



Meeting Agenda

Work Session

Tuesday, April 14, 2020

5:00 PM

Board Room

The Board of Mayor and Aldermen Work Session Meeting will limit physical access in the meeting room due to current limitations on public gatherings. Accommodations have been made to ensure that the public is able to participate in the meeting. The public may participate in the following ways: • Watch the meeting on FranklinTV or the City of Franklin website. • Watch the live stream through the City of Franklin Facebook and YouTube accounts. • Call in to the conference meeting 1-253-215-8782. Meeting ID: 430 399 1941 Callers will be unmuted and given an opportunity to ask questions during the meeting at specific times. • Limited viewing will be available in the lobby of City Hall to watch the live video. • The public may email questions to recorder@franklintn.gov to be read aloud during the meeting.

CALL TO ORDER

MEETING PROCEDURE CHANGES

1. Consideration Of Resolution 2020-34, A Resolution Declaring That The Board Of Mayor And Aldermen Members Shall Meet On April 14, 2020 For Work Session And Conduct Its Essential Business By Electronic Means Rather Than Being Required To Gather A Quorum Of The Members Physically Present In The Same Location Because It Is Necessary To Protect The Health, Safety, And Welfare Of Tennesseans In Light Of The COVID-19 Outbreak.

Sponsors: Shauna Billingsley

CITIZEN COMMENTS

WORKSESSION DISCUSSION ITEMS

2. Consideration Of Resolution 2020-21, A Resolution Adopting A Plan Of Services For The Annexation Of 1268 Lewisburg Pike, 2380 And 2390 Henpeck Lane, By The City Of Franklin, Tennessee.

FMPC 3/26/20, 9-0

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

3. *Consideration Of Resolution 2020-20, A Resolution To Annex 1268 Lewisburg Pike, 2380 And 2390 Henpeck Lane, Consisting Of 61.37 Acres, Property Located West Of Lewisburg Pike And North Of Henpeck Lane And Within The Southern Part Of The Franklin Urban Growth Boundary (UGB). FIRST OF THREE READINGS

FMPC 3/26/20, 8-0

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

4. *Consideration Of Ordinance 2020-05, An Ordinance To Zone 5.88 Acres Neighborhood Commercial (NC) District, And To Zone 55.49 Acres Civic-Institutional (CI) District, For The Property Located West Of Lewisburg Pike And North Of Henpeck Lane, At 1268 Lewisburg Pike, 2380 And 2390 Henpeck Lane. FIRST OF THREE READINGS
FMPC 3/26/20, 8-0

Sponsors: Emily Hunter, Amy Diaz-Barriga, Joseph Bryan
5. *Consideration Of Amendment 1 To COF Contract No. 2018-0259 With SouthLand Constructors, Inc. To Revise The Completion Date For The City Of Franklin Fire Station 7 Project.

Sponsors: Brad Wilson
6. Consideration Of Resolution 2020-26, A Resolution Amending The Charter To Allow For Land Lease Agreements To Have A Term Limit Of Up To Fifty (50) Years.

Sponsors: Eric Stuckey, Shauna Billingsley, Vernon Gerth
7. Consideration Of COF Contract No. 2018-0176 Amendment No 1 To Road Impact Fee Offset Agreement With Middle Tennessee Health Realty, LLC In Regards To The Traffic Signal At Carothers Parkway And Physicians Way.

Sponsors: Paul Holzen
8. Consideration To Reject All Proposals For Custody Services For Non-Pension Investments Of The City For The Finance Department. (Purchasing Office Procurement Solicitation No. 2019-015; A Previous Recommendation To Approve One Of The Proposals Was Presented To And Recommended For Approval By The Budget & Finance Committee At Its 5/09/2019 Meeting)
Budget & Finance Committee 5/9/19, 4-0

Sponsors: Kristine Brock, Mike Lowe
9. Consideration Of Resolution No. 2020-27, A Resolution Authorizing The Use Of The Competitive Sealed Proposal Procurement Method For Choosing The Service Provider For Custody Services For Non-Pension Investments Of The City For The Finance Department (Purchasing Office Procurement Solicitation No. 2020-027).

Sponsors: Kristine Brock, Mike Lowe
10. Consideration Of Procurement Award To Public Risk Insurors Of Franklin, Tennessee For Liability, Property And Workers' Compensation Insurance Products And Services For The Risk Management Division Of The Human Resources Department. (Purchasing Office Procurement Solicitation No. 2020-013; Funding To Be Budgeted In The City's Operating Departments Proportional To A Combination Of Losses And Exposure For Fiscal Years 2021, 2022, 2023 And, Optionally, 2024 And 2025; Contract No. 2020-0100)

Sponsors: Kevin Townsel
11. Consideration Of Ordinance 2019-54, An Ordinance Granting A Franchise To Piedmont Natural Gas Company, LLC.

Sponsors: Vernon Gerth, Maricruz Fincher

12. Consideration Of Ordinance 2020-07, An Ordinance To Amend Title 18, Chapter 2 Of The Franklin Municipal Code For The Purpose Of Providing For Winter Pricing For Sanitary Sewer.

Sponsors: Michelle Hatcher

13. Presentation And Discussion Concerning Traffic Impacts Associated With The Proposed Vintage Oak Meadow Development.

Sponsors: Paul Holzen

14. Presentation To Highlight Capital Projects

Sponsors: Paul Holzen

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 #: 20-0562

DATE: April 2, 2020

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Shauna Billingsley, City Attorney

SUBJECT:

Consideration Of Resolution 2020-34, A Resolution Declaring That The Board Of Mayor And Aldermen Members Shall Meet On April 14, 2020 For Work Session And Conduct Its Essential Business By Electronic Means Rather Than Being Required To Gather A Quorum Of The Members Physically Present In The Same Location Because It Is Necessary To Protect The Health, Safety, And Welfare Of Tennesseans In Light Of The COVID-19 Outbreak.

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning conducting the Board of Mayor and Aldermen by electronic means to limit physical contact for the health and safety of all citizens.

BACKGROUND/STAFF COMMENTS:

Due to the COVID-19 Outbreak citizens need to limit potential exposure to the virus by limiting contact with others. To support this effort the City of Franklin boards and commissions will meet electronically rather than gathering a quorum physically in the same location to conduct their essential business.

FINANCIAL IMPACT:

N/A

RECOMMENDATION:

Staff recommends approval of Resolution 2020-34.

RESOLUTION 2020-34

A RESOLUTION DECLARING THAT THE BOARD OF MAYOR AND ALDERMEN SHALL MEET ON APRIL 14, 2020 FOR WORK SESSION AND CONDUCT ITS ESSENTIAL BUSINESS BY ELECTRONIC MEANS RATHER THAN BEING REQUIRED TO GATHER A QUORUM OF THE MEMBERS PHYSICALLY PRESENT IN THE SAME LOCATION BECAUSE IT IS NECESSARY TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF TENNESSEANS IN LIGHT OF THE COVID-19 OUTBREAK

WHEREAS, Coronavirus Disease 2019 (COVID-19) is a severe acute respiratory disease that appears to occur through respiratory transmission, presents with similar symptoms to those of influenza, and can lead to serious illness or death, particularly in the case of older adults and persons with serious chronic medical conditions; and

WHEREAS, the Centers for Disease Control and Prevention has recommended that all states and territories implement aggressive measures to slow and contain transmission of COVID-19 in the United States; and

WHEREAS, on March 12, 2020, pursuant to the authority granted by Tenn. Code Ann. § 58-2-107, the Governor of Tennessee, Bill Lee, issued Executive Order No. 14, declaring a state of emergency to facilitate the response to COVID-19, and

WHEREAS, on March 13, 2020, the President of the United States, Donald J. Trump, declared a national state of emergency with respect to COVID-19; and

WHEREAS, on March 20, 2020, Mayor Ken Moore issued Executive Order No. 2020-01 Declaring a State of Emergency and Civil Emergency; and

WHEREAS, on March 20, 2020, Governor Lee issued Executive Order No. 16 allowing electronic meetings while continuing to function openly and transparently; and

WHEREAS, on March 27, 2020, Mayor Moore issued Executive Order No 2020-03 continuing the Declaration of a State of Emergency and Civil Emergency; and

WHEREAS, the Board of Mayor and Aldermen believes it is in the best interest of the City of Franklin to conduct the April 14, 2020, work session by electronic means.

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

The work session scheduled for April 14, 2020, at 5 p.m. shall be conducted by electronic means rather than requiring a quorum of the members of the Board of Mayor and Aldermen to attend in person to protect the health, safety, and welfare of Tennesseans in light of the COVID-19 Outbreak. Physical access in the meeting room will be limited. The public can view and participate in the meetings by watching the meeting live or later as a recording on FranklinTV, the City of Franklin website, the City of Franklin's Facebook page, and the City of Franklin's YouTube account. Specific dial-in and website links can be found on the City's website at <https://www.franklintn.gov/Home/Components/Calendar/Event/7296/1092>.

IT IS SO RESOLVED AND DONE on this 14th day of April, 2020.

ATTEST:

By: _____
Eric S. Stuckey
City Administrator

CITY OF FRANKLIN, TENNESSEE:

By: _____
Dr. Ken Moore
Mayor

Approved as to Form By:
Shauna R. Billingsley, City Attorney



File #: 20-0508

DATE: March 23, 2020

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Emily Hunter, Planning Director
Amy Diaz-Barriga, Planning Supervisor
Joseph Bryan, Principal Planner

SUBJECT:

Consideration Of Resolution 2020-21, A Resolution Adopting A Plan Of Services For The Annexation Of 1268 Lewisburg Pike, 2380 And 2390 Henpeck Lane, By The City Of Franklin, Tennessee.

FMPC 3/26/20, 9-0

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning Consideration Of Resolution 2020-21, A Resolution Adopting A Plan Of Services For The Annexation of 1268 Lewisburg Pike, 2380 And 2390 Henpeck Lane, By The City Of Franklin, Tennessee.

BACKGROUND/STAFF COMMENTS:

Resolution 2020-21 is a City of Franklin drafted plan of services for the annexed property being considered as part of the associated annexation request. The Plan of Services outlines how infrastructure will need to be provided to serve the proposed annexed property of approximately 61 acres, which includes 1268 Lewisburg Pike (previous Henpeck Market location) and two Williamson County Schools properties on Henpeck Lane. As part of the Interlocal Agreement with Williamson County Schools to extend the City's waste water line to Oak View Elementary School, sewer will soon be available to the 1268 Lewisburg Pike property, as well. Also as part of the Interlocal Agreement, WCS agreed to request annexation of their properties which border this site to the west.

Water is located within the HB&TS service area. Reclaimed water will not be required to be extended to serve the properties. The property is within the Goose Creek Sewer Basin and an unnamed sewer basin. No additional manpower or equipment will be necessary for either Fire or Police Protection. Future development will need to comply with the Neighborhood Commercial and Large Lot Residential Design Concepts as outlined in Envision Franklin.

FINANCIAL IMPACT:

Unknown

RECOMMENDATION:

Approval of Resolution 2020-21 on First Reading is recommended.

RESOLUTION 2020-21

A RESOLUTION ADOPTING A PLAN OF SERVICES FOR THE ANNEXATION OF 1268 LEWISBURG PIKE, 2380 AND 2390 HENPECK LANE, BY THE CITY OF FRANKLIN, TENNESSEE.

WHEREAS, Tennessee Code Annotated (T.C.A.) § 6-51-102, as amended, requires that a Plan of Services be adopted by a municipal governing body prior to the passage of an annexation resolution; and

WHEREAS, Howard Varnedoe (“Owner”) of property located at 1268 Lewisburg (“Property”), and Williamson County Schools, (“Owners”) of property located at 2380 and 2390 Henpeck Lane (“Property”), petitioned the Board of Mayor and Aldermen (“BOMA”) of the City of Franklin, Tennessee (“City”), to annex the Property adjoining the City limits and located within the Franklin Urban Growth Boundary (“UGB”); and

WHEREAS, the Property is located West of Lewisburg Pike and North of Henpeck Lane, as described herein and as depicted on the Map attached hereto as Exhibit A:

Map-Parcel	Acres
106-26.00	5.88
106-09.01	20.07
105-28.03	35.42
Total	61.37

WHEREAS, this resolution shall bind the Owners and subsequent Owners of the Property; and

WHEREAS, the Plan of Services has been submitted to the Franklin Municipal Planning Commission for study and a written report as required by T.C.A. § 6-51-102, as amended; and

WHEREAS, a public hearing was held following public notice as required by T.C.A. § 6-51-102, as amended; and

WHEREAS, it is believed it is in the best interest of the City to adopt a Plan of Services for the area petitioned to be annexed in order to provide for future development in accordance with City standards; and

WHEREAS, this resolution shall not bind the City to later annex the Property.

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

SECTION I. Pursuant to the provisions of T.C.A. § 6-51-102, as amended, there is hereby adopted, for the area bounded as described above, the following Plan of Services:

- A. Water
1. The Properties are located within the HB&TS service area.
 2. Water availability shall be approved and provided through HB&TS prior to annexation.

3. The Owners shall be required to provide adequate fire flow and pressure to the Property.

B. Reclaimed Water

1. According to the City of Franklin's Municipal Code, reclaimed water systems shall be extended to a development if the development is located within 1,000 feet of an existing reclaimed water line.
2. In the case of this Property, an approximately 3,000-foot extension would be required to serve the Property. For this reason, reclaimed water will not be required to be extended to the Property.

C. Wastewater

1. The Properties lie within the Goose Creek Basin as defined in the City of Franklin Sanitary Sewer Basin Study.
2. The proposed development of the Properties is not anticipated to construct any additional sewer lines.
3. The Owners shall not be required to extend the sanitary sewer main to provide service to the Property.
4. The Owners shall be required to submit engineering calculations to determine final sizing requirements.
5. The Owners shall be required to provide Engineering design, construction, easements, rights-of-way and the costs associated with the on-site sanitary sewer infrastructure required to serve the development of this Property.
6. The Owners shall be responsible for the payment of fees per the policies and procedures outlined in Franklin Municipal Code.

D. Stormwater

1. The Owners shall be responsible for the engineering, design and construction of the necessary stormwater infrastructure for the development of the Property and shall comply with the requirements as outlined in the Franklin Municipal Code.
2. As the Properties develop, the City will charge prevailing stormwater user fees per policies and procedures as outlined in the Franklin Municipal Code.

E. Streets

1. Emergency maintenance of streets will begin on the effective date of annexation.
2. Reconstruction and resurfacing of streets, routine maintenance, and installation of storm drainage will be accomplished under existing City policies.
3. Access to the Property shall be provided from Henpeck Lane. Lewisburg is a limited access arterial roadway. Any access location must be approved by the City of Franklin Engineering Department.
4. Unless waived by the Franklin Engineering Department, the Owner of the Property shall be required to submit a traffic impact study prior to submitting a development plan for review and approval. The exact scope associated with this traffic impact study shall be determined prior to submittal of the development plan. Required street improvements shall be determined as part of the plan. The roadways constructed as part of this development shall comply with City Street Standards.

F. Traffic Control

1. Traffic signals, traffic signs, street markings, and other traffic control devices shall be installed as the need is established by appropriate study and traffic standards. No needs have been identified for the area at this time.
2. New development after the effective date of annexation shall comply with City regulations governing traffic control devices and markings.

G. Street Lighting

1. No off-site street lighting is proposed at this time.
2. Street lighting within new developments shall be funded and installed by the Owner per City policy, which includes the installation of electric meters to allow for future ownership and maintenance by the City or homeowners association. The installation and operation of street lights shall coincide with the phasing of development and issuance of Certificates of Occupancy.

H. Street Name Signs

1. No additional street name signs in the area have been deemed necessary.
2. New development shall install street name signs per City policy.

I. Fire Protection

1. Fire protection by the present personnel and equipment of the Franklin Fire Department will be provided on and after the effective date of annexation.
2. No additional manpower or equipment will be necessary to serve the annexation area at this time.

J. Planning and Zoning

1. The planning and zoning jurisdiction of the City will extend to the annexed area on and after the effective date of annexation.
2. The properties are located within the Neighborhood Commercial and Large Lot Residential Design Concepts as defined in the Envision Franklin Land Use Plan. The Neighborhood Commercial Design Concept contains a mix of active uses at key intersections that serve surrounding residential concentrations. These centers must be compatible with and contribute to neighborhood character and livability. The Large Lot Residential Design Concept allows single-family residential and institutional uses that are compatible with the established character of the street.
3. Upon annexation, the Properties will be zoned by the Board of Mayor and Aldermen, pursuant to the requirements of the Franklin Zoning Ordinance with a zoning district and any applicable overlay districts.
4. The City will meet state law in regard to coordinating with the county for interlocal agreements for servicing any interceding properties that lie between the proposed annexation and the existing City limits.

K. Parks and Recreation

1. The benefit and use of the recreational facilities and programs provided by the Parks Department will be available on and after the effective date of the annexation. Recreational facilities and programs will be provided with existing personnel, facilities and resources.

2. New development in the annexed area shall comply with the City of Franklin Parkland Dedication Ordinance.

L. Police Protection

1. Police patrol and response to calls by the Franklin Police Department will be provided on and after the effective date of annexation.
2. Police services will be provided with existing personnel and equipment.

M. Building and Code Inspection Services

1. Building and code inspection services will begin in the annexed area on and after the effective date of the annexation.
2. New development in the annexed area shall comply with adopted City Building Codes, pay the applicable fees, and obtain the required permits for inspection services.

N. Garbage and Recycling Pickup and Environmental Services

1. The Sanitation and Environmental Services Department will begin providing services in the annexed area on and after the effective date of the annexation in accordance with adopted City requirements.
2. *** ALTERNATE LANGUAGE FOR NON-RESIDENTIAL / APARTMENTS / INSTITUTIONAL USES*** The Sanitation and Environmental Services Department will begin providing services in the annexed area on and after the effective date of the annexation in accordance with adopted City requirements. The Owner does not have to use the City as a provider, but the Owner shall be responsible for providing refuse collection services as a matter of public health. The Owner shall present a plan for service for refuse collection services for approval by the Sanitation and Environmental Services Department, and shall be required to install required dumpster enclosures if dumpsters will be used for holding refuse between scheduled service days.
3. No additional manpower or equipment will be necessary to serve the annexation area at this time.

SECTION II. This Resolution shall take effect from and after its adoption.

ADOPTED THIS _____.

