
**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, SEPTEMBER 11, 2018 – 7:00 P.M.**

Board Members

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

Department Directors/Staff

Eric Stuckey, City Administrator	P	Jack Tucker, SES Director	
Vernon Gerth, ACA Community/Economic Dev.	P	Lisa Clayton, Parks Director	
Mark Hilty, ACA Public Works	P	Michelle Hatcher, Water Management Director	P
Kristine Tallent, ACA/CFO	P	Paul Holzen, Director of Engineering	P
Shauna Billingsley, City Attorney	P	Emily Hunter, Planning/Sustainability Director	P
Deb Faulkner, Police Chief		Kevin Townsel, HR Director	P
Rocky Garzarek, Fire Chief		Joe York, Streets Director	
Jordon Shaw, IT Director		Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, BNS Director		Linda Fulwider, Board Recording Secretary	P

CALL TO ORDER

Mayor Ken Moore called the September 11, 2018 BOMA meeting to order at 7:00 p.m.

INVOCATION

The invocation was given by Alderman Clyde Barnhill.

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 later. 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)

No one came forward to speak

COMMUNICATIONS: WILLIAMSON COUNTY MAYOR/WILLIAMSON COUNTY COMMISSION

Not present

APPROVAL OF MINUTES

- 1. 18-0916** *Vice Mayor Martin moved to approve the August 28, 2018 Work Session and Board of Mayor and Aldermen minutes as presented. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.*

RECOGNITIONS

- 2. 18-0922 **Recognition of Patriot Day and National Day of Service and Remembrance**
Deputy Chief/Fire Marshall Andy King and Police Chief Deb Faulkner each spoke about the 9/11 commemoration at Police Headquarters this morning and their recollections of that day 17 years ago. Never forget.

Mayor Moore called for a moment of silence.
- 3. 18-0905 **Proclamation of Constitution Week September 17-23, 2018**
Mayor Moore read the Proclamation of Constitution Week and presented it to Anna Shaffer, Regent, Old Glory Chapter of DAR, and members Dolores Greenwald, Ann Petersen, and Margaret Martin.

MISCELLANEOUS REPORTS

Eric Stuckey announced there will be a Special BOMA Work Session on Monday, September 17, 2018 at 2:00 p.m. in the Board Room. Capital Projects 2019-2028 will be discussed.

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 13-31 be placed on the Consent Agenda.

- 4. 18-0917 **Consideration of Items 13-31 on the Consent Agenda**
Vice Mayor Martin moved to approve Consent Agenda Items 13-31 except for Item 23 pulled for an amendment to the title. Seconded by Alderman Bransford. Motion carried unanimously 7-0.

OLD BUSINESS

- 5. 18-0684 **PUBLIC HEARING: Consideration of ORDINANCE 2018-30, To Be Entitled: “An Ordinance to Rezone 49.10 Acres from Estate Residential (ER) District to Civic-Institutional (CI) District for the Property Located ~~East~~ West of Hillsboro Road and South of the Harpeth River, 1215 Hillsboro Road (Christ Community Church PUD Subdivision).”**

Franklin Municipal Planning Commission
Emily Hunter, Planning/Sustainability Director
Amy Diaz-Barriga, Planning Supervisor
Josh King, Senior Planner

[SECOND OF THREE READINGS]

Josh King: Existing church is expanding uses by adding two buildings. Staff and FMPC recommend approval.

Public Hearing

With no one coming forward to speak, Mayor Moore declared the Public Hearing closed

*Alderman McLendon moved to approve Ordinance 2018-30 with a correction to the caption: Strike ~~East~~ of Hillsboro Road and replace with **West** of Hillsboro Road. Seconded by Alderman Burger. Motion carried unanimously 7-0, as amended, on Second of Three Readings.*

6. 18-0685 **PUBLIC HEARING: Consideration of RESOLUTION 2018-58, To Be Entitled: “A Resolution Approving a Development Plan for Christ Community Church, for the Property Located ~~East~~ West of Hillsboro Road and South of the Harpeth River (1215 Hillsboro Road).**

**Franklin Municipal Planning Commission
Emily Hunter, Planning/Sustainability Director
Amy Diaz-Barriga, Planning Supervisor
Josh King, Senior Planner**

Josh King: Development Plan for west of Hillsboro Road. Special exception institutional uses.

