



City of Franklin

109 3rd Ave S
Franklin, TN 37064
(615)791-3217

Meeting Minutes

Board of Mayor & Aldermen

Tuesday, April 23, 2019

7:00 PM

Board Room

Call to Order

Present: 17 - Alderman Ald. Margaret Martin, Alderman Ald. Margaret Martin, Alderman Ald. Dana McLendon, Alderman Ald. Dana McLendon, Alderman Ald. Beverly Burger, Alderman Ald. Beverly Burger, Alderman Ald. Brandy Blanton, Vice Mayor Clyde Barnhill, Alderman Ald. Pearl Bransford, Alderman Ald. Ann Petersen, Alderman Ald. Scott Speedy, Alderman Ald. Beverly Burger, Alderman Ald. Beverly Burger, Alderman Ald. Dana McLendon, Alderman Ald. Dana McLendon, Alderman Ald. Margaret Martin, and Alderman Ald. Margaret Martin

Absent: 1 - Mayor Dr. Ken Moore

Invocation

Pledge of Allegiance

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

Approval Of Minutes.

1. [19-0389](#) Consideration of Approval of Minutes:

April 9, 2019 5:00 p.m. Work Session

April 9, 2019 7:00 p.m. Board of Mayor and Aldermen

These Minutes were referred to the Board of Mayor & Aldermen meeting on 5/14/2019.

Recognitions

Miscellaneous Reports

Consent Agenda

2. [19-0390](#) Consideration of items 14 - 18 on the Consent Agenda

The items on consent were approved

OLD BUSINESS

3. [18-0809](#) Consideration Of Ordinance 2018-43: "An Ordinance To Rezone 22.07 Acres From The Detached Residential 1 District (R-1) To The Specific Development - Residential (SD-R 2.04) District For The Property Located North Of South Carothers Road And East Of Carothers Parkway, 4338 And 4340 South Carothers Road (Carothers Chase)." (11/15/18 FMPC 7-0, 11/27/18 WS & BOMA 1st Reading 8-0; 1/08/19 BOMA 7-0, deferred Third Reading to 2/12/19 BOMA Old Business; 02/12/19 BOMA Referred this item to 2/28/19 FMPC 8-0; 02/28/19 FMPC 7-2; 03/12/19 WS & 1st BOMA Reading 7-0; 04/09/19 2nd BOMA Reading & Public Hearing 5-3) THIRD AND FINAL READING

Sponsors: Ald. Ann Petersen, Emily Hunter, Amy Diaz-Barriga and Christopher Andrews

Attachments: [MAP - 6772 - 6773 - Carothers Chase PUD Development Plan](#)
[ORD 2018-43 -Carothers Chase Rezoning with Map and Survey.Law](#)
[Approved2](#)
[Carothers Chase - Survey](#)
[Public Notice Affidavit \(10-30-18\)](#)
[Alicia Claxton - Falcon Creek Resident - Letter](#)
[Carothers Chase Letter](#)
[Resident Letter - JoAnn Verbanic and Joseph Patrick](#)
[Resident Letter - Orlowski - Opposed](#)
[Resident Letter - Gomoljak](#)
[Resident Letter - Cobb](#)
[Carothers Chase - Development Plan \(3-29-19\)](#)

A motion was made by Alderman Martin, seconded by Alderman Blanton, that this Ordinance be denied. The motion carried by a unanimous vote.

4. [19-0196](#) PUBLIC HEARING: Consideration Of Ordinance 2019-02, An Ordinance To Rezone 10.03 Acres From General Commercial (GC) District To Civic-Institutional (CI) District For The Property Located South Of East McEwen Drive And West Of Carothers Parkway (Future City Park). (02/28/19 FMPC 9-0, 03/26/19 1st BOMA Reading 8-0) SECOND OF THREE READINGS

Sponsors: Franklin Municipal Planning Commission, Emily Hunter, Amy Diaz-Barriga and Josh King

Attachments: [MAP_Huffines.pdf](#)

[2019-02 ORD FutureCityPark_with Exhibits.Law Approved](#)

[2019-02 and 2019-03 Legal Descriptions](#)

A motion was made by Alderman Bransford, seconded by Alderman Burger, that this Ordinance be referred as a Consent Item to the Board of Mayor & Aldermen, meeting on 5/14/2019. The motion carried by a unanimous vote.

