$ 8,352,601	\$ 41,763,003	
Phase In	\$ 3,225,629	\$ 6,451,258	\$12,902,516	\$12,902,516	\$12,902,516	\$ 48,384,434	
Alternate 3-Year Plan	\$11,578,230	\$14,803,858	\$21,255,116	\$21,255,116	\$21,255,116	\$ 90,147,437	\$ (16,128,145)

As shown above, phasing the Road Impact Fee over multiple years would result in unrealized revenue for the City (based upon actual activity FY 2019-2023) from a low of \$6.4 million to a high of \$25.8 million dollars over a five-year period.

Continued conversations between staff and development professionals have resulted in alternative suggestions for implementation, including variations of “grandfathering” existing entitled projects over a period of time. These continued conversations have yielded proposal from the development community that was shared at the August 27th Board work session:

- For all new development implement the full proposed fees, but for all entitled projects “on the books” single-phase developments have up to five years to complete their projects under existing fees (with a 5% escalator annually) and multi-phase developments have up to 15 years to complete their projects under existing fees (again with a 5% escalator annually).

An alternative version of the “grandfathering” approach has also emerged from discussion and would include a 10-year window with a 10% annual escalator for projects entitled before January 1, 2025:

- For all new development implement the full proposed fees, but for all projects “on the books” all developments (regardless of the type or phase of development) have up to ten years to complete their projects under existing fees (with a 10% escalator annually).

To evaluate these proposals, staff has assumed a completion scale for existing projects on both the 15-year and 10-year schedules. The projected results are shown below.

Figure 5: 5-year/15-year Implementation of New Fees vs. Full Implementation

	Single-Phase Projects & Multi Phase Projects				
	Year 1	Year 2	Year 3	Year 4	Year 5
A Existing Average	\$ 8,352,601	\$ 8,770,231	\$ 9,208,742	\$ 9,669,179	\$ 10,152,638
B Add 5% escalator	\$ 8,770,231	\$ 9,208,742	\$ 9,669,179	\$ 10,152,638	\$ 10,660,270
C Completion Scale	100%	100%	90%	80%	70%
D Total Existing Projects	\$ 8,770,231	\$ 9,208,742	\$ 8,702,261	\$ 8,122,111	\$ 7,462,189
E Full Implementation	\$ 21,255,116	\$ 22,317,872	\$ 23,433,766	\$ 24,605,454	\$ 25,835,727
F Completion Scale	0%	0%	10%	20%	30%
G Total New Projects	\$ -	\$ -	\$ 2,343,377	\$ 4,921,091	\$ 7,750,718
H (D+G) Total Existing + New	\$ 8,770,231	\$ 9,208,742	\$ 11,045,638	\$ 13,043,201	\$ 15,212,907
I (E-H) Difference - Full Implementation vs. Allowance for existing projects	\$ (12,484,886)	\$ (13,109,130)	\$ (12,388,128)	\$ (11,562,253)	\$ (10,622,820)
J Cumulative Difference	\$ (12,484,886)	\$ (25,594,016)	\$ (37,982,143)	\$ (49,544,396)	\$ (60,167,215)

	Multi-Phase Projects Only				
	Year 6	Year 7	Year 8	Year 9	Year 10
A Existing Average	\$ 10,660,270	\$ 11,193,284	\$ 11,752,948	\$ 12,340,595	\$ 12,957,625
B Add 5% escalator	\$ 11,193,284	\$ 11,752,948	\$ 12,340,595	\$ 12,957,625	\$ 13,605,506
C Completion Scale	60%	50%	40%	30%	20%
D Total Existing Projects	\$ 6,715,970	\$ 5,876,474	\$ 4,936,238	\$ 3,887,287	\$ 2,721,101
E Full Implementation	\$ 27,127,513	\$ 28,483,889	\$ 29,908,083	\$ 31,403,487	\$ 32,973,662
F Completion Scale	40%	50%	60%	70%	80%
G Total New Projects	\$ 10,851,005	\$ 14,241,944	\$ 17,944,850	\$ 21,982,441	\$ 26,378,929
H (D+G) Total Existing + New	\$ 17,566,975	\$ 20,118,418	\$ 22,881,088	\$ 25,869,729	\$ 29,100,031
I (E-H) Difference - Full Implementation vs. Allowance for existing projects	\$ (9,560,538)	\$ (8,365,470)	\$ (7,026,995)	\$ (5,533,759)	\$ (3,873,631)
J Cumulative Difference	\$ (69,727,753)	\$ (78,093,224)	\$ (85,120,219)	\$ (90,653,977)	\$ (94,527,608)

	Multi-Phase Projects Only				
	Year 11	Year 12	Year 13	Year 14	Year 15
A Existing Average	\$ 13,605,506	\$ 14,285,782	\$ 15,000,071	\$ 15,750,074	\$ 16,537,578
B Add 5% escalator	\$ 14,285,782	\$ 15,000,071	\$ 15,750,074	\$ 16,537,578	\$ 17,364,457
C Completion Scale	15%	10%	5%	3%	0%
D Total Existing Projects	\$ 2,142,867	\$ 1,500,007	\$ 787,504	\$ 496,127	\$ -
E Full Implementation	\$ 34,622,345	\$ 36,353,462	\$ 38,171,135	\$ 40,079,692	\$ 42,083,676
F Completion Scale	85%	90%	95%	97%	100%
G Total New Projects	\$ 29,428,993	\$ 32,718,116	\$ 36,262,578	\$ 38,877,301	\$ 42,083,676
H (D+G) Total Existing + New	\$ 31,571,860	\$ 34,218,123	\$ 37,050,082	\$ 39,373,428	\$ 42,083,676
I (E-H) Difference - Full Implementation vs. Allowance for existing projects	\$ (3,050,484)	\$ (2,135,339)	\$ (1,121,053)	\$ (706,263)	\$ -
J Cumulative Difference	\$ (97,578,093)	\$ (99,713,432)	\$ (100,834,485)	\$ (101,540,748)	\$ (101,540,748)

Figure 6: 10-year Implementation of New Fees vs. Full Implementation

	Single-Phase Projects & Multi Phase Projects				
	Year 1	Year 2	Year 3	Year 4	Year 5
A Existing Average	\$ 8,352,601	\$ 8,770,231	\$ 9,208,742	\$ 9,669,179	\$ 10,152,638
B Add 5% escalator	\$ 9,187,861	\$ 9,647,254	\$ 10,129,616	\$ 10,636,097	\$ 11,167,902
C Completion Scale	100%	100%	85%	70%	55%
D Total Existing Projects	\$ 9,187,861	\$ 9,647,254	\$ 8,610,174	\$ 7,445,268	\$ 6,142,346
E Full Implementation	\$ 21,255,116	\$ 22,317,872	\$ 23,433,766	\$ 24,605,454	\$ 25,835,727
F Completion Scale	0%	0%	15%	30%	45%
G Total New Projects	\$ -	\$ -	\$ 3,515,065	\$ 7,381,636	\$ 11,626,077
H (D+G) Total Existing + New	\$ 9,187,861	\$ 9,647,254	\$ 12,125,239	\$ 14,826,904	\$ 17,768,423
I (E-H) Difference - Full Implementation vs. Allowance for existing projects	\$ (12,067,256)	\$ (12,670,618)	\$ (11,308,527)	\$ (9,778,550)	\$ (8,067,304)
J Cumulative Difference	\$ (12,067,256)	\$ (24,737,874)	\$ (36,046,401)	\$ (45,824,951)	\$ (53,892,254)

	Single-Phase Projects & Multi Phase Projects				
	Year 6	Year 7	Year 8	Year 9	Year 10
A Existing Average	\$ 10,660,270	\$ 11,193,284	\$ 11,752,948	\$ 12,340,595	\$ 12,957,625
B Add 5% escalator	\$ 11,726,297	\$ 12,312,612	\$ 12,928,243	\$ 13,574,655	\$ 14,253,387
C Completion Scale	40%	25%	10%	5%	0%
D Total Existing Projects	\$ 4,690,519	\$ 3,078,153	\$ 1,292,824	\$ 678,733	\$ -
E Full Implementation	\$ 27,127,513	\$ 28,483,889	\$ 29,908,083	\$ 31,403,487	\$ 32,973,662
F Completion Scale	60%	75%	90%	95%	100%
G Total New Projects	\$ 16,276,508	\$ 21,362,916	\$ 26,917,275	\$ 29,833,313	\$ 32,973,662
H (D+G) Total Existing + New	\$ 20,967,027	\$ 24,441,069	\$ 28,210,099	\$ 30,512,046	\$ 32,973,662
I (E-H) Difference - Full Implementation vs. Allowance for existing projects	\$ (6,160,486)	\$ (4,042,819)	\$ (1,697,984)	\$ (891,442)	\$ -
J Cumulative Difference	\$ (60,052,741)	\$ (64,095,560)	\$ (65,793,544)	\$ (66,684,985)	\$ (66,684,985)

The findings of staff's initial costing of these proposals are that the extension of existing fees with an escalator in lieu of the full implementation of proposed Road Impact fees would result in unrealized revenue of between \$53.8 million and \$60.1 million over the same five-year period compared to the phase-in scenarios presented in Figures 3 and 4, and between \$66.6 million over 10 years to \$101 million over 15 years, respectively.

These models are an estimate, based on averages derived from actual activity from FY 2019-2023. They are a best attempt to evaluate what revenues would be unrealized from a delayed implementation of the revised fees.



City of Franklin, Tennessee

Road Impact Fee Proposals Financial Review

**Board of Mayor and Aldermen
September 10, 2024**

Outline

- Overview
- Full Implementation
- Phase-In Options
- Proposals for Exemptions for Existing Projects
- Summary

Overview

- To evaluate the financial impacts of modifying the Road Impact Fees as proposed under Ordinance 2023-41, the Office of Budget & Performance first evaluated, permit by permit, project by project, the amount of money collected in Road Impact Fees over the last 5 audited fiscal years, FY 2019-2023.

Figure 1: Annual Road Impact Fees Collected - FY 2019-2023						
Actual Revenue Collected*	2019	2020	2021	2022	2023	Average
	\$7,659,855	\$12,251,152	\$6,975,153	\$10,641,106	\$4,235,737	\$ 8,352,601

**Actual collections as provided from Annual Comprehensive Financial Reports, City of Franklin, FY 2019-2023*

The average amount collected per year over the last five (5) audited years was \$8,352,601.

Full Implementation

- After assessing what was collected, staff evaluated what the amount of money that would have been collected had the full implementation of the proposed fees under Ordinance 2023-41 been implemented over the same timeframe. This is shown in Figure 2.

Figure 2: Road Impact Fees Collections with Full Implementation of fees proposed - FY 2019-2023						
Full RIF Implementation	2019	2020	2021	2022	2023	Average
	\$24,499,167	\$19,191,952	\$26,628,181	\$19,191,952	\$16,764,329	\$ 21,255,116

The average amount collected per year over the last five (5) audited years was \$21,255,116.

Full Implementation

- To forecast further, staff has assumed that the ***next five years of activity would be the same as to the previous five years of audited development activity***. Because it is impossible to project development activity – when permits are actually pulled, whether or not development comes to fruition, the variability of economic winds, changing market desires (e.g. office desirability pre-pandemic vs. post-pandemic) – staff can only base possible projections off of past experience.



City of Franklin, Tennessee

Road Impact Fee Proposals – Financial Review

Phase-In Options

- Given the large increase in the fees year over year, staff has proposed a two-year or three-year phase-in of the fees to assist the development community in accommodating the difference. As part of conversations with the development community and the Board of Mayor and Alderman, we have provided multiple year phase-in projections below, including a ***two-year, a three-year, a four-year and a five-year*** phase in option.



