
**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, DECEMBER 13, 2016 – 7:00 P.M.**

Board Members

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

Department Directors/Staff

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

CALL TO ORDER

Mayor Ken Moore called the December 13, 2016, meeting to order at 7:00 p.m.

INVOCATION

The invocation was given 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 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)

- Michael Phillips, 417 Gambrel Court: Mr. Phillips believes the Board lacks checks and balances, establishes policies and doesn't follow them. The Board approved a development plan for the Iron Horse development despite being in conflict with the Land Use Plan regarding the parallel driveway, size and height of the buildings.

COMMUNICATIONS: WILLIAMSON COUNTY MAYOR/WILLIAMSON COUNTY COMMISSION

None present

APPROVAL OF MINUTES

1. **16-1024** *Alderman Petersen moved to approve the November 22, 2016 Work Session and November 22, 2016 Board of Mayor and Aldermen minutes as presented. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.*

RECOGNITIONS

Mayor Moore related several City employees are retiring this month. He recognized three of the soon to be retirees:

- Ray Foglia, Cable TV Production Operations Supervisor
Mr. Foglia's picture was shown on the big screen. During his 16 years with the City he has never been seen during a BOMA meeting - he's the man behind the camera. He created the first cable TV station for the City, and did so almost singlehandedly. He is helping the City transition to HD quality video feed before he goes.
- Shirley Harmon-Gower, Human Resources Director
Ms. Harmon-Gower, during her nearly 12 years with the City, has monitored pension retirement payments, made significant improvements in employee healthcare insurance and the risk management program with great skill. She is known for saying, "our people are our most important resource". She said she enjoyed every minute working for the City.
- Russ Truell, ACA Finance and Administration & CFO
Mr. Truell was accompanied by his wife, Martha. During his 13 years, he has had significant financial impact on the City and the employee pension plan, and has been very involved in state and national financial organizations. He said the City gave him an opportunity to do things at a state and national level that he wouldn't have had otherwise.

Many good things were said about these individuals and their accomplishments. All three received standing ovations from the Board, staff, and all who were present. They will be missed.

Kristine Tallent was recognized. She has been hired to replace Mr. Truell as ACA Finance and Administration & CFO for the City of Franklin.

MISCELLANEOUS REPORTS

None

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 18-37 be placed on the Consent Agenda.

2. **16-0996** *Alderman Barnhill moved to approve the Consent Agenda Items 18-37. Seconded by Alderman Burger. Motion carried unanimously 7-0.*

OLD BUSINESS

3. **16-0692** **Consideration of RESOLUTION 2016-40/ORDINANCE 2016-27, To Be Entitled, "A Resolution and Ordinance To Annex Property, Consisting Of 204.081 Acres, Property Located South Of Murfreesboro Road And North of South Carothers Road And Adjoining The City Limits Within The East Park Of The Franklin Urban Growth Boundary (UGB)."**

[THIRD AND FINAL READING] **Alderman Ann Petersen, FMPC Representative**
Josh King, Senior Planner

Alderman Skinner moved to approve Resolution 2016-40/Ordinance 2016-27 to Annex. Seconded by Alderman Barnhill.

Eric Stuckey announced the applicant for Ashcroft has made a formal request to withdraw the Development Plan (Item 5) that was deferred to this meeting.

Motion to approve Resolution 2016-40/Ordinance 2016-27, Annexation of property, carried 6-1 on Third and Final Reading with Alderman McLendon voting against.

4. 16-0691 Consideration of ORDINANCE 2016-28 AS AMENDED, To Be Entitled, “An Ordinance to Zone 204.081 Acres Detached Residential 1 District (R-1), McEwen Character Area Overlay District (MECO-6), Seward Hall Character Area Overlay District (SWCO-3), And Designate As Conventional Area Standards, For The Property Located South Of Murfreesboro Road And North Of South Carothers Road.” {ASHCROFT}

[THIRD AND FINAL READING] Alderman Ann Petersen, FMPC Representative
Josh King, Senior Planner

Alderman Barnhill moved to approve Ordinance 2016-28 as Amended, Zoning. Seconded by Alderman Burger. Motion carried unanimously 7-0 on Third and Final Reading.

