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HISTORIC FRANKLIN TENNESSEE

City of Franklin

Meeting Minutes

Work Session

Tuesday, June 10, 2025 | **5:00 PM** | **Williamson County Auditorium**

CALL TO ORDER
Mayor Ken Moore called the meeting to order at 05:00 PM

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

Board Members Absent: None

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

CITIZEN COMMENTS

Comments on agenda items may be made in person or by emailing recorder@franklintn.gov before noon on the day of the meeting. Comments will be submitted for the record.
Rob Pinson, 924 Jasper Avenue, Franklin, TN, added color to the conversation that was had at the June 13, 2025 Beer Board meeting regarding the use of temporary certificates of occupancy for the issuance of beer permits.

WORK SESSION DISCUSSION ITEMS

1. **Consideration Of Special Event Permit For The Harlinsdale Round-Up At The Park At Harlinsdale Farm To Be Held July 11, 2025 And July 12, 2025**

   Sponsors: Lisa Clayton, Heather Eusebio, Suzanne Carter, Monique McCullough

   The item was acknowledged and is planned for the June 24, 2025 Board of Mayor and Aldermen Meeting for consideration.

2. **Consideration Of Resolution 2025-37, A Resolution Amending The East Works District PUD Subdivision To Extend The Vested Rights, For The Property Located North Of Meridian Boulevard And West Of Carothers Parkway, Located at 9009 Carothers Parkway. Establishing A Public Hearing On July 8, 2025.**

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

   Chelsea Randolph, planner, presented the item. She explained that the applicant is requesting to extend the vesting period by 18 months, from July 14, 2025, until January 14, 2027.

   The development plan for the East Works District PUD was approved by BOMA on July 14, 2020. The plans include a mix of hotel, restaurant, retail, office, and multifamily uses. Overall, it was approved for 1,615 units, 9 town homes, 1,000,000 square feet of existing and proposed nonresidential space, including 605 hotel rooms. Buildings range from one to twelve stories, and a communal gathering space further emphasizes the pedestrian-oriented design in addition to the smaller pockets of green space to the interior and around the perimeter of the property. Staff recommended approval, with conditions, of the Development Plan.

   As it stands, this plan has requested and received a vesting extension for the first three-year period and their vesting was extended to July 14, 2025. The applicant submitted a site plan for the first section of the development, which was approved on the August 2023 Administrative Agenda. In addition, two site plans have been submitted to conduct offsite roadway improvements on Carothers Parkway at Mayfield Drive, which were approved on the February 2023 Administrative Agenda.

If the vesting period is not extended, the project entitlements would cease to exist, and stop work orders would be issued, if applicable. A new development would need to be approved and would be reviewed against the current local development standards.

Franklin Municipal Planning Commission recommended approval of Resolution 2025-37 by a vote of 7-0. Staff recommended that the Board of Mayor and Aldermen approve Resolution 2025-37 if they determine that the continuation of vested rights is in the best interest of the community.

Alderman Burger supported the extension of vested rights for The East Works District PUD, but she stated that the stormwater issues in that area need to be addressed.

Alderman Blanton agreed with Alderman Burger's sentiments.

The item is planned for the July 8, 2025 Board of Mayor and Aldermen Meeting for consideration and Public Hearing.

3. ***Consideration Of Resolution 2025-32, A Resolution To Recommend Approval Of The Safe Streets And Roads For All (SS4A) Transportation Safety Action Plan Including A Commitment To Reduce Serious Injury And Fatality Crashes By 20% By the Year 2040**

Sponsors: Paul Holzen, Adam Moser

Jonathan Marston, Assistant Engineering Director, introduced the item. He explained that by approving the SS4A Transportation Safety Action Plan, the city can apply for relevant grant funding.

Alderman Brown asked if the Board approves this plan, will we also be amending the policy for crosswalk requests to improve safety in the near future? He was especially curious about mid-block crosswalks.
Answer: Mr. Marston explained that approval of the SS4A plan does not impact the standard engineering approval process for crosswalks. This plan addresses how we can utilize funds and available tools to improve safety in high-incident areas.

Alderman Burger argued that while grant funding for high-incident areas is important, she really wanted to continue exploring how to improve safety in "walkable" neighborhoods with tools like crosswalks.