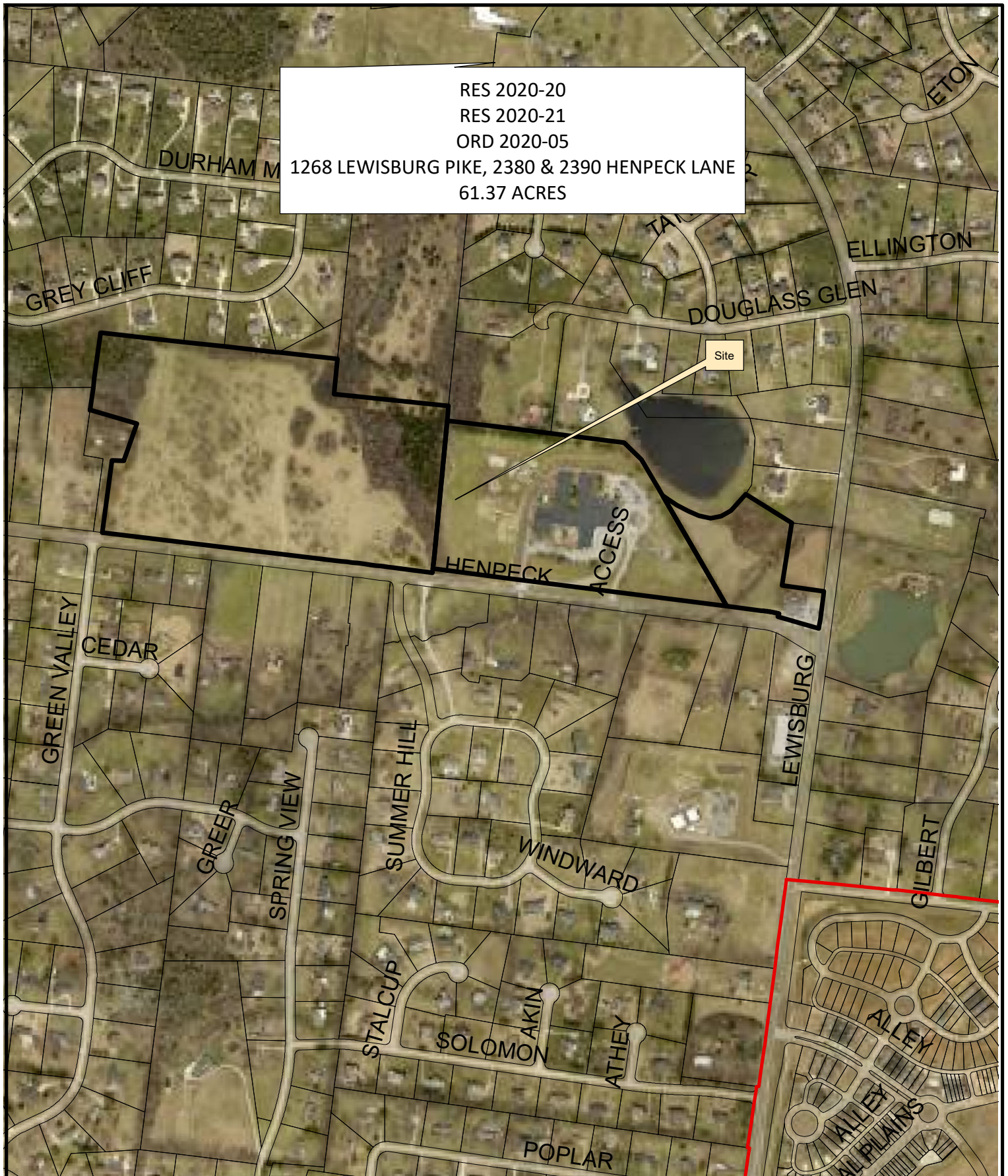
ERIC S. STUCKEY
City Administrator

DR. KEN MOORE
Mayor

Approved as to form by:

Shauna R. Billingsley
City Attorney

RES 2020-20
 RES 2020-21
 ORD 2020-05
 1268 LEWISBURG PIKE, 2380 & 2390 HENPECK LANE
 61.37 ACRES



Legend

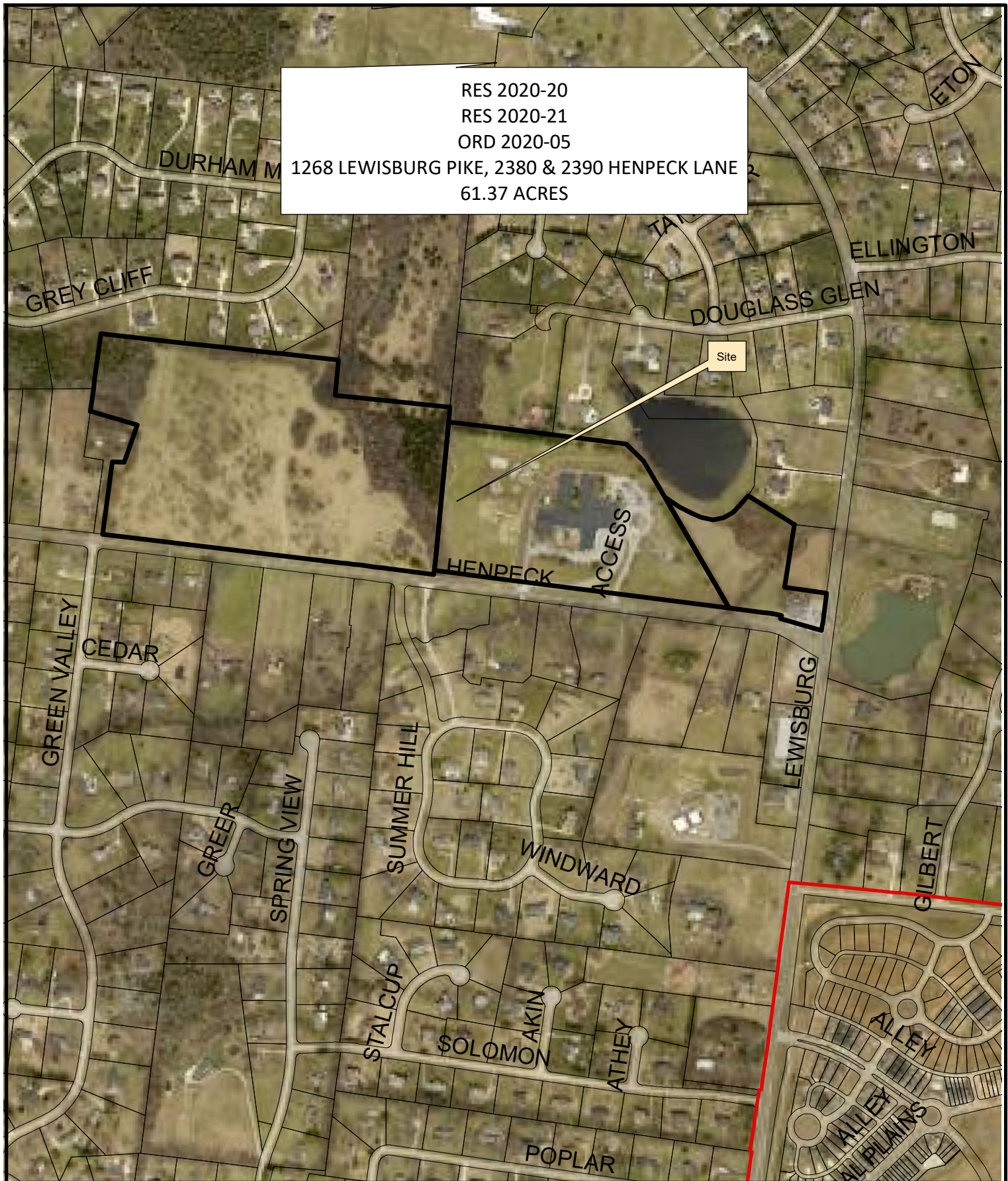
-  Varnedoe-WCS
-  Existing City Limits

0 250 500 1,000
 Feet



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RES 2020-20
RES 2020-21
ORD 2020-05
1268 LEWISBURG PIKE, 2380 & 2390 HENPECK LANE
61.37 ACRES



Legend

-  Varnedoe-WCS
-  Existing City Limits

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File #: 20-0509

DATE: March 23, 2020

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Emily Hunter, Planning Director
Amy Diaz-Barriga, Planning Supervisor
Joseph Bryan, Principal Planner

SUBJECT:

*Consideration Of Resolution 2020-20, A Resolution To Annex 1268 Lewisburg Pike, 2380 And 2390 Henpeck Lane, Consisting Of 61.37 Acres, Property Located West Of Lewisburg Pike And North Of Henpeck Lane And Within The Southern Part Of The Franklin Urban Growth Boundary (UGB).

FIRST OF THREE READINGS

FMPC 3/26/20, 8-0

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning *Consideration Of Resolution 2020-20: A Resolution To Annex 1268 Lewisburg Pike, 2380 And 2390 Henpeck Lane, Consisting Of 61.37 Acres, Property Located West Of Lewisburg Pike And North Of Henpeck Lane And Within The Southern Part Of The Franklin Urban Growth Boundary (UGB).

BACKGROUND/STAFF COMMENTS:

The site proposed to be annexed is approximately 61 acres and is currently not adjacent to any of the City of Franklin's existing boundaries. The properties are west of Lewisburg Pike and north of Henpeck Lane. The property is within the City's Urban Growth Boundary (UGB) and designated in Envision Franklin as appropriate for Neighborhood Commercial and Civic-Institutional uses.

As part of the Interlocal Agreement with Williamson County Schools to extend the City's waste water line to Oak View Elementary School, sewer will soon be available to the 1268 Lewisburg Pike property, as well. Also as part of the Interlocal Agreement, WCS agreed to request annexation of their properties which border this site to the west. A separate Zoning request and Plan of Services accompany this annexation request.

While the properties are not currently contiguous to the City limits, additional annexation requests along the west side of Lewisburg Pike in this area are anticipated in the near future that would help fill the gaps between the city limits.

FINANCIAL IMPACT:

Unknown

RECOMMENDATION:

Approval of Resolution 2020-20 on First Reading is recommended.

RESOLUTION 2020-20

A RESOLUTION TO ANNEX 1268 LEWISBURG PIKE, 2380 AND 2390 HENPECK LANE, CONSISTING OF 61.37 ACRES, PROPERTY LOCATED WEST OF LEWISBURG PIKE AND NORTH OF HENPECK LANE AND WITHIN THE SOUTHERN PART OF THE FRANKLIN URBAN GROWTH BOUNDARY (UGB).

WHEREAS, Howard Varnedoe (“Owner”) of property located at 1268 Lewisburg (“Property”), and Williamson County Schools, (“Owners”) of property located at 2380 and 2390 Henpeck Lane (“Property”), petitioned the Board of Mayor and Aldermen (“BOMA”) of the City of Franklin, Tennessee (“City”), to annex Property adjoining the City limits and located within the Franklin Urban Growth Boundary (“UGB”); and

WHEREAS, the Plan of Services and annexation request has been submitted to the Franklin Municipal Planning Commission for study and a written report as required by Tennessee Code Annotated § 6-51-102, as amended; and

WHEREAS, a public hearing was held following public notice as required by Tennessee Code Annotated Title 6, Chapter 51, as amended; and

WHEREAS, the BOMA has adopted a Plan of Services for the annexation area as described in Resolution 2020-21; and

WHEREAS, the BOMA has determined that it is in the best interest of its existing residents to annex the Property described herein and that failure to annex said property will inhibit the prosperity of the City and endanger the health, safety, and welfare of its inhabitants.

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

SECTION I. That the following described Property shall be, and is hereby, annexed in and to the corporate limits of the City of Franklin, Tennessee:

PREMISES CONSIDERED

Map-Parcel	Acres
106-26.00	5.88
106-09.01	20.07
105-28.03	35.42
Total	61.37

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

SECTION III: That the annexed Property shall become part of Aldermanic Ward 3.

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

ATTEST:

By: _____
Eric S. Stuckey
City Administrator/Recorder

CITY OF FRANKLIN, TENNESSEE:

By: _____
Dr. Ken Moore
Mayor

Approved as to form by:

Shauna R. Billingsley
City Attorney

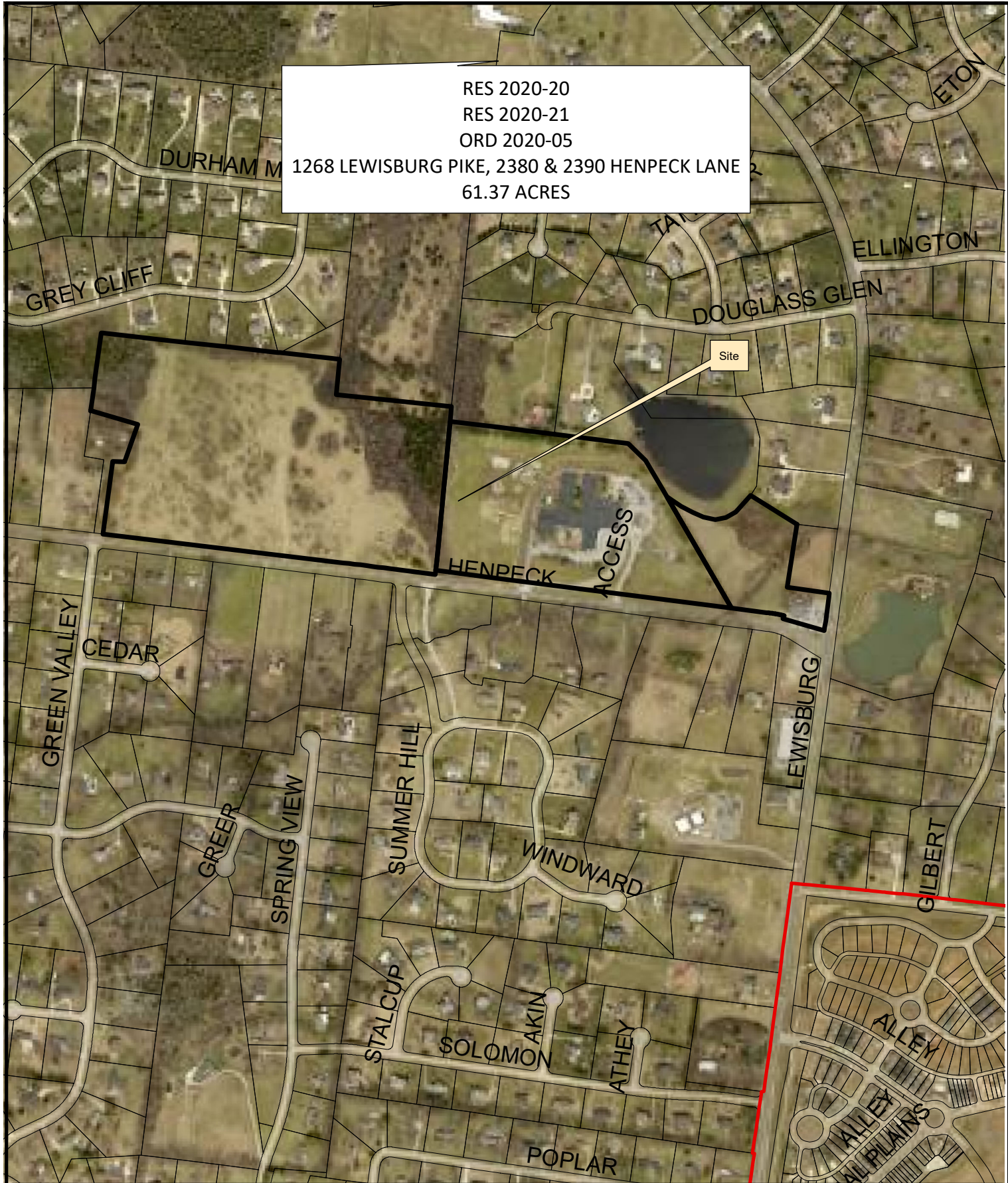
PLANNING COMMISSION RECOMMENDED:

PASSED FIRST READING:

PUBLIC HEARING HELD:

PASSED SECOND READING:

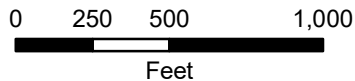
PASSED THIRD READING:



RES 2020-20
RES 2020-21
ORD 2020-05
1268 LEWISBURG PIKE, 2380 & 2390 HENPECK LANE
61.37 ACRES

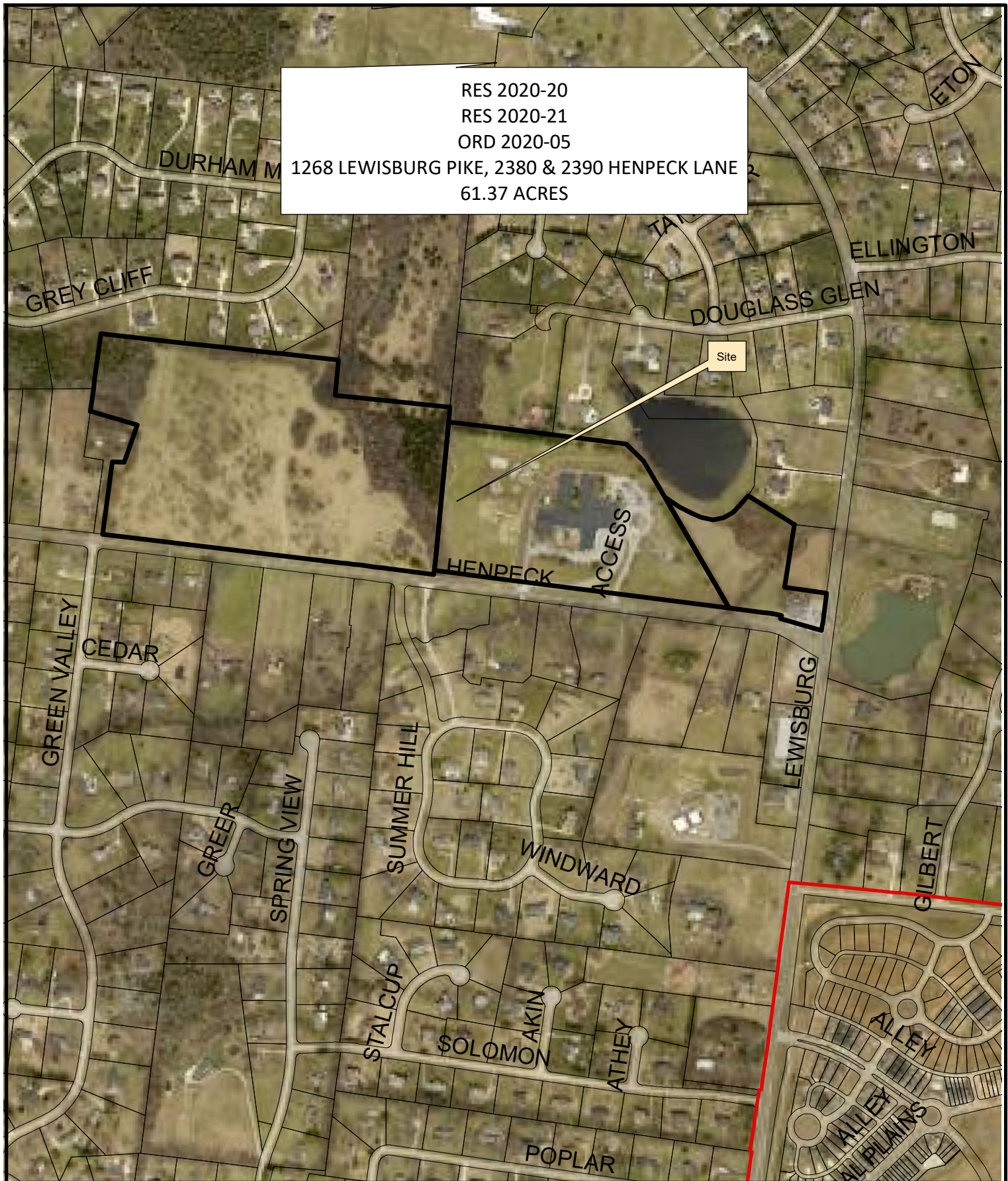
Legend

-  Varnedoe-WCS
-  Existing City Limits



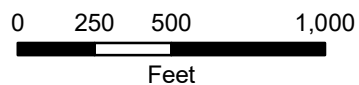
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RES 2020-20
RES 2020-21
ORD 2020-05
1268 LEWISBURG PIKE, 2380 & 2390 HENPECK LANE
61.37 ACRES



Legend

-  Varnedoe-WCS
-  Existing City Limits



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File #: 20-0510

DATE: March 23, 2020

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Emily Hunter, Planning Director
Amy Diaz-Barriga, Planning Supervisor
Joseph Bryan, Principal Planner

SUBJECT:

*Consideration Of Ordinance 2020-05, An Ordinance To Zone 5.88 Acres Neighborhood Commercial (NC) District, And To Zone 55.49 Acres Civic-Institutional (CI) District, For The Property Located West Of Lewisburg Pike And North Of Henpeck Lane, At 1268 Lewisburg Pike, 2380 And 2390 Henpeck Lane. FIRST OF THREE READINGS
FMPC 3/26/20, 8-0

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning Consideration Of Ordinance 2020-05: An Ordinance To Zone 5.88 Acres Neighborhood Commercial (NC) District, And To Zone 55.49 Acres Civic-Institutional (CI) District, For The Property Located West Of Lewisburg Pike And North Of Henpeck Lane, At 1268 Lewisburg Pike, 2380 And 2390 Henpeck Lane.