5. [19-0195](#) PUBLIC HEARING: Consideration of Ordinance 2019-03, "An Ordinance To Rezone 12.67 Acres From General Commercial (GC) District To Specific Development -Variety (SD-X) (18.8,150000,170) District For The Property Located South Of East McEwen Drive And West Of Carothers Parkway (Huffines Property PUD Subdivision)." (02/28/19 FMPC 9-0, 03/26/19 BOMA 1st Reading 8-0) SECOND OF THREE READINGS

Sponsors: Franklin Municipal Planning Commission, Emily Hunter, Amy Diaz-Barriga and Josh King

Attachments: [MAP_Huffines.pdf](#)

[2019-03 ORD_huffinespropertyPUDSUBDIVISION_with Exhibits.Law](#)

[Approved](#)

[2019-02 and 2019-03 Legal Descriptions](#)

A motion was made by Alderman Burger, seconded by Alderman Petersen, that this Ordinance be referred as a Consent Item to the Board of Mayor & Aldermen, meeting on 5/14/2019. The motion carried by a unanimous vote.

6. [19-0197](#) PUBLIC HEARING: Consideration Of Resolution 2019-09, "A Resolution Approving A Development Plan For Huffines Property PUD Subdivision With 2 Modifications Of Development Standards (Maximum Retaining Wall Height, Evergreen Shrubs), For The Property Located South Of East McEwen Drive And West Of Carothers Parkway. (02/28/19 FMPC 9-0; 03/26/19 WS)

Sponsors: Franklin Municipal Planning Commission, Emily Hunter, Amy Diaz-Barriga and Josh King

Attachments: [MAP_Huffines.pdf](#)

[2019-09 RES HuffinesPropertyPUD_DevPlan_with Exhibits.Law](#)

[Approved](#)

[Conditions of Approval_FINAL](#)

[Layout_Huffines.pdf](#)

[Arch_Huffines.pdf](#)

[Historic+Park.pdf](#)

[FullPlan_Huffines.pdf](#)

A motion was made by Alderman Burger, seconded by Alderman Petersen, that this Resolution be approved along with both modification of standards. The motion carried by a unanimous vote.

7. [19-0267](#) Consideration of Contract No. 2019-0094 Road Impact Offset Agreement with Goldberg Companies, INC for the Huffines Property PUD Subdivision (03/26/19 WS)

Sponsors: Paul Holzen and Jimmy Wiseman

Attachments: [COF Contract No. 2019-0094 Road Impact Offset Agreement Law](#)

[Approved with attachment..MK.03.19.19docx](#)

A motion was made by Alderman McLendon, seconded by Alderman Burger, that this Contract/Agreement be approved. The motion carried by a unanimous vote.

8. [19-0279](#) Consideration of COF Contract No. 2019-0096, Parkland Dedication and Construction, an Agreement between the City of Franklin and Legacy, LLC Concerning The Development Known As Huffines Ridge. (03/26/19 WS).

Sponsors: Lisa Clayton and Kevin Lindsey

Attachments: [2019-0096 Parkland Impact Fee Offset Agreement_with Exhibits.Law](#)

[Approved.pdf](#)

[AD Edits-Parkland Impact Fee Offset Agreement.docx](#)

[Exhibit A -C2.0 large.pdf](#)

[Exhibit C - Marked large concept plan 2-12-19.pdf](#)

A motion was made by Alderman Blanton, seconded by Alderman Burger, that this Contract/Agreement be approved. The motion carried by a unanimous vote.