Mr. Marston reiterated that most requests for mid-block crosswalks are in proximity to existing crosswalks, so he would encourage residents to use those. In fact, jay-walking or crossing outside the existing crosswalk decreases the chance of approving another because it shows low utilization rates in the signal system, which do not appear to make the additional investment worth it.

Alderman Petersen supported the SS4A plan, but she does not want other important safety projects to fall to the wayside.

Mr. Stuckey clarified that the list of projects in the SS4A plan are statistically dangerous and prone to incidents, but that does not mean there aren't other areas of concern. This list simply demonstrates a need for the grant funding.

The item is planned for the June 10, 2025 Board of Mayor and Aldermen Meeting for consideration.

4. **Consideration Of Change Order 1 (Final Change Order) To COF Contract No. 2023-0335, With Jones Brothers Contractors, LLC For The Jordan Road Improvements Project In A Cost Decrease Of $65,866**

Sponsors: Paul Holzen, Jonathan Marston, David Hodnett

The item was acknowledged and is planned for the June 24, 2025 Board of Mayor and Aldermen Meeting for consideration.

5. ***Consideration Of Change Order 2 (Final Change Order) To COF Contract No. 2023-0024, With Bell & Associates Construction, LLC For Bundled Bridges Project In The Amount Of $194,267.06**

Sponsors: Paul Holzen, Jonathan Marston, David Hodnett

The item was acknowledged and is planned for the June 10, 2025 Board of Mayor and Aldermen Meeting for consideration.

6. ***Consideration Of COF Contract No. 2025-0174, With Garney Construction For Emergency Hobas Pipe Repair Behind The Ewingville Neighborhood In An Estimated Amount Of $7,750,424**

Sponsors: Michelle Hatcher, Brian Goodwin

Mr. Stuckey introduced the item. He explained that the previously identified sinkhole is likely attributed to a failure in a section of Hobas pipe behind the Ewingville Drive subdivision. The cost of this emergency repair is estimated to be $7,750,424. Mr. Stuckey added that this is the fourth Hobas pipe failure in seven years, which begs the question of whether a full replacement is necessary. If that is the case, he suggested to the Board that other methods of funding may need to be explored. Budgeted funds within the Water & Sewer Utility Fund are $1.7 million, which does not cover the $7.7M for this emergency capital project. Resolution 2025-50 allows the City to reimburse itself for project expenses incurred prior to the issuance of a tax-exempt revenue bond. The resolution amount of $15 million allows for financing flexibility should another emergency capital project (pipe replacement) occur during FY 2026.

Michelle Hatcher, Water Management Director, explained that due to the recent wet weather, the ground around the river is saturated, and the groundwater table is high, making both inspection and excavation difficult right now without additional pumping. The pipe has been ordered and will be delivered the week of June 9, 2025, in preparation for the excavation. She is hopeful that once crews can inspect the pipe, the damage may not be as comprehensive as expected. If this is the case, the cost has the potential to be lower than predicted, and we can utilize a lining technique to mend some of the failures.

Alderman Blanton asked if there was a correlation between the Hobas pipe failures and proximity to the river. She noted a failure near Chestnut Bend in the past.
Answer: Ms. Hatcher explained that these areas near the river are more prone to flooding. The high waters could wash out the backfill around the Hobas pipes if it was not compacted correctly. When the pipe was laid 20 years ago, there were no electronic records. Hence, identifying the construction techniques used when they laid this pipe has proven to be difficult.
Mr. Stuckey added that the city aggressively pursued litigation with the contractor, the engineer, and the pipe supplier from a previous section with failure. Other than the settlement that has already been reached, he is not hopeful that further remediation will happen. This is why we need to consider more of a substantial overhaul potentially funded by water and sewer system revenue bonds.

Alderman Petersen noted that the Water Department budget is independent of the city's operating budget. She also asked for clarification on where the Hobas pipe failure was located.
Ms. Hatcher explained that it is really only accessible by foot, but it can be seen as you are leaving downtown on Murfreesboro Road. It is beyond the cornfield on the right. There is orange fencing outlining the site.