Public Hearing

With no one coming forward to speak, Mayor Moore declared the Public Hearing closed

*Alderman McLendon moved to approve Resolution 2018-58 with amendment to caption striking ~~East~~ of Hillsboro Road and replace with **West** of Hillsboro Road. Seconded by Alderman Burger. Motion, as amended, carried unanimously 7-0.*

7. 18-0726 **PUBLIC HEARING Consideration of ORDINANCE 2018-28, To Be Entitled: “An Ordinance to Rezone 2.17 Acres from Estate Residential (ER) District to Residential-3 (R-3) District for the Property Located North of New Highway 96 and South of Del Rio Pike at 1044 Carlisle Lane.”**

[SECOND OF THREE READINGS] Emily Hunter, Planning/Sustainability Director

Chris Andrews: Rezoning to R-3 District to match surrounding properties. No new lots. Envision Franklin supports R-3. Staff and FMPC recommend approval.

Public Hearing

With no one coming forward to speak, Mayor Moore declared the Public Hearing closed

Alderman McLendon moved to approve Ordinance 2018-28. Seconded by Alderman Bransford. Motion carried unanimously 7-0 on Second of Three Readings.

NEW BUSINESS

8. 18-0869 **Consideration of RESOLUTION 2018-77, a Resolution to Adopt a Five-Year Rate Plan and Cost of Service Study for the Water and Sanitary Sewer Utility Fund, Fiscal Year 2019 through Fiscal Year 2023.**

**Mark Hilty, Assistant City Administrator
Michelle Hatcher, Water Management Director**

Alderman Barnhill moved to approve Resolution 2018-77. Seconded by Vice Mayor Martin. Motion carried unanimously 7-0.

9. 18-0936 **Consideration of ORDINANCE 2018-47, an Ordinance Amending the City of Franklin Municipal Code, Appendix A – Comprehensive Fees and Penalties, Chapter 18 – Water and Sewers for the Purpose of Updating Water and Sanitary Sewer User Rates; Establishing a Public Hearing Date of October 9, 2018.**

(First of Three Readings)

**Mark Hilty, Assistant City Administrator
Michelle Hatcher, Water Management Director**

Two Options from which to choose:

- A. Increase to Customer Charge Only
- B. Split the Increase between the Customer Charge and the Volumetric Rate

- Eric Stuckey related staff recommends either option as both meet the revenue target in the Cost of Service Study and in the five-year plan just adopted.
- Alderman Petersen: Option B is the one that keeps the minimum amount to the minimum use lowest.

Alderman Petersen moved to approve Ordinance 2018-47, Option B. Seconded by Alderman Bransford.

- Alderman Petersen noted historically we have kept the minimum fee low because some people are in situations where \$3 a month could make a big difference.
- Alderman Speedy leaned toward Option A because neither option comes close to recovery of cost of service.
- Alderman Petersen: A \$3 increase in water over the current rate would be over 25%. Difficult for persons on fixed incomes or who do not use much water.

Motion to approve Ordinance 2018-47, Option B, carried 6-1 with Alderman Speedy voting no on First of Three Readings.

10. 18-0870 Consideration of RESOLUTION 2018-76, To Be Entitled: “A Resolution to Adopt a Public Meeting Code of Conduct.

Eric Stuckey, City Administrator

Alderman Barnhill moved to approve Resolution 2018-76. Seconded by Alderman Burger.