5. 15-1094 PUBLIC HEARING: Consideration Of RESOLUTION 2016-42, To Be Entitled, “A Resolution Approving A Development Plan For Ashcroft Valley PUD Subdivision With 6 Modifications Of Development Standards (Character Area Lot Size, Warren Road Connection, Beacon Hill Drive Street Connection, Internal Street Connection, Cross Creek Drive Street Connection, And Biltmore Court Street Connection, For The Property Located South of Murfreesboro Road and North Of South Carothers Drive.”

Alderman Ann Petersen, FMPC Representative
Josh King, Senior Planner

Public Hearing

Mayor Moore announced comments would not be received since the applicant had withdrawn the Development Plan. There will be an opportunity to speak if this item is brought back.

Public Hearing Closed

Alderman Martin moved to accept the applicants request to withdraw the Development Plan, Resolution 2016-42. Seconded by Alderman Burger. Motion carried unanimously 7-0.

6. 16-0688 Consideration of ORDINANCE 2016-34, To Be Entitled, “An Ordinance To Rezone 19.99 Acres From Civic-Institutional (CI) District To Specific Development Residential 13.5 District And Remove The Scientific Research Zoning Overlay For The Property Located North Of Mack Hatcher Parkway And East of Franklin Road, 145 Legends Club Lane.” {IRON HORSE}

[THIRD AND FINAL READING] Alderman Ann Petersen, FMPC Representative
Josh King, Senior Planner

Alderman Barnhill moved to approve Ordinance 2016-34. Seconded by Alderman Petersen. Motion carried 6-1 with Alderman McLendon voting against, on Third and Final Reading.

7. 16-0872 PUBLIC HEARING: Consideration of ORDINANCE 2016-40, To Be Entitled: “An Ordinance To Rezone 14.04 Acres From Agricultural (AG) District To Specific Development Residential (SD-R 1.14) District For The Property Located North Of Del Rio Pike and East Of Del Rio Court.” {RIZER POINT PUD}

[SECOND OF THREE READINGS] Alderman Ann Petersen, FMPC Representative
Josh King, Senior Planner

Public Hearing

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

Alderman Burger moved to approve Ordinance 2016-40. Seconded by Vice Mayor Bransford.

Alderman Martin said she would not support this because she opposes building in the flood plain. It is not good for this area, and not a good practice to set a precedent for 16 houses.

Motion to approve Ordinance 2016-40 carried 6-1 with Alderman Martin voting against on Second of Three Readings.

8. 16-0871 PUBLIC HEARING: Consideration of RESOLUTION 2016-66, To Be Entitled, “A Resolution To Approve A Revised Development Plan For Rizer Point PUD Subdivision, With Two

Modifications Of Standards (MOS-1 Connectivity; MOS-2 Cul-de-Sac Length), For The Property Located North Of Del Rio Pike And East Of Del Rio Court.”

**Alderman Ann Petersen, FMPC Representative
Josh King, Senior Planner**

Public Hearing

1. Michael Phillips, 417 gambrel Court: Took issue with MOS 2-cul-de-sac length. Follow policy for safety of the citizens. The length is to build more houses and push them closer to Wedgewood Drive.
2. David Eble, 3009 Nive Bank Lane, Rizer Point: The proposed properties are used for dirt bikes and to dump garbage. They don't want to be responsible for upkeep.
3. Ed Saffell, 5013 Rizer Point Drive: Three petitions were submitted and he didn't see the one with 20 residents of Wedgewood. Biggest objections: Wedgewood, Rebel Meadows and Rizer Point don't want the extra land and don't want to be cut-through neighborhoods.
4. Ron Coffman, 1109 Wedgewood Drive: Against connectivity. There are no sidewalks and streets are not walkable. No benefit to have City services for the 88 families living there. Traffic backups already.
5. Greg Gamble, 716 Hampton Cove, representing Goodall Homes: This is the second version, and the floodplain is 1,300 feet back where it goes into open field. It is entirely green and is part of an agreement. Just a small portion in the PUD, about 150-200 feet and at another border of the property is floodplain. The HOA covenants will specify the open space is maintained by the owner of the property, not the existing homeowners.

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

Alderman McLendon moved to approve Resolution 2016-66 with Comment. Seconded by Alderman Burger.

