



City of Franklin

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

Meeting Minutes

Board of Mayor & Aldermen

Tuesday, January 10, 2017

7:00 PM

Board Room

Call to Order

Present: 9 - Mayor Dr. Ken Moore, Alderman Ald. Margaret Martin, Alderman Ald. Michael Skinner, Alderman Ald. Dana McLendon, Alderman Ald. Beverly Burger, Alderman Ald. Brandy Blanton, Alderman Ald. Clyde Barnhill, Vice Mayor Vice Mayor Pearl Bransford, and Alderman Ald. Ann Petersen

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.

- [16-1030](#) Approval of Minutes:
December 13, 2016 5:00 Worksession
December 13, 2016 7:00 Board of Mayor and Aldermen

A motion was made by Alderman Petersen, seconded by Alderman Blanton, that these Minutes be approved. The motion carried by a unanimous vote.

Recognitions

Miscellaneous Reports

Consent Agenda

- [17-0028](#) Consideration of items 9- 25 on the Consent agenda.

A motion was made by Alderman Barnhill, seconded by Alderman Burger, that all items on the Consent Agenda be approved. The motion carried by a unanimous vote.

OLD BUSINESS

3. [16-0872](#) 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). (10/27/16 FMPC 6-0; 11/08/16 WS and 1st Reading 8-0; 12/13/16 2nd Reading 6-1) THIRD AND FINAL READING

Sponsors: Ald. Ann Petersen and Josh King

Attachments: [MAP RizerPointRezoning.pdf](#)
[2016-40 ORD Rizer Point Rezoning_with Map Law Approved](#)
[RIZER POINT REZONING REQUEST REVISION 2_10.6.2016.pdf](#)
[Rizer Point Submission of Petitions](#)
[Petition in Opposition of Connecting Viola Lane Wedgewood Drive - 68 signatures](#)
[Petition in Opposition of Rizer Point HOA Receiving Undeveloped Land - 66 signatures](#)

A motion was made by Vice Mayor Bransford, seconded by Alderman Petersen, that this Ordinance be approved on third and final reading. The motion carried by the following vote:

Aye: 7 - Alderman Skinner, Alderman McLendon, Alderman Burger, Alderman Blanton, Alderman Barnhill, Vice Mayor Bransford, and Alderman Petersen

No: 1 - Alderman Martin

Chairing: Mayor Moore

4. [16-0969](#) PUBLIC HEARING: 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).” (11/17/16 FMPC 9-0, 12/13/16 WS & 1st Reading 7-0) SECOND OF THREE READINGS

Sponsors: Ald. Ann Petersen and Brad Baumgartner

Attachments: [Branch Creek Crossing PUD Subd, DP, Rev 1 Map](#)
[Ord 2016-46 Branch Creek Crossing Rezoning Rev 1_with Map Law Approved \(2\)](#)
[Branch Creek Crossing - Rezoning Request Rev. 1 \(11-3-16\)](#)

A motion was made by Alderman Barnhill, seconded by Alderman Petersen, that this Ordinance be referred as a Consent Item to the Board of Mayor & Aldermen, meeting on 1/24/2017. The motion carried by a unanimous vote.

5. [16-0970](#) PUBLIC HEARING: Consideration Of Resolution 2016-74, To Be Entitled: "A Resolution Approving A Revised Development Plan For Branch Creek Crossing PUD Subdivision For The Property Located South Of Moores Lane And East Of Franklin Road, 580 Franklin Road." (11/17/16 FMPC 9-0; 12/13/16 WS)

Sponsors: Ald. Ann Petersen and Brad Baumgartner

Attachments: [2016-74 RES Branch Creek PUD DP Rev 4 with Map.Law Approved](#)
[Branch Creek Crossing PUD Subd, DP, Rev 1 Map](#)
[Branch Creek Crossing PUD Subd, DP, Rev 1 Conditions of Approval 01](#)
[Branch Creek Crossing - Development Plan Rev. 1 \(11-3-16\)](#)
[Arch Elevations](#)

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

6. [16-0971](#) PUBLIC HEARING: 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)." (11/17/16 FMPC 9-0, 12/13/16 WS & 12/13/16 BOMA 1ST Reading 7-0) SECOND OF THREE READINGS

Sponsors: Ald. Ann Petersen and Brad Baumgartner

Attachments: [2016-47 ORD Waters Edge PUD Subd Rezoning Rev 1_with Map.Law Approved](#)
[Waters Edge Rezoning Map Ord 2016-47](#)
[Water's Edge Rezoning Request Rev. 2 11.3.2016](#)

A motion was made by Alderman Blanton, seconded by Alderman Burger, that this Ordinance be referred as a Consent Item to the Board of Mayor & Aldermen, meeting on 1/24/2017. The motion carried by a unanimous vote.

7. [16-0972](#) PUBLIC HEARING: Consideration of Resolution 2016-75, To Be Entitled: "A Resolution Approving A Revised Development Plan For Water's Edge Pud Subdivision For The Property Located East Of Carothers Parkway And North Of Long Lane, 4413 South Carothers Road. (11/17/16 FMPC 9-0; 12/13/16 WS)

Sponsors: Ald. Ann Petersen and Brad Baumgartner

Attachments: [2016-75 RES Waters Edge PUD DP Rev 4 with Map.Law Approved](#)
[Waters Edge DP Rev 4 Map Res 2016-75](#)
[Waters Edge PUD Subd. DP. Rev 4 Conditions of Approval_01](#)
[Water's Edge Development Plan Rev. 4 11.3.2016](#)
[Pages from Water's Edge Development Plan Rev. 4 Dev Plan Sheet Only](#)
[Pages from Water's Edge Development Plan Rev. 4 Arch Elevations](#)

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

NEW BUSINESS

8. [17-0017](#) *Consideration Of Certificate Of Compliance For Wine In Grocery Store For Publix Tennessee, LLC #1529 Located At 5021 Hughes Crossing Boulevard, (Berry Farms), Franklin, TN, 37064 (Michael Mayhew, Managing Agent; Keith Everett, District Manager; Randall T. Jones, President; John A. Attaway, Jr., Secretary; David Patrick Phillips, Treasurer; Joseph DiBenedetto, Vice President; Jeffrey G. Chamberlain, Vice President (Executive Officers) (01-10-17 WS)

Sponsors: Lanaii Benne

Attachments: [2017-17 Publix 1529 - 5021 Hughes Crossing Blvd - Retail Food Wine Certificate.pdf](#)

A motion was made by Alderman Martin, seconded by Alderman Skinner, that this Liquor License be approved. The motion carried by a unanimous vote.

All Other Consent Items

9. [16-0904](#) *Consideration Of Ordinance 2016-45, To Be Entitled, To Be Entitled: "An