City of Franklin, Tennessee

Road Impact Fee Proposals – Financial Review

Phase-In Options

Figure 3: Road Impact Fee Forecasted Collections w/ Phase-In Options							
	Year 1	Year 2	Year 3	Year 4	Year 5	Total	Unrealized Revenue
	<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>F (A+B+C+D+E)</i>	<i>G (F - Phase-In Total)</i>
Full Implementation	\$24,499,167	\$19,191,952	\$26,628,181	\$19,191,952	\$16,764,329	\$106,275,581	
Phase-In Plan							
2-Year							
Amount of phase-in	50%	100%	100%	100%	100%		
Existing Average	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$41,763,003	
Phase In	\$6,451,258	\$12,902,516	\$12,902,516	\$12,902,516	\$12,902,516	\$58,061,321	
2-Year Total	\$14,803,858	\$21,255,116	\$21,255,116	\$21,255,116	\$21,255,116	\$99,824,324	-\$6,451,258
3-Year							
Amount of phase-in	33%	66%	100%	100%	100%		
Existing Average	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$41,763,003	
Phase In	\$4,300,839	\$8,601,677	\$12,902,516	\$12,902,516	\$12,902,516	\$51,610,063	
3-Year Total	\$12,653,439	\$16,954,278	\$21,255,116	\$21,255,116	\$21,255,116	\$93,373,066	-\$12,902,516
4-Year							
Amount of phase-in	25%	50%	75%	100%	100%		
Existing Average	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$41,763,003	
Phase In	\$3,225,629	\$6,451,258	\$9,676,887	\$12,902,516	\$12,902,516	\$45,158,805	
4-Year Total	\$11,578,230	\$14,803,858	\$18,029,487	\$21,255,116	\$21,255,116	\$86,921,808	-\$19,353,774
5-Year							
Amount of phase-in	20%	40%	60%	80%	100%		
Existing Average	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$8,352,601	\$41,763,003	
Phase In	\$2,580,503	\$5,161,006	\$7,741,509	\$10,322,013	\$12,902,516	\$38,707,547	
5-Year Total	\$10,933,104	\$13,513,607	\$16,094,110	\$18,674,613	\$21,255,116	\$80,470,550	-\$25,805,031



City of Franklin, Tennessee

Road Impact Fee Proposals – Financial Review

Phase-In Options

- Phasing-in the Road Impact Fee over multiple years would result in unrealized revenue for the City (based upon actual activity FY 2019-2023) from a low of \$6.4 million to a high of \$25.8 million dollars over a five-year period.
- An alternative phase-in is also included: spread the implementation over 3 year – 25% in year one, 25% in year two and 50% in year three. This is shown below. This would result in unrealized revenue of over \$16.1 million.

Figure 4: Alternative Phase-in Option							
	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>	<u>Total</u>	<u>Unrealized Revenue</u>
	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F (A+B+C+D+E)</u>	<u>G (F - Phase-In Total)</u>
Full Implementation	\$24,499,167	\$19,191,952	\$26,628,181	\$19,191,952	\$16,764,329	\$106,275,581	
Alternate 3-Year Plan							
Amount of phase-in	25%	50%	100%	100%	100%		
Existing Average	\$ 8,352,601	\$ 8,352,601	\$ 8,352,601	\$ 8,352,601	\$ 8,352,601	\$ 41,763,003	
Phase In	\$ 3,225,629	\$ 6,451,258	\$12,902,516	\$12,902,516	\$12,902,516	\$ 48,384,434	
Alternate 3-Year Plan	\$11,578,230	\$14,803,858	\$21,255,116	\$21,255,116	\$21,255,116	\$ 90,147,437	\$ (16,128,145)

Proposals for Exemptions for Existing Projects

- Continued conversations between staff and development professionals have resulted in alternative suggestions for implementation, including variations of “grandfathering” existing entitled projects over a period of time. These continued conversations have yielded proposal from the development community that was shared at the August 27th Board work session:

- For all new development implement the full proposed fees, but for all entitled projects “on the books” ***single-phase developments have up to five years to complete their projects under existing fees*** (with a 5% escalator annually) and ***multi-phase developments have up to 15 years to complete their projects under existing fees*** (again with a 5% escalator annually).

Proposals for Exemptions for Existing Projects

- An alternative version of the “grandfathering” approach has also emerged from discussion and would include a 10-year window for projects entitled before January 1, 2025:

- For all new development implement the full proposed fees, but for all projects “on the books” ***all developments (regardless of the type or phase of development) have up to ten years to complete their projects under existing fees*** (with a 10% annual escalator).

Proposals for Exemptions for Existing Projects

- For both of these scenarios, staff maintained a comparison of the fees collected to full implementation of the fees as a baseline point of reference.
- In addition, both of these scenarios assume a ratio of existing projects to new projects for each year from 1-15 for the first scenario and 1-10 for the second scenario. (So the first two years of each scenario assume 100% of existing projects and 0% new, then 90/10, 80/20, etc...until the end of each scenario assumes 0% existing and 100% new projects.)

Proposals for Exemptions for Existing Projects

- Scenario 1: Figure 5: 5-year (Single-Phase)/15-year (Multi-Phase) Implementation of Existing Fees vs. Full Implementation

Unrealized revenue over 15 years Full Implementation vs.
Existing Fees (with 5% escalator): **\$101.5 Million**

- Scenario 2: Figure 6: 10-year Implementation of New Fees vs. Full Implementation

Unrealized revenue over 10 years Full Implementation vs.
Existing Fees (with 10% escalator): **\$66.7 Million**

Summary

- Phasing in the Full Implementation of fees over 2-5 years would result in unrealized revenue of between ***\$6.4 million to a high of \$25.8 million dollars over a five-year period.***
- Exemptions for Existing Projects would result in unrealized revenue of between ***\$66.7 million (over 10 years)*** and ***\$101.5 million (over 15 years).***



City of Franklin, Tennessee

Road Impact Fee Proposals – Financial Review

Questions



City of Franklin

Road Impact Fee Study Update

Technical Memorandum
January 5, 2024

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City of Franklin

Road Impact Fee Study Update

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Road Impact Fee Study Update

Introduction

To address transportation infrastructure costs associated with new growth, the City of Franklin implemented a roadway impact fee and is currently in the process of updating the impact fee technical study. The draft technical report summarizing results of this study was published by Duncan Associates in June 2023¹. As part of the update study, the City of Franklin retained Benesch to review the Duncan study approach and key impact fee variables. The review concluded that the overall approach of the study complied with impact fee legal requirements and included certain adjustments to the demand, cost, and credit data. This technical memorandum presents the results of this review and resulting road impact fee rates.

Demand Component

As part of this update and based on the request from the City, the Single Family Detached land use was tiered by square footage and a Single Family Attached land use (also tiered) was added to the road impact fee study. Additional details for the tiering analysis are included in Appendix A. The remaining elements of the demand component are from the Duncan study and were not reviewed in detail. Table 1 presents the demand variables used for each land use included in the City's impact fee schedule.

¹ *City of Franklin Road Impact Fee Study, June 2023, Duncan Associates*

Table 1: Travel Demand by Land Use

ITE Code	Land Use Type	Unit	Daily Trips/ Unit ⁽¹⁾	% Primary Trips	Arterials		Collectors	
					Trip Length	Daily VMT	Trip Length	Daily VMT
210	Single Family Det <1,500 sf	du	4.18	100%	3.41	14.25	0.70	2.93
210	Single Family Det 1,500-2,999 sf	du	4.79	100%	3.41	16.33	0.70	3.35
210	Single Family Det 3,000 sf or more	du	5.35	100%	3.41	18.24	0.70	3.75
215	Single Family Att <1,500 sf	du	3.42	100%	3.41	11.66	0.70	2.39
215	Single Family Att 1,500-2,999 sf	du	3.92	100%	3.41	13.37	0.70	2.74
215	Single Family Att 3,000 sf or more	du	4.37	100%	3.41	14.90	0.70	3.06
220	Multi-Family	du	3.37	100%	3.41	11.49	0.70	2.36
240	Mobile Home Park	site	3.56	100%	3.41	12.14	0.70	2.49
253	Congregate Care Facility	du	1.10	100%	3.71	4.08	0.76	0.84
310/320	Hotel/Motel	room	2.83	100%	2.63	7.44	0.54	1.53
Retail/Commercial								
820	Shopping Center/Gen. Retail	1,000 sf	18.50	43%	2.76	21.96	0.57	4.53
930	Restaurant, Sit-Down	1,000 sf	53.60	38%	2.76	56.22	0.57	11.61
934	Restaurant, Fast Food	1,000 sf	233.74	30%	0.92	64.51	0.19	13.32
Office/Institutional								
710	Office, General	1,000 sf	5.42	75%	3.67	14.92	0.76	3.09
610	Hospital	1,000 sf	5.38	75%	3.71	14.97	0.76	3.07
620	Nursing Home	1,000 sf	3.37	75%	3.71	9.38	0.76	1.92
560	Church	1,000 sf	3.80	75%	2.49	7.10	0.51	1.45
520/522/525	Elem/Sec. School	1,000 sf	9.94	24%	2.49	5.94	0.51	1.22
Industrial								
140	Manufacturing	1,000 sf	2.37	95%	3.67	8.26	0.76	1.71
130	Industrial Park	1,000 sf	1.68	95%	3.67	5.86	0.76	1.21
770	Business Park	1,000 sf	6.22	95%	3.67	21.69	0.76	4.49
150	Warehouse	1,000 sf	0.85	95%	3.67	2.96	0.76	0.61
151	Mini-Warehouse	1,000 sf	0.72	95%	3.67	2.51	0.76	0.52

Source: City of Franklin Road Impact Fee Study, June 2023, Duncan Associates

1) Source: Appendix A, Table A-5 for Single Family Detached and Table A-10 for Single Family Attached

Cost Component

The cost component measures the cost of providing transportation infrastructure in the City of Franklin. Local governments provide additional roadway capacity through a combination of improvements, such as new roads, lane additions, intersection improvements, etc. Impact fees should reflect this cost as accurately as possible. As shown in Table 2, historical and future improvements in the City of Franklin have, or will include, a combination of new roads, lane additions and intersection improvements and costs vary by type of improvement.

Benesch reviewed cost per capacity figures by type of projects, timing of projects (historical vs. future estimates) and used a weighted average of these projects to estimate the cost of providing additional transportation capacity.

To supplement this analysis, Benesch conducted a review of cost estimates provided by the City. Benesch estimates for these projects were in line with the City's estimates.

Finally, the City staff confirmed that this combination of projects represent "typical" projects that the City builds. In other words, the sample projects do not include outlier projects that are unlikely to occur frequently and have higher costs due to conditions specific to the improvement or the location of the improvement.