Alderman McLendon said ultimately he thinks they can do what most everyone wants with the Modifications of Standards. The intent to allow the length of the cul-de-sac, and require only an emergency entrance, and ensure current residents of Rizer Point not be responsible to maintain any common area or informal open space. The reason for the cul-de-sac and only an emergency entrance is for safety.

Alderman Petersen moved to approve Modification of Standard-1 Connectivity, allowing a cul-de-sac and emergency entrance with crash gate. Seconded by Alderman McLendon. Motion carried unanimously 7-0.

Alderman Petersen moved to approve Modification of Standards-2 Cul-de-Sac Length. Seconded by Alderman McLendon. Motion carried unanimously 7-0.

Alderman McLendon moved to add a Condition to Resolution 2016-66 that prohibits the current residents of Rizer Point from being responsible for any and all maintenance of the adjacent vacant green property. Seconded by Vice Mayor Bransford. Motion carried unanimously 7-0.

Motion to approve Resolution 2016-66, including Modifications of Standards 1 & 2, and Condition, carried 6-1 with Alderman Martin voting against.

NEW BUSINESS

9. 16-1045 Consideration of Contract 2016-0298 in the Amount of \$30,000 with Infor to Purchase Licenses for the Infor Field Inspector Work Management App.

Chris Bridgewater, BNS Director

Vice Mayor Bransford moved to approve Contract 2016-0298. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.

10. 16-1062 **Consideration of a Professional Services Agreement (COF 2016-0353) with Gresham Smith and Partners, Inc. for the Franklin Road (SR 6) Widening Project**
Paul Holzen, Engineering Director
Alderman Skinner moved to approve COF Contract 2016-0353. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.
11. 16-1056 **Consideration of RESOLUTION 2016-93, an Amended and Restated Resolution Authorizing the Issuance, Sale and Payment of up to \$12,000,000 in Aggregate Principal Amount of Water and Sewer System Revenue Bonds of the City of Franklin, Tennessee, and Making Provision for the Operation of the Municipality and the Collection and Disposition of its Revenues.**
Eric Stuckey, City Administrator
Russ Truell, ACA Finance & Administration
Alderman Burger moved to approve Resolution 2016-93. Seconded by Vice Mayor Bransford. Motion carried unanimously 7-0.
12. 16-1031 **Consideration of RESOLUTION 2016-89, a Resolution to Adopt Budget Goals for FY 2017-2018.**
Eric Stuckey, City Administrator
Michael Walters Young, Budget & Analytics Manager
Vice Mayor Bransford moved to approve Resolution 2016-89. Seconded by Alderman Martin.

Eric Stuckey noted during Work Session discussion a comment was made to add “commercial districts” to the next to the last goal under non-financial, “Continue commitment to the vitality of the downtown area, historical areas, **commercial districts**, and neighborhoods throughout the city.”

Motion restated and seconded to approve Resolution 2016-89 with the addition. Motion carried unanimously 7-0.
13. 16-1026 **Consideration of Mayor’s Reappointment of Vickie Manning to the Public Building Authority.**
Dr. Ken Moore, Mayor
Alderman Burger moved to approve Reappointment of Vickie Manning to the Public Building Authority. Seconded by Vice Mayor Bransford. Motion carried unanimously 7-0.
14. 16-1032 **Consideration of Mayor’s Appointment of Jonathan Langley to the Board of Zoning Appeals.**
Dr. Ken Moore, Mayor
Vice Mayor Bransford moved to approve the Appointment of Jonathan Langley to the Board of Zoning Appeals. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.
15. 16-1033 **Consideration of Mayor’s Reappointment of Bob Moreo, and the Appointments of Will Dodson and Dana Kose to The Sustainability Commission**
Dr. Ken Moore, Mayor
Alderman Burger moved to approve the Reappointment of Bob Moreo, and the Appointments of Will Dodson and Dana Kose to the Sustainability Commission. Seconded by Alderman Skinner. Motion carried unanimously 7-0.
16. 16-1034 **Consideration of Appointment of Ken Scalf, and Reappointment of Susan Besser to the Historic Zoning Commission.**
Dr. Ken Moore, Mayor
Vice Mayor Bransford moved to approve the Appointment of Ken Scalf, and Reappointment Susan Besser to the Historic Zoning Commission. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.