Alderman Barnhill asked if we could pursue the initial contractor for litigation again.
Ms. Billingsley responded that while the city has already settled the lawsuit with the contractor, engineer, and pipe supplier, it does not preclude the City from making further claims. She will update the Board once there

is more to share in that regard.

Vice Mayor Potts echoed Alderman Barnhill's inquiry. He just wanted to know if the settlement restricted the City from future litigation as well.
Ms. Billinglsey reiterated that the Law Department is reviewing all the options.

Alderman Caesar asked for further information about the potential pipe lining repair, rather than pipe replacement. He was under the impression that in order for the pipes to be lined they still needed to be intact. If lining is a viable repair option, how fast can we mobilize and get the lining installed?
Answer: Ms. Hatcher confirmed that the pipes had to still be intact for the repair to work. The lining work will be done promptly where applicable. Staff's upcoming task is to determine a long-term plan for evaluating lining versus replacement regarding large-diameter Hobas pipe.

Mr. Stuckey added that this plan will inform how we modify this budget and future budgets to accommodate the Hobas pipe repairs. The goal is to add lining where we can and spread these costs over multiple budget years when possible.

Alderman Baggett recommended replacement over lining repair where possible as it is a more long-term solution.

Ms. Brock explained to the Board that approval of the intent resolution is not authorization to issue debt. Should staff recommendation be for funding part of the emergency project with debt, the Board of Mayor and Aldermen will consider a subsequent resolution no later than 18 months from project completion.

The item is planned for the June 10, 2025 Board of Mayor and Aldermen Meeting for consideration.

7. ***Consideration Of Resolution 2025-50, A Resolution Declaring The Intent Of The City Of Franklin, Tennessee, To Reimburse Itself In A Not To Exceed Amount Of $15,000,000 For Certain Project Expenditures With The Proceeds Of Water And Sewer System Revenue Bonds, Notes, Or Other Debt Obligations To Be Issued By The City**

Sponsors: Kristine Brock, Michelle Hatcher

The item was heard concurrently to item 6 and is planned for the June 10, 2025 Board of Mayor and Aldermen Meeting for consideration.

8. ***Consideration Of Contract 2025-0159, With AIG FRANKLIN, LLC (Developer Of The Margin District) For An Escrow Agreement For Required Project Performance Sureties**

Sponsors: Eric Stuckey, Vernon Gerth

Mr. Stuckey and Mr. Gerth introduced the item. In the course of working with the Margin District development team, Staff realized that the city did not require a surety to cover any problems/failures that may arise during the excavation of the proposed three levels of subsurface parking. This excavation will be approximately 44 feet in depth, across the site to accommodate the off-street parking. Upon sharing this concern with representatives of the Margin District development team (Devin McClendon and John Schroer), they volunteered to place $8 million in an escrow account. These funds would be available to the City in the event a problem were to occur (i.e. bank collapse), and the developer did not respond appropriately in rectifying the problem.

Since representatives of the Margin District have decided to deposit cash performance sureties into an escrow account overseen by an escrow agent, these funds are readily available to the City in the event the developer fails to resolve any problems that arise during the grading, excavation, and development of the property, which includes the construction of required site infrastructure and improvements.

Alderman Baggett requested that we research the standard practice for any future projects because the $8M in escrow seemed high to him.

The item is planned for the June 10, 2025 Board of Mayor and Aldermen Meeting for consideration.

9. **Consideration Of COF Contract No. 2025-0115, With Franklin Housing Authority To Reimburse Up To Two Hundred Fifty Thousand Dollars ($250,000) For Construction Costs Associated With The Shawnee Development That Consists Of 36 Dwelling Units**

Sponsors: Tom Marsh, Kathleen Sauseda

The item was acknowledged and is planned for the June 24, 2025 Board of Mayor and Aldermen Meeting for consideration.

10. **Real Estate Infrastructure Development Districts In Tennessee - Policy Discussion Regarding Of Eligible Improvements, Nexus, And Community Benefit Project Criteria**

Sponsors: Eric Stuckey, Kristine Brock, Shauna Billingsley, Vernon Gerth

Mr. Stuckey introduced the item. Ms. Billingsley presented Tennessee House Bill No.636/ Senate Bill No. 26, Public Chapter No. 357, more commonly known as the Real Estate Infrastructure Development Act. She outlined its uses as applicable to the City of Franklin, urged the Board to consider developing a policy to address it, and was available to answer any further questions from the Board.