Table 2: Cost per Vehicle-Mile of Capacity

Project Name	Miles	Project/Rd Class	Capacity		New VMC	Total Eligible Cost	Cost/VMC
			Exist	Imprvd			
Carothers Parkway (S. Carothers Rd - Long Ln.)	2.73	Arterial / New 2 Ln Roadway	0	16,800	45,864	\$17,627,425	\$384
Hillsboro Rd. (Independence Square - Hillsboro Rd.)	0.83	Arterial / Widen From 2 Ln. to 3 Ln.	16,800	21,000	3,486	\$12,624,371	\$3,621
Mack Hatcher Pkwy (NW)	2.63	Expressway / New 2 Lane Roadway	0	24,100	63,383	\$61,068,723	\$963
Franklin Rd. (Harpeth River - Industrial Court)	0.61	Arterial / Widen From 2 Ln. to 3 Ln.	16,800	21,000	2,562	\$11,806,135	\$4,608
Jordan Road (Aspen Grove Dr. - Mallory Ln.)	0.26	Collector / From 2 to 3 Lanes	7,300	9,100	468	\$4,469,402	\$9,550
Columbia Ave (Mack Hatcher - Downs Blvd.)	1.22	Arterial / Widen From 3 to 5 Lanes	21,000	47,400	32,208	\$26,177,688	\$813
Long Ln. and Old Peytonsville Rd. Connector	1.33	Collector / New 2 Lane Collector	0	7,300	9,709	\$33,300,237	\$3,430
Mallory and Liberty Pike Intersection Project	0.65	Arterial / Widen from 4/3 Lns to 4 Lns	28,128	37,900	6,352	\$15,917,660	\$2,506
McEwen Drive Phase IV	1.36	Arterial / Widen From 2 Ln. to 4 Ln.	16,800	37,900	28,696	\$33,068,461	\$1,152
McEwen Drive Phase V (Wilson Pike to COF Limits)	1.01	Arterial / New 2 Ln Roadway	0	16,800	16,968	\$18,935,930	\$1,116
Carlisle Ln (SR96W-Mack Hatcher Pkwy)	0.82	Collector / Widen From 2 Ln. to 3 Ln.	7,300	9,100	1,476	\$12,504,000	\$8,472
Peytonsville Rd & Pratt Ln Int Improvements	0.40	Collector / Widen From 2 Ln. to 3 Ln.	7,300	9,100	720	\$10,972,866	\$15,240
Church St (Columbia to 1st Ave S)	0.42	Collector / Widen From 2 Ln. to 2 Ln.	7,300	9,100	756	\$8,476,400	\$11,212
Goose Creek Bypass Extension (Peytonsville Rd. to Long Ln.)	1.15	Arterial / New 4 Ln.	0	37,900	43,585	\$23,570,000	\$541
Carothers Parkway Ext. (Long Ln. to Future Goose Creek Bypass)	0.33	Arterial / New 4 Ln.	0	37,900	12,507	\$8,311,000	\$665
Aspen Grove Dr & Seaboard Ln Intersection Improvements	0.12	Collector / New 2 Ln. Collector	0	7,300	876	\$3,274,000	\$3,737
Carothers Pkwy (Falcon Creek Sub-SR96)	1.04	Arterial / Widen from 2 Ln. to 4 Ln.	16,800	37,900	21,944	\$24,209,164	\$1,103
Lewisburg Pike (Mack Hatcher Pkwy - Donaldson Creek)	0.79	Arterial / Widen from 2 Ln. to 4 Ln.	16,800	37,900	16,669	\$17,147,000	\$1,029
N Royal Oaks Blvd (Alexander Plz-Liberty)	0.61	Arterial / Widen from 3 Ln. to 4 Ln.	21,000	37,900	10,309	\$12,726,000	\$1,234
Carothers Pkwy (Long Ln - Falcon Creek Subd)	2.74	Arterial / Widen from 2 Ln. to 4 Ln.	16,800	37,900	57,814	\$15,250,000	\$264
Boyd Mill Ave (Downs Blvd - SR96W)	0.84	Collector / Widen From 2 Ln. to 3 Ln.	7,300	9,100	1,512	\$10,119,000	\$6,692
Clovercroft Rd (SR96 - Oxford Glen Dr)	1.40	Collector / Widen From 2 Ln. to 5 Ln.	7,300	18,100	15,120	\$20,790,000	\$1,375
West Main St (Natchez St to Downs Blvd)	0.71	Arterial / Widen from 2 Ln. to 3 Ln.	16,800	21,000	2,982	\$15,251,000	\$5,114
Columbia Ave (Downs Blvd to Fowlkes St)	0.72	Arterial / Widen from 2 Ln. to 3 Ln.	16,800	21,000	3,024	\$15,015,260	\$4,965
Mack Hatcher SE Widening	3.14	Arterial / Widen from 2 Ln. to 4 Ln.	16,800	37,900	66,254	\$51,040,000	\$770
Total	28.35				465,244	\$483,651,722	\$1,040

Source: City of Franklin and the *City of Franklin Road Impact Fee Study, June 2023*, Duncan Associates

Credit Component

In addition to the State and Federal revenue credits included in the Duncan study, a credit for outstanding road debt service payments was also included in this update. As shown in Table 3, only the non-impact fee portion of the debt service is eligible for the road impact fee credit calculation, which was calculated at approximately \$1.70 million per year.

Table 4 summarizes the State and Federal funding and debt service credit for the City of Franklin road impact fee calculations.

Table 3: Outstanding Road Debt Issues

Purpose	Principal	Interest	Total	Impact Fee Portion	Gen. Fund Portion	Years Remaining	Annual Non-IF
Bonds 2012 - \$22.5 million (various - Refunding)	\$4,335,000	\$280,810	\$4,615,810	\$4,615,810	\$0	4	-
Bonds 2017	\$10,539,175	\$4,189,635	\$14,728,810	\$0	\$14,728,810	14	\$1,052,058
Bonds 2019A - Refunding	\$7,299,040	\$3,100,955	\$10,399,995	\$0	\$10,399,995	16	\$650,000
Bonds 2019B - Refunding	\$5,880,270	\$1,232,020	\$7,112,290	\$7,112,290	\$0	6	-
Bonds 2019C - Refunding	\$12,104,400	\$3,507,315	\$15,611,715	\$15,611,715	\$0	9	-
Bonds 2019D - Taxable Refunding Bonds	\$834,200	\$51,907	\$886,107	\$886,107	\$0	4	-
Total	\$40,992,085	\$12,362,642	\$53,354,727				\$1,702,058

Source: City of Franklin

Table 4: State/Federal/Debt Funding Credit

Item	Arterials	Collectors	All Major Roads
Total State/Federal Capacity Funding, 2016-2028	\$125,801,585	\$0	\$125,801,585
÷ Years	13	13	13
Annual State/Federal Capacity Funding	\$9,677,045	\$0	\$9,677,045
Total Annual Debt Service	\$1,702,058	\$1,702,058	\$1,702,058
Total Annual State/Federal/Debt Funding	\$11,379,103	\$1,702,058	\$11,379,103
÷ Daily Vehicle-Miles of Travel (VMT)	1,029,084	212,310	1,241,394
Average Annual Funding per VMT	\$11.06	\$8.02	\$9.17
× Net Present Value Factor (20 Years)	14.47	14.47	14.47
State/Federal/Debt Funding Credit per VMT	\$160	\$116	\$133

Source: Table 3 for Total Annual Debt Service. All other variables are from the *City of Franklin Road Impact Fee Study, June 2023*, Duncan Associates

Road Impact Fee Calculation

Table 5 summarizes the updated cost and credit variables previously presented and the resulting net cost per daily VMT for each road classification.

Table 5: Net Cost per Vehicle-Mile of Travel

Item	Arterials	Collectors	All Major Roads
Average Cost per VMT	\$1,040	\$1,040	\$1,040
- State/Federal Funding Credit per VMT	-\$160	-\$116	-\$133
Net Cost per Daily VMT	\$880	\$924	\$907

Source: Table 2 and Table 4

Table 6 calculates road impact fee rates for the City of Franklin using the demand, cost, and credit data presented in this technical memorandum.

Table 6: Updated Net Cost Schedule

Land Use Type	Dev't Unit	VMT/Unit		Net Cost/VMT		Net Cost/Unit		Total
		Arterial	Collect.	Arterial	Collect.	Arterial	Collect.	
Single Family Det <1,500 sf	Dwelling	14.25	2.93	\$880	\$924	\$12,543	\$2,704	\$15,247
Single Family Det 1,500-2,999 sf	Dwelling	16.33	3.35	\$880	\$924	\$14,374	\$3,098	\$17,472
Single Family Det 3,000 sf or more	Dwelling	18.24	3.75	\$880	\$924	\$16,054	\$3,460	\$19,514
Single Family Att <1,500 sf	Dwelling	11.66	2.39	\$880	\$924	\$10,263	\$2,212	\$12,475
Single Family Att 1,500-2,999 sf	Dwelling	13.37	2.74	\$880	\$924	\$11,763	\$2,535	\$14,298
Single Family Att 3,000 sf or more	Dwelling	14.90	3.06	\$880	\$924	\$13,113	\$2,827	\$15,940
Multi-Family	Dwelling	11.49	2.36	\$880	\$924	\$10,111	\$2,181	\$12,292
Mobile Home Park	Site	12.14	2.49	\$880	\$924	\$10,683	\$2,301	\$12,984
Congregate Care Facility	Dwelling	4.08	0.84	\$880	\$924	\$3,590	\$776	\$4,366
Hotel/Motel	Room	7.44	1.53	\$880	\$924	\$6,547	\$1,414	\$7,961
Retail/Commercial								
Shopping Ctr/Gen. Retail	1,000 sq ft	21.96	4.53	\$880	\$924	\$19,325	\$4,186	\$23,511
Restaurant, Quality	1,000 sq ft	56.22	11.61	\$880	\$924	\$49,474	\$10,728	\$60,202
Restaurant, Fast Food	1,000 sq ft	64.51	13.32	\$880	\$924	\$56,769	\$12,308	\$69,077
Office/Institutional								
Office/General	1,000 sq ft	14.92	3.09	\$880	\$924	\$13,130	\$2,855	\$15,985
Hospital	1,000 sq ft	14.97	3.07	\$880	\$924	\$13,174	\$2,837	\$16,011
Nursing Home	1,000 sq ft	9.38	1.92	\$880	\$924	\$8,254	\$1,774	\$10,028
Church	1,000 sq ft	7.10	1.45	\$880	\$924	\$6,248	\$1,340	\$7,588
Elementary/Sec. School	1,000 sq ft	5.94	1.22	\$880	\$924	\$5,227	\$1,127	\$6,354
Industrial								
Manufacturing	1,000 sq ft	8.26	1.71	\$880	\$924	\$7,269	\$1,580	\$8,849
Industrial Park	1,000 sq ft	5.86	1.21	\$880	\$924	\$5,157	\$1,118	\$6,275
Business Park	1,000 sq ft	21.69	4.49	\$880	\$924	\$19,087	\$4,149	\$23,236
Warehouse	1,000 sq ft	2.96	0.61	\$880	\$924	\$2,605	\$564	\$3,169
Mini-Warehouse	1,000 sq ft	2.51	0.52	\$880	\$924	\$2,209	\$480	\$2,689

Source: Table 1 for VMT/Unit and Table 5 for Net Cost per VMT

Appendix A

Single Family Tiering Analysis

Single Family Residential Trip Generation Rate Tiering

As part of this study, the single family residential land use was separated in “single family detached” and “single family attached” land use and trip generation rate tiering was included to ensure equity by the size of a home. To facilitate this, an analysis was completed on the comparative relationship between housing size and household travel behavior. This analysis utilized data from the 2017 National Household Travel Survey (NHTS) and the 2021 American Housing Survey (AHS) to examine overall trip-making characteristics of households in the United States.

Single Family Detached

Table A-1 presents travel variables being utilized in the calculated road impact fee schedule for the single family (detached) land use. The 2017 NHTS database was used to assess average annual household vehicle miles of travel (VMT) for various annual household income levels. In addition, the 2021 AHS database was used to compare median annual family/household incomes with housing unit size. It is important to recognize that the use of the income variable in each of these databases is simply to provide a convenient linking mechanism between household VMT from the NHTS and housing unit size from the AHS.

Table A-1			
Calculated Single Family Detached Trip Characteristics			
Calculated Values Excluding Tiering	Trip Rate	Assessable Trip Length	Daily VMT
Single Family (Detached)	9.42	3.41	32.12

Source: *City of Franklin Road Impact Fee Study, June 2023*, Duncan Associates

The results of the NHTS and AHS analyses are included in Tables A-2 and A-3. First, the data shown in Table A-2 indicates that the average income in the U.S. for families/households living in housing units smaller than 1,500 square feet in size (\$51,697) is lower than the overall average income for the U.S. (\$66,289). In Table A-3, annual average household VMT was calculated from the NHTS database for several different income levels and ranges related to the resulting AHS income data in Table A-2.

Table A-2
Annual Income by Housing Size

2021 AHS Average Income Data by Housing Size	Annual Income ⁽¹⁾
Less than 1,500 sf	\$51,697
1,500 to 2,499 sf	\$74,416
1,500 to 2,999 sf	\$76,628
3,000 sf or more	\$93,260
Average of All Houses	\$66,289

Source: American Housing Survey for the United States in 2021

1) Weighted average of annual income for each tier

Table A-3
NHTS VMT Annual VMT by Income Category

2017 NHTS Travel Data by Annual HH Income	Annual VMT/HH	Days	Daily VMT	Ratio to Mean	Normalized to 1.054
Total (All Homes)	19,167	365	52.51	1.000	-
Average of \$51,697	17,934	365	49.13	0.936	0.888
Average of \$74,416	20,191	365	55.32	1.054	1.000
Average of \$76,628	20,546	365	56.29	1.072	1.017
Average of \$93,260	22,926	365	62.81	1.196	1.135

Source: 2017 National Household Travel Survey Database, Federal Highway Administration

To calculate a corresponding trip rate for the new tiers it was necessary to rely on comparative ratios. As an example, consider the \$51,697 annual income category. First, it was determined that the average annual household VMT for this income level is 17,934 miles. This figure was then compared to the overall average annual VMT per household in the U.S. and normalized to the average of the \$74,416 (20,191 miles) category to derive a ratio of 0.888. It should be noted that the \$74,416 (1,500 square feet to 2,499 square feet) category is not an impact fee tier, but rather the estimated average homes size that corresponds with the trip rate data shown in Table A-1.