NEW BUSINESS

9. [19-0293](#) Consideration of Resolution 2019-22, A Resolution to Establish Decision Points for the Transition of Sanitation and Environmental Services Department (SES) Recycling and Commercial Services. (04/09/19 WS)
- Sponsors:** Mark Hilty and Jack Tucker
- Attachments:** [RES 2019-22 Establishing Direction for SES Ops Transition.Law Approved](#)
[20190322 PPT SES COS V5](#)
[19-0293 SES transition EMAIL from ESS.pdf](#)
- A motion was made by Alderman McLendon, seconded by Alderman Speedy, that this Resolution be approved. The motion carried by a unanimous vote.**
10. [18-1239](#) Consideration of Resolution 2018-102, "A Resolution Providing Design Direction for the SR96 West Multipurpose Trail Project (Vera Valley Drive to 5th Ave North) (Deferred from 12/11/18 WS; 1/08/19 and 2/12/19 WS; 03/26/19 WS)
- Sponsors:** Vernon Gerth and Paul Holzen
- Attachments:** [Res 2018-102 - SR96 WEST TRAIL.Law Approved 3.pdf](#)
[FLOWER SHOP EXHIBIT 2-27-2019.pdf](#)
[Res 2018-102 - SR96 WEST TRAIL.Law Approved 3](#)
- A motion was made by Alderman McLendon, seconded by Alderman Bransford, that this Resolution be approved with option 3. The motion carried by a unanimous vote.**
11. [19-0228](#) Consideration of Resolution 2019-18, A Resolution to Select a Design Concept for the Intersection Upgrade Project at Liberty Pike and North Royal Oaks Boulevard/Mallory Lane. (03/26/19 WS)
- Sponsors:** Engineering
- Attachments:** [2019-18 RES_SelectDesignConceptMalloryLiberty_with Exhibits.Law Approved.pdf](#)
- A motion was made by Alderman McLendon, seconded by Alderman Burger, that this Resolution be approved. The motion carried by the following vote:**
- Aye:** 5 - Alderman Martin, Alderman McLendon, Alderman Burger, Alderman Bransford, and Alderman Speedy
- No:** 2 - Alderman Blanton, and Alderman Petersen
- Excused:** 4 - Vice Mayor Barnhill, Alderman Burger, Alderman McLendon, and Alderman Martin

12. [19-0338](#) Consideration of Resolution 2019-53, A Resolution Providing Staff with Funding Direction for the Home Raising Project Developed by the United States Army Corps of Engineers as Part of the Harpeth River Feasibility Study. (04/09/19 WS)

Sponsors: Paul Holzen, Jonathan Marston and William Banks

Attachments: [Res 2019-53 USACE Home Raising Project.Law Approved.pdf](#)

A motion was made by Alderman Blanton, seconded by Alderman Burger, that this Resolution be approved with Option 3. The motion carried by the following vote:

Aye: 5 - Alderman McLendon, Alderman Burger, Alderman Blanton, Alderman Bransford, and Alderman Petersen

No: 2 - Alderman Martin, and Alderman Speedy

Excused: 3 - Vice Mayor Barnhill, Alderman McLendon, and Alderman Martin

Recused: 1 - Alderman Burger

13. [19-0358](#) *Consideration of Event Permit for Mellow Mushroom Live on the Square Concert Series May - September 2019 in Downtown Franklin.

Sponsors: Deb Faulkner

Attachments: [Mellow Mushroom Concert Series 2019 REVISED APP.pdf](#)

A motion was made by Alderman McLendon, seconded by Alderman Burger, that this Event Permit be approved. The motion carried by a unanimous vote.

All Other Consent Items

14. [19-0322](#) Consideration of Event Permit for Derby Day Party at the Park at Harlinsdale Farm sponsored by the Downtown Franklin Rotary Club on May 4, 2019. (04/09/19 WS)

Sponsors: Lisa Clayton

Attachments: [Derby Day Revised APP.pdf](#)

This Event Permit was approved.

15. [19-0333](#) Consideration of On-Call Engineering and/or Surveying Contracts with Alfred Benesch & Company (COF Contract No. 2019-0083), Civil & Environmental Consultants, Inc (COF Contract No. 2019-0084), Stantec Consulting Services Inc. (COF Contract No. 2019-0085) and Civil Infrastructure Associates, LLC (COF Contract No. 2019-0086) (CIC 3/28/2019 4-0)

Sponsors: Paul Holzen and Jonathan Marston

Attachments: [2019-0084 CEC PSA - On Call Engineering and Surveying with Attachment A.Law Approved.pdf](#)
[2019-0085 STANTEC PSA - On Call Engineering with attachment A.Law Approved.pdf](#)
[2019-0083 Benesch PSA - On Call Engineering with Attachment A.Law Approved.pdf](#)
[19-0333 2019-0086 Civil Infrastructure Associates On Call Surveying with Scope of Services.Law Approved 1.pdf](#)

A motion was made by Alderman McLendon, seconded by Alderman Martin, that this Contract/Agreement be approved. The motion carried by a unanimous vote.

16. [19-0334](#) Consideration of Resolution 2019-27, "A Resolution to Award the Construction Contract (COF Contract No. 2019-0057) for the East McEwen Drive Roundabout Improvements Project (COF Project No. 2017-010) to Sessions Paving Company in the Amount of \$1,324,963.45 and to Establish a Project Contingency in the Amount of \$150,000.00 (CIC 3/28/2019 4-0)

Sponsors: Engineering

Attachments: [2019-27 RES_McEwen Drive Roundabout Improvements.Law Approved.pdf](#)

A motion was made by Alderman McLendon, seconded by Alderman Martin, that this Resolution be approved. The motion carried by a unanimous vote.