17. 16-1035 **Consideration of Mayor’s Reappointments of Tim Stillings (Education Liaison) and Clay Perry, and the Appointments of Rich Buckner and Rachael Finch to the Battlefield Preservation Commission.**

Dr. Ken Moore, Mayor

Alderman Skinner moved to approve the Reappointments of Tim Stillings and Clay Perry, and the Appointments of Rich Buckner and Rachael Finch to the Battlefield Preservation Commission. Seconded by Alderman Burger. Motion carried unanimously 7-0.

Mayor Moore recognized Mr. Buckner who was in attendance.

CONSENT AGENDA

18. 16-0309 **Consideration of ORDINANCE 2016-03, An Ordinance To Be Entitled, “An Ordinance Amending Title 8, Chapter 1 Of The Franklin Municipal Code Relative To Alcohol Other Than Beer To Provide Guidance For Retail Food Stores And Other General Housekeeping.”**

[SECOND AND FINAL READING]

**Kristen Corn, Assistant City Attorney
Lanaii Benne, Assistant City Recorder**

Ordinance 2016-03 approved unanimously 7-0 on Second and Final Reading

19. 16-0929 **Consideration of ORDINANCE 2016-41, An Ordinance to Amend the FY 2016-2017 Budget (Amendment #3).**

[THIRD AND FINAL READING]

**Eric Stuckey, City Administrator
Russ Truell, ACA Finance & Administration
Michael Walters Young, Budget & Analytics Manager**

Ordinance 2016-41 approved unanimously 7-0 on Third and Final Reading

20. 16-0991 **Consideration of RESOLUTION 2016-95, A Resolution to Amend Article XXII (General Policies and Procedures) of the Human Resources Manual (Hours of Work).**

**Eric Stuckey, City Administrator
Shirley Harmon-Gower, HR Director
Mike Lowe, Comptroller**

Resolution 2016-95 approved unanimously 7-0

21. 16-0998 **Consideration of RESOLUTION 2016-82, A Resolution Certifying Bank Accounts and Loans (Update of Resolution 2014-80).**

**Eric Stuckey, City Administrator
Mike Lowe, Comptroller**

Resolution 2016-82 approved unanimously 7-0

22. 16-0525 **Acknowledge Receipt of Comprehensive Annual Financial Report for City of Franklin.**

**Eric Stuckey, City Administrator
Mike Lowe, Comptroller**

Approved unanimously 7-0

23. 16-0526 **Acknowledge Receipt of Comprehensive Annual Report for Cool Springs Conference Center.**

**Eric Stuckey, City Administrator
Mike Lowe, Comptroller**

Approved unanimously 7-0

24. 16-1019 **Consideration of RESOLUTION 2016-86, A Resolution Authorizing the Mayor to Execute an Agreement with the Tennessee Consolidated Retirement System for Pension Plan Co-Investment Services.**

**Eric Stuckey, City Administrator
Russ Truell, ACA Finance & Administration**

Resolution 2016-86 approved unanimously 7-0

25. 16-0969 Consideration of ORDINANCE 2016-46, To Be Entitled: “An Ordinance To Rezone 19.11 Acres From Specific Development Variety SD-X (2.5, 36,480) District To Specific Development Variety SD-X (2.5, 44,000) District For The Property Located South of Moores Lane and East Of Franklin Road, 580 Franklin Road (Branch Creek Crossing PUD Subdivision).” Establishing a Public Hearing Date of January 10, 2017.

[FIRST OF THREE READINGS] Alderman Ann Petersen, FMPC Representative
Brad Baumgartner, Senior Planner

Ordinance 2016-46 approved unanimously 7-0 on First of Three Readings

26. 16-0971 Consideration of ORDINANCE 2016-47, To Be Entitled: “An Ordinance To Rezone 195.5 Acres From Specific Development Variety (SD-R 1.72) District To Specific Development Variety (SD-R 2.02) District For The Property Located East Of Carothers Parkway And North Of Long Lane, 4413 South Carothers Road (Water’s Edge PUD Subdivision). Establishing a Public Hearing Date of January 10, 2017.

[FIRST OF THREE READINGS] Alderman Ann Petersen, FMPC Representative
Brad Baumgartner, Senior Planner

Ordinance 2016-47 approved unanimously 7-0 on First of Three Readings.