There was a short conversation when Alderman Petersen asked about other cities that have codes of conduct. Mr. Stuckey noted staff had found codes in California cities, in Georgia and in Minnesota. Some of the codes are called Civility Code.

Motion to approve Resolution 2018-76 carried unanimously 7-0.

11. 18-0921 ★Consideration of Contract Number 2018-0193 a Cooperation Agreement (PILOT) between the City of Franklin and the Franklin Housing Authority for the 48-Unit Chickasaw Senior Complex.

Eric Stuckey, City Administrator

Vernon Gerth, Assistant City Administrator

Christine Tallent, Assistant City Administrator/CFO

Alderman Petersen moved to approve Contract 2018-0193. Seconded by Vice Mayor Martin. Motion carried unanimously 7-0.

**12. 18-0147 ★Consideration of Liquor License for HolBev, LLC, d/b/a Holiday Cigars & Spirits (Alpa Patel, Managing Agent), 108 North Royal Oaks Boulevard, Franklin, TN 37067
Lanaii Benne, Assistant City Recorder**

Alderman Bransford moved to approve Liquor License for HolBev, LLC. Seconded by Alderman Burger. Motion carried unanimously 7-0.

CONSENT AGENDA

13. 18-0535 Consideration of ORDINANCE 2018-13 Adoption of the 2018 International Building Code.

[SECOND AND FINAL READING]

Chris Bridgewater, BNS Director

Ordinance 2018-13 approved unanimously on Second and Final Reading.

14. 18-0536 **Consideration of ORDINANCE 2018-14 Adoption of the 2018 International Residential Code.**
[SECOND AND FINAL READING] **Chris Bridgewater, BNS Director**
Ordinance 2018-14 approved unanimously on Second and Final Reading.
15. 18-0537 **Consideration of ORDINANCE 2018-15 Adoption of the 2018 International Plumbing Code.**
[SECOND AND FINAL READING] **Chris Bridgewater, BNS Director**
Ordinance 2018-15 approved unanimously on Second and Final Reading.
16. 18-0538 **Consideration of ORDINANCE 2018-16 Adoption of the 2018 International Mechanical Code.**
[SECOND AND FINAL READING] **Chris Bridgewater, BNS Director**
Ordinance 2018-16 approved unanimously on Second and Final Reading.
17. 18-0539 **Consideration of ORDINANCE 2018-17 to Amend Title 12, Chapter 8 of the Franklin Municipal Code to Adopt the ICC International Existing Building Code, 2018 Edition**
[FIRST OF TWO READINGS] **Chris Bridgewater, BNS Director**
Ordinance 2018-17 approved unanimously on First of Two Readings.
18. 18-0540 **Consideration of ORDINANCE 2018-18 Adoption of the 2018 International Fuel Gas Code.**
[SECOND AND FINAL READING] **Chris Bridgewater, BNS Director**
Ordinance 2018-18 approved unanimously on Second and Final Reading.
19. 18-0541 **Consideration of ORDINANCE 2018-19 Adoption of the 2017 NFPA 70 National Electrical Code.**
[SECOND AND FINAL READING] **Chris Bridgewater, BNS Director**
Ordinance 2018-19 approved unanimously on Second and Final Reading.
20. 18-0542 **Consideration of ORDINANCE 2018-20 to Amend Title 12, Chapter 5 of the Franklin Municipal Code to Adopt the ICC International Property Maintenance Code, 2018 Edition.**
[FIRST OF TWO READINGS] **Chris Bridgewater, BNS Director**
Ordinance 2018-20 approved unanimously on First of Two Readings
21. 18-0543 **Consideration of ORDINANCE 2018-21 Adoption of the ICC A117.1-2017 Standard for Accessible and Usable Buildings and Facilities.**
[SECOND AND FINAL READING] **Chris Bridgewater, BNS Director**
Ordinance 2018-21 approved unanimously on Second and Final Reading.
22. 18-0544 **Consideration of ORDINANCE 2018-22 Adoption of the 2018 International Energy Conservation Code.**
[SECOND AND FINAL READING] **Chris Bridgewater, BNS Director**
Ordinance 2018-22 approved unanimously on Second and Final Reading.
23. 18-0545 **Consideration of ORDINANCE 2018-23 to Amend Title 12, Chapter 7 of the Franklin Municipal Code to Adopt the ICC International ~~Property Maintenance~~ Swimming Pool and Spa Code, 2018 Edition.**
[FIRST OF TWO READINGS] **Chris Bridgewater, BNS Director**
 Mr. Stuckey explained the title is incorrect and must be changed.

