

**MINUTES OF THE SPECIAL MEETING  
BOARD OF MAYOR AND ALDERMEN  
FRANKLIN, TENNESSEE  
CITY HALL BOARDROOM  
TUESDAY, MAY 26, 2015 – 7:00 P.M.**

**Board Members**

Mayor Ken Moore	P		
Vice Mayor Clyde Barnhill	P	Alderman Dana McLendon	A
Alderman Brandy Blanton	P	Alderman Margaret Martin	P
Alderman Pearl Bransford	P	Alderman Ann Petersen	P
Alderman Beverly Burger	P	Alderman Michael Skinner	P

**Department Directors/Staff**

Eric Stuckey, City Administrator	P	Lisa Clayton, Parks Director	P
Vernon Gerth, ACA Community & Economic Dev.	P	Shirley Harmon-Gower, Human Resources Director	
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	P
David Parker, City Engineer/CIP Executive	P	Paul Holzen, Engineering Director	P
Shauna Billingsley, City Attorney	P	Bob Martin, Interim Planning/Sustainability Director	P
Rocky Garzarek, Fire Chief		Joe York, Streets Director	P
Deb Faulkner, Police Chief		Brad Wilson, Facilities Project Manager	
Fred Banner, IT Director		Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, BNS Director	P	Linda Fulwider, Board Recording Secretary	P
Becky Caldwell, SES Director			

**Call to Order**

Mayor Ken Moore called the May 26, 2015, meeting to order at 7:00 p.m.

**Invocation**

Vice Mayor Barnhill gave the invocation.

**Pledge of Allegiance**

Mayor Moore led the Pledge of Allegiance to the Flag of the United States of America.

**Citizen Comments** (Open for Franklin citizens to be heard on items not included on this Agenda. As provided by law, the Board of Mayor and Aldermen shall make no decisions or consideration of action of citizen comments, except to refer the matter to the City Administrator for administrative consideration, or to schedule the matter for Board consideration at a later date. Those citizens addressing the Board of Mayor and Aldermen are requested to come to the microphone and identify themselves by name and address for the official record)

**Communications from Williamson County Mayor and Williamson County Commission**

None in attendance

**1. Approval of Minutes**

*Alderman Petersen moved to approve the May 12, 2015 Work Session and May 12, 2015 Board of Mayor and Aldermen minutes as presented. Seconded by Vice Mayor Barnhill. Motion carried unanimously 7-0.*

**Recognitions**

None

**Miscellaneous Reports**

None

2. **CONSENT AGENDA**

All items under the Consent Agenda are deemed non-controversial and routine in nature by the governing body. They will be approved as recommended by Committee or staff by one motion of the governing body. The items on the Consent Agenda will not be discussed. Any member of the governing body desiring to discuss an item on the Consent Agenda may request that it be removed from the Consent Agenda and be placed on the Regular Agenda. It will then be considered at that time. Staff recommends that Item Numbers 10-17 be placed on the Consent Agenda. Alderman Bransford moved to approve the Consent Agenda Items 10-16, Item 17 was pulled by Alderman Burger. Seconded by Alderman Burger. Motion carried unanimously 7-0.

**OLD BUSINESS**

3. **PUBLIC HEARING: Consideration of ORDINANCE 2014-50, "An Ordinance to Amend Title 23 of the City of Franklin Municipal Code to change Ordinance Trigger Thresholds, Remove Buffers on Channels That Serve 25 Acres of Tributary Area, Revise Definitions, Clarify Requirements and to Correct Grammatical and Typographical Errors."**

**[Second and Final Reading]**

**Paul Holzen, Engineering Director**

Public Hearing:

David Parker explained that when this was discussed at the Work Session, Alderman Petersen asked if language in the ordinance addressed critical lots. He had answered that it was included. Subsequently, he discovered the language had been removed. This amendment restores the language. He asked that the motion reflect the wording in the amendment.

With no one else coming forth to speak, Mayor Moore declared the Public Hearing Closed

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*Alderman Skinner moved to approve Ordinance 2014-50 with the following amendment: "Add to Section 23-102. Jurisdiction; Subsection (2)(c) Lots classified as Critical Lots as defined in the City's Zoning Ordinance and Development in Critical Areas are not exempt from the requirements of this article." Seconded by Alderman Bransford.*

Discussion:

- Alderman Petersen asked Mr. Parker for clarification of several items in the ordinance.
- Alderman Burger had questions as well. In particular, the determination of a wet weather conveyance.
- Mr. Parker advised City Stormwater Inspectors are qualified to make that determination according to criteria provided.