BACKGROUND/STAFF COMMENTS:

The requested zoning for 1268 Lewisburg Pike is Neighborhood Commercial (NC). Envision Franklin places 1268 Lewisburg Pike in the Neighborhood Commercial Design Concept and it states that parcels within this concept, "contains a mix of active uses at key intersections that serve surrounding residential concentrations." Envision Franklin supports the proposed NC zoning for this parcel.

The requested zoning for 2380 & 2390 Henpeck Lane is Civic-Institutional (CI) to support the existing and planned schools for the property. Envision Franklin places these parcels in the Large Lot Residential Design Concept, which supports institutional uses as a secondary use if, "their locations do not impact access, scale, and traffic of the surrounding area. These uses should be located at major intersections of arterial and collector streets." The locations of the schools in the close proximity to the intersection of Lewisburg Pike and Henpeck Lane is in line with the recommendations of Envision Franklin.

FINANCIAL IMPACT:

Unknown

RECOMMENDATION:

Approval of Ordinance 2020-05 on First Reading is recommended.

ORDINANCE 2020-05

AN ORDINANCE TO ZONE 5.88 ACRES NEIGHBORHOOD COMMERCIAL (NC) DISTRICT, AND TO ZONE 55.49 ACRES CIVIC-INSTITUTIONAL (CI) DISTRICT, FOR THE PROPERTY LOCATED WEST OF LEWISBURG PIKE AND NORTH OF HENPECK LANE, AT 1268 LEWISBURG PIKE, 2380 & 2390 HENPECK LANE.

WHEREAS, Howard Varnedoe ("Owner") of property located at 1268 Lewisburg ("Property"), and Williamson County Schools, ("Owners") of property located at 2380 and 2390 Henpeck Lane ("Property"), petitioned the Board of Mayor and Aldermen ("BOMA") of the City of Franklin, Tennessee ("City"), to annex Property adjoining the City limits and located within the Franklin Urban Growth Boundary ("UGB"); and

WHEREAS, the BOMA has adopted a Plan of Services and annexed the property as described in Resolution 2020-20 and Resolution 2020-21; and

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

WHEREAS, the Neighborhood Commercial district and Civic-Institutional district provide zoning for land uses compatible with both the Franklin Land Use Plan and the surrounding development; and

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

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

SECTION I. That the following described Property shall be, and is hereby, zoned the following: Parcel 26.00 to Neighborhood Commercial (NC) district and Parcels 09.01 and 28.03 to Civic-Institutional (CI):

PREMISES CONSIDERED

Map-Parcel	Acres
106-26.00	5.88
106-09.01	20.07
105-28.03	35.42
Total	61.37

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

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

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____

Eric S. Stuckey

City Administrator/Recorder

By: _____

Dr. Ken Moore

Mayor

Approved as to form by:

Shauna R. Billingsley

City Attorney

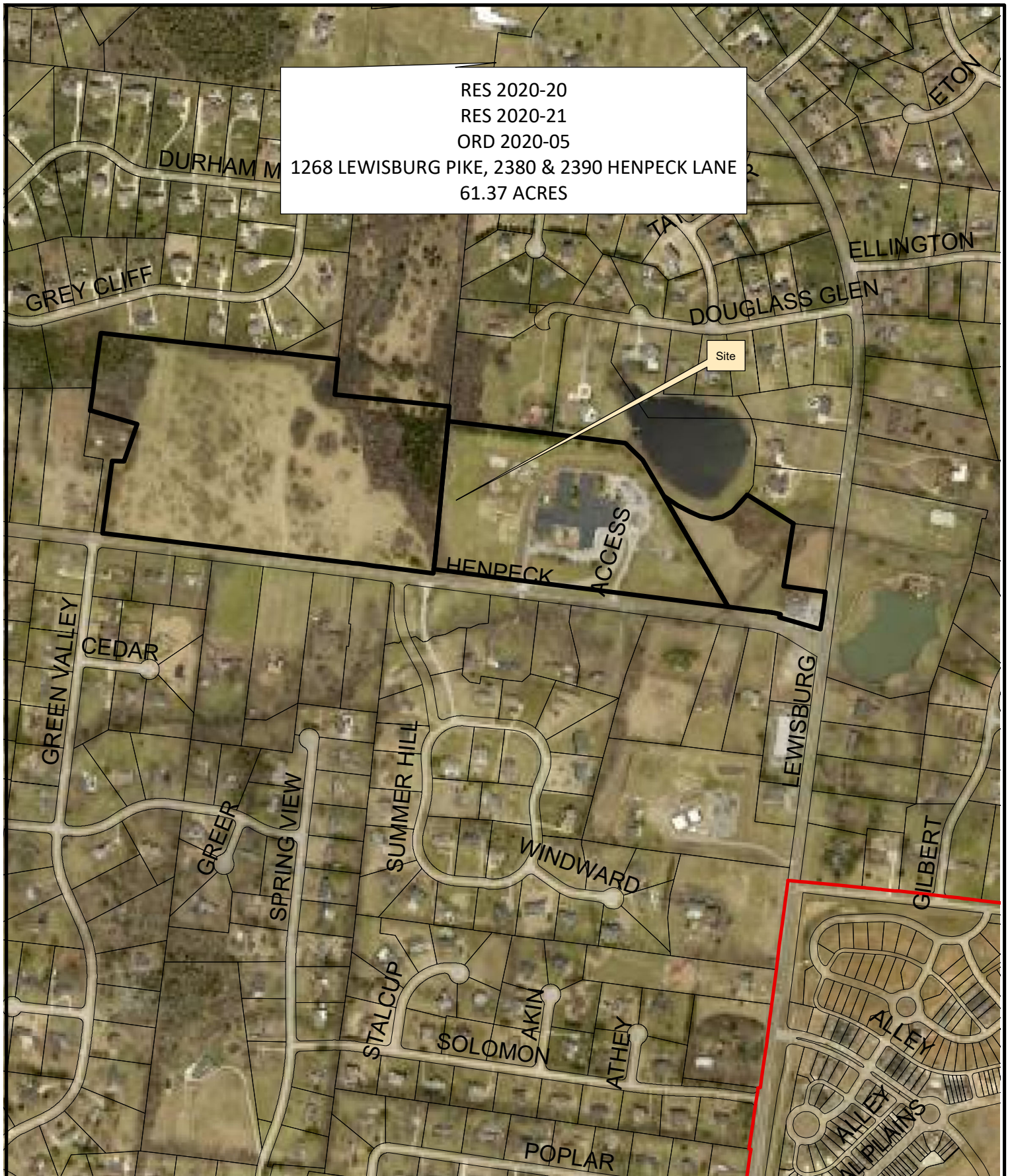
PLANNING COMMISSION RECOMMENDED:

PASSED FIRST READING:

PUBLIC HEARING HELD:

PASSED SECOND READING:

PASSED THIRD READING:



RES 2020-20

RES 2020-21

ORD 2020-05

1268 LEWISBURG PIKE, 2380 & 2390 HENPECK LANE

61.37 ACRES

Site

Legend

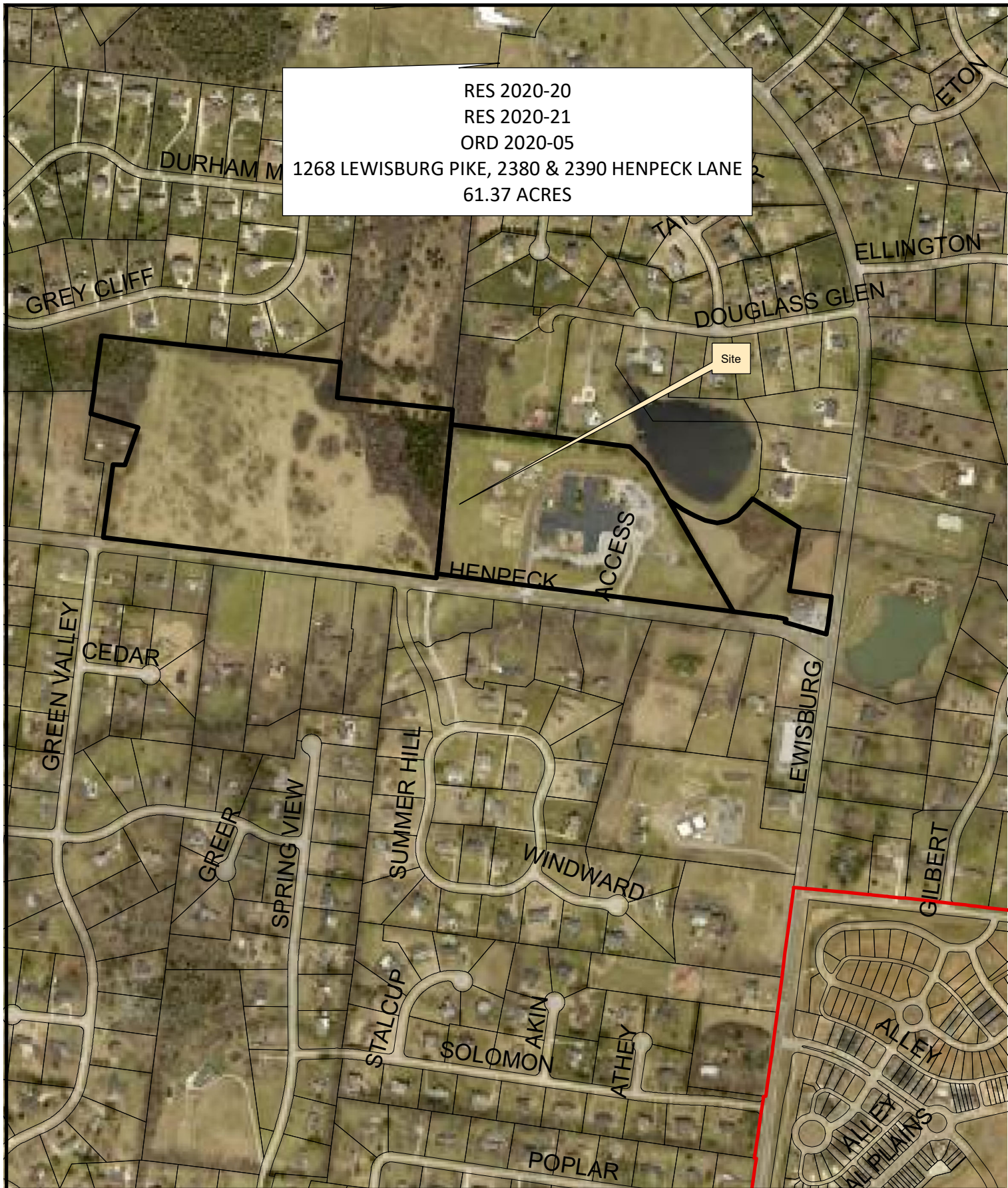
-  Varnedoe-WCS
-  Existing City Limits

0 250 500 1,000
Feet



This map was created by the Franklin Planning Department.
It was compiled from the most authentic information available.
The City is not responsible for any errors or omissions contained herein.
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RES 2020-20
RES 2020-21
ORD 2020-05
1268 LEWISBURG PIKE, 2380 & 2390 HENPECK LANE
61.37 ACRES



Legend

-  Varnedoe-WCS
-  Existing City Limits

0 250 500 1,000
Feet



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File #: 20-0456

DATE: April 9, 2020

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Brad Wilson, Facilities Project Manager

SUBJECT:

*Consideration Of Amendment 1 To COF Contract No. 2018-0259 With SouthLand Constructors, Inc. To Revise The Completion Date For The City Of Franklin Fire Station 7 Project.

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning the requested extension to the project "City of Franklin Fire Station 7" due to delays caused by utility work that did not begin until after the General Contractor had begun work on the site.

BACKGROUND/STAFF COMMENTS:

On December 11, 2018 Resolution 2018-106 was approved by the Board entering into an agreement with Southland Constructors, Inc. for the construction of Fire Station number 7. On February 18, 2019 a Notice to Proceed was sent to Southland Constructors with the approval to begin the project.

Mobilization for the project began in early March with site grading commencing at roughly the same time. Conversations with MTEMC, ATT and Comcast Communications began 18-20 months prior to the project starting to develop a plan with the utilities regarding the relocation of their utility structures. Nothing in regard to the design by the utilities began until after excavation began. The southwest corner of the facility ran under the two-conductor electrical transmission lines preventing the completion of the building pad area. Not until ATT and Comcast completion of their relocations could the relocation work with MTEMC begin. The relocation work took the utilities nearly five months to complete resulting in the loss of 90-120 days of the General Contractor's schedule. During this time, the movement of approximately 5,700 cubic yards of material were relocated, the on-site roads built, building pad built as much as possible and underground utilities installed. Once the removal of the transmission poles was completed approximately 30-40 days went by until the foundation crew could re-mobilize and complete the foundation pad. There were some weather delays impacting the project timeline as well. Per the updated construction schedule, substantial project completion time is now August 18, 2020 (subject to certain weather conditions and change orders).

FINANCIAL IMPACT:

This change order does not have a direct impact. The changes in schedule and related redeployment will likely have some impact on project cost. This will be resolved based on the remaining schedule and project impact.

RECOMMENDATION:

Approval of Amendment 1 to COF Contract No. 2018-0259 is recommended.

**AMENDMENT NO. 1 TO
THE AGREEMENT
FOR FIRE STATION 7
COF Contract No. 2018-0259**

THIS AMENDMENT ("Amendment") is made and entered into on this the 9th day of April, 2020, by and between the **City of Franklin, Tennessee** ("City") and **SouthLand Constructors, Inc.** ("Contractor").

WITNESSETH:

WHEREAS, City and Contractor entered into an agreement ("Agreement") dated the 18th day of December 2018; and

WHEREAS, under the Agreement, Contractor would furnish to the City all materials, equipment and labor for the development and construction of COF Fire Station Number 7 located at the 1972 John W. Fitzgerald Drive project; and

WHEREAS, said Agreement stipulated that the Contractor would be fully complete the Work by 350 consecutive calendar days following the Notice to Proceed Date; and

WHEREAS, the City and Contractor mutually desire to amend certain terms and provisions of the Agreement as set forth in the in this Amendment to revise the completion date of the Work.

NOW, THEREFORE, in consideration of these premises and the mutual promises contained herein, it is agreed by and between the parties as follows:

1. The sixth paragraph shall be removed and replaced with the following:

The Contractor hereby agrees to commence the work under this Contract on or before a date to be specified in a written Notice to Proceed and to fully complete the Work by August 18, 2020, subject to certain provisions of this Contract, General Conditions and its related Contract Documents, including but not limited to Section 01252 Weather Delays under the General Requirements.

2. Except as otherwise provided in this Amendment, all capitalized terms used in this Amendment that are not otherwise defined herein shall have the respective meanings ascribed to such terms in the Agreement.
3. All other provisions of the Agreement are unchanged and remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment.

[Signatures on following page.]

CITY OF FRANKLIN, TENNESSEE

By: _____
Dr. Ken Moore
Mayor

Attest:

Eric S. Stuckey
City Administrator

Approved as to form:

Maricruz R. Fincher, Staff Attorney

SOUTHLAND CONSTRUCTORS, INC.

By: 
Print: ERIC V.T. MCKINNEY
Title: VICE PRESIDENT OF OPERATIONS



File #: 20-0458

DATE: March 18, 2020

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Eric Stuckey, City Administrator
Shauna Billingsley, City Attorney
Vernon Gerth, Asst. City Administrator Community Development

SUBJECT:

Consideration Of Resolution 2020-26, A Resolution Amending The Charter To Allow For Land Lease Agreements To Have A Term Limit Of Up To Fifty (50) Years.

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning the consideration of amending the City of Franklin Charter to extend the term limit of land leases of city-owned property for a period up to fifty (50) years.

BACKGROUND/STAFF COMMENTS:

In 2016, representatives of Cheekwood Golf Club approached the City to lease a city-owned parcel located on the SW corner of Mack Hatcher Parkway and Spencer Creek Drive. After receiving Letters of Interest for leasing the property, in October of 2017 the Board of Mayor and Aldermen approved Resolution 2017-72 which directed City staff to draft a lease agreement with the Cheekwood Golf Club. Over the past several years and after multiple conversations between City Staff and representatives of Cheekwood, neither a Development, Site Plan, or lease agreement have been approved. The owners/investors in the Cheekwood project have indicated that the 30 year land lease permitted under the City Charter is not sufficient for them to make a project of this nature work.

Extending the term limits of leases of city-owned property does impact future Board of Mayor and Aldermen's ability to re-purpose leased property should there be a need in responding to the changing needs of the community. Additionally, extending the term limits of a land lease to fifty (50) years assumes the other party will be able to fulfill their obligation for the duration of the longer lease. In the event they are not able to fulfill their obligation it could place the City in the position of having to identify a different party to assume use of the property or, the City having to incur the costs associated with restoring the property to its original condition. Both scenarios could result in the City expending resources that were not budgeted.

The existing thirty (30) year term limit still provides the opportunity for the City and the other party to re-negotiate and renew an existing lease agreement or, exit a lease agreement which would allow currently seated elected officials to decide the best course of action and use of city-owned property.

FINANCIAL IMPACT:

The financial impact of modifying the City Charter is uncertain and would depend on the nature of each individual transaction/lease agreement.

RECOMMENDATION:

Staff does not recommend Resolution 2020-26, which would ask the State Legislature to consider amending the City of Franklin Charter for the purpose of allowing land leases for up to 50 years.

RESOLUTION 2020-26

A RESOLUTION AMENDING THE CHARTER TO ALLOW FOR LEASE AGREEMENTS TO HAVE A TERM LIMIT OF UP TO FIFTY (50) YEARS

WHEREAS, the Charter of the City of Franklin, Tennessee, is incorporated by Chapter 126 of the Private Acts of Tennessee for 1967, as amended, of the General Assembly of the State of Tennessee; and

WHEREAS, pursuant to Article II, Section 1 (10) of the City Charter, the City of Franklin is currently permitted by state law to enter into contracts for terms of up to thirty (30) years and no longer; and

WHEREAS, the Board of Mayor and Aldermen believe that the City would benefit by allowing lease terms of real property owned by the City to be up to fifty (50) years; and

WHEREAS, the Board of Mayor and Aldermen believes it is in the best interest of the citizens of the City of Franklin to allow lease terms for real property owned by the City to be up to fifty (50) years and to amend such within the City Charter.

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

The Honorable Jack Johnson and the Honorable Sam Whitson are hereby requested to introduce the following Act to the General Assembly of the State of Tennessee:

AN ACT to amend the Charter of the City of Franklin, Tennessee, being Chapter 126 of the Private Acts of Tennessee for 1967, as amended:

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

Section 1. Article II shall be amended by modifying Section 4 by deleting the text shown in ~~strike through~~ and adding the text shown in **bold** so that it shall read as follows:

Section 1. - Enumerated.

(10) Make contracts with any person, firm, association or corporation, for public utilities and public services to be furnished the city and those therein. Such power to make contracts shall embrace the power, expressly conferred, to make exclusive contracts; and when an exclusive contract is entered into, it shall be exclusive not only against any other person, firm, association, or corporation, but also as against the city itself. Such contracts may be entered into for the period of thirty (30) years or less, but no longer. **When deemed appropriate, lease agreements for real property owned by the City may be entered into for a period of up to fifty (50) years or less.** The Council may prescribe in each such contract entered into, the rates, fares, charges, and regulations that may be made by the person, firm, association, or corporation with whom the contract is made. Such contracts may by their terms apply to the territory

within the corporate limits of the city at the date of the contract, and as said corporate limits thereafter may be enlarged; and to the then existing streets, alleys, and thoroughfares and to any other streets, alleys and other thoroughfares that thereafter may be opened.

Section 2. This act shall become effective when it has been approved by the Board of Mayor and Aldermen of the City of Franklin by a vote of not less than two-thirds of the entire membership of the board after its signing by the governor of this state. The approval or non-approval of the act by the Board of Mayor and Aldermen shall be certified by the mayor of the City of Franklin to the Tennessee Secretary of State.

ADOPTED THIS ____ DAY OF _____, 2020.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
ERIC S. STUCKEY
City Administrator/Recorder

By: _____
DR. KEN MOORE
Mayor

Approved as to form by:

Shauna R. Billingsley, City Attorney



File #: 20-0481

DATE: March 27, 2020

TO: Board of Mayor and Aldermen

FROM: Paul Holzen, Director of Engineering

SUBJECT:

Consideration Of COF Contract No. 2018-0176 Amendment No 1 To Road Impact Fee Offset Agreement With Middle Tennessee Health Realty, LLC In Regards To The Traffic Signal At Carothers Parkway And Physicians Way.

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning Middle Tennessee Health Realty, LLC's request to assign all of its rights, interests and obligations under COF Contract No. 2018-0176 over to its sister entity, MTHR Partners.

BACKGROUND/STAFF COMMENTS:

In November 2018 the City of Franklin Board of Mayor and Aldermen approved a Development Plan and Development Road Impact Agreement that required certain roadway improvements as a condition of approving the Medical Office Building Subdivision development located on Carothers Parkway and Physicians Way. In January 2020 Middle Tennessee Health Realty, LLC notified COF that, due to tax purposes, it would be dissolving and therefore is requesting that its rights, interests and obligations under COF Contract No. 2018-0176 be assigned over to its sister entity, MTHR Partners.

FINANCIAL IMPACT:

There is no anticipated financial impact related to this amendment.

RECOMMENDATION:

Approval of COF Contract No. 2018-0176 Amendment No 1 is recommended.

AMENDMENT NO. 1
COF CONTRACT NO. 2018-0176
ROAD IMPACT FEE OFFSET AGREEMENT

This Amendment No. 1 (the “Amendment”) by and between Middle Tennessee Health Realty, LLC and The City of Franklin, Tennessee (“City”), to the Road Impact Fee Offset Agreement COF Contract No. 2018-0176 dated November 13, 2018 (the “Agreement”), is entered into and effective as of April __, 2020 (the “Effective Date”).

RECITALS

WHEREAS, Middle Tennessee Health Realty, LLC, and City have previously entered into the Agreement to have Middle Tennessee Health Realty, LLC, design and construct certain arterial roadway improvements to include the dedication of arterial right-of-way; and

WHEREAS, the party responsible for making roadway improvements has since changed from Middle Tennessee Health Realty, LLC (previously defined as “Developer”) to MTHR Partners and MTPC, LLC d/b/a Provision CARES Proton Therapy Nashville (“Developer”). All references to Developer herein shall mean MTHR Partners and MTPC, LLC; and

WHEREAS, Developer and City mutually desire to amend certain terms and provisions of the Agreement as set forth in this Amendment.

NOW THEREFORE, in consideration of the foregoing recitals, and for other good and valuable consideration the receipt and sufficiency of which are hereby acknowledged, City and Developer hereby agree as follows:

1. The preamble of the Agreement shall be deleted and replaced with the following:

This agreement (“Agreement”) is entered into between THE CITY OF FRANKLIN, TENNESSEE (“City”) and MTHR Partners and MTPC, LLC (collectively, “Developer”), on the 13th day of November 2018, pursuant to Title 16, Chapter 4 of the Franklin Municipal Code (“FMC”).

2. Except as otherwise provided in this Amendment, all capitalized terms used in this Amendment that are not otherwise defined herein shall have the respective meanings ascribed to such terms in the Agreement.
3. All other terms referencing Developer in the original Agreement dated November 13, 2018, shall now mean MTHR Partners and MTPC, LLC.
4. All other terms and conditions remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Amendment to the Agreement by their duly authorized representatives, to be effective as of the Effective Date.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
Eric S. Stuckey
City Administrator

By: _____
Dr. Ken Moore
Mayor

MTHR PARTNERS

By: Middle Tennessee Property Holdings, LLC

By: _____

Name: _____

Title: _____

MTPC, LLC

By: _____

Name: _____

Title: _____

Approved as to form by:

Maricruz R. Fincher
Staff Attorney



File #: 20-0499

DATE: March 18, 2020
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Kristine Brock, Asst. City Administrator/CFO
Mike Lowe, Comptroller

SUBJECT:

Consideration To Reject All Proposals For Custody Services For Non-Pension Investments Of The City For The Finance Department. (Purchasing Office Procurement Solicitation No. 2019-015; A Previous Recommendation To Approve One Of The Proposals Was Presented To And Recommended For Approval By The Budget & Finance Committee At Its 5/09/2019 Meeting) Budget & Finance Committee 5/9/19, 4-0

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning a procurement to purchase custody services for non-pension investments of the City for a term of award of three (3) years, tentatively effective July 1, 2019, with two (2) options to extend, each time for up to one (1) additional year. The service provider would act as the City's centralized independent third-party custodian for these investments

BACKGROUND/STAFF COMMENTS:

The City published on February 28, 2019 a Notice to Proposers in the Williamson Herald for custody services for non-pension investments. In addition, solicitation documents were sent on or about the same date directly to eighteen (18) potential proposers known or thought to be interested in this solicitation. Proposals from five (5) service providers were publicly opened at the submittal opening held on April 2, 2019. A tabulation of the proposals received for this solicitation is attached.

Using evaluation criteria included in the request for proposals, the proposal evaluation team, consisting of three current employees of the City and one retired, recommended the City select the firm scored highest overall by the proposal evaluation team. The evaluation criteria included in the request for proposals consisted of (a) competency, experience and qualifications (30%), (b) unique strengths of the proposer/proposal (20%), (c) fee for proposed products and services (30%), (d) pricing and payment clarity (10%), and (e) thoroughness and quality of proposal (10%).

The City has been unable to negotiate a mutually acceptable procurement agreement with the firm scored highest overall by the proposal evaluation team. Staff therefore recommends the City reject all proposals, solicit new proposals, and, meanwhile, continue doing business with the incumbent service provider.

FINANCIAL IMPACT:

For the recommendation to reject all proposals, there is no financial impact on the City.

RECOMMENDATION:

Staff recommends that the City reject all proposals for custody services for non-pension investments of the City.

City of Franklin, Tennessee

Tabulation of Submittals *

Purchasing Office Solicitation No.: 2019-015 (custody services for non-pension investments)						
Notice to proposers published in the Williamson Herald on: 2/28/19						
Number of potential proposers that were notified of / that submitted a proposal in response to this request for proposals: 18 / 5						
Date and time proposal due and publicly opened: 4/2/19 2:00 PM						
Present at opening of proposals: Lori Pope and Mike Lowe of the City of Franklin Finance Department; and Leslie Pewitt, Suzanne Ward and Brian Wilcox of the City of Franklin Purchasing Office						
Target meeting of BOMA at which recommendation is scheduled to be considered: 5/28/19						
Proposals received from:	Does the proposal include all required documents?	Does the proposal take any exceptions to the City's procurement solicitation?	Average points allocated by proposal evaluation team (out of a possible 100, utilizing evaluation criteria as listed in RFP):	Estimated total annual fee:	Payment terms:	Proposal is valid and may be accepted through:
Branch Banking & Trust (BB&T) Attn: Thomas O'Connor 700 12th Ave S., Suite 303 Nashville, TN 37203 Thomas O'Connor SVP- Corporate Banking 615-873-2113 to'connor@bbandt.com	Yes (and provided Deposit Program terms and conditions)	No	89.23	\$10,400.00	net 30 days	10/4/2019
Comerica Bank 411 West Lafayette Street Mail Code 3462 Detroit, Michigan 48226 Felecia Ryans Vice Presiden / Senior Relationship Manager fryans@comerica.com 313-222-9814	No (missing City's Standard Terms and Conditions with service provider's contact information inserted)	No	65.44	\$31,100.00	net 30 days	6/30/2019
Fifth Third Bank 201 North Tryon Street, Ste, 1800 Charlotte, NC 28202 David W. Culpepper, CRSP Vice President and Senior Relationship Manager 704-688-1148 david.culpepper@53.com	Yes (and provided Custody Services Agreement)	No	92.75	\$9,439.00	net 30 days	6/30/2019
Regions Institutional Services 150 4th Avenue North - 15th Floor TNNA11505N Nashville, TN 37219 Benjamin Dziengel Vice President, Relationship Consultant 615-748-2026 Benjamin.Dziengel@Regions.com	Yes (and provided Sample Custodian Agreement)	No	61.38	\$46,795.00	net 30 days	7/1/2019
U.S. Bank 800 Nicollet Mall Minneapolis, MN 55402 Kameron George Vice President, Relationship Manager kameron.george@usbank.com 205-802-5509	Yes	No	88.78	\$11,906.00	net 30 days	7/31/2019

*Staff recommends all proposals be rejected



File #: 20-0500

DATE: March 18, 2020

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Kristine Brock, Asst. City Administrator/CFO
Mike Lowe, Comptroller

SUBJECT:

Consideration Of Resolution No. 2020-27, A Resolution Authorizing The Use Of The Competitive Sealed Proposal Procurement Method For Choosing The Service Provider For Custody Services For Non-Pension Investments Of The City For The Finance Department (Purchasing Office Procurement Solicitation No. 2020-027).

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning authorizing the use of the competitive sealed proposal procurement method for choosing the service provider for custody services for non-pension investments of the City for the Finance Department for a term of award.

BACKGROUND/STAFF COMMENTS:

Tennessee law and City ordinance both require the Board of Mayor and Aldermen to authorize use of the use of the competitive sealed proposal procurement method for choosing suppliers and service providers whenever the Board determines that the uses of competitive sealed bidding is either not practicable or not advantageous for the City.

For the planned procurement of custody services for non-pension investments of the City, competitive sealed bidding is either not practicable or not advantageous to the City because qualifications, experience, and competence are more important than price in making the purchase, and because there is more than one solution to this purchasing issue and the competitive sealed proposal procurement method will assist in choosing the best solution and service provider.

FINANCIAL IMPACT:

The financial impact of the procurement remains to be determined.

RECOMMENDATION:

Other procurement methods, including a solicitation for bids and a request for qualifications, would not be best suited for this procurement.

Staff recommends that the Board of Mayor and Aldermen approve Resolution No. 2020-27, a

resolution authorizing the use of the competitive sealed proposal procurement method for choosing the service provider for custody services for non-pension investments of the City for the Finance Department.

RESOLUTION 2020-27

**A RESOLUTION AUTHORIZING THE USE OF THE COMPETITIVE SEALED PROPOSAL
PROCUREMENT METHOD FOR CHOOSING THE SERVICE PROVIDER FOR CUSTODY SERVICES
FOR NON-PENSION INVESTMENTS OF THE CITY**

WHEREAS, pursuant to Tenn. Code Ann. § 12-3-1207 the City may use competitive sealed proposals rather than competitive sealed bids when the City adopts a process for the use of competitive sealed proposals and determines that the use of competitive sealed bidding is either not practicable or not advantageous to the City; and

WHEREAS, the City passed Ordinance 2019-24 on August 13, 2019, authorizing the use of the competitive sealed proposal procurement method; and

WHEREAS, should the City choose to pursue conducting its own competitive process for establishing the basis of pricing pursuant to sealed submittals and published legal notice, then City staff requests authority to use the competitive sealed proposal procurement method for determining which service provider to recommend for award of custody services for non-pension investments of the City; and

WHEREAS, the Board of Mayor and Aldermen find that the use of the competitive sealed proposal procurement method is advantageous to the City because qualifications, experience, and competence are more important than price in making the purchase, and because there is more than one solution to this purchasing issue and the competitive sealed proposal procurement method will assist in choosing the best solution and service provider.

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

Should the City choose to pursue conducting its own competitive process for establishing the basis of pricing pursuant to sealed submittals and published legal notice, then the City is authorized to use the competitive sealed proposal procurement method pursuant to the standards set forth in Municipal Code § 5-504 for determining which service provider to recommend for award of custody services for non-pension investments of the City because qualifications, experience, and competence are more important than price in making the purchase, and because there is more than one solution to this purchasing issue and the competitive sealed proposal procurement method will assist in choosing the best solution and service provider.

IT IS SO RESOLVED AND DONE on this ____ day of _____, 2020.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____
Eric S. Stuckey
City Administrator

By: _____
Dr. Ken Moore
Mayor

Approved as to Form:

By: _____
Maricruz R. Fincher
Staff Attorney



File #: 20-0551

DATE: March 31, 2020
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Kevin Townsel, Director of Human Resources

SUBJECT:

Consideration Of Procurement Award To Public Risk Insurors Of Franklin, Tennessee For Liability, Property And Workers' Compensation Insurance Products And Services For The Risk Management Division Of The Human Resources Department. (Purchasing Office Procurement Solicitation No. 2020-013; Funding To Be Budgeted In The City's Operating Departments Proportional To A Combination Of Losses And Exposure For Fiscal Years 2021, 2022, 2023 And, Optionally, 2024 And 2025; Contract No. 2020-0100)

PURPOSE:

The purpose of this procurement is to purchase liability, property and workers' compensation insurance products and services for a term of award of three (3) policy years, beginning July 1, 2020, with two (2) options to extend, each time for up to one (1) additional year.

BACKGROUND/STAFF COMMENTS:

The City published on January 30, 2020 a Notice to Proposers in the Williamson Herald for liability, property and workers' compensation insurance products and services. In addition, solicitation documents were sent on or about the same date directly to eight (8) potential proposers known or thought to be interested in this solicitation. Proposals from two (2) service providers were publicly opened at the submittal opening held on March 12, 2020. A tabulation of the proposals received for this solicitation is attached.

Using evaluation criteria included in the request for proposals, the proposal evaluation team, consisting of staff of the City's Human Resources Department, recommends the City select the firm submitting the proposal ranked highest by the proposal evaluation team, namely Public Risk Insurors of Franklin, Tennessee (which is the incumbent service provider). The evaluation criteria included in the request for proposals consisted of (a) competency, experience and qualifications (20%), (b) technical expertise; means, methods, approach and systems (25%), (c) unique strengths of the proposer/proposal (10%), (d) thoroughness and quality of proposal (15%), (e) pricing and payment clarity (10%), and (f) fee for proposed products and services (20%). For each of the six of the evaluation criteria included in the request for proposals, the average scores recorded by the proposal evaluation team for the Public Risk Insurors proposal were top among the two proposals. The proposal evaluation team determined that discussions for clarification to assure full understanding of, and responsiveness to, the solicitation requirements with Public Risk Insurors was necessary, and it

conducted such discussions. These discussions resulted in a package of liability, property and workers' compensation insurance products and services being recommended by staff that is based on but not exactly the same as the package included in the Public Risk Insurors. These discussions resulted in a package of liability, property and workers' compensation insurance products and services being recommended by staff that is based on but not exactly the same as the package included in the Public Risk Insurors.

FINANCIAL IMPACT:

A financial analysis of the package of liability, property and workers' compensation insurance products and services being recommended by staff will be presented. Funding for these insurance products and services is to be budgeted in the City's operating departments proportional to a combination of losses and exposure for fiscal years 2021, 2022, 2023 and, optionally, 2024 and 2025.

RECOMMENDATION:

Staff recommends that the City accept, contingent upon Law Department and City Administrator approval of City Contract No. 2020-0100, the proposal ranked highest by the proposal evaluation team, from Public Risk Insurors of Franklin, Tennessee for liability, property and workers' compensation insurance products and services for a term of award of three (3) policy years, beginning July 1, 2020, with two (2) options to extend, each time for up to one (1) additional year, and award this procurement to this proposer. The City's Purchasing Manager believes the prepared solicitation documents as distributed allowed for competition among multiple service providers, and that the staff recommendation appears to be made in a fair and impartial manner based upon the proposals received. Pursuant to authority previously granted by the Board of Mayor and Aldermen, Contract No. 2020-0100 has been prepared for execution by the City Administrator pending approval by the Board of Mayor and Aldermen of the staff recommendation to accept the proposal from and award the procurement to Public Risk Insurors.

City of Franklin, Tennessee
Tabulation of Submittals*

Purchasing Office Solicitation No.:		2020-013 (liability, property and workers' compensation insurance products and services)				
Notice to proposers published in the <i>Williamson Herald</i> on:		1/30/20				
Number of potential proposers that were notified of / that submitted a proposal in response to this request for proposals:		8 / 2				
Date and time proposal due and publicly opened:		3/12/2020, 2:00 p.m.				
Present at opening of proposals:		Quay Stallworth and Clay Crenshaw of Gallagher; Laura Jungmichel of Public Risk Insurors; Sara Sylvis and Kevin Townsel of the City of Franklin Human Resources Department; and Leslie Pewitt and Brian Wilcox of the City of Franklin Purchasing Office				
Target meeting of BOMA at which recommendation is scheduled to be considered:		4/28/20				
Proposals received from:	Does the proposal include all required documents?	Does the proposal take any exceptions to the City's procurement solicitation?	Insurance Carrier / Summary of distinctions between program options:	Average points allocated by proposal evaluation team (out of a possible 100):	Payment terms:	Proposal is offered through:
Arthur J. Gallagher & Co. 8 Cadillac Drive, Suite 200 Brentwood, TN 37027 Quay Stallworth, Area Vice President 615-279-7209 quay_stallworth@ajg.com	Yes	No; however, City notes proposal appears not to quote liability and property coverages	Arch Insurance Group for workers compensation coverage	55.75	net 30 days	8/12/2020
Public Risk Insurors 1881 Gen. George Patton Drive, Suite 105 Franklin, TN 37067 Laura Jungmichel, Founder and President 615-369-0646 Office 615-243-5667 Cell laura@publicriskinsurors.com	Yes	Yes	Travelers Insurance and Liberty Mutual Insurance both cover required items 1 thru 10 (Property and Liability Package). Key Risk Insurance covered WC (Guaranteed Cost Fully Insured). Travelers Insurance covered WC with two options (\$100,000 Large Ded. Prog. or \$500,000 Self-Insured Ret.). Midwest Employers Casualty covered WC with two options (\$450,000 Excess WC Ret. or \$500,000 Excess WC Ret.). Safety National Casualty Corporation covered WC with two options (\$750,000 Specific Excess WC or (\$750,000 Specific & Agg. Excess Ret.). Berkley Life and Health Insurance Co. covered Accident (Accident Coverage for Fire Explorers). AIG covered Cyber Risk Liability. Philadelphia Insurance covered Media Liability. Travelers Indemnity Co. covered Fiduciary Liability. HCC - Tokio Marine covered Special Events.	95.00	net 30 days	6/30/2020

*Shaded submittal is the proposal scored highest by the proposal evaluation team



File #: 20-0552

DATE: March 31, 2020

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Vernon Gerth, Asst. City Administrator Community Development
Maricruz Fincher, Staff Attorney

SUBJECT:

Consideration Of Ordinance 2019-54, An Ordinance Granting A Franchise To Piedmont Natural Gas Company, LLC.

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning a new, updated franchise agreement with Piedmont Natural Gas Company, LLC.

BACKGROUND/STAFF COMMENTS:

In December of 1994 the City of Franklin Board of Mayor and Aldermen entered into a franchise agreement with Piedmont Natural Gas Company, LLC. Piedmont provides natural gas service to a very small area of the City. The term of the existing agreement is 25 years and expired in December. The City received three (3) percent, annually of Piedmonts gross revenues for the area they serve in Franklin. The new agreement provides for a twenty (20) year term limit but only upon approval of both parties following the first ten (10) years. In addition, the city will receive five (5) percent of gross revenues upon implementation of the new, updated agreement.

FINANCIAL IMPACT:

The City will receive an additional two (2) percent upon implementation of the new, updated franchise agreement. In 2018, the City received \$52,618.82 from Piedmont and in 2019 the City received \$48,125.44, If usage is similar, an additional two (2) percent would equate to approximately \$32,000 in additional revenue in a year. In total the projected annual franchise payment in 2020 would be approximately \$80,000. Piedmont serves a very small footprint in Franklin.

RECOMMENDATION:

Approval of Ordinance 2019-54 is recommended.

Ordinance 2019-54

AN ORDINANCE GRANTING A FRANCHISE TO PIEDMONT NATURAL GAS COMPANY, INC.

BE IT ORDAINED BY THE BOARD MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN as follows:

SECTION 1. This Ordinance shall be known and may be cited as the "Piedmont Natural Gas Company Franchise Ordinance."

SECTION 2. Definitions

For the purposes of this Ordinance, the following terms, words, and phrases shall have the meanings respectively ascribed to them in this section:

2.01 "Company" shall mean Piedmont Natural Gas Company, Inc., a corporation organized under the laws of the State of North Carolina and authorized to do business in the State of Tennessee, and any successor in interest to Piedmont Natural Gas Company, Inc. under this franchise Ordinance.

2.02 "City" or "City of Franklin" shall mean: the City of Franklin, a municipal corporation located in Williamson County, Tennessee.

2.03 "Board of Mayor and Aldermen" shall mean the governing body of the City of Franklin.

2.04 "Gas" when used as an unqualified term shall mean either natural or artificial gas, by whatever process or processes derived or manufactured, or both such gases either separately or a mixture of them.

SECTION 3. Franchise

3.01 The Company is hereby granted the right to construct, operate, and maintain a gas utilities system within the City for production, transmission, distribution and sale of gas to consumers and users within the City and to the City and any and all agencies and departments thereof.

3.02 The Company is hereby granted the right, authority, and privilege to construct and install, operate, maintain, lay or relay, renew, replace and repair gas pipes, mains, pipelines, conduits, regulators, connections and services thereto, in, through, across, along and under streets, avenues, roads, public alleys, lanes, parks and squares, and other public places and ways in the City for the production, pumping, handling, transmission, distribution and sale of gas for any and all purposes, subject to the terms and conditions hereinafter set forth in this Ordinance.

3.03 Whenever the Company causes any opening, excavation or alteration to be made in any street, lane or public place within the City in the construction, operation or maintenance of any of its pipelines or other appliances owned or used by it, the Company shall repair and restore such portions of such streets, lanes or public places to the same condition in which it found them as nearly as practicable.

3.03.1 Whenever the Company shall cause any opening, excavation or alteration to be made in any street, lane or public place within the City in the construction, operation or maintenance of any of its pipelines or other appliances owned or used by it, the Company shall comply with all safety regulations required by federal, state and local laws.

3.04 This franchise is granted for a term of twenty years, with an option for City to terminate, without cause, after ten years. The term begins April 1, 2020 and ends March 31, 2040. The City may exercise its option to terminate the franchise, by Board of Mayor and Aldermen resolution, on or after March 31, 2030. This franchise supersedes any and all former rights or franchises of the Company to operate a gas utilities system in the City with respect to all acts and things done or admitted to be done, on or after April 1, 2020.

3.05 The Company hereby agrees to indemnify, defend, and hold harmless the City, its elected officials, officers, boards, commissions, and employees, against any and all claims and liabilities arising from the Company's, and its assignees or licensees, activities or Gas system, including reasonable attorneys' fees and court costs.

3.06 The Company shall not be obligated to the City or any of its departments or agencies for any tax, license fee, other fee, or any other payment whatsoever, relating to the rights granted herein, other than that which is levied by state law.

3.07 The Company is hereby granted the right during the existence of this franchise to mortgage or hypothecate this franchise, together with all rights and privileges there under and any right or interest therein, as security for indebtedness, subject to acceptance by any legal successor in interest of the obligations, duties, liabilities, limitations and prohibitions set out herein and subject to the approval by the Tennessee Regulatory Authority or other governmental agency whose approval is required by law. The Company shall not assign or transfer its rights under this agreement, provided, however, that this provision shall not prohibit the Company from assigning its rights hereunder to the surviving corporation in any corporate reorganization in which the Company is a party.

3.08 The Company shall pay to the City an amount equal to five percent (5%) of the annual gross revenues collected from all customers who are located and provided service by the Company within the geographical areas identified on Exhibit A. The payment of the fee shall be on an annual basis, and the first payment shall be made by the Company within sixty (60) days after the approval by the TPUC of the Ordinance. Thereafter, payment of such fee and the recovery thereof by the Company shall be pursuant to Tenn. Code Ann. Section 65-4-105(e). Upon City request, the Company agrees to make the appropriate records available that will allow the City to determine that taxes collected in the City's name are being remitted to the City. The City shall limit such requests to not more than once every two years.

SECTION 4. Effective Date

This Ordinance shall take effect and be in force upon the Effective Date. The Effective Date shall occur upon satisfaction of all of the following conditions: passage on second and final reading of this new Ordinance by the board of Mayor and Aldermen of the City; acceptance by the Company; and final approval by the Tennessee Public Utility Commission.

PIEDMONT NATURAL GAS COMPANY, INC.

BY: Brian R. Weisker
Brian Weisker, Senior Vice President –
Chief Operations Officer, Natural Gas

ATTEST:

Jeffrey James
Jeffrey James, Senior Counsel

This is to certify that on the 20 day of March, 2020, before me came Brian R. Weisker, with who I am personally acquainted, who, being by me duly sworn, says that he is the Senior Vice President - Chief Operations Officer, Natural Gas of Piedmont Natural Gas Company, Inc., and Jeffrey James, with who I am personally acquainted, who, being by me duly sworn, says that he is the Senior Counsel of Piedmont Natural Gas Company, Inc., that the Senior Vice President - Chief Operations Officer, Natural Gas and Senior Counsel subscribed their names thereto, all within the authority delegated by the Board of Directors of the Company.

Witness my hand and official seal, this the 20th day of March, 2020.

SHANNON L. WALL
Notary Public, North Carolina
Mecklenburg County
My Commission Expires
June 28, 2022

Shannon L. Wall
Notary Public
My Commission expires:
6/28/2022

CITY OF FRANKLIN

BY: _____
Dr. Ken Moore, Mayor

ATTEST:

Eric S. Stuckey, City Administrator and City Recorder

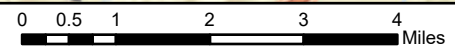
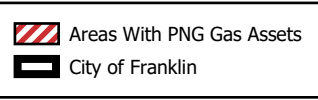
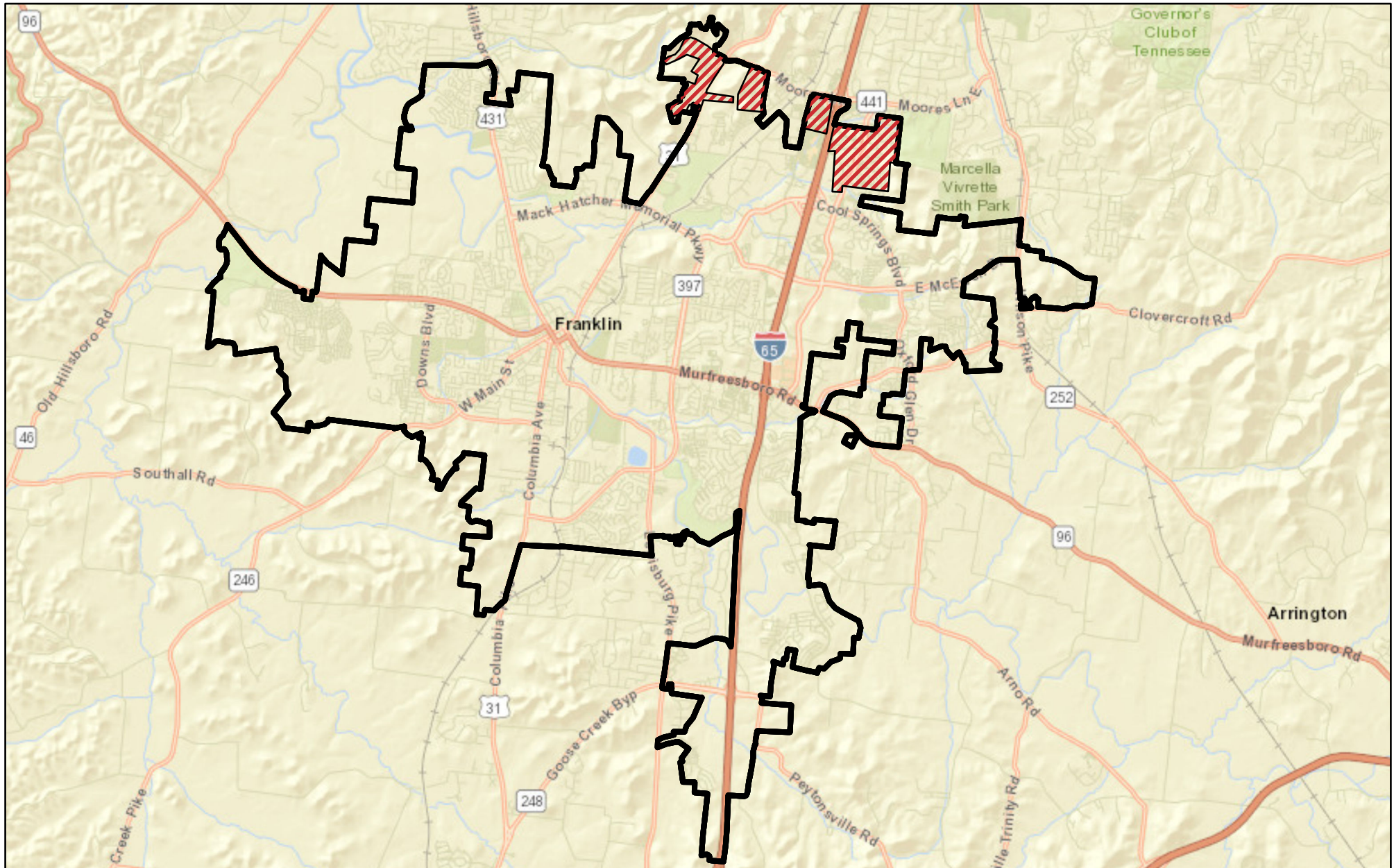
**TENNESSEE
WILLIAMSON COUNTY**

This _____ day of _____, 2020, personally came before me, Eric S. Stuckey, City Administrator and City Recorder of the City of Franklin, who, being by me duly sworn, says that he knows the common seal of the City of Franklin and he is acquainted with Ken Moore, Mayor of this City, and that he saw the Mayor sign the foregoing instrument, and that he affixed the City's seal to this instrument and he signed his name in attestation of the execution of this instrument in the presence of the Mayor of this City.

Witness my hand and official seal, this the _____ day of _____, 2020.

Notary Public
My Commission Expires:

PNG Gas Asset Locations - Franklin, TN



Piedmont Natural Gas and Duke Energy gas facility maps are at all times to be considered confidential and proprietary (OM-1095). This map is current only through the latest revised date stated thereon. This map should under no circumstances be used by anyone excavating, digging or drilling underground, and any such person should not undertake any excavation, digging or drilling until they have had all underground utility facilities in the immediate area located by calling 811. To ensure there is no inappropriate disclosure, this map cannot be shared with third parties absent Piedmont Natural Gas or Duke Energy's express written consent. All previously dated copies of this map must be destroyed in accordance with Records and Information Management (RIM) Policy 1001 or returned to Piedmont Natural Gas or Duke Energy.





File #: 20-0547

DATE: March 31, 2020
TO: Board of Mayor and Aldermen
FROM: Eric Stuckey, City Administrator
Michelle Hatcher, Director of Water Management

SUBJECT:

Consideration Of Ordinance 2020-07, An Ordinance To Amend Title 18, Chapter 2 Of The Franklin Municipal Code For The Purpose Of Providing For Winter Pricing For Sanitary Sewer.

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning the proposed changes to the municipal code outlining the new irrigation metering structure.

BACKGROUND/STAFF COMMENTS:

Typical irrigation demand within the City is furnished through the potable water meter. When there is a sole meter at a residence, that meter is also used to charge a customer for sewer. Customers who have high irrigation demands and are not near a reclaimed water line had the option to install a separate irrigation meter from their domestic potable meter.

The Board has asked the Water Management Department to look at revising this structure and move toward a winter pricing model for sewer charges. This model would use averaging from the winter months to apply toward the sewer bill that would be charged. The "winter months" period is defined as November through March.

This change would require revisions to Title 18 of the City's Municipal Code and are included in the attachments. Under the proposed rate structure, sanitary fees during the "summer months" (April through October) would be collected against the amount of water use up to the winter average plus 30%. Any water used above the winter average plus 30% would not be assessed a sanitary sewer charge.

FINANCIAL IMPACT:

Based upon current usage data, approximately \$231,800 (2.2% sewer revenue) would be lost due to the implementation of the winter pricing structure.

RECOMMENDATION:

Staff has developed this ordinance to amend Title 18 based on guidance from the Board of Mayor and Aldermen.

ORDINANCE 2020-07

**AN ORDINANCE TO AMEND TITLE 18, CHAPTER 2 OF THE FRANKLIN
MUNICIPAL CODE FOR THE PURPOSE OF PROVIDING FOR WINTER PRICING
FOR SANITARY SEWER**

WHEREAS, for the purpose of promoting the public health, safety, comfort, convenience, and general welfare of the people of Franklin, Tennessee, the Board of Mayor and Aldermen is authorized to prescribe regulations and standards that encourage and advance the quality of life within the City; and

WHEREAS, the City of Franklin is endeavoring to equitably charge for services provided by the Water Management Department with respect to residential customers that do not have an irrigation meter servicing their property; and

WHEREAS, the Franklin Board of Mayor and Aldermen have directed staff to provide for language to include in Franklin Municipal Code that provides for pricing of sanitary sewer during the months of May through October based on average water usage during the months of November through April.

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

SECTION I: That Title 18, Section 18-210 of the Franklin Municipal Code is hereby amended to delete the section in its entirety and replace the following in its place to read as follows:

Sec. 18-210. - Billing for sanitary sewer service.

All sewer bills may be rendered weekly, semi-monthly, or monthly, at the option of the city.

The bills will consist of charges for the user service fee, consisting of the availability charge, the customer service charge, and the sewer service charge, as well as other services obtained by the customer from the city in accord with the agreement between the customer and the city.

The sewer service charge is based on gallons of water delivered by the water provider through the potable water meter. An availability charge applies if sewer is available, even if the customer has not connected to the sewer or there is no consumption for the period.

During the months of May through October, the sewer service charge for residential customers will be based on the lesser of the following:

1. One hundred and thirty percent (130%) of the average winter water consumption as billed in the months of November through April, immediately prior to the summer period, or
2. Actual water consumption during that billing period.

The Water Management Director may approve exceptions to the computation of monthly sewer bills based on average winter water consumption, pursuant to the billing adjustment policy. Such exceptions may be granted for:

1. Customers whose consumption is affected by water leaks or other abnormalities.
2. Customers whose winter average does not reflect average water usage through the year.
3. New accounts.

Sewer bills must be paid on or before the due date shown thereon to obtain the net or discount rate, otherwise the gross rate shall apply which includes a penalty of ten percent of the net amount billed for sewer. Failure to receive a bill will not release a customer from payment obligation, nor extend the due date.

In the event a bill is not paid on or before 15 days after the discount or due date, the customer's water service may be discontinued without further notice. The city shall not be liable for any damages resulting from discontinued service under the provisions of this section, even though payment of the bill is made at any time on the day that service is discontinued.

Should the final date of payment of bill at the net rate fall on a weekend or a holiday, the business day next following the final date will be the last day to obtain the net rate.

If a water meter fails to register properly, or if a meter is removed to be tested or repaired, or if water is received other than through a meter, the city reserves the right to render an estimated bill based on the best information available. Any unauthorized removal or tampering with the meter will result in a fine as specified in appendix A, comprehensive fees and penalties, per occurrence.

Any unauthorized removal or tampering with the water meter shall result in a remedial fine as specified in appendix A, comprehensive fees and penalties.

The wastewater (sewer) service charge shall not apply to separately metered water and reclaimed water delivery points that are owned, maintained and read by the water provider where there is no potential for the wastewater stream of entering the wastewater stream (e.g. separately metered irrigation and cooling tower applications).

Bills will be issued to the party or parties who obtain service under the provisions of section 18-103 of this Code ("obtaining service"). Residential customers will have consolidated bills presented for other services including, but not limited to, wastewater, solid waste, and stormwater in accordance with the provisions of this Code.

A. Residential is for a residential property owner whose property meets all of the following criteria and will have water service provided and billed under residential rate provisions using residential rates:

1. The property is used as a detached single-family residential living unit by an owner or tenant and is intended to be used as a residential dwelling; and
2. The property is classified by the Williamson County Assessor as a residential or homebelt property; and

3. Is served by a single water meter serving a single residential living unit; and
4. The development consists primarily of similar units and not mixed-use or attached dwellings which are classified as "multi-residential".
5. The occupant (owner or tenant) has a unique utility service contract with the city or water district. An addendum to the water supply contract authorizes the city to provide and be paid for city provided services if served water from MVUD, Milcrofton, HB&TS or Brentwood (specific addendums are in their contracts for city services).

B. Multi-residential customers are those that live in residential living units containing the following characteristics. Service is priced at residential rates using "multiple minimums". Multiple minimums apply when more than one living unit is served from one water meter. This allows for water service to be priced as if each living unit were measured and billed separately. The effect is that total consumption is divided by total units to determine the pricing per unit and billed to the party contracting for service. Living units with one meter/unit will result in being priced as if they are residential.

1. The property is used as an attached or detached multi-family residential living unit by an owner or tenant and is intended to be used as residential dwellings; and
2. The property is classified by the Williamson County Assessor as a residential (condominiums, townhomes, duplexes, triplexes) or commercial property (apartments, duplexes, triplexes) or governmental property (Franklin Housing Authority); and
3. The development consists primarily of similar mixed-use or attached dwellings which are not classified as "residential" above.
4. The occupant (owner or tenant) typically does not have a utility service contract with the city or water district and the contract for service is typically with a commercial enterprise, an agent of the owner/tenant (e.g., a homeowner's association or property management firm) or a government entity (Franklin Housing Authority). An addendum to the water supply contract authorizes the city to provide and be paid for city provided services if served water from MVUD, Milcrofton, HB&TS or Brentwood (specific addendums are in their contracts for city services).

C. Nonresidential is a customer who does not meet the requirements as a residential or multi-residential customer but may have living units on the property. Included are farms, healthcare facilities, hospitals, assisted living facilities, hotels (including extended stay facilities) and common properties for residential and multi-residential developments. All "irrigation water" shall be classified as nonresidential even if delivered to a residential customer. Water pricing will be under nonresidential (commercial) rate provisions.

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 on July 1, 2020, after its passage on second and final reading for the health, safety, and welfare of the citizens of Franklin, Tennessee, requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____

Eric S. Stuckey

City Administrator/Recorder

By: _____

Dr. Ken Moore

Mayor

Approved as to form by:

Shauna R. Billingsley

City Attorney

PASSED FIRST READING

PASSED SECOND READING



File #: 20-0554

DATE: March 31, 2020

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Paul Holzen, Director of Engineering

SUBJECT:

Presentation And Discussion Concerning Traffic Impacts Associated With The Proposed Vintage Oak Meadow Development.

PURPOSE:

The purpose of this memorandum is to provide information to the Franklin Board of Mayor and Aldermen (BOMA) concerning traffic impacts associated with the proposed Vintage Oak Meadow Development.

BACKGROUND/STAFF COMMENTS:

Historically, the minimum level of service standards have been outlined in the City of Franklin Technical Street Standards. These regulations stated the following:

Minimum Level of Service Standards

The following minimum levels of service shall be maintained before, during, and after new development or redevelopment in accordance with the following:

(i) Roadway and Intersection Operation

All intersections involving at least one arterial roadway (as shown in the City of Franklin Major Thoroughfare Plan) shall maintain a minimum Level of Service D based upon the standard ITE average peak hour. All other intersections shall be required to maintain a minimum Level of Service C based upon the standard ITE average peak hour.

(ii) Intersection Turning Movements

Lanes used for turning movements within intersections shall maintain a minimum Level of Service D. Where forecasted conditions without the site traffic indicate levels of service below the acceptable minimum threshold, the developer shall perform all improvements necessary to restore the pre-development level of operation.

(iii) Substandard Levels of Service

Should these levels of service not be achievable, even with additional improvements, the Franklin Municipal Planning Commission and the Board of Mayor and Alderman shall be presented the attainable levels of service. Any development will be subject to approval or disapproval by the Board of Mayor and Alderman based on substandard levels of service.

If this development is approved, **without requiring offsite improvements**, the following signalized intersections will exceed the Board of Mayor and Aldermen's "(i) Roadway and Intersection Operation" criteria:

- 1) SR96 at I-65 SB Ramp
- 2) SR96 at South Royal Oaks Boulevard
- 3) South Royal Oaks Boulevard at Forrest Crossing Boulevard
- 4) South Royal Oaks Boulevard at Mack Hatcher Memorial Parkway

If this development is approved, **without requiring offsite improvements**, the following signalized intersections will exceed the Board

of Mayor and Aldermen's "(ii) Intersection Turning Movements" criteria:

1. SR96 at I-65 NB Ramp
2. SR96 at I-65 SB Ramp
3. SR96 at South Royal Oaks Boulevard
4. South Royal Oaks Boulevard at Center Point Place/Riverside Drive
5. South Royal Oaks Boulevard at Creekstone Boulevard
6. South Royal Oaks Boulevard at Forrest Crossing Boulevard
7. South Royal Oaks Boulevard at Mack Hatcher memorial Parkway

Staff has been working with the Vintage Oak Meadow Development Team since February of 2019, and we are consistently projecting failure at multiple intersections. To move forward with their development, the Vintage Oak Meadow Development Team is here today to present their proposed improvements and the projected attainable levels of services at the studied intersections. It should be noted that the even with the proposed improvements, some intersections will not be able to meet the Board of Mayor and Aldermen's criteria as defined in the City of Franklin Street Standards.

FINANCIAL IMPACT:

No financial impact at this time. Staff is seeking direction from the Board of Mayor and Aldermen.

RECOMMENDATION:

No recommendation at this time. Staff and the Vintage Oak Meadow Development team is seeking direction from the Board of Mayor and Aldermen on how to proceed.

VINTAGE FRANKLIN TRAFFIC STUDY

Understanding the Traffic Impacts of Vintage
Franklin on South Royal Oaks and Murfreesboro
Rd (SR96)



Vintage Franklin Master Plan



Vintage Franklin Traffic Study Intersections

- TRIP DISTRIBUTION ASSIGNMENT
- IDENTIFY CRITICAL INTERSECTIONS – LEVEL OF SERVICE (LOS)
- RECOMMENDATIONS FOR IMPROVEMENTS



Vintage Franklin Traffic Study Intersections

- A M PEAK HOUR 2024
WITHOUT DEVELOPMENT
- EXISTING CONDITIONS WITH
2024 GROWTH INCLUDED AND
NO IMPROVEMENTS



Vintage Franklin Traffic Study Intersections

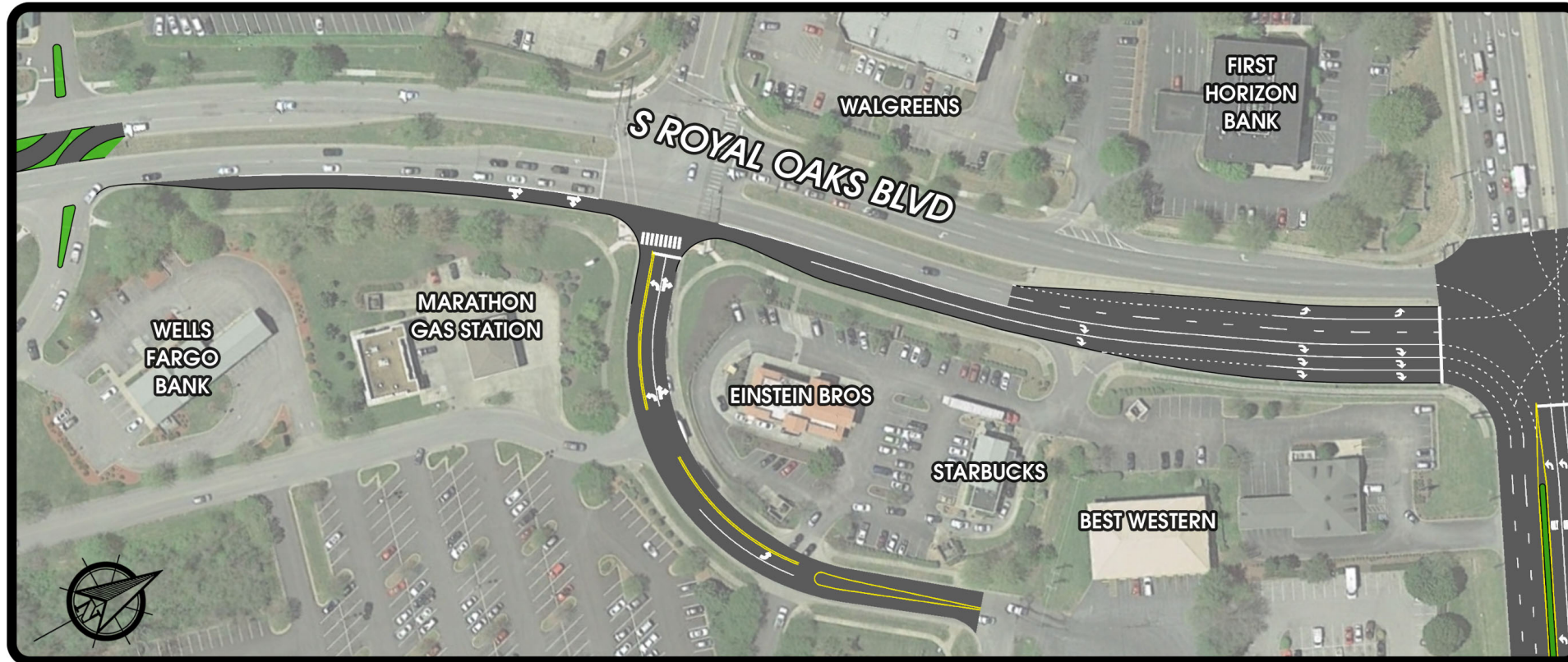
- P M PEAK HOUR 2024
WITHOUT DEVELOPMENT
- EXISTING CONDITIONS WITH
2024 GROWTH INCLUDED AND
NO IMPROVEMENTS

Existing LOS at Critical Signalized Intersections



HWY 96 BETWEEN ROYAL OAKS BLVD AND I-65 - EXISTING

Critical Intersection Analysis – Recommended Improvements

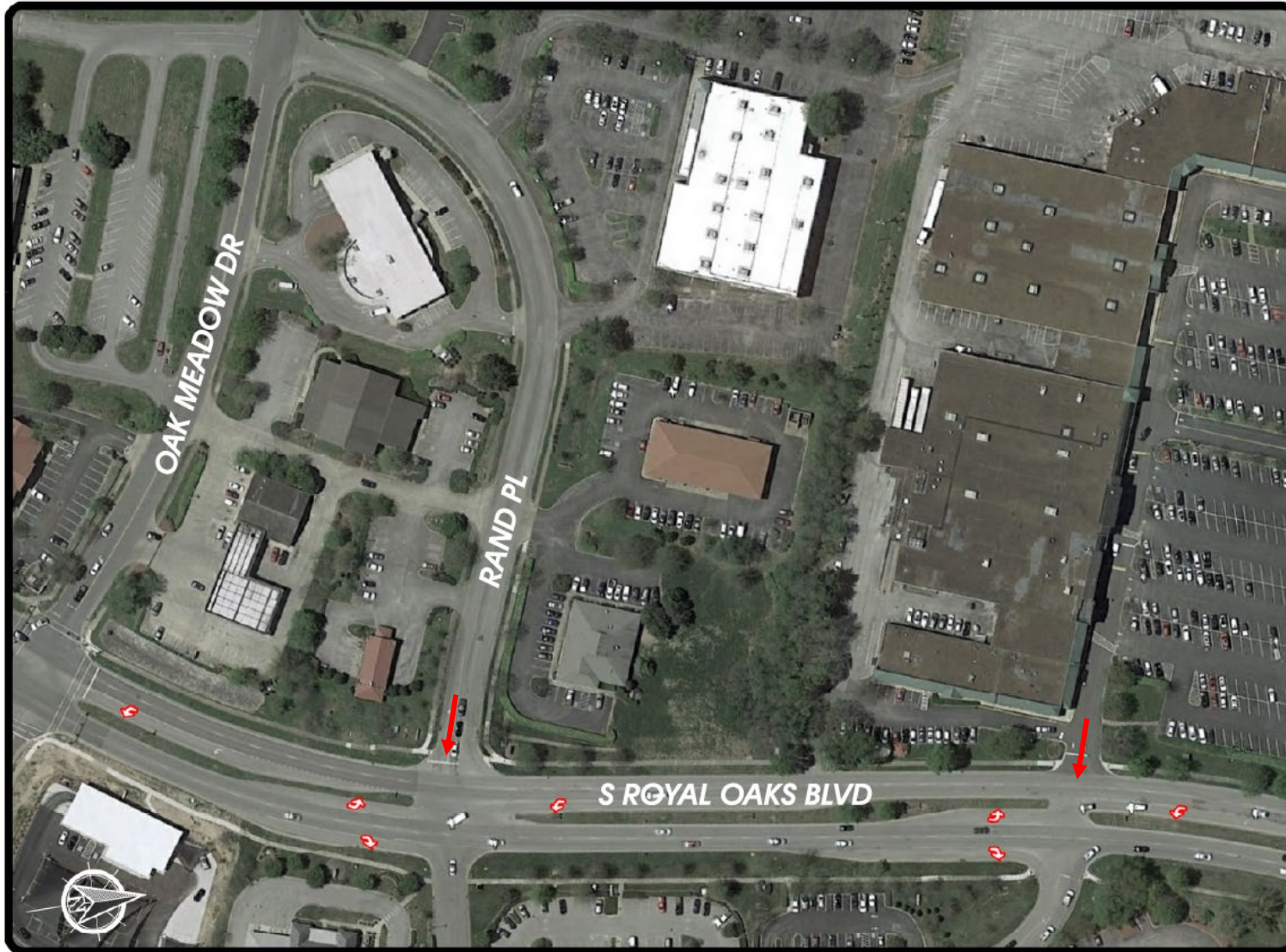


S ROYAL OAKS BLVD AT HWY 96 IMPROVEMENTS - PROPOSED

BUILD-OUT SCENARIOS:

- LENGTHEN WESTBOUND TURN BAYS @ ROYAL OAKS
- CLOSE MEDIAN TO HELP CAPACITY AND IMPROVE SAFETY
- TRIPLE RIGHTS NORTHBOUND
- EXTEND NORTHBOUND RIGHT TURN LANE

Existing LOS at Critical Unsignalized Intersections



S ROYAL OAKS BLVD ACCESS IMPROVEMENTS - EXISTING

Critical Intersection Analysis – Recommended Improvements



S ROYAL OAKS BLVD ACCESS IMPROVEMENTS - PROPOSED

BUILD-OUT SCENARIOS:

- CLOSE RAND PLACE MEDIAN ACCESS:
 - ACCOMMODATES LONGER SOUTHBOUND LEFT TURN LANE STORAGE @ OAK MEADOW DR
 - IMPROVES LEVEL OF SERVICE
- WATSON GLEN/PUBLIX MEDIAN ACCESS RESTRICTION:
 - LEFTS STILL ALLOWED INTO BUSINESS ACCESS DRIVES
 - UTILIZE INTERNAL CIRCULATION OR SERVICE ROADS TO GET TO OAK MEADOW OR CENTER POINT/RIVERSIDE SIGNALS
- EXTEND SOUTHBOUND LEFT TURN LANE FOR DEVELOPMENT AT OAK MEADOW
- OAK MEADOW SPEED TO 30MPH