Next, the normalized ratio was applied to the daily VMT for the average single family detached housing unit size (less than 1,500 square feet) to generate a daily VMT of 28.52 for the tier, as shown in Table A-4. This daily VMT figure was then divided by the proposed assessable trip length of 3.41 miles to obtain a trip generation rate of 8.36 trips per day.

Table A-4
Trip Generation Rate by Single Family Detached Land Use Tier

Estimation of Trip Rate by Tier	Trip Rate ⁽¹⁾	Assessable Trip Length ⁽²⁾	Daily VMT ⁽³⁾	Ratio to Mean ⁽⁴⁾
Single Family (Detached)				
Less than 1,500 sf	8.36	3.41	28.52	0.888
1,500 to 2,499 sf	9.42	3.41	32.12	1.000
1,500 to 2,999 sf	9.58	3.41	32.67	1.017
3,000 sf or more	10.69	3.41	36.46	1.135

1) Daily VMT (Item 3) divided by assessable trip length (Item 2) for each tier

2) Source: Table A-1

3) Ratio to the mean (Item 4) multiplied by the total daily VMT for the 1,500 to 2,499 sq tier

4) Source: Table A-3

Table A-5 illustrates the impact that the trip generation rate tiers have on the City's calculated roadway impact fee rates for the single family (detached) land use.

Table A-5
Net Impact Fee by Single Family Detached Land Use Tier

Impact of Tiering on Fee Schedule	Trip Rate ⁽¹⁾	Trip Rate Adjusted ⁽²⁾	Assessable Trip Length ⁽³⁾	Daily VMT ⁽⁴⁾	Net Fee ⁽⁵⁾
Single Family (Detached)					
Less than 1,500 sf	8.36	4.18	3.41	14.25	\$15,247
1,500 to 2,999 sf	9.58	4.79	3.41	16.33	\$17,472
3,000 sf or more	10.69	5.35	3.41	18.24	\$19,514

1) Source: Table A-4 Item 1)

2) Trip rate (Item 1) divided by two to reflect that every trip has an origin and destination

3) Source: Table A-1

4) Trip rate adjusted (Item 2) multiplied by the assessable trip length (Item 3)

5) Source: Table 6

Single Family Attached

Tables A-6 through A-10 present a similar tiering analysis for the single family attached land use.

Table A-6
Calculated Single Family Attached Trip Characteristics

Calculated Values Excluding Tiering	Trip Rate	Assessable Trip Length	Daily VMT
Single Family (Attached)	7.20	3.41	24.55

Source: Institute of Transportation Engineers (ITE) 11th Edition Handbook and the *City of Franklin Road Impact Fee Study, June 2023*, Duncan Associates

Table A-7
Annual Income by Housing Size

2021 AHS Average Income Data by Housing Size	Annual Income ⁽¹⁾
Less than 1,500 sf	\$51,697
1,000 to 1,999 sf	\$63,985
1,500 to 2,999 sf	\$76,628
3,000 sf or more	\$93,260
Average of All Houses	\$66,289

Source: American Housing Survey for the United States in 2021

1) Weighted average of annual income for each tier

Table A-8
NHTS VMT Annual VMT by Income Category

2017 NHTS Travel Data by Annual HH Income	Annual VMT/HH	Days	Daily VMT	Ratio to Mean	Normalized to 0.985
Total (All Homes)	19,167	365	52.51	1.000	-
Average of \$51,697	17,934	365	49.13	0.936	0.950
Average of \$63,985	18,877	365	51.72	0.985	1.000
Average of \$76,628	20,546	365	56.29	1.072	1.088
Average of \$93,260	22,926	365	62.81	1.196	1.214

Source: 2017 National Household Travel Survey Database, Federal Highway Administration

Table A-9
Trip Generation Rate by Single Family Attached Land Use Tier

Estimation of Trip Rate by Tier	Trip Rate ⁽¹⁾	Assessable Trip Length ⁽²⁾	Daily VMT ⁽³⁾	Ratio to Mean ⁽⁴⁾
Single Family (Attached)				
Less than 1,500 sf	6.84	3.41	23.32	0.950
1,000 to 1,999 sf	7.20	3.41	24.55	1.000
1,500 to 2,999 sf	7.83	3.41	26.71	1.088
3,000 sf or more	8.74	3.41	29.80	1.214

1) Daily VMT (Item 3) divided by assessable trip length (Item 2) for each tier

2) Source: Table A-6

3) Ratio to the mean (Item 4) multiplied by the total daily VMT for the 1,000 to 1,999 sq tier

4) Source: Table A-8

Table A-10

Net Impact Fee by Single Family Attached Land Use Tier

Impact of Tiering on Fee Schedule	Trip Rate ⁽¹⁾	Trip Rate Adjusted ⁽²⁾	Assessable Trip Length ⁽³⁾	Daily VMT ⁽⁴⁾	Net Fee ⁽⁵⁾
<i>Single Family (Attached)</i>					
Less than 1,500 sf	6.84	3.42	3.41	11.66	\$12,475
1,500 to 2,999 sf	7.83	3.92	3.41	13.37	\$14,298
3,000 sf or more	8.74	4.37	3.41	14.90	\$15,940

1) Source: Table A-9, Item 1

2) Trip rate (Item 1) divided by two to reflect that every trip has an origin and destination

3) Source: Table A-6

4) Trip rate adjusted (Item 2) multiplied by the assessable trip length (Item 3)

5) Source: Table 6



Road Impact Fee Discussion

Board of Mayor & Aldermen Work Session

February 13, 2024



Public Engagement

- 07/11/2023 – BOMA Work Session Presentation
- 08/02/2023 – Design Professionals Group
- 08/23/2023 – Commercial Real Estate Development Association (NAIOP)
- 09/13/2023 – Development Services Advisory Commission
- 09/14/2023 – Housing Commission Meeting
- 11/28/2023 – BOMA Work Session Presentation
- 01/23/2024 – BOMA Work Session Presentation



Proposed Changes

- Adjust impact fee annually based on the U.S. Department of Transportation Federal Highway Administration National Highway Construction Cost Index (NHCCI).
- Incorporate different size single family detached and attached land use types.

Next Steps



January – February 2024

- Staff to present final Road Impact Fee Ordinance for BOMA review and approval.

Proposed Implementation For Discussion

July 1, 2024

- 1st Increase of Road Impact Fees.

July 1, 2025

- Implementation of 100% of the 2023 Impact Fee.

January 1, 2026

- Adjust fee based on the National Highway Construction Cost Index.

Implementation of RIF



Implementation of Road Impact Fees

Land Use Type	Unit	Current Fees			Fee Effective July 1, 2024			Fee Effective July 1, 2025		
		Arterial	Collector	Total	Arterial	Collector	Total	Arterial	Collector	Total
Single-Family Detached	Dwelling	\$ 4,911	\$ 3,340	\$ 8,251	N/A	N/A	N/A	N/A	N/A	N/A
Single-Family Det <1,500 sf	Dwelling	N/A	N/A	N/A	\$ 9,665	\$ 2,084	\$ 11,749	\$ 12,543	\$ 2,704	\$ 15,247
Single-Family Det 1,500-2,999 sf	Dwelling	N/A	N/A	N/A	\$ 10,581	\$ 2,281	\$ 12,862	\$ 14,374	\$ 3,098	\$ 17,472
Single-Family Det 3,000 sf or more	Dwelling	N/A	N/A	N/A	\$ 11,421	\$ 2,461	\$ 13,883	\$ 16,054	\$ 3,460	\$ 19,514
Single-Family Att <1,500 sf	Dwelling	N/A	N/A	N/A	\$ 8,525	\$ 1,838	\$ 10,363	\$ 10,263	\$ 2,212	\$ 12,475
Single-Family Att 1,500-2,999 sf	Dwelling	N/A	N/A	N/A	\$ 9,276	\$ 1,999	\$ 11,275	\$ 11,763	\$ 2,535	\$ 14,298
Single-Family Att 3,000 sf or more	Dwelling	N/A	N/A	N/A	\$ 9,950	\$ 2,145	\$ 12,096	\$ 13,113	\$ 2,827	\$ 15,940
Multi-Family	Dwelling	\$ 3,112	\$ 2,121	\$ 5,233	\$ 7,208	\$ 1,555	\$ 8,763	\$ 10,111	\$ 2,181	\$ 12,292
Mobil Home Park	Site	\$ 2,338	\$ 1,592	\$ 3,930	\$ 6,958	\$ 1,499	\$ 8,457	\$ 10,683	\$ 2,301	\$ 12,984
Congregate Care Facility	Dwelling	\$ 1,093	\$ 743	\$ 1,836	\$ 2,550	\$ 551	\$ 3,101	\$ 3,590	\$ 776	\$ 4,366
Hotel/Motel	Room	\$ 2,567	\$ 1,750	\$ 4,317	\$ 5,049	\$ 1,090	\$ 6,139	\$ 6,547	\$ 1,414	\$ 7,961
Retail/Commercial										
Shopping Center/Gen. Retail	1,000 ft ²	\$ 6,484	\$ 4,394	\$ 10,878	\$ 14,133	\$ 3,061	\$ 17,195	\$ 19,325	\$ 4,186	\$ 23,511
Restaurant, Quality	1,000 ft ²	\$ 12,069	\$ 8,186	\$ 20,255	\$ 33,060	\$ 7,169	\$ 40,229	\$ 49,474	\$ 10,728	\$ 60,202
Restaurant, Fast Food	1,000 ft ²	\$ 17,442	\$ 11,862	\$ 29,304	\$ 40,426	\$ 8,765	\$ 49,191	\$ 56,769	\$ 12,308	\$ 69,077
Office/Institutional										
Office, General	1,000 ft ²	\$ 4,632	\$ 3,170	\$ 7,802	\$ 9,769	\$ 2,124	\$ 11,894	\$ 13,130	\$ 2,855	\$ 15,985
Hospital	1,000 ft ²	\$ 5,359	\$ 3,653	\$ 9,012	\$ 10,295	\$ 2,217	\$ 12,512	\$ 13,174	\$ 2,837	\$ 16,011
Nursing Home	1,000 ft ²	\$ 3,082	\$ 2,099	\$ 5,181	\$ 6,259	\$ 1,345	\$ 7,605	\$ 8,254	\$ 1,774	\$ 10,028
Church	1,000 ft ²	\$ 3,258	\$ 2,218	\$ 5,476	\$ 5,378	\$ 1,154	\$ 6,532	\$ 6,248	\$ 1,340	\$ 7,588
Elementary/Sec. School	1,000 ft ²	\$ 1,606	\$ 1,091	\$ 2,697	\$ 3,723	\$ 803	\$ 4,526	\$ 5,227	\$ 1,127	\$ 6,354
Industrial										
Manufacturing	1,000 ft ²	\$ 2,030	\$ 1,389	\$ 3,419	\$ 5,039	\$ 1,095	\$ 6,134	\$ 7,269	\$ 1,580	\$ 8,849
Industrial Park	1,000 ft ²	\$ 3,636	\$ 2,484	\$ 6,120	\$ 5,093	\$ 1,104	\$ 6,198	\$ 5,157	\$ 1,118	\$ 6,275
Business Park	1,000 ft ²	\$ 6,613	\$ 4,519	\$ 11,132	\$ 14,116	\$ 3,068	\$ 17,184	\$ 19,087	\$ 4,149	\$ 23,236
Warehouse	1,000 ft ²	\$ 1,893	\$ 1,294	\$ 3,187	\$ 2,605	\$ 564	\$ 3,169	\$ 2,605	\$ 564	\$ 3,169
Mini-Warehouse	1,000 ft ²	\$ 885	\$ 602	\$ 1,487	\$ 1,715	\$ 373	\$ 2,088	\$ 2,209	\$ 480	\$ 2,689

Starting January 1, 2026, the City Administrator, Assistant City Administrator and City Engineer shall adjust the road impact fee annually. The adjustment shall be based on the percent change published by the National Highway Construction Cost Index (NHCCI) as published by the U.S. Department of Transportation Federal Highway Administration. The NHCCI was 2.860 for the first quarter of 2023 when this report was completed.

An abstract graphic on the left side of the page consists of several 3D rectangular blocks of various colors including red, orange, teal, and light blue. These blocks are arranged in a staggered, overlapping fashion, creating a sense of depth and architectural structure.