17. [19-0335](#) Consideration of a Local Agency Project Agreement (COF Contract No. 2019-0097) with the Tennessee Department of Transportation for the SR-96 (Murfreesboro Road) Traffic Signal Improvements (TDOT PIN 127913.00) (CIC 3/28/2019 4-0)

Sponsors: Engineering

Attachments: [2019-0097 TDOT SR96 Traffic Signal Improvements with Exhibit A.Law Approved.pdf](#)

A motion was made by Alderman McLendon, seconded by Alderman Martin, that this Contract/Agreement be approved. The motion carried by a unanimous vote.

18. [19-0336](#) Consideration of a Professional Services Agreement (COF Contract No. 2019-0098) with Alfred Benesch & Company for the Design of the Southeast Park Bridge & Carothers Parkway Intersection Improvements in the Lump Sum Amount of \$358,656.00 (CIC 3/28/2019 4-0)

Sponsors: Engineering

Attachments: [2019-0098 PSA Benesch Design SEParkBridge with Attachment A.Law Approved.pdf](#)

A motion was made by Alderman McLendon, seconded by Alderman Martin, that this Contract/Agreement be approved. The motion carried by a unanimous vote.

RECEIPT OF REPORTS AND ITEMS APPROVED ON BEHALF OF THE BOARD

19. [19-0262](#) Filming Agreement with Chrisley Knows Best/Bright Road Productions (City Contract No. 2019-0088).

Sponsors: Rocky Garzarek

Attachments: [2019-0088 Bright Road Productions Fire signed 031119](#)

A motion was made that this Item Approved on Behalf of the Board be acknowledged. The motion carried by a unanimous vote.

20. [19-0180](#) Acknowledgement of a Professional Services Agreement (COF Contract No. 2019-0058) with John M. Hahn, Jr. for Appraisal Services on the Franklin Road Corridor Improvements Project in the Amount of \$23,500.00

Attachments: [PSA 2019-0058 Hahn for Law Review with attachmentLaw ApprovedFully Executed 040819](#)

This Item Approved on Behalf of the Board was acknowledged

21. [19-0222](#) Acknowledgement of Rental Agreement with Rolling Hills Community Church (COF Contract 2019-0082) in the amount of \$1525.00 for the 2019 State of the City

Sponsors: Milissa Reiersen

Attachments: [2019-0082 Rolling Hills State of the City 2019.pdf](#)

This Item Approved on Behalf of the Board was acknowledged

22. [19-0252](#) Acknowledgement of a Professional Services Agreement (COF Contract No. 2019-0090) with CDM Smith Inc. for the SR-96 East Sidewalk Project to Finalize the FEMA Letter of Map Revision in the Amount of \$11,400.

Sponsors: Engineering

Attachments: [2019-0090 CDM Smith PSA SR96 CLOMR and Exhibit ALaw Approved fully executed 040819.pdf](#)

This Item Approved on Behalf of the Board was acknowledged

23. [19-0327](#) Acknowledgement of Agreement Between Tennessee Department of Health and City of Franklin (COF 2018-0271)

Attachments: [City of Franklin Co-Op Agreement \(final\)](#)

This Item Approved on Behalf of the Board was acknowledged

24. [19-0375](#) COF Contract 2019-0105 with Wood Environment and Infrastructure Solutions Inc. for Technical Support Related to the Cannon Street Sinkhole

Sponsors: Mark Hilty and Joe York

Attachments: [COF CONTRACT 2019-0105 WOOD - CANNON STREET SINKHOLE EXECUTED](#)

This Item Approved on Behalf of the Board was acknowledged

EXECUTIVE SESSION

25. [19-0391](#) Motion to move into Executive Session

A motion was made by Alderman McLendon, seconded by Alderman Burger, that this Contract/Agreement be approved. The motion carried by a unanimous vote.

RETURN FROM EXECUTIVE SESSION

26. [19-0392](#) Actions from Executive Session

A motion was made by Alderman Blanton, seconded by Alderman Bransford, that there were no items for approval coming out of Executive Session. The motion carried by a unanimous vote.

Scheduled Meetings and Events

Other Business

Adjourn

A motion was made by Alderman Blanton, seconded by Alderman Bransford, that this was approved.. The meeting ended at 8:29 p.m.

Anyone needing accommodations due to disabilities please contact the Risk Manager at 615-791-3277 24 hours prior to the meeting.