Example of Left in Only – Whole Foods





INTERSECTION CAPACITY ANALYSIS RESULTS SUMMARY – A.M. PEAK HOUR
VINTAGE FRANKLIN
April 7, 2020

ANALYSIS RESULTS SUMMARY - A.M. PEAK HOUR					
Intersection	Level of Service (Avg. Delay / Vehicle – seconds)				Change in Delay due to Project with Imp.
	2019 Existing	2024 without Project	2024 with Project w/o Improvements	2024 with Project with Improvements	
Hwy 96 at I-65 NB Ramps	D (41.8)	D (46.9)	D (49.0)	D (49.0)	+ 2.1
Hwy 96 at I-65 SB Ramps	D (46.4)	D (54.8)	E (60.3)	D (51.8)	- 3.0
Hwy 96 at Royal Oaks	D (35.6)	D (36.4)	D (43.1)	D (36.8)	+ 0.4
Royal Oaks at Center Point/Riverside	B (17.9)	B (18.5)	C (24.2)	B (15.3)	- 3.3
Royal Oaks at Watson Glen/Publix (stop controlled)	E (46.9)	F (59.8)	F (84.2)	B (12.2)	- 47.6
Royal Oaks at Rand/Home Depot (stop controlled)	E (44.2)	F (57.7)	F (85.5)	B (13.1)	- 44.6
Royal Oaks at Oak Meadow	C (20.7)	C (21.3)	C (24.4)	C (26.9)	+ 5.6
Royal Oaks at Creekstone	A (8.3)	A (8.1)	A (7.6)	A (7.6)	- 0.5
Royal Oaks at Forrest Crossing	A (8.4)	B (14.8)	B (14.0)	B (14.0)	- 0.8
Mack Hatcher at Royal Oaks	C (27.6)	C (29.4)	C (31.6)	C (31.6) C (28.6)	+ 2.2

Legend:

X (##.#) = Level of Service & Average Delay with adjustment/improvements to signal timing

X (##.#) = Level of Service & Average Delay with improvements proposed to be constructed by Vintage Franklin

X (##.#) = Level of Service & Average Delay with City/TDOT Mack Hatcher widening project

A M PEAK AFTER IMPROVEMENTS



INTERSECTION CAPACITY ANALYSIS RESULTS SUMMARY – P.M. PEAK HOUR
 VINTAGE FRANKLIN
 April 7, 2020

ANALYSIS RESULTS SUMMARY - P.M. PEAK HOUR					
Intersection	Level of Service (Avg. Delay / Vehicle – seconds)				Change in Delay due to Project with Imp.
	2019 Existing	2024 without Project	2024 with Project w/o Improvements	2024 with Project with Improvements	
Hwy 96 at I-65 NB Ramps	C (29.3)	C (32.5)	C (34.7)	C (29.9)	- 2.6
Hwy 96 at I-65 SB Ramps	E (75.1)	F (86.6)	F (92.0)	F (82.2)	- 4.4
Hwy 96 at Royal Oaks	D (54.5)	E (60.2)	E (68.8)	E (59.4)	- 0.8
Royal Oaks at Center Point/Riverside	C (21.4)	C (21.9)	C (31.9)	C (24.8)	- 2.9
Royal Oaks at Watson Glen/Publix (stop controlled)	F (61.7)	F (92.7)	F (158.4)	B (14.2)	- 78.5
Royal Oaks at Rand/Home Depot (stop controlled)	F (178.3)	F (287.2)	F (513.6)	C (15.5)	- 271.7
Royal Oaks at Oak Meadow	C (21.1)	C (22.1)	C (26.4)	C (29.2)	+ 7.1
Royal Oaks at Creekstone	B (17.8)	B (18.2)	B (17.9)	B (17.9)	- 0.3
Royal Oaks at Forrest Crossing	D (38.1)	D (41.4)	D (40.2)	D (40.2)	- 1.2
Mack Hatcher at Royal Oaks	D (53.4)	E (65.3)	F (81.2)	F (81.2) D (35.8)	+ 15.9

Legend:

- X (##.#)** = Level of Service & Average Delay with adjustment/improvements to signal timing
- X (##.#)** = Level of Service & Average Delay with improvements proposed to be constructed by Vintage Franklin
- X (##.#)** = Level of Service & Average Delay with City/TDOT Mack Hatcher widening project

P M PEAK AFTER IMPROVEMENTS

Impact Fee Estimates

VINTAGE OAK MEADOW

ARTERIAL ROAD TOTAL	\$1,756,198
----------------------------	--------------------

VINTAGE MIXED USE	\$852,958
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OFFICE AREA	\$903,240
-------------	-----------

COLLECTOR ROAD TOTAL	\$1,198,995
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VINTAGE MIXED USE	\$581,040
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OFFICE AREA	\$617,955
-------------	-----------

The total costs for proposed improvements are currently being studied.

We are waiting on Aldermen input on the proposed improvements prior to finalizing the estimated improvement cost.

It is our goal to keep the improvement costs below the total Arterial Road Impact fees listed here.

Safety Consideration



HWY 96 BETWEEN ROYAL OAKS BLVD AND I-65 - EXISTING

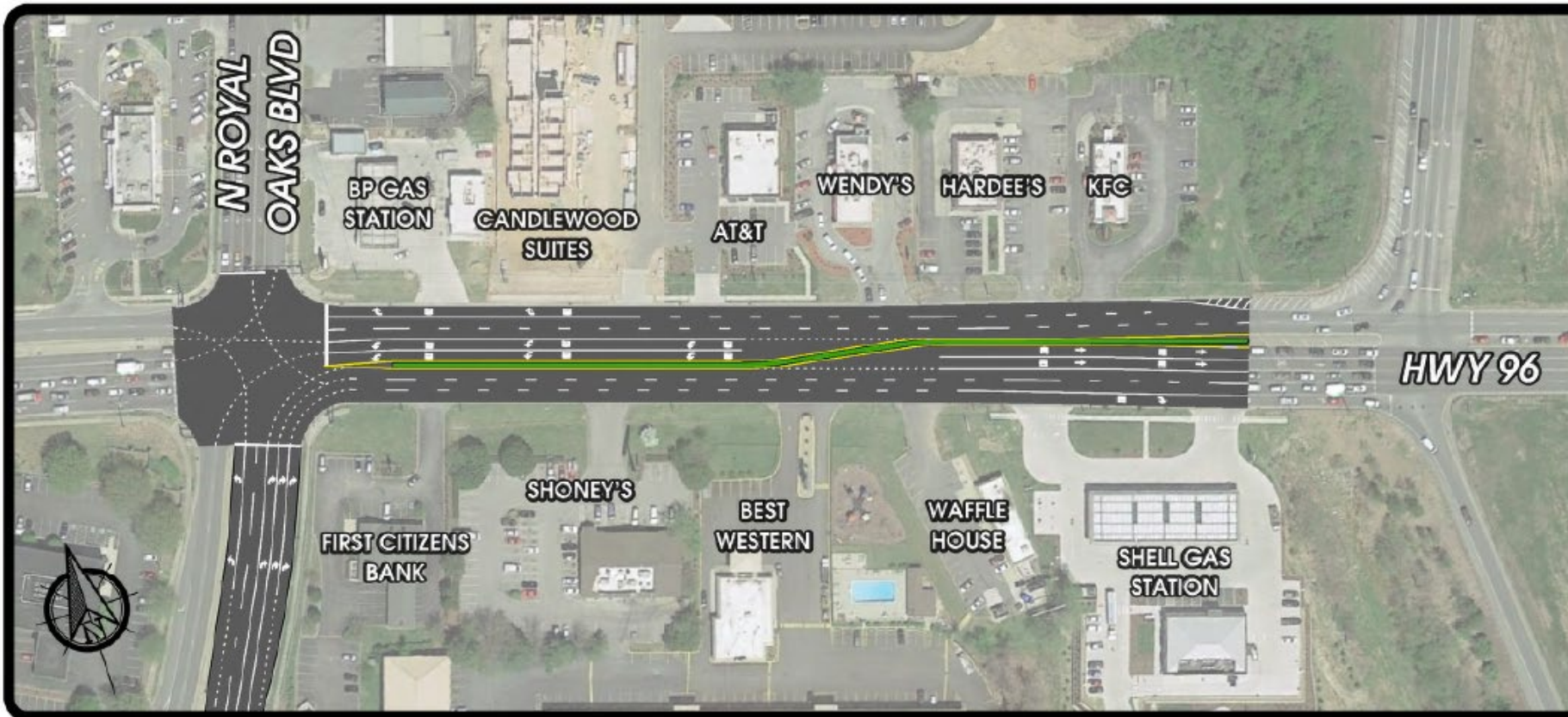
Safety Consideration

BUILD-OUT SCENARIOS:

- NEIGHBORHOOD
CONCERN: CLOSE MEDIAN
TO HELP TRAFFIC FLOW
AND IMPROVE SAFETY

Crash Summary (2017-2019)

- 105 total crashes
- 95 property damage crashes
- 10 injury crashes
- No incapacitating injuries and no fatalities
- This is 3.38 times the statewide average for state routes with 4 or more lanes and a turnlane



HWY 96 BETWEEN ROYAL OAKS BLVD AND I-65 - PROPOSED



MCEWEN PHASE 4 PROJECT OVERVIEW

PROJECT OVERVIEW

4/14/2020



Agenda

- Project Overview
- Typical Project Development Overview
- Utility Coordination
- Property Acquisition
- Regulating Authorities / Permits
- Construction Phase

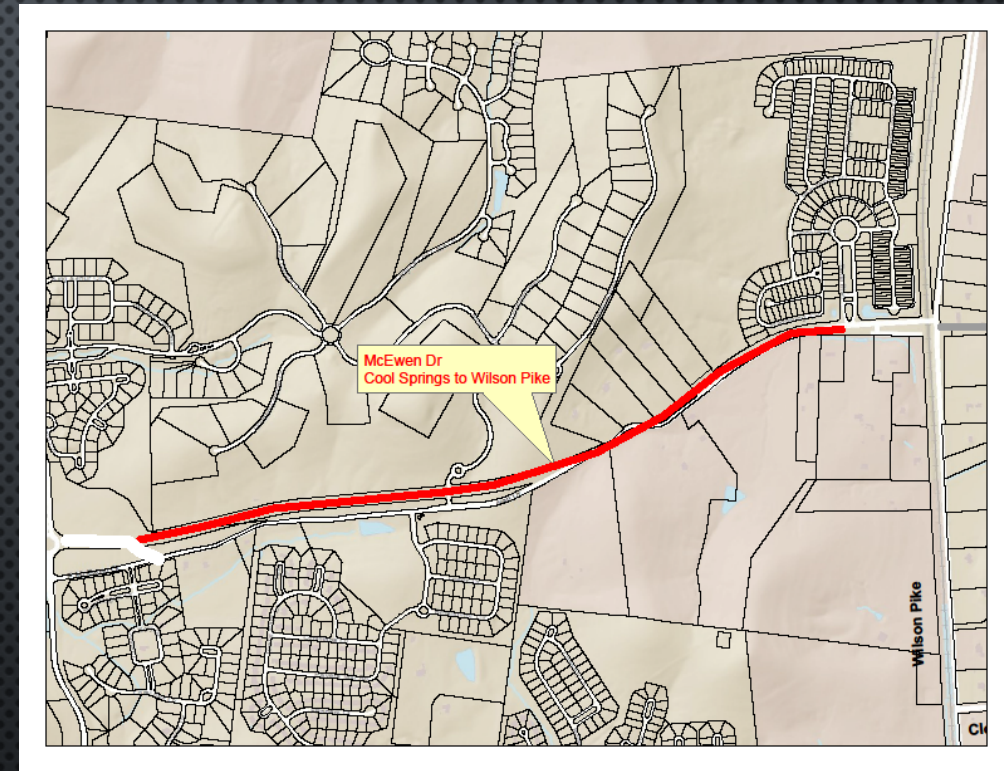


Project Overview

Franklin Road (US31/SR6) Corridor Improvements

Project Limits: Harpeth River Bridge to Harpeth Industrial Ct/Hooper Ln

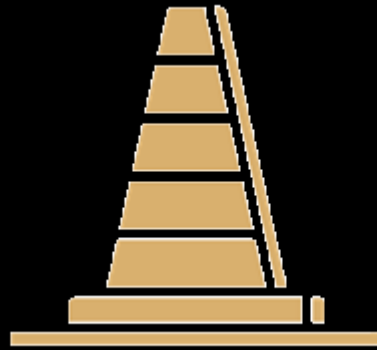
- Estimated Project Cost \$36,640,000
- \$22,400,000 Federal Funds
- Project Length is around 8,200 LF
- Roadway widening from a 2-lane roadway to 4-lane median divided facility
- Existing roadway will be converted to a multi-use trail
- New street lighting
- Bridge modification at Wilson Pike
- Utility upgrades and relocations



**WE ARE
HERE**



Preliminary Design / Environmental



Easement
Acquisition



Final Design



Construction

Notes:
The steps outlined in this flow chart are representative of the overall process and correspond with Chapters in the TDOOT Local Government Guidelines Manual. Please refer to the manual for additional information. Additional steps may be required based on each individual project and the respective Divisions/Offices of TDOOT will provide detailed guidance. Some steps shown may not be applicable based on the individual project.

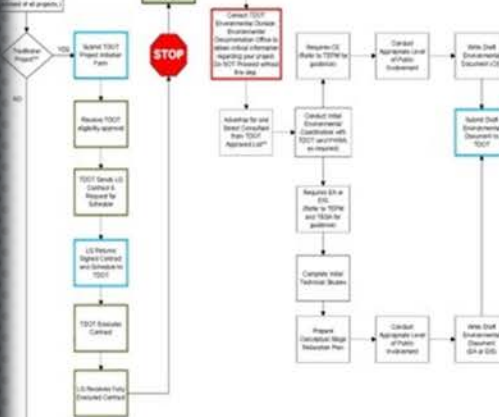
TOOT's approved Consultant Selection Process provides for a small procurement process to be used when consulting fees are anticipated to be less than \$100,000. Contact LPDO for approval to proceed with this process.

*Non-Traditional Projects may include: Building Projects, Parking Improvements, Diesel Retrofits, Van Pool Projects, Studies, Rideshare Projects, Air Quality Alerts, Air Quality Outreach, and Software Projects (i.e. GIS, ITS, Rideshare, etc).

LG may select a single Consultant for the PE/Design/ROW(Including Utilities) phase of the project; however the contract should provide separate work orders for each phase of project development. Also, the consultant should have expertise in the type of work involved in the project or the specific phase(s). A separate CEI Consultant must be chosen for the Construction phase.

3. The NTP and program are included in the EIS. The NTP and program are separately submitted and must go through the review process.

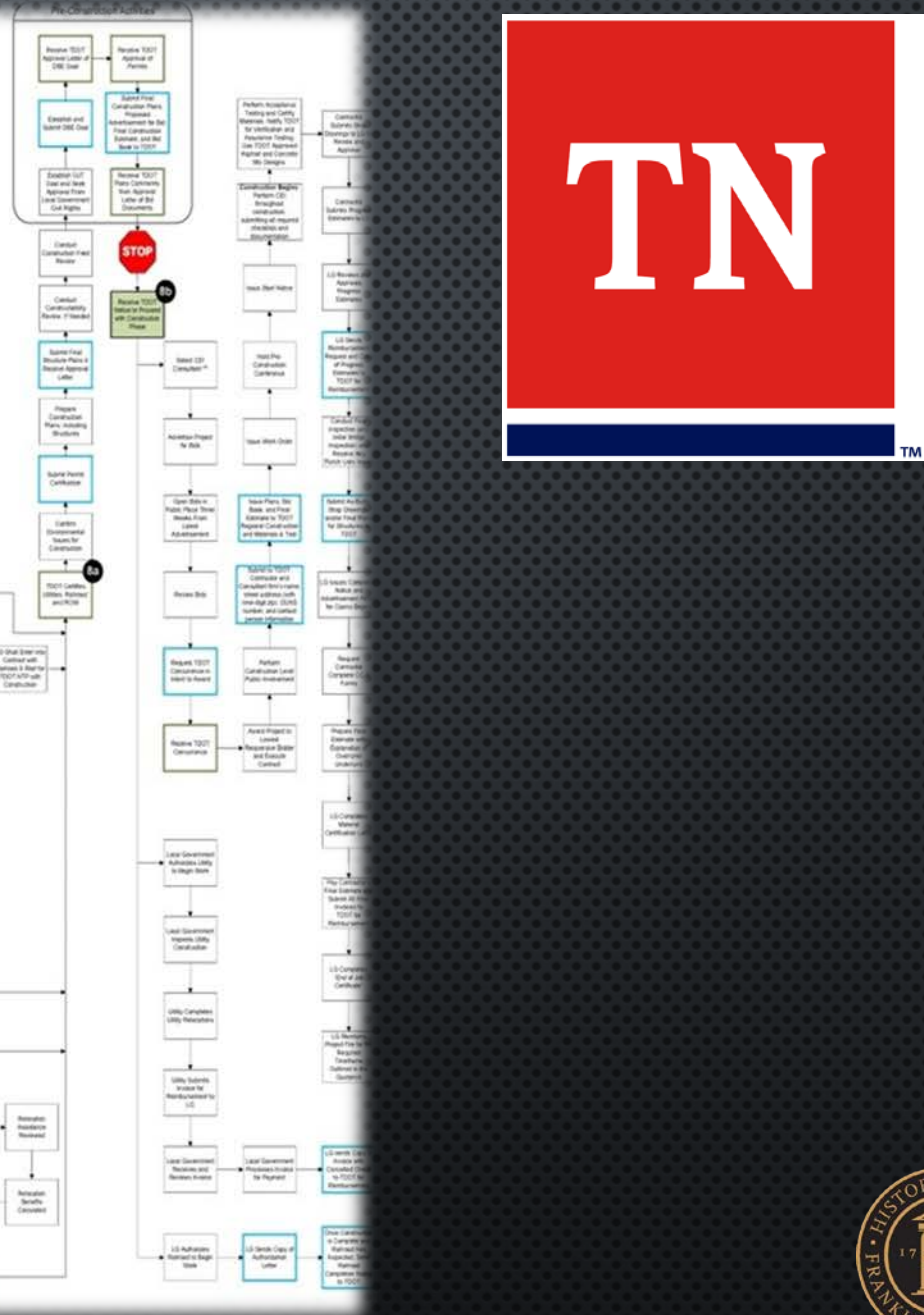
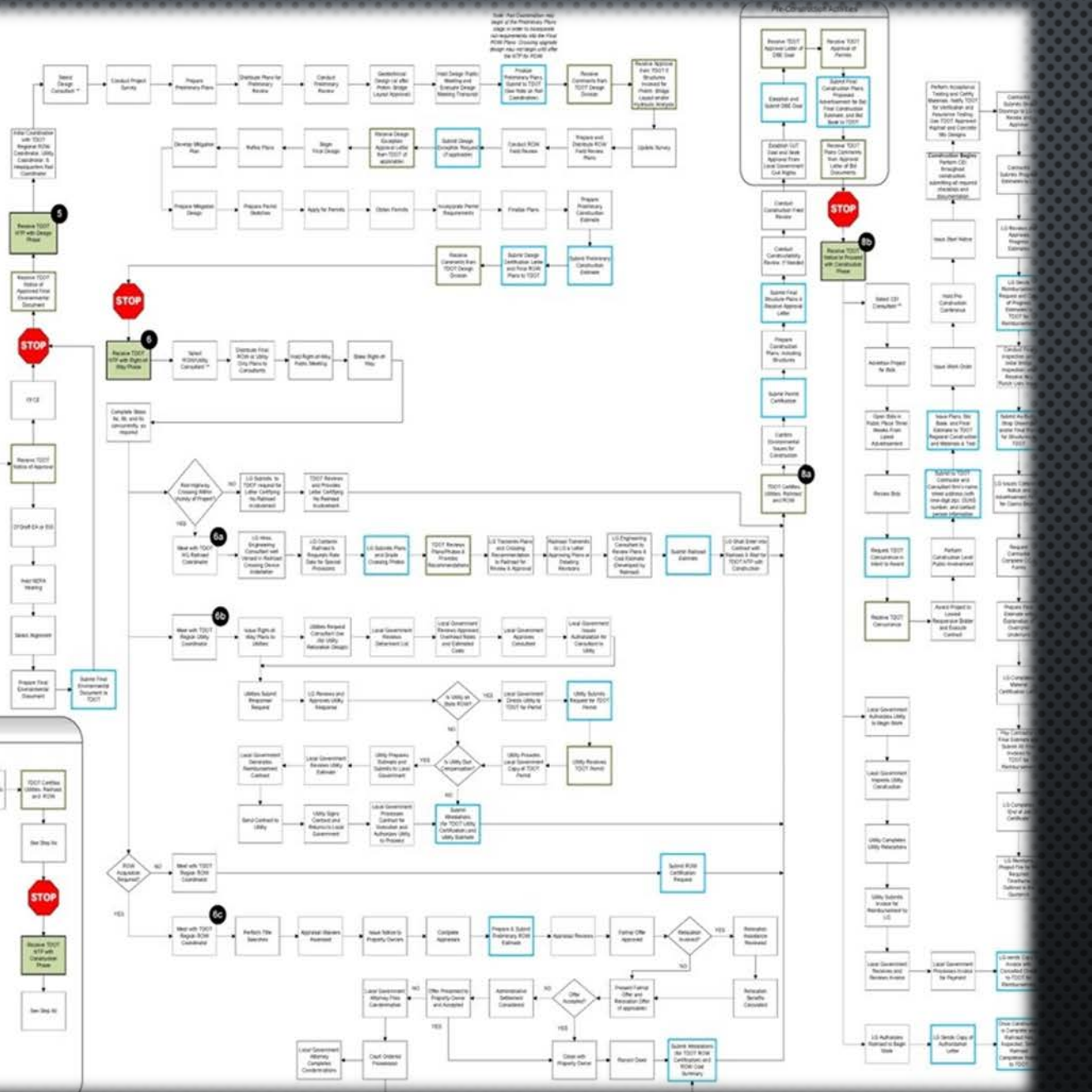
4. Review NTP and program. Engineering Plan to Environmental



```

graph TD
    Start([Project requires EIA?]) -- No --> NoEIA[No EIA required]
    Start -- Yes --> SubmitEIAForm[Submit EIA Form and Preliminary EIA Report to DENR Regional Office]
    SubmitEIAForm --> ReviewEIAForm[Review EIA Form and Preliminary EIA Report]
    ReviewEIAForm --> Decision1{ }
    Decision1 --> Stop1[STOP]
    Decision1 --> SubmitEIAStudy[Submit EIA Study to DENR Regional Office]
    SubmitEIAStudy --> ReviewEIAStudy[Review EIA Study]
    ReviewEIAStudy --> Decision2{ }
    Decision2 --> Stop2[STOP]
    Decision2 --> ImplementEIAPlan[Implement EIA Management Plan]
    ImplementEIAPlan --> FinalDecision[Final EIA Decision]
  