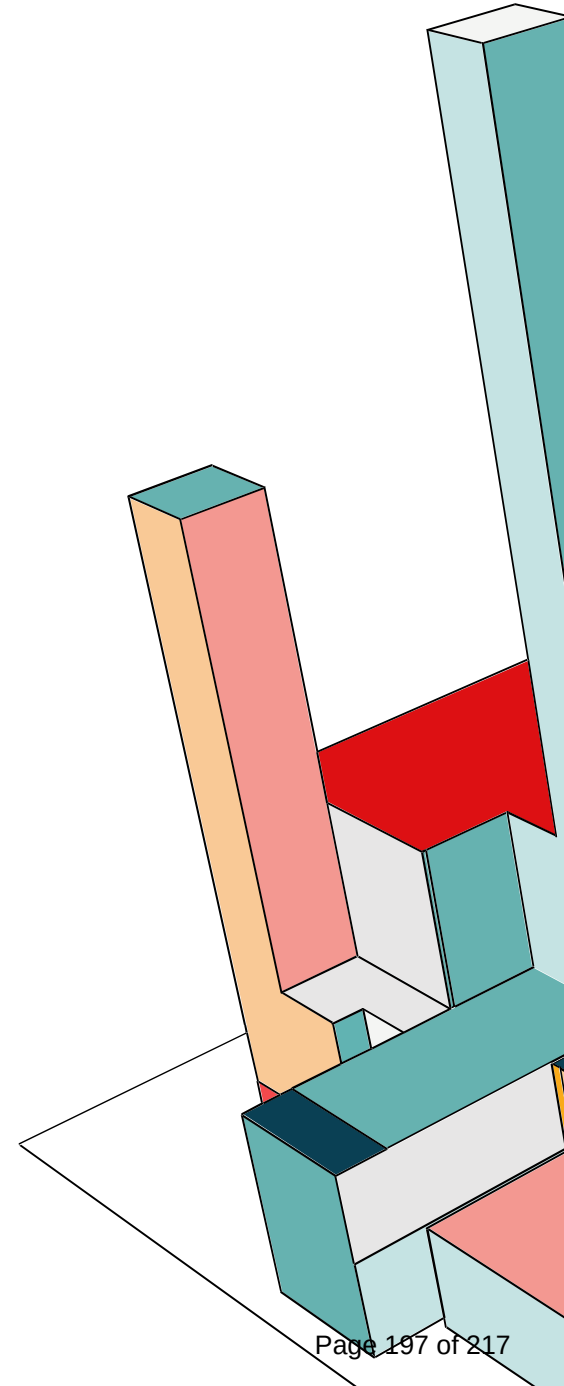
CITY OF FRANKLIN

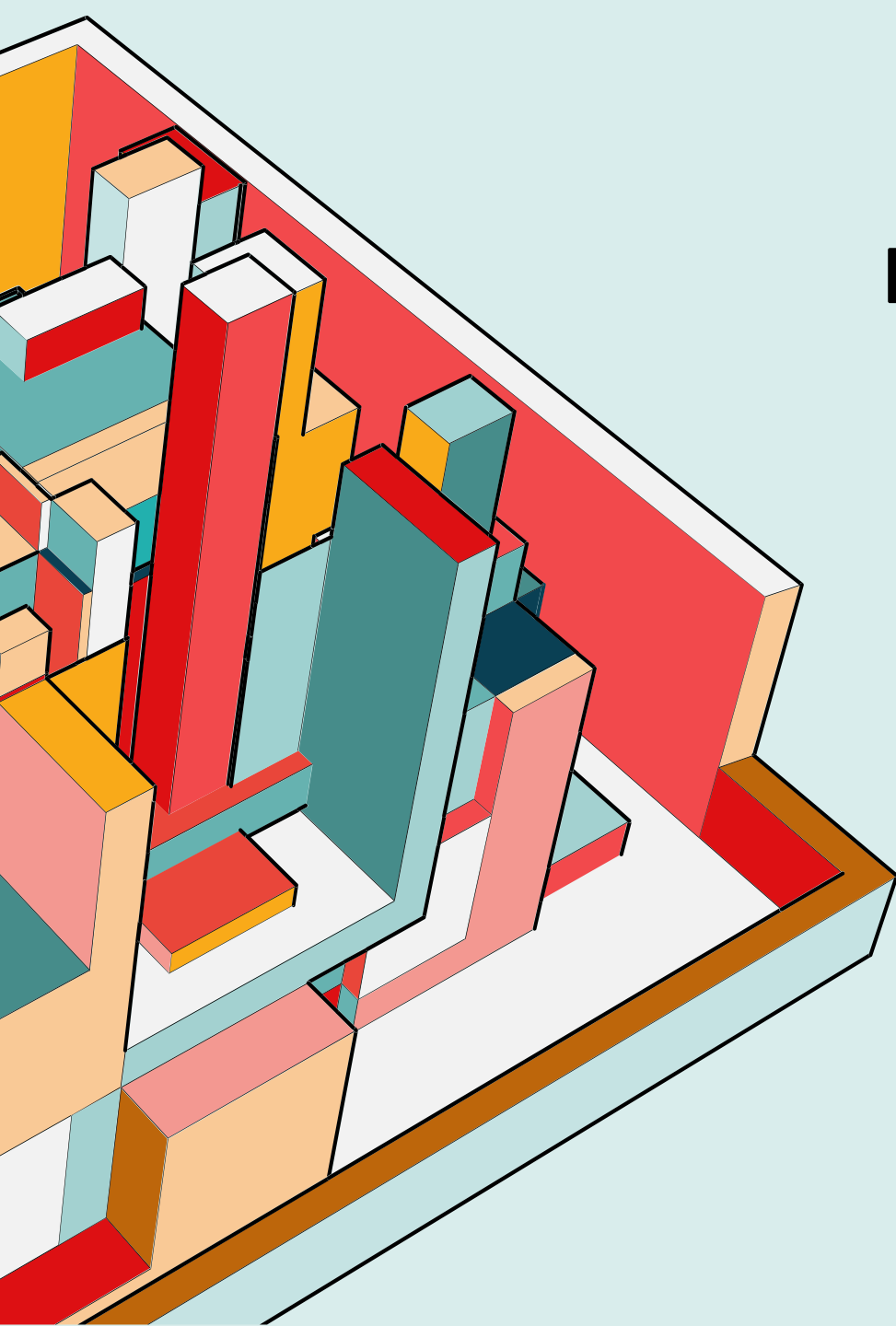
ROAD IMPACT FEES

**A REVIEW OF DISCUSSIONS WITH
DEVELOPMENT PROFESSIONALS**

TOPICS OF DISCUSSION – THREE BUCKETS

- Projects Entitled on or after January 1, 2025
- Projects Entitled prior to January 1, 2025
- Timing of collecting Road Impact Fees, etc.
- Questions and Guidance





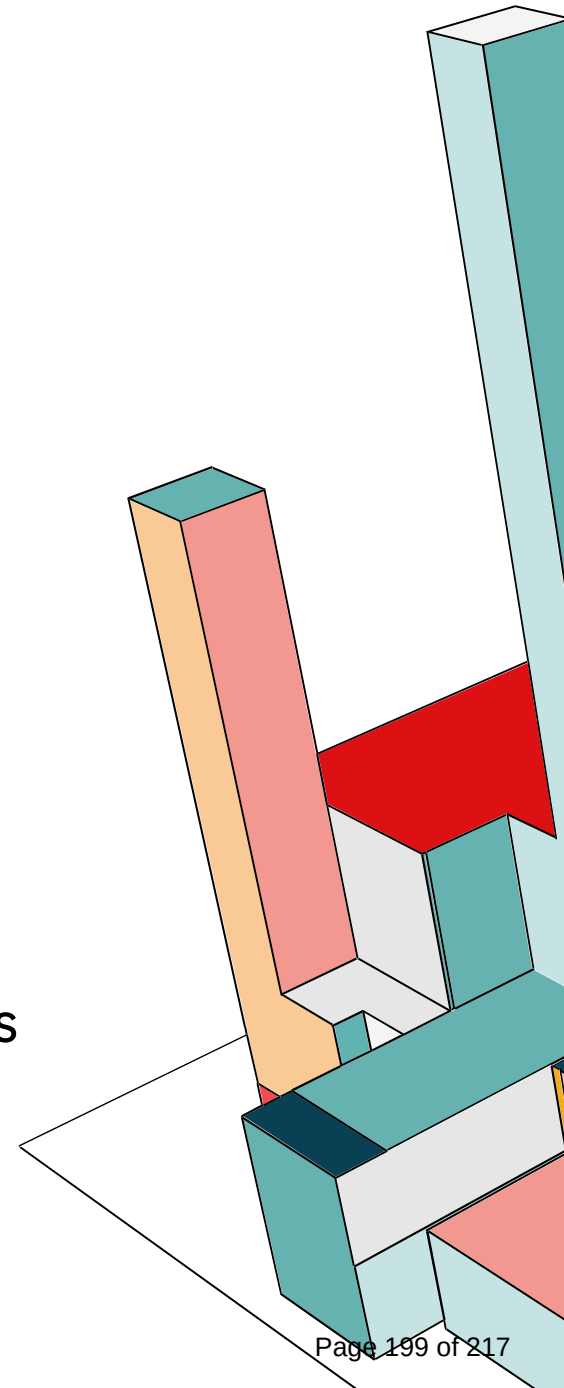
PROJECTS ENTITLED ON OR AFTER JANUARY 1, 2025

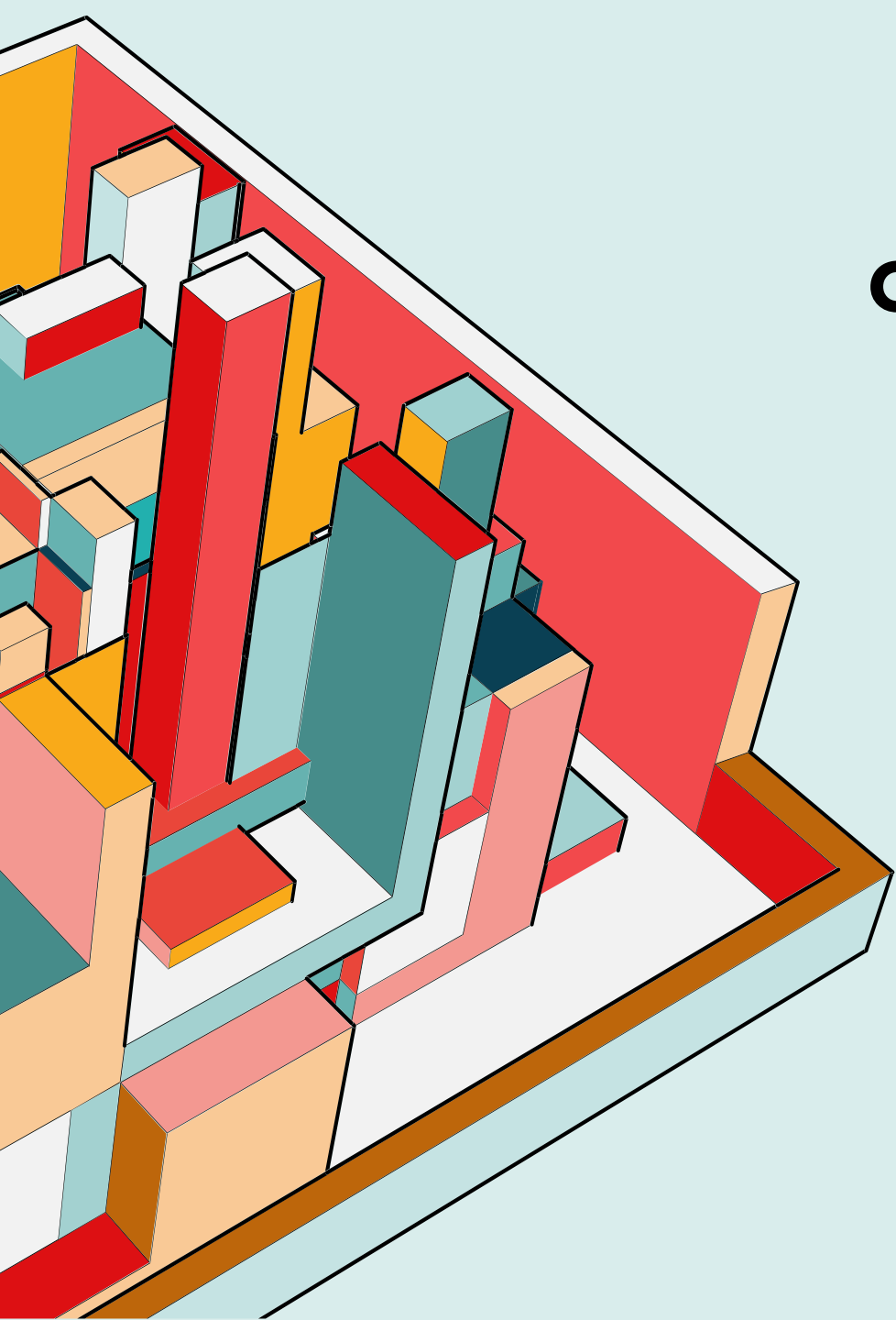
Ordinance 2023-41 - September 10, 2024, BOMA Meeting

- 2-year and 3-year options
- Predictability - Commit to publishing a 5-year Road Impact Fee Schedule and publishing it for subsequent years thereafter.
- Indexed annually based on the National Highway Construction Index (5% maximum in any one year).
- After 5 years the BOMA may re-adjust fees based upon a third-party analysis to keep fees current.