Vice Mayor Potts requested case law from other states so that we could try to anticipate lawsuits.
Answer: Ms. Billingsley would be happy to prepare that and present it for the next meeting; however, the Tennessee Real Estate Infrastructure Development Act is vastly different from similar laws in other states.

Alderman Burger noted that this law requires extensive disclosures. Additionally, she stated that this act could be a way to put the burden back on the developer. New development could pay for itself rather than rely on other sources of funding.

Mr. Gerth explained that since the state legislature passed this bill, the City is now open to receiving applications from developers. He echoed Ms. Billingsley's sentiment that we need to develop a policy on how we will respond and work through these applications before they start coming down the pipeline. Mr. Gerth presented a potential framework for approval with community benefit project criteria. In other words, subject to the requirements of this law, the Board of Mayor and Aldermen shall consider supporting the establishment of an Infrastructure Development District provided the development includes public benefits that are superior to the level of community benefits typically generated by other development projects that would not involve the financing of an Infrastructure Development District. Some example community benefit project criteria are as follows:

- Extraordinary benefits and quality development
- Housing diversity
- Redevelopment
- Enhancement of public service and safety

Mr. Gerth opened the floor to feedback and criteria from the Board as well.

Alderman Brown stated that this law was born out of conversations had by this Board. When the Board was raising impact fees, Alderman Brown encouraged and empowered developers to find more financing tools. In conversations with Rachel Blackhurst and the rest of NAIOP, the Real Estate Infrastructure Development District was their answer. He elaborated on how Infrastructure Development Districts (IDD) can be beneficial for municipalities. He argued that this tool could help the Board's long-term vision come to fruition, so he urged the Board to embrace its potential functionality.

Alderman Baggett stated that there should be a focus on preserving rural space and building character within the proposed IDD criteria. However, he expressed some concern for developments currently underway that may have missed this opportunity. He proposed adopting a short-term policy for developments to qualify retroactively.

Alderman Brown interjected that it is not impossible to accommodate developments once in arrears, but based on his conversations with NAIOP, a policy that speaks to Alderman Baggett's concern could be developed.

Alderman Blanton expressed excitement about the affordable housing possibilities that the IDD allows.

Alderman Barnhill argued that the IDDs may not be as fruitful for the community as we hope.

Alderman Petersen disagreed with the premise that developers do not have to pay any money up front under this framework.

Alderman Brown contended that this IDD framework does not affect the collection of impact fees. The IDD is in addition to impact fees. This just allows the impact fees to be rolled into this financing mechanism.

Ms. Billingsley further explained that the law reads that the city can issue bonds or other debts to reimburse developers for only infrastructure costs. Ms. Brock clarified that the city will use the Industrial Development Board to facilitate the issuance of debt, completely independent of the city, to fund chosen developments' infrastructure costs.

In response, Alderman Petersen emphasized that she still does not see how this benefits the city.

Alderman Burger explained that while this is new to Tennessee, it is not a new funding tool for developers nationwide. She argued that there are areas that could benefit from redevelopment, such as Cool Springs and East Works. Ultimately, she expressed support for the use of IDDs in Franklin.

Vice Mayor Potts thanked Mr. Gerth for his input on community benefit project criteria. Additionally, he thanked NAIOP for their partnership in pursuing this particular legislature. He recognized the overwhelming benefit this tool could have on our community.

Mr. Stuckey asked for clear policy guidance from the Board. He explained that new developments could approach the city, stating that they adhere to the criteria we outline, so we have to be specific about refining our policy.

Alderman Baggett asked staff to consider charging full impact fees to IDDs as the funds could have a minimal impact to developers, as they are paid over time, but a huge benefit to the city.

Mr. Gerth again inquired about what the Board counts as a superior community benefit, as that criterion is ultimately what drives a development's qualification.

OTHER BUSINESS

ADJOURN

Meeting Adjourned @ 6:52 PM

Dr. Ken Moore, Mayor

Minutes Prepared by Sarah Schilling, Assistant Deputy City Recorder, City Administrator's Office - 6/17/25, 12:19 PM