Vice Mayor Martin moved to approve Ordinance 2018-23 with title amended: strike ~~Property Maintenance Code~~ and replace with **Swimming Pool and Spa Code**. Seconded by Alderman Bransford. Motion carried unanimously 7-0 on First of Two Readings.

24. 18-0770 **Consideration of ORDINANCE 2018-25 to Amend Title 7, Chapter 5 of the Franklin Municipal Code to Adopt the NFPA 101 Life Safety Code, 2018 Edition.**
Chris Bridgewater, BNS Director
[FIRST OF TWO READINGS] Andy King, Deputy Chief/Fire Marshall
Ordinance 2018-25 approved unanimously on First of Two Readings
25. 18-0806 **Consideration of ORDINANCE 2018-24 Adoption of the 2018 International Fire Code.**
Chris Bridgewater, BNS Director
[SECOND AND FINAL READING]
Ordinance 2018-24 approved unanimously on Second and Final Reading.
26. 18-0677 **Approval to Enter in a Professional Services Agreement with the Architect Workshop for the “City of Franklin City Hall Programming Report” in an Amount of \$137,800.00 Regarding the Development of a New City Hall. (Job Number 2018-010, COF Contract No. 2018-0154).**
Brad Wilson, Facilities Project Manager
Approved unanimously
27. 18-0848 **Consideration of Final Change Order to the Construction Contract (COF Contract No. 2014-0181) with Cleary Construction, Inc. for the Curd Branch and Watson Branch Interceptor Sewer Improvements Project for a Decrease in Cost of \$51,241.00 and a Time Extension Through June 14, 2018.**
Michelle Hatcher, Water Management Director
Patricia McNeese, Utilities Project Manager
Approved unanimously
28. 18-0853 **Consideration of Final Change Order to the Construction Contract (COF Contract No. 2015-0070) with Dynamic Construction, LLC for the Goose Creek Sanitary Sewer from West I-65 to East I-65 Project for an Increase in Cost of \$ 70,775.35 and a Time Extension through June 14, 2018.**
Michelle Hatcher, Water Management Director
Patricia McNeese, Utilities Project Manager
Approved unanimously
29. 18-0857 **Consideration of Change Order No. 1 to Construction Contract (COF Contract No. 2017-0198) with Civil Constructors for a Time Extension through June 3, 2018.**
Michelle Hatcher, Water Management Director
Patricia McNeese, Utilities Project Manager
Approved unanimously
30. 18-0909 **Consideration of a Professional Services Agreement (COF Contract No. 2018-0189) with Temple, Inc. for the Implementation of an Adaptive Signal Control Technology System (TDOT PIN 116144.01) in the Amount of \$435,337.00.**
Paul Holzen, Director of Engineering
Approved unanimously

31. 18-0924 **Consideration of a Professional Services Agreement (COF Contract No. 2018-0185) with Hazen and Sawyer for the Spencer Creek at Franklin Road Sanitary Sewer Improvements Project in the Amount Not-to-Exceed \$54,175.00.**

**Michelle Hatcher, Water Management Director
Patricia McNeese, Utilities Project Manager**

Approved unanimously

RECEIPT OF REPORTS AND ITEMS APPROVED ON BEHALF OF THE BOARD

32. 18-0902 **Second Quarter 2018 Wastewater Collection System Activities Summary**
Michelle Hatcher, Water Management Director