*Motion to approve Ordinance 2014-50 with amendment as stated carried unanimously 7-0 on Second and Final Reading.*

4. **PUBLIC HEARING: Consideration of ORDINANCE 2014-28, Amending Table 3-2; Permitted Uses and Chapter 8 Definitions, to Allow Short-Term Vacation Rentals in Various Zoning Districts.**

**[Second of Three Readings]**

**Vernon Gerth, ACA Community/Economic Development  
Chris Bridgewater, BNS Director**

Public Hearing:

With no one coming forth to speak, Mayor Moore declared the Public Hearing Closed

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*Alderman Martin moved to approve Ordinance 2014-28. Seconded by Alderman Blanton.*

Discussion:

- Eric Stuckey noted Short-Term Vacation Rentals are allowed in the same zoning districts as a Bed and Breakfast. The ordinance now authorizes this use.
- Alderman Burger asked for clarification of the number of days stay that are considered short-term.
- Chris Bridgewater responded that a stay of 21 days or less is regulated by this ordinance. Anything over 21 days is considered to be a rental and not regulated by this ordinance.
- Alderman Burger had previously asked that fire extinguishers be added to the list of requirements and that isn't on the list. She asked that staff tell applicants that fire extinguishers are recommended.

*Motion to approve Ordinance 2014-28 carried unanimously 7-0 on Second of Three Readings.*

5. **Consideration of ORDINANCE 2015-06, An Ordinance to Create Title 13, Chapter 2 of the Franklin Municipal Code Establishing Regulations for Short Term Vacation Rentals.**  
**[Second and Final Reading]** **Chris Bridgewater, BNS Director**

Eric Stuckey requested this item be deferred to June 9 to coincide with final approval of Ordinance 2014-28.

*Alderman Burger moved to defer Ordinance 2015-06 to June 9, 2015. Seconded by Vice Mayor Barnhill. Motion carried unanimously 7-0.*

6. **Consideration of ORDINANCE 2015-02, An Ordinance to Amend Title 12, Chapter 10 of the Franklin Municipal Code Amending the International Residential Code, 2012 Edition, Requiring Fire Sprinklers in Some Townhomes.**  
**[Second and Final Reading]** **Chris Bridgewater, BNS Director**  
**Andy King, Deputy Chief/Fire Marshall**

Eric Stuckey requested this item be withdrawn. Changes were made at State level and sprinklers are not required.

*Alderman Burger moved to withdraw Ordinance 2015-02. Seconded by Alderman Bransford. Motion to withdraw carried unanimously 7-0.*

### **NEW BUSINESS**

7. **Consideration of ORDINANCE 2015-15, An Ordinance to Amend THE Fiscal Year 2014-2015 Budget; Establishing a Public Hearing date of June 9, 2015.**

**[First of Two Readings]** **Mike Lowe, Comptroller**

*Alderman Blanton moved to approve Ordinance 2015-15. Seconded by Vice Mayor Barnhill.*

Eric Stuckey said there is potential to make transfers from the General Fund on several items to keep the funds at the appropriate reserve levels at the end of this fiscal year and the beginning of the new fiscal year. This is per the State Comptroller and for the worst case scenario.

*Motion to approve Ordinance 2015-15 carried unanimously on First of Two Readings.*

8. **Consideration of ORDINANCE 2015-13, An Ordinance of the City of Franklin, TN, Adopting a Budget for the Fiscal Year 2015-2016, and Providing an Effective Date; Establishing a Public Hearing Date of June 9, 2015.**

**[First of Three Readings]** **Eric Stuckey, City Administrator**

*Alderman Bransford moved to approve Ordinance 2015-13. Seconded by Vice Mayor Barnhill.*

Eric Stuckey highlighted:

- Total of all funds \$122.9 million an approximate 3% increase over the current year.
- General Fund budget \$59.8 million, a 6% increase over the current year.
- It is a return to the budget the City had in 2008-2009.
- The budget is balanced with current revenues equaling expenditures.
- In compliance with BOMA's debt and reserve policies.
- Fire Station No. 8 (Westhaven) will open in 2015.
- A general salary increase of 2.0% proposed for July 3, 2015 plus a fourth year of merit pay program
- Base Property Tax same as 2015 (.4065 per \$100 of assessed valuation).
- No increase in sanitation fee.