PROJECTS ENTITLED PRIOR TO JANUARY 1, 2025

- “Grandfathered” - Are projects entitled prior to January 1, 2025.
- Predictability - Commit to publishing a 15-year Road Impact Fee Schedule based on current fee schedule increased 5% annually.
- Beginning January 1, 2025, single-phased “Grandfathered” Projects have up to 5-years to obtain a building permit under this fee schedule.
- Beginning January 1, 2025, multi-phased “Grandfathered” Projects have up to 15-years to obtain a permit under this fee schedule.





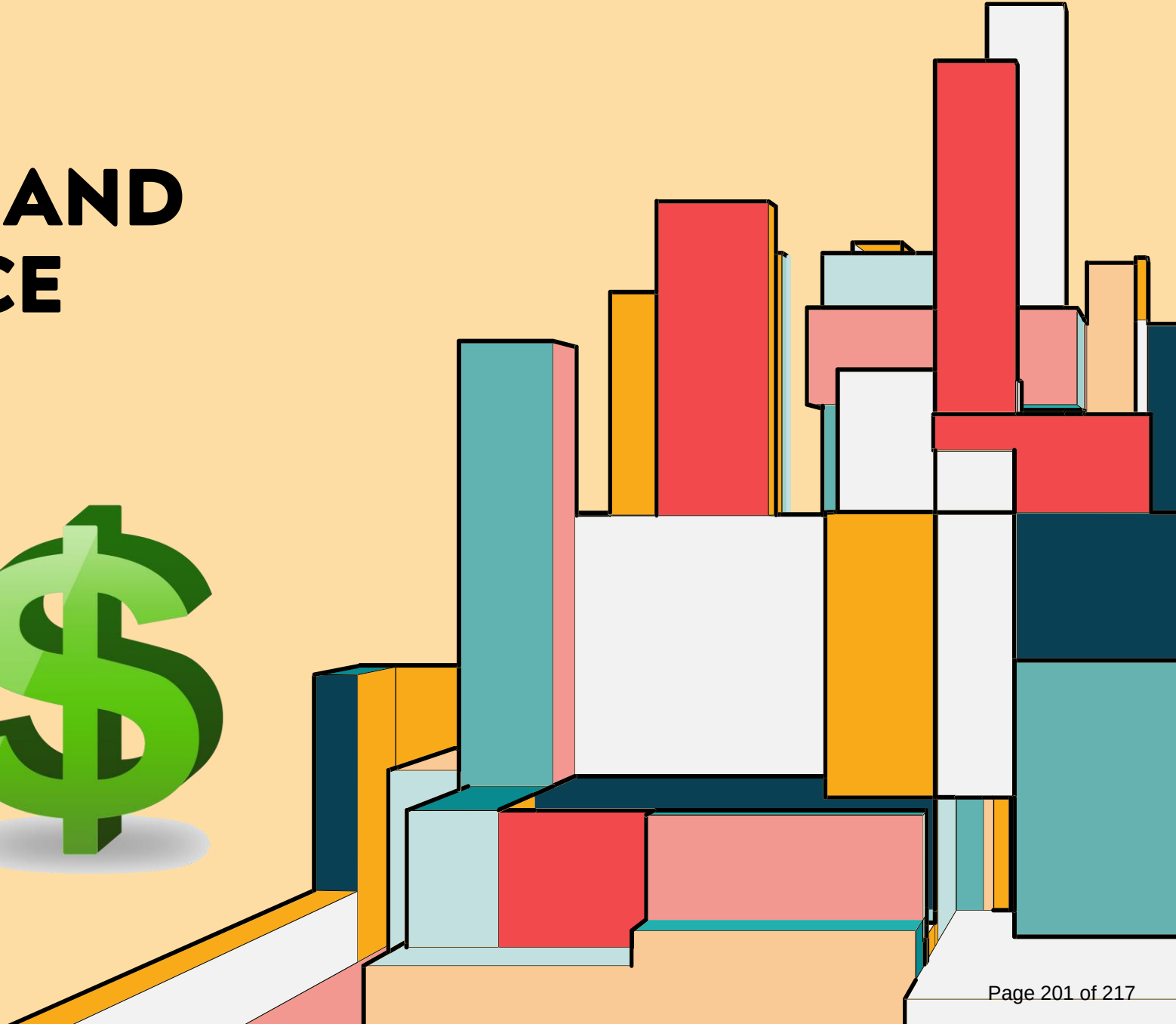
TIMING OF ASSESSING AND COLLECTING ROAD IMPACT FEES, ETC.

- For larger multi-family and commercial projects Road Impact Fees will be assessed at the time a building permit is issued.
- 25% of the road impact fee will be collected when the building permit is issued. The remaining 75% will be collected prior to requests for final inspections.

Ongoing...

- The city will work to align all development impact fees similarly with this model and discussing related items requested in the NAIOP correspondence dated August 23, 2204.

QUESTIONS AND GUIDANCE



NOTICE OF PUBLIC HEARING

Notice is hereby given that the Board of Mayor and Aldermen of the City of Franklin, Tennessee, on Tuesday, October 22, 2024, will hold a Public Hearing at 7:00 p.m. in the City Hall Board Room, 109 Third Avenue South, Franklin, Tennessee, Concerning Ordinance 2023-41, An Ordinance To Amend Chapter 4 Of Title 16 Of The Franklin Municipal Code, Concerning Road Impact Fees.

The complete text of these items are also on file at the Office of the City Administrator, City Hall, and may be inspected there between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday. All interested persons are encouraged to attend the public hearing and will be permitted to express their opinions concerning the passage of this item.

Respectfully submitted,

**Cayce Anderson
Deputy City Recorder**



File #: 21-0859

DATE: October 10, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Paul Holzen, Director of Engineering

SUBJECT:

Presentation & Discussion Of 10-Year Capital Improvement Plan (CIP) Rankings

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning the prioritization of projects within the City's 10-Year Capital Improvement Plan (CIP) and to identify areas of consensus.

BACKGROUND/STAFF COMMENTS:

As part of the process to update the City's 10-year Capital Investment Plan, the Board of Mayor and Aldermen (BOMA) was tasked with reviewing and prioritizing potential projects for inclusion in the City's 10-year Capital Improvement Plan (CIP). Each member ranked the projects based on their perceived importance, ensuring that the total funding did not exceed the allocated budget of \$150,000,000. It is important to note that the Mack Hatcher Projects were excluded from this process due to ongoing discussions between the City of Franklin and TDOT regarding potential funding partnerships. Additionally, any projects that had already secured funding were not part of the ranking.

The purpose of this prioritization exercise is to gain valuable insights into areas where Board members' priorities are aligned, as well as to highlight differences in perspective. By focusing on the areas of consensus and engaging in discussions about projects requiring further evaluation, we can ensure that the final Capital Improvement Plan reflects both the community's best interests and the City's long-term strategic goals.

FINANCIAL IMPACT:

No financial impact at this time.

RECOMMENDATION:

No recommendation at this time. This item is for discussion only and for staff to obtain feedback from the BOMA.

City of Franklin, Tennessee
FY 2024-2033 Capital Investment Program
BOMA Priority Projects - Non-Weighted Rankings for All Projects

Below is the compilation of individual BOMA member responses to the City Administrator's request for CIP project priority rankings. The following factors were used, in the order listed, to develop the overall project priority list: (1) **TOTAL** number of votes received from BOMA members, (2) By **STAFF RANKING**.

RANK	PROJECT	CATEGORY	STAFF RANKING	EST. COST	BORD OF MAYOR AND ALDERMEN									RUNNING TOTAL
					BAGGETT	BARNHILL	BLANTON	BROWN	BURGER	CAESAR	MOORE	PETERSEN	POTTS	
1	FD19003 - Fire Station 3 Upgrades	Emergency Services	4	\$10,500,000	1	1		1	1		1	1	1	7
2	ST24003A - Eddy Lane (SR96-Fort Granger Park)	Transportation	3	\$4,750,000	1	1	1	1		1	1	1		7
3	ST24003B - Eddy Lane (Fort Granger Park-Liberty Pike)	Transportation	3	\$4,750,000	1		1	1	1	1	1	1		7
4	ST24006 - Battle Ave Bridge Replacement	Transportation	4	\$740,000	1	1	1		1		1		1	6
5	ST16003 - Goose Creek Bypass and Carothers Pkwy Extension	Transportation	4	\$40,000,000		1		1	1		1	1	1	6
6	PK19015 - Winstead Hill Park	Parks & Recreation	3	\$1,150,000	1	1	1			1	1	1		6
7	PK16007 - North Pavilion & Restroom Facility (Harlinsdale)	Parks & Recreation	2	\$1,000,000	1	1	1	1		1			1	6
8	PK24006 - Collins Farm Structure(s) Stabilization and Roof	Parks & Recreation	4	\$430,000	1		1				1	1	1	5
9	ST24004 - South Margin St. and 5th Ave Intersection Imp	Transportation	4	\$3,150,000	1		1			1	1		1	5
10	ST24001 - Mallory Ln. and Cool Springs Blvd. Improvements	Transportation	4	\$4,300,000	1				1		1	1	1	5
11	PK24001 - Chestnut Bend Trail Improvements Project	Parks & Recreation	4	\$2,150,000	1		1	1	1				1	5
12	PK16012 - Greenway (1st Ave North to Bicentennial)	Parks & Recreation	3	\$1,927,200	1			1	1	1			1	5
13	ST24002 - Mallory Ln and W. McEwen Dr. Intersection Imp.	Transportation	4	\$3,300,000	1				1		1		1	4
14	FD19005 - Safe Rooms for Fire Station 1-6	Emergency Services	4	\$900,000	1			1				1	1	4
15	FD24001 - Station 2 Improvements	Emergency Services	3	\$650,000	1	1				1			1	4
16	ST16015 - Carothers Pkwy (Falcon Creek - SR96E)	Transportation	3	\$26,300,000					1	1		1	1	4
17	FM24002 - South Salt Storage Facility	General Services	3	\$1,350,000	1		1				1		1	4
18	PK16008 - Jim Warren Park Renovations	Parks & Recreation	2	\$23,000,000		1	1			1	1			4
19	ST16022A - Carothers Pkwy (Long Ln - S. Carothers Rd)	Transportation	2	\$21,800,000		1	1			1			1	4
20	ST24009 - Old Liberty Pike Improvements	Transportation	2	\$4,240,000			1	1	1	1				4
21	FD19004 - New Fire Traning Center	Emergency Services	3	\$4,500,000	1						1		1	3
22	FD24002 - Emergency Services / Traffic Technology Project	Emergency Services	3	\$3,775,000	1						1		1	3
23	ST24011 - West Meade Blvd Sidewalk	Transportation	3	\$2,915,000	1	1	1							3
24	PK16006 - 4 Worker Houses (Harlinsdale)	Parks & Recreation	3	\$2,750,000	1		1	1						3
25	PK24005 - Collins Farm Trail & Parking Project	Parks & Recreation	2	\$600,000	1		1					1		3
26	ST16022B - Carothers Pkwy (Ladd Park Temporary Sidewalk)	Transportation	2	\$1,500,000	1						1		1	3
27	SW16004 - Figuers Drive Area Drainage Improvements	Stormwater	2	\$5,352,960	1		1			1				3
28	ST16027 - Boyd Mill Ave (South of SR96 - Downs Blvd)	Transportation	2	\$8,600,000	1					1	1			3
29	PK24003 - Bicentennial Park - East Parking Lot	Parks & Recreation	2	\$3,950,000	1			1	1					3
30	ST16035 - Columbia Ave (Downs Blvd to Fowlkes St)	Transportation	2	\$15,000,000	1	1	1							3
31	ST16013 - Aspen Grove Dr. & Seaboard Ln Int Improvements	Transportation	1	\$3,400,000			1	1		1				3
32	FD19001 - Fire Station 9 (East Side of Franklin)	Emergency Services	1	\$12,900,000		1	1		1					3
33	PK24007 - Liberty Park - Phase 2	Parks & Recreation	3	\$6,500,000		1				1				2
34	PK24008 - Fieldstone Concession and Pavilion Rehabilitation	Parks & Recreation	3	\$3,800,000		1		1						2
35	ST16016 - Lewisburg Pike (Donelson Crk Pkwy - Mack Hatcher)	Transportation	3	\$21,200,000				1					1	2
36	ST24008 - Franklin Road (SR397 - SR441)	Transportation	3	\$44,400,000	1			1						2
37	PK19007 - Greenway (Pinkerton Park to Franklin Road Bridge)	Parks & Recreation	2	\$5,250,000	1		1							2
38	SW16005 - Jordan Branch (Cool Springs E) Stream Restoration	Stormwater	2	\$1,100,000			1			1				2
39	ST16019 - N Royal Oaks Blvd (Alexander Plaza - Liberty Pike)	Transportation	2	\$15,800,000						1		1		2
40	ST16032 - West Main St (Natchez St. to Downs Blvd)	Transportation	2	\$23,100,000			1					1		2
41	ST16028 - Clovercroft Rd (SR96-Oxford Glen Dr)	Transportation	2	\$34,300,000					1		1			2
42	ST16023 - 1st Ave Multiuse Trail (S Margin St - Bridge St)	Transportation	1	\$2,200,000			1			1				2
43	ST16025 - Oxford Glen Dr Multiuse Trail (Candytuft Ct. - E. McEwen Dr)	Transportation	1	\$1,100,000					1	1				2
44	PK24002 - Southeast Park - Phase 2	Parks & Recreation	3	\$16,350,000								1		1
45	PK16005 - Power Station & Museum	Parks & Recreation	3	\$11,000,000	1									1
46	PK16019 - Harlinsdale Farm Interurban Trail Connection	Parks & Recreation	2	\$2,550,000			1							1
47	FD19002 - Fire Station 10 (East of I-65)	Emergency Services	1	\$12,900,000						1				1
48	PK19005 - Greenway (Aspen Grove to Mallory Station Rd)	Parks & Recreation	2	\$2,520,000										0
49	PK24004 - FSSD (Freedom Middle and Poplar Grove)	Parks & Recreation	2	\$4,300,000										0
50	FD19006 - Safety Education Village	Emergency Services	2	\$3,900,000										0