ITEMS APPROVED ON BEHALF OF THE BOARD

27. 16-0927 Acknowledge Report of Procurement Award to and Execution of Procurement Agreement with TriStar Energy, LLC of Nashville, Tennessee, on a cost-plus basis in the Estimated Total Amount of \$19,500 Per Year for Supply and Delivery Upon Demand of Winterized Diesel Fuel to Multiple Delivery Sites During a Term of Service (Purchasing Office Procurement Solicitation No. 2017-002; Contract 2016-0318.

Brian Wilcox, Purchasing Manager

Approved unanimously 7-0.

28. 16-1000 Acknowledge Report of Execution of Procurement Agreement with Truckers Lighthouse, Inc. of Nashville, Tennessee, in the Estimated Total Amount of \$125,270.88 for After-Market Up-Fitting of a Minimum of Fifteen (15) Police Vehicles for the Police Department (Purchasing Office Procurement Solicitation No. 2017-003; Contract No. 2016-0317)

Deb Faulkner, Police Chief

Approved unanimously 7-0.

29. 16-1015 Acknowledge Report of Execution of Procurement Agreement with Monitoring & Management Services, LLC of Franklin, Tennessee, in the Total Estimated Annual Amount of \$50,760 for Sanitary Sewer Pretreatment Program Support Services for Up to Five (5) Years for the Water Management Department) Purchasing Office Procurement Solicitation No. 2017-004; \$40,000 Budgeted in 431-82560-52219 for Fiscal Year 2017; Contract No. 2016-0312)

Mark Hilty, Water Management Director

Approved unanimously 7-0.

30. 16-1046 Consideration of Change Order No. 1 to the Annual On-Call Sanitary Sewer Cleaning and Inspection Contract (COF Contract No. 2014-0273) with First Response for a Time Extension Through June 30, 2017.

Mark Hilty, Water Management Director

Approved unanimously 7-0.

31. 16-1051 Acknowledge Report of a Professional Services Agreement (COF 2016-0262) with Norman Hall & Associates, LLC for Appraisal Services in the Amount of \$3,500 for the Spencer Creek at Franklin Road Interceptor Sewer Improvements Project.

Paul Holzen, Engineering Director

Approved unanimously 7-0.

32. 16-1052 Acknowledge Report of a Professional Services Agreement (COF 2016-0296) with Civil & Environmental Consultants, Inc. in the Amount of \$6,000 for the Lewisburg Avenue Survey Project.
Paul Holzen, Engineering Director
Approved unanimously 7-0.
33. 16-1053 Acknowledge Report of a Professional Services Agreement (COF 2016-0294) with Smith Seckman Reid, Inc. in the Amount of \$21,000 for the Mayes Creek Drainage Basin Update (Decentralized Facilities).
Paul Holzen, Engineering Director
Approved unanimously 7-0.
34. 16-1054 Acknowledge Report of a Professional Services Agreement (COF 2016-0293) with Littlejohn, Inc. in the Amount of \$9,000 for the Village Plains Boulevard and Five Mile Crossing Intersection Improvements Project.
Paul Holzen, Engineering Director
Approved unanimously 7-0.
35. 16-1055 Acknowledge Report of Amendment Number 5 (COF Contract 2009-0051; Agreement Number 070112; PIN 101454.01) with the Tennessee Department of Transportation for the SR-397 Mack Hatcher Parkway West from South of SR-96 West of Franklin to East of SR-106 (US-431) North of Franklin Project
Paul Holzen, Engineering Director
Approved unanimously 7-0.
36. 16-1058 COF Contract 2016-0324 for Interactive Systems Security System Purchase & Service Agreement for Eastern Flank Battlefield Park, Parks Administration and Urban Forestry Office.
Lisa Clayton, Parks Director
Approved unanimously 7-0.
37. 16-1059 Acknowledgement of COF Contract 2016-0303 for Tennessee Golf Cars, Inc. for Rental of Golf Carts for Special Events Within the Parks System.
Lisa Clayton, Parks Director
Approved unanimously 7-0.

THERE WAS NO EXECUTIVE SESSION

ADJOURN

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

Meeting adjourned @ 7:50 p.m.

Dr. Ken Moore, Mayor