33. 18-0864 **COF Contract No. 2018-0184 to Authorize the Board of Mayor and Aldermen to Enter Into the Grant Contract from the Tennessee Department of Agriculture for Tree Planting & Signage.**

Lisa Clayton, Parks Director

34. 18-0440 **City of Franklin's Unmanned Aircraft Vehicle (UAV) Policy (Drone Policy).**
**Eric Stuckey, City Administrator
Kevin Townsel, HR Director**

35. 18-0777 **Procurement Agreement with Government Portfolio Advisors of Portland Oregon, in the Flat-Fee Amount of \$48,000 Per Year for Non-Discretionary Investment Advisory Services for Certain Non-Pension Assets of the City for a Term of Award for the Finance Department (Purchasing Office Procurement Solicitation No. 2018-011; City Contract No. 2018-0006)**

Kristine Tallent, Assistant City Administrator/CFO

36. 18-0795 **Professional Services Agreements (COF Contract No. 2018-027) with Boozer & Company for the Mack Hatcher Northwest Utility Relocation Project in the Amount of \$10,500.00**

Michelle Hatcher, Water Management Director

37. 18-0798 **Professional Services Agreement (COF Contract No. 2018-0024) with Boozer & Company for Holiday Court Pump Station Upgrade Project in the Amount of \$3,000.00**
Michelle Hatcher, Water Management Director

38. 18-0800 **Professional Services Agreements (COF Contract Nos. 2017-0044 and 2017-0045) with Rhett Turner for the Bobby Drive Water Line Improvements Project Phases 1 and 2 in the Amount of \$17,500.00 and \$22,500.00 respectively**

Michelle Hatcher, Water Management Director

39. 18-0803 **Agreement for Rental of The Factory at Franklin for the Annual City of Franklin Employee Health and Safety Fair, COF Contract No. 2018-0175.**

Kevin Townsel, HR Director

40. 18-0816 **Options to Extend the Terms of Award for Certain Procurements as Recently Exercised (Contracts 2015-0091 with Public Risk Insurers, 2015-0106 with Sun Life Assurance Company of Canada, 2014-0129 with Evans Petree PC, 2015-0035 with Hach Company, 2015-0363 with Brenntag Mid-South, Inc, 2015-0362 with American Development Corp., 2015-0361 with American Development Corp., 2016-0102 with Brenntag Mid-South, Inc., 2016-0104 with Gulbrandsen Technologies, Inc, and 2016-0101 with American Development Corporation)**

Brian Wilcox, Purchasing Manager

41. 18-0817 **Right-of-Way Easement Agreement (COF Contract No. 2016-0357) with MTEMC to Accommodate the 231 Public Square Development Project.**
Paul Holzen, Director of Engineering
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42. 18-0818 **Agreement for Dedication of Easement (COF 2018-0041 and COF 2018-0042) for the Watson Branch Culvert Rehabilitation Project.**
Paul Holzen, Director of Engineering
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Items 32-42 were acknowledged

EXECUTIVE SESSION

43. 18-0918 **Consideration of Motion to Enter Executive Session for Purpose of Reviewing Various Matter of Pending Litigation.**
Shauna Billingsley, City Attorney
Alderman Barnhill moved to enter Executive Session. Seconded by Alderman Burger. Motion carried unanimously 7-0. (7:29 p.m.)

RETURN FROM EXECUTIVE SESSION

44. 18-0919 **Consideration of Matters from Executive Session**
Dr. Ken Moore, Mayor
(Returned 7:47 p.m.) There were no matters for consideration.

ADJOURN

Alderman McLendon moved to adjourn. Seconded by Alderman Burger. Motion carried unanimously 7-0.

Meeting adjourned @ 7:49 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office—9/24/2018 9:53 AM