City of Franklin, Tennessee

FY 2024-2033 Capital Investment Program

BOMA Priority Projects -Weighted Rankings for All Projects

Below is the compilation of individual BOMA member responses to the City Administrator's request for CIP project priority rankings. The least number of projects selected by any BOMA member was 13. The #1 project in each BOMA member's list was awarded 13 points. The #2 project was awarded 12 points. This process continues through the #13 project in each list, which is awarded 1 point. All remaining contained in a BOMA member's individual list are assigned a value of 1. The TOTAL of points possible for any given project is 117 points (9 BOMA members x13 Points for a #1 Vote). The number of BOMA member's voting for a project, or "Count", was used as a tiebreaker for any tied "TOTAL" values.

RANK	PROJECT	CATEGORY	STAFF RANKING	NON-WEIGHTED VOTES	EST. COST	BORD OF MAYOR AND ALDERMEN									RUNNING TOTAL
						BAGGETT	BARNHILL	BLANTON	BROWN	BURGER	CAESAR	MOORE	PETERSEN	POTTS	
1	ST16003 - Goose Creek Bypass and Carothers Pkwy Extension	Transportation	4	6	\$40,000,000		13		11	12		13	13	13	75
2	ST24003A - Eddy Lane (SR96-Fort Granger Park)	Transportation	3	7	\$4,750,000	13	1	4	13		7	9	11		58
3	ST24003B - Eddy Lane (Fort Granger Park-Liberty Pike)	Transportation	3	7	\$4,750,000	12		5	12	2	8	8	10		57
4	ST24004 - South Margin St. and 5th Ave Intersection Imp	Transportation	4	5	\$3,150,000	10		6			12	7		6	41
5	FD19003 - Fire Station 3 Upgrades	Emergency Services	4	7	\$10,500,000	1	11		7	6		6	6	3	40
6	ST24001 - Mallory Ln. and Cool Springs Blvd. Improvements	Transportation	4	5	\$4,300,000	1				9		11	8	8	37
7	PK16008 - Jim Warren Park Renovations	Parks & Recreation	2	4	\$23,000,000		9	13			9	4			35
8	ST16015 - Carothers Pkwy (Falcon Creek - SR96E)	Transportation	3	4	\$26,300,000					5	6		12	11	34
9	ST24006 - Battle Ave Bridge Replacement	Transportation	4	6	\$740,000	8	4	1		7		1		5	26
10	ST24002 - Mallory Ln and W. McEwen Dr. Intersection Imp.	Transportation	4	4	\$3,300,000	1				8		10		7	26
11	FD19001 - Fire Station 9 (East Side of Franklin)	Emergency Services	1	3	\$12,900,000		12	11		1					24
12	ST16025 - Oxford Glen Dr Multiuse Trail (Candytuft Ct. - E. McEwen Dr)	Transportation	1	2	\$1,100,000					13	11				24
13	PK16007 - North Pavilion & Restroom Facility (Harlinsdale)	Parks & Recreation	2	6	\$1,000,000	2	2	12	5		1			1	23
14	ST16027 - Boyd Mill Ave (South of SR96 - Downs Blvd)	Transportation	2	3	\$8,600,000	9					1	12			22
15	ST16016 - Lewisburg Pike (Donelson Crk Pkwy - Mack Hatcher)	Transportation	3	2	\$21,200,000				10					12	22
16	ST16023 - 1st Ave Multiuse Trail (S Margin St - Bridge St)	Transportation	1	2	\$2,200,000			9			10				19
17	FD24001 - Station 2 Improvements	Emergency Services	3	4	\$650,000	1	10				5			1	17
18	ST16022A - Carothers Pkwy (Long Ln - S. Carothers Rd)	Transportation	2	4	\$21,800,000		5	1			1			10	17
19	PK19015 - Winstead Hill Park	Parks & Recreation	3	6	\$1,150,000	1	8	1			1	1	4		16
20	PK24006 - Collins Farm Structure(s) Stabilization and Roof	Parks & Recreation	4	5	\$430,000	11		1				1	2	1	16
21	ST24009 - Old Liberty Pike Improvements	Transportation	2	4	\$4,240,000			1	8	1	4				14
22	PK16006 - 4 Worker Houses (Harlinsdale)	Parks & Recreation	3	3	\$2,750,000	4		7	3						14
23	ST16028 - Clovercroft Rd (SR96-Oxford Glen Dr)	Transportation	2	2	\$34,300,000					11		3			14
24	PK16012 - Greenway (1st Ave North to Bicentennial)	Parks & Recreation	3	5	\$1,927,200	6			1	4	1			1	13
25	PK24003 - Bicentennial Park - East Parking Lot	Parks & Recreation	2	3	\$3,950,000	1			2	10					13
26	FD19002 - Fire Station 10 (East of I-65)	Emergency Services	1	1	\$12,900,000						13				13
27	ST16035 - Columbia Ave (Downs Blvd to Fowlkes St)	Transportation	2	3	\$15,000,000	1	1	10							12
28	ST24008 - Franklin Road (SR397 - SR441)	Transportation	3	2	\$44,400,000	3			9						12
29	FD19005 - Safe Rooms for Fire Station 1-6	Emergency Services	4	4	\$900,000	1			1				5	4	11
30	ST16022B - Carothers Pkwy (Ladd Park Temporary Sidewalk)	Transportation	2	3	\$1,500,000	1						1		9	11
31	FD19004 - New Fire Traning Center	Emergency Services	3	3	\$4,500,000	5						5		1	11
32	FD24002 - Emergency Services / Traffic Technology Project	Emergency Services	3	3	\$3,775,000	7						2		2	11
33	PK24001 - Chestnut Bend Trail Improvements Project	Parks & Recreation	4	5	\$2,150,000	1		1	4	3				1	10
34	ST16019 - N Royal Oaks Blvd (Alexander Plaza - Liberty Pike)	Transportation	2	2	\$15,800,000						3		7		10
35	ST16032 - West Main St (Natchez St. to Downs Blvd)	Transportation	2	2	\$23,100,000			1					9		10
36	ST16013 - Aspen Grove Dr. & Seaboard Ln Int Improvements	Transportation	1	3	\$3,400,000			2	6		1				9
37	PK19007 - Greenway (Pinkerton Park to Franklin Road Bridge)	Parks & Recreation	2	2	\$5,250,000	1		8							9
38	PK24007 - Liberty Park - Phase 2	Parks & Recreation	3	2	\$6,500,000		7				1				8
39	PK24008 - Fieldstone Concession and Pavilion Rehabilitation	Parks & Recreation	3	2	\$3,800,000		6		1						7
40	PK24005 - Collins Farm Trail & Parking Project	Parks & Recreation	2	3	\$600,000	1		1					3		5
41	ST24011 - West Meade Blvd Sidewalk	Transportation	3	3	\$2,915,000	1	3	1							5
42	SW16004 - Figuers Drive Area Drainage Improvements	Stormwater	2	3	\$5,352,960	1		3			1				5
43	FM24002 - South Salt Storage Facility	General Services	3	4	\$1,350,000	1		1				1		1	4
44	SW16005 - Jordan Branch (Cool Springs E) Stream Restoration	Stormwater	2	2	\$1,100,000			1			2				3
45	PK24002 - Southeast Park - Phase 2	Parks & Recreation	3	1	\$16,350,000								1		1
46	PK16019 - Harlinsdale Farm Interurban Trail Connection	Parks & Recreation	2	1	\$2,550,000			1							1
47	PK16005 - Power Station & Museum	Parks & Recreation	3	1	\$11,000,000	1									1
48	PK24004 - FSSD (Freedom Middle and Poplar Grove)	Parks & Recreation	2	0	\$4,300,000										0
49	FD19006 - Safety Education Village	Emergency Services	2	0	\$3,900,000										0
50	PK19005 - Greenway (Aspen Grove to Mallory Station Rd)	Parks & Recreation	2	0	\$2,520,000										0



File #: 21-0845

DATE: October 8, 2024
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Emily Wright, Director of Planning and Sustainability
Shanna McCoy, Zoning Administrator
Adam Moser, Traffic Engineer

SUBJECT:

Discussion Of Downtown Paid Parking And Parking Management
WS 7/9/24

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning pay parking in downtown Franklin.

BACKGROUND/STAFF COMMENTS:

There have been two recent requests for consideration by the Board of Mayor and Aldermen for private paid parking lots in the downtown area. This presentation and discussion is intended to provide clarity on previous and current parking requirements and approval processes, data regarding availability of downtown parking from the last study that the City conducted, and information regarding the recent requests for paid parking.

FINANCIAL IMPACT:

Unknown.

RECOMMENDATION:

Staff recommends that the Board of Mayor and Aldermen acknowledge the Discussion of Downtown Pay Parking.

DOWNTOWN PAY PARKING

Shanna McCoy, CFM

Adam Moser, P.E.