```

The flowchart illustrates the EIA process in the Philippines. It begins with a decision point: "Project requires EIA?". If the answer is "No", the process ends with "No EIA required". If "Yes", the proponent must "Submit EIA Form and Preliminary EIA Report to DENR Regional Office". The DENR Regional Office then "Reviews EIA Form and Preliminary EIA Report". A decision point follows: if the project is not deemed to have significant adverse impacts, the process stops; otherwise, the proponent must "Submit EIA Study to DENR Regional Office". The DENR Regional Office then "Reviews EIA Study". Another decision point follows: if the project is not approved, the process stops; otherwise, the proponent must "Implement EIA Management Plan". Finally, the DENR Regional Office issues the "Final EIA Decision".



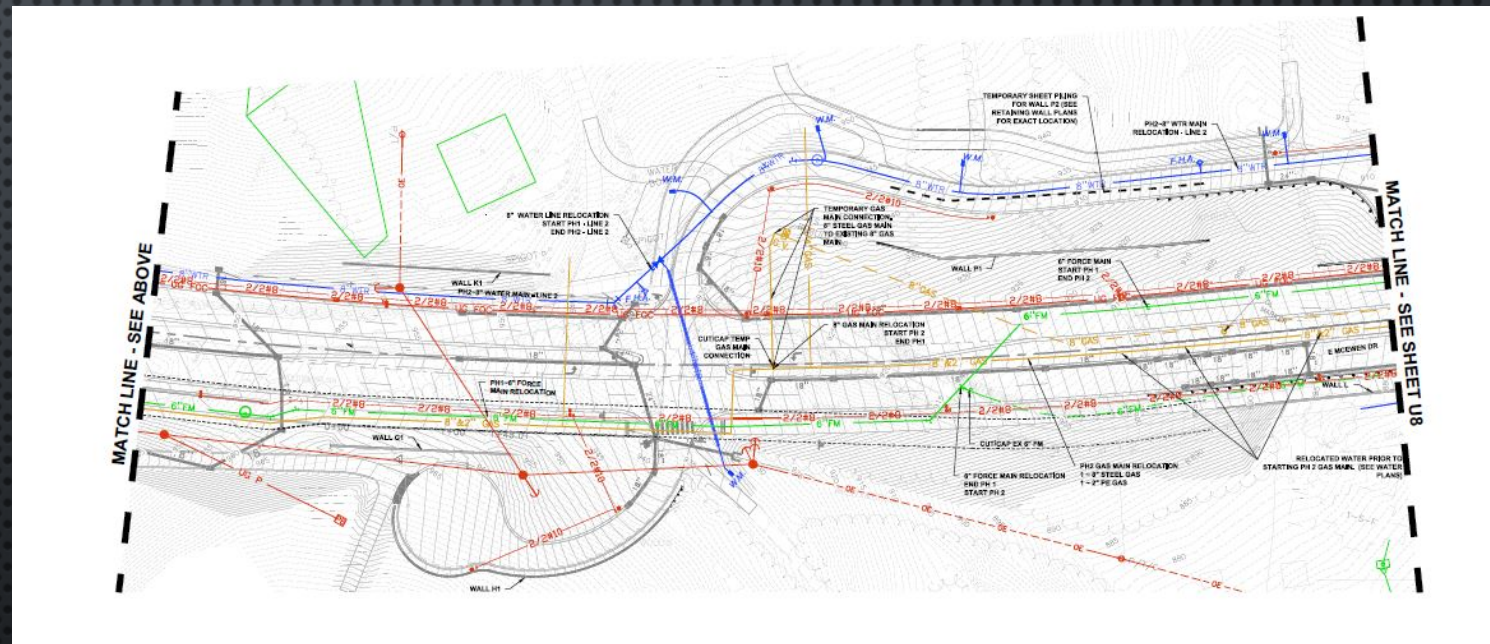
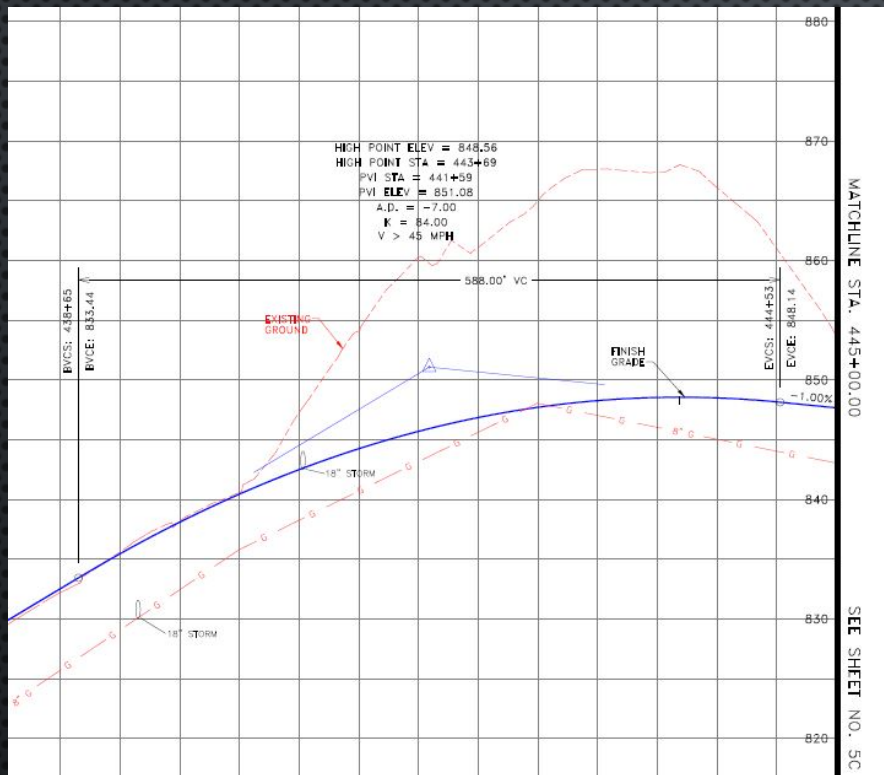
Utility Coordination

Utility Coordination - We are relocating a COF force main, a major Atmos Gas main, Milcrofton Water Main, Installation of COF ITS, Relocation of MTEMC and AT&T utilities. The Utility companies for this project include: Atmos, Milcrofton Water, COF Communications, MTEMC and AT&T.



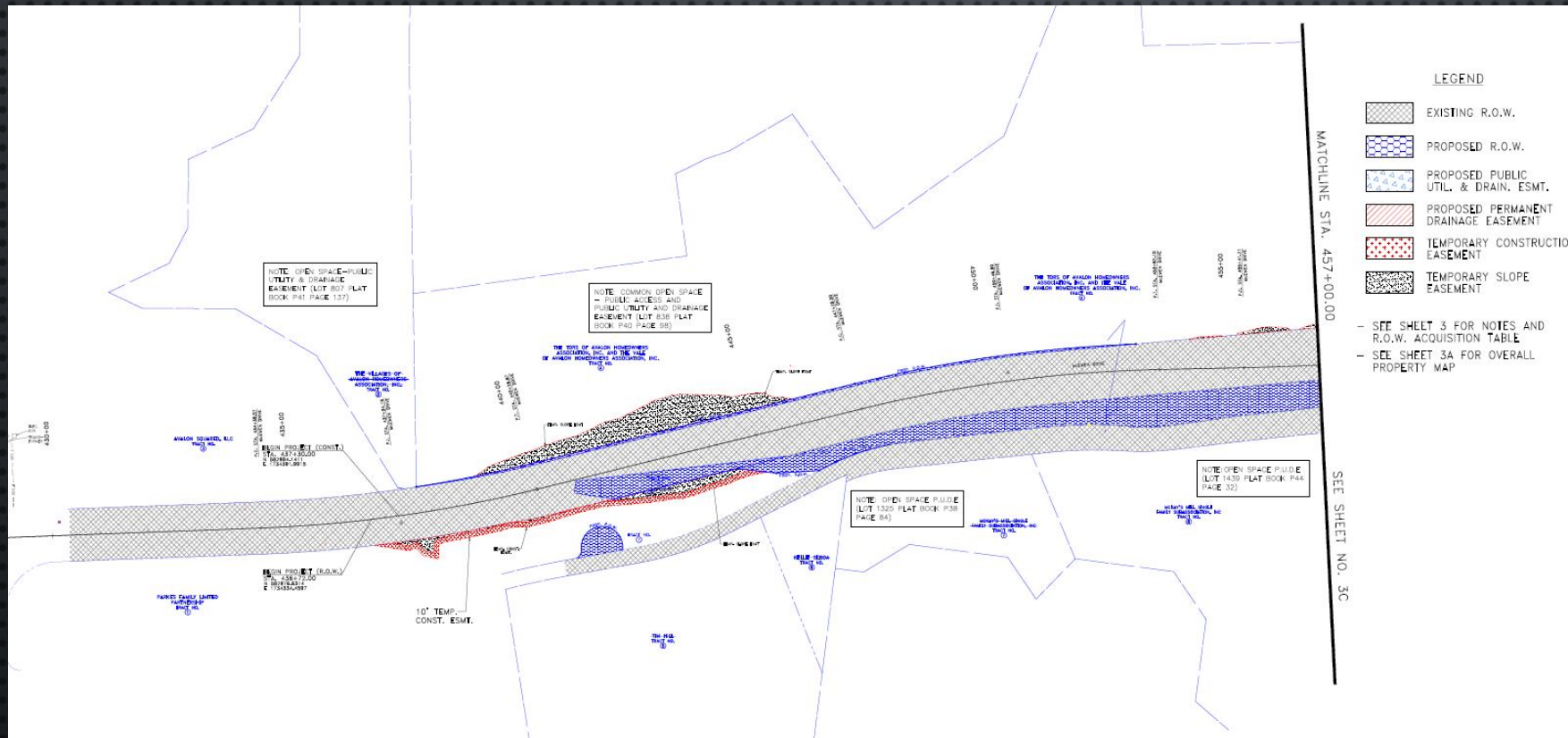
Utility Coordination

The roadway is being lowered 20' to meet a 40 MPH posted design speed. Utilities are being relocated in 3 phases to maintain existing services to the residents.



Property Acquisition

- We are required to acquire easements and ROW from 19 Tracts to accommodate the project.
- Appraisals started 4 months again and we anticipate having them within the next 30 days to start making offers to the property owners.
- Our goal is to complete ROW within the next 12 months and submit to TDOT for review and approval.



Regulating Authorities / Permits

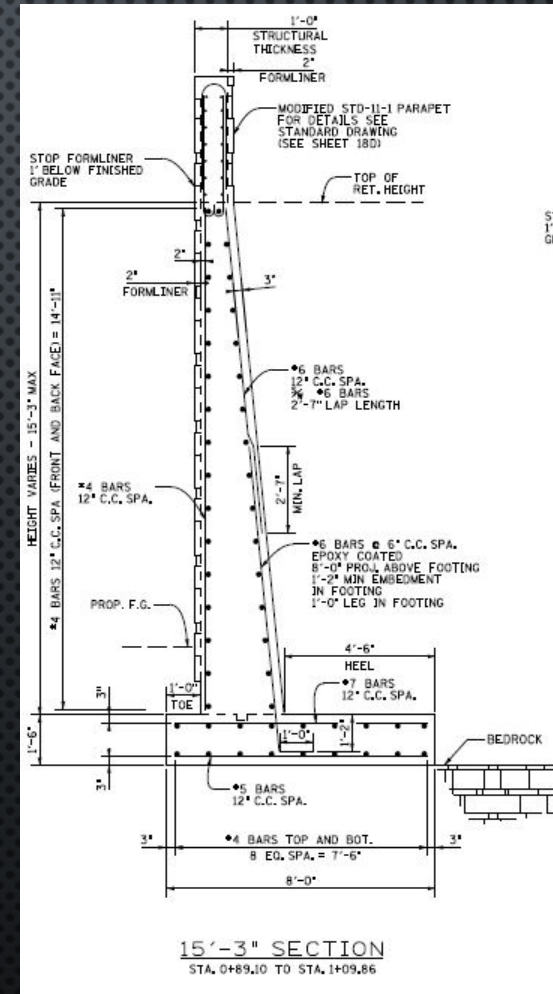
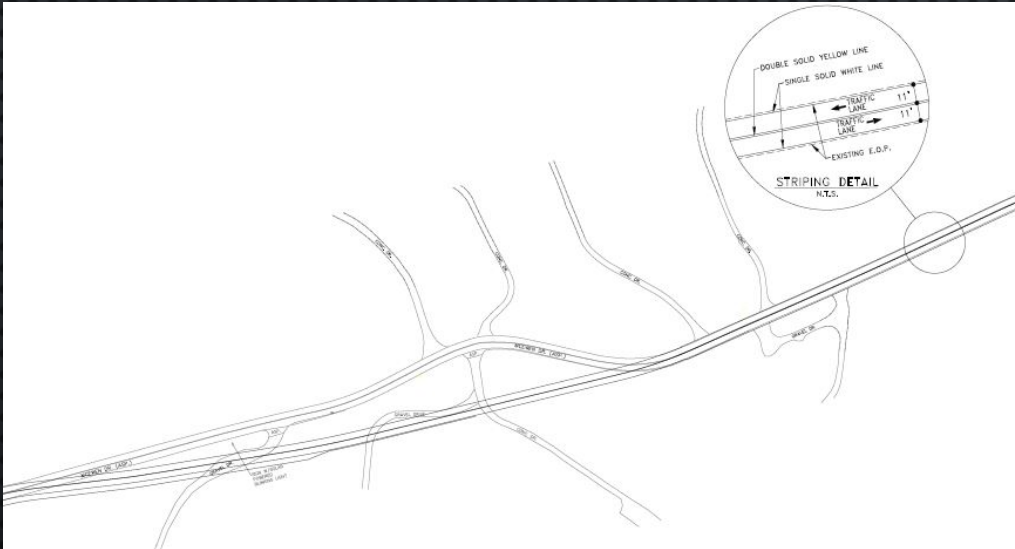
Following the final design, the City is required to obtain the following permits: TDEC NPDES Permit, TDEC Public Water Systems Permit, TDEC Sewage Works Permit and CSX Permit



Construction Phase

We anticipate construction lasting 2.5-3 years given the complications with utilities and the amount of earthwork associated with this project. The project generally includes:

- 1) 1.4 Miles of Roadway Improvements
- 2) 3,166 LF of water main
- 3) 4,507 LF of Sanitary Sewer Force Main
- 4) 1.4 Miles of Fiber Optic Cable
- 5) 2.5 Miles of Gas Main
- 6) 3,644 LF of walls
- 7) Signal modifications
- 8) Bridge modifications



QUESTIONS?