*Motion to approve Ordinance 2015-13 carried unanimously (7-0) on First of Three Readings.*

9. **Consideration of ORDINANCE 2015-14, An Ordinance of the City of Franklin, TN, Establishing the Municipal Property Tax Levy for the Fiscal Year 2015-2016, and Providing an Effective Date; Establishing a Public Hearing Date of June 9, 2015.**

**[First of Three Readings]** **Eric Stuckey, City Administrator**

*Vice Mayor Barnhill moved to approve Ordinance 2015-14. Seconded by Alderman Petersen. Motion carried unanimously (7-0) on First of Three Readings.*

## CONSENT AGENDA

10. **Consideration of RESOLUTION 2015-17, A Resolution Awarding the Construction Contract (COF Contract 2014-0272) to Layne Inliner in the Amount of \$1,411,950.00 for the Annual On-Call Sanitary Sewer and Manhole Rehabilitation Project.**

Paul Holzen, Engineering Director  
Mark Hilty, Water Management Director

*Resolution 2015-17 approved unanimously*

11. **Consideration of RESOLUTION 2015-18, A Resolution Awarding the Construction Contract (COF Contract 2014-0273) to First Response in the Amount of \$459,310.00 for the Annual On-Call Sanitary Sewer Cleaning and Inspection Project.**

Paul Holzen, Engineering Director  
Mark Hilty, Water Management Director

*Resolution 2015-18 approved unanimously*

12. **Consideration of a Professional Services Agreement (COF 2015-0086) with Civil Infrastructure Associates in the Amount of \$102,930 for the Harpeth River Walk (Bicentennial Park to Eastern Flank Battlefield) Preliminary Engineering Project.**

*Approved unanimously*

Paul Holzen, Engineering Director

13. **Consideration of a Professional Services Agreement (COF 2015-0096) with Civil & Environmental Consultants, Inc. for the Jordan Branch/Spencer Creek Restoration Project for an Amount Not to Exceed \$106,945.**

*Approved unanimously*

Paul Holzen, Engineering Director

14. **Consideration of a Professional Services Agreement (COF 2015-0087) with Barge Waggoner Sumner & Cannon, Inc. in the Amount of \$48,750 for the Parkview Drainage Improvements Study Project.**

*Approved unanimously*

Paul Holzen, Engineering Director

15. **Consideration of Bid Award to WW Masonry Restoration and Waterproofing of Nashville, Tennessee in the Total Lump Sum Amount of \$44,363.00 to Re-Coat Exterior of Ash Drive Water Storage Tank for the Water Management Department (Purchasing Office Procurement Solicitation No. 2015-031; \$95,000 Budgeted for All Expenditures, Including this Project, To be Allocated to 421-82599-52109 for Fiscal Year 2015; Contract No. 2015-0114).**

*Approved unanimously*

Mark Hilty, Water Management Director  
Michelle Hatcher, Assistant Water Management Director

16. **Consideration of Reassignment of Contract 2013-0137 with Energy Source Partners to TA Solar Project Co 12, LLC Regarding the Approved 1 Megawatt Solar Array.**

*Approved unanimously*

Andrew Orr, Principal Planner

17. **Acknowledgement of Professional Services Agreement (COF Contract 2015-0108) with Ferrell Madden LLC in an Amount of \$5,000 for the Purpose of Conducting a Form-Based Code Public Presentation and Workshop.**

Alderman Burger asked for information.

Mr. Stuckey advised there would be a presentation open to the public on June 16<sup>th</sup> @ 7:00 p.m. in the Board Room. They will talk about the big picture, what form-based codes are, how applied, how it helps communities manage their needs, and vision for land use. There will be a more detailed presentation the following morning with Board members, Planning Commission members and other key staff and stakeholders that are involved in land use and planning.

*Vice Mayor Barnhill moved to approve PSA with Ferrell Madden LLC. Seconded by Alderman Petersen. Motion carried unanimously 7-0.*

NO EXECUTIVE SESSION HELD

EXECUTIVE SESSION

18. Consideration of Motion to Enter Executive Session for the Purpose of Reviewing Various Matters of Pending Litigation

Shauna Billingsley, City Attorney

RETURN FROM EXECUTIVE SESSION

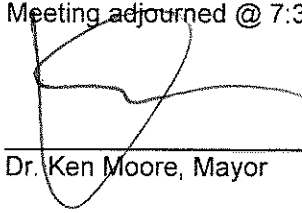
19. Consideration of Matters from Executive Session

Dr. Ken Moore, Mayor

**ADJOURN**

*Alderman Bransford moved to adjourn. Seconded by Alderman Skinner. Motion carried unanimously.*

Meeting adjourned @ 7:34 p.m.

  
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Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office – Updated: 6/5/2015 3:29 PM