Emily Wright, AICP



Zoning Ordinance Background



- Prior to the adoption of 2019 Zoning Ordinance, all land uses were required to meet the standard parking requirements in the Zoning Ordinance. **Parking could be free or paid.**
- As the 2019 Zoning Ordinance was being drafted, there was a concern from elected and appointed officials about the rise in paid parking lots in the downtown area. There was not a required review process for paid parking lots at the time.
- With the adoption of 2019 Zoning Ordinance, all land uses are still required to meet the standard parking requirements in the Zoning Ordinance, and the following statement was added: **Required parking spaces shall be free and accessible to the public, unless otherwise determined by the BOMA.**

Current Pay Parking Requests



There are currently two requests for paid parking lots in downtown:

1. 94-98 East Main Street

- 41 spaces on site and 4 spaces in state R.O.W.
- Proposed Uses require 93 spaces (deficit of 48 spaces)

2. 127 2nd Ave South

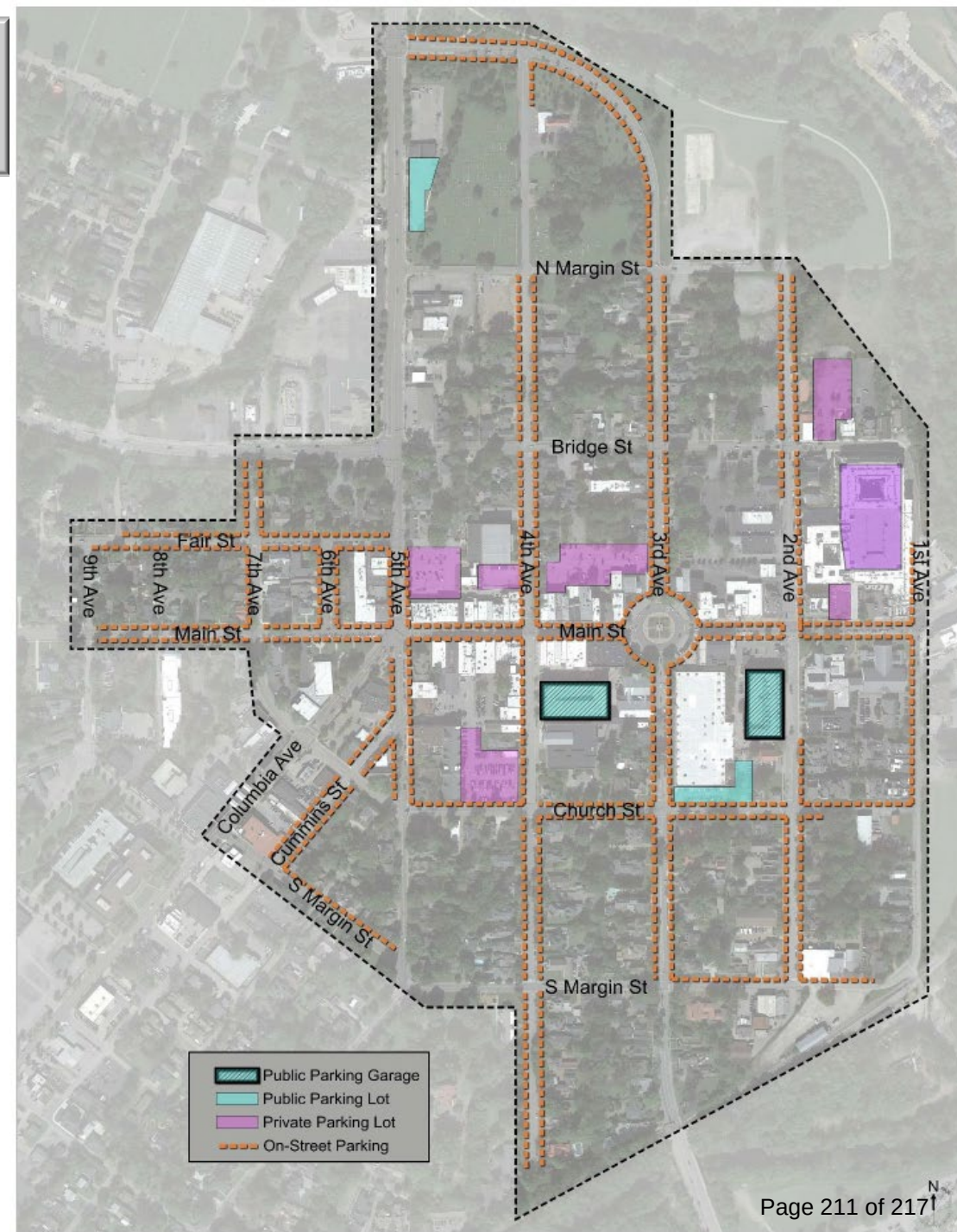
- 54 spaces on site
- Current Uses require 19 spaces (excess of 35 spaces)
- There may be change of use proposed soon that would change the number of required spaces.

Downtown Parking Study Recap

Parking Capacity*

On-Street		755
2nd Avenue Garage		252
4th Avenue Garage		345
Public Lots		90
Private (Pay) Lots		356
Harpeth Hotel (Pay)		367
Total Free		1442
Total Pay		723
Total		2165

*There is additional capacity outside of study area; Pay lots do not include all 'private' parking spaces, only those available to the public



Downtown Parking Study Recap

Parking Occupancy

	Total Available	Thursday Midday % Occupied	Friday Midday % Occupied
On-Street	755	77%	78%
2nd Avenue Garage	252	95%	93%
4th Avenue Garage	345	97%	98%
Public Lots	90	57%	58%
Private (Pay) Lots	356	50%	53%
Harpeth Hotel (Pay)	367	4%	3%

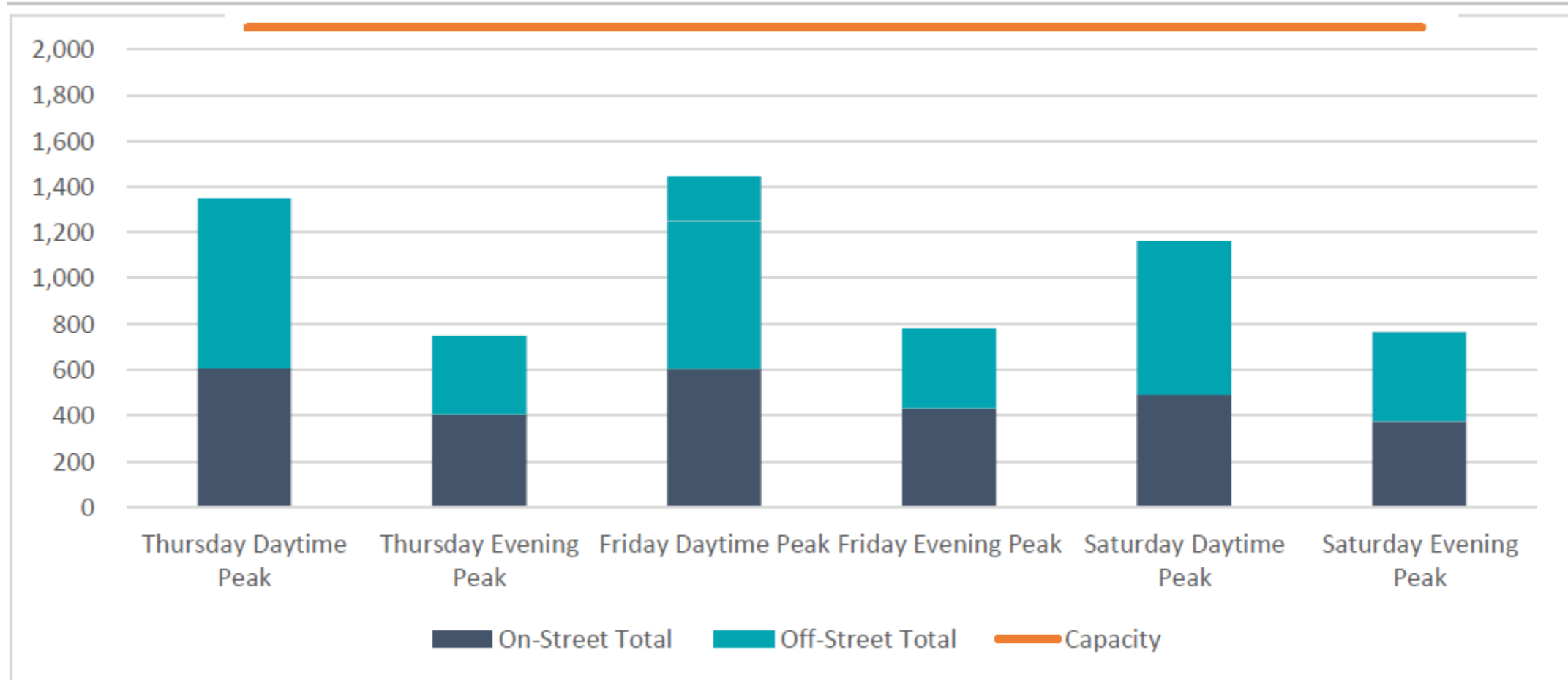
- **Weekday Peak (12:30 pm)**
 - 65% Total Spaces Occupied
 - 83% 'Free' Spaces Occupied
- **Weekend Peak (12:30 pm)**
 - 49% Total Spaces Occupied
 - 66% 'Free' Spaces Occupied



Downtown Parking Study Recap



Exhibit 3: Observed Parking Occupancy Peaks, by Day

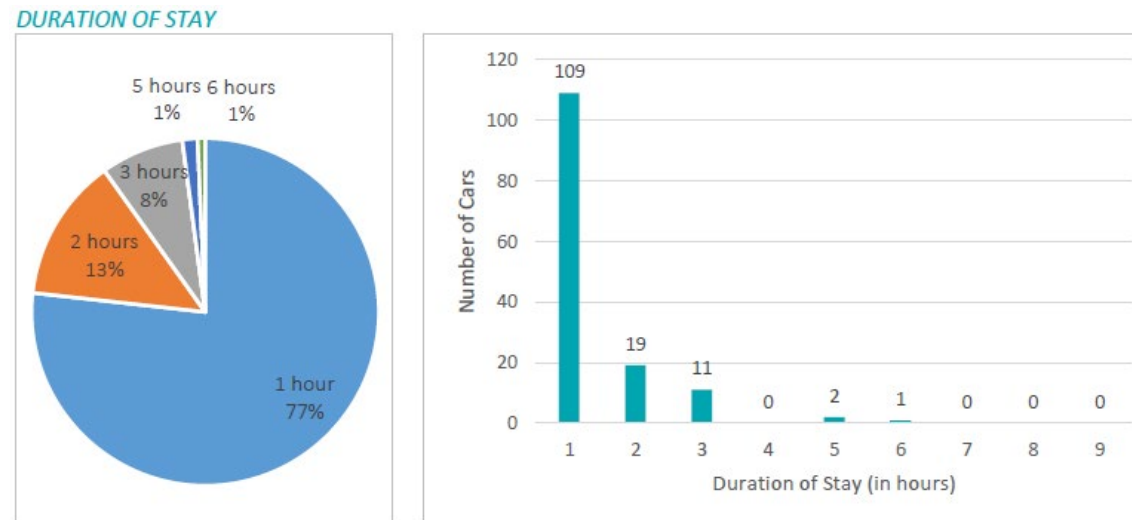


Downtown Parking Study Recap



- **2022: 90% of time limit spaces staying 2 hours or less (90% compliance)**
 - Approximately 70% of time-limited spaces are staying 1 hour or less
- **2016: In comparison, 70% of time limited spaces were 2 hours or less**
 - Approximately 50% of time-limited spaces stayed 1 hour or less

Turnover of these spaces has increased since going to 2-hour time limit



Duration of vehicles parked around the square shown above

Downtown Parking Considerations



There are planned increases to the downtown parking supply:

1. New City Hall: 128 Spaces (net gain on site)
2. Bicentennial Park Surface Lot: 47 Spaces

Concerns



As paid parking lots continue to increase in downtown, the following concerns arise:

1. Impact to adjacent/nearby residential neighborhoods
2. Impact to downtown businesses
3. Impact to free public parking garages
4. Additional traffic generated by those searching for limited free parking
5. Possible negative perception of the City due to the high cost of private parking citations and difficulties in reaching a person to speak to since payments are to be made online.
 - One option could be that a local permit/license be implemented for private paid parking lots that includes approval criteria and process for signage, the technology used for collecting of fees, and the management of citations by private operators.

Questions/Discussion/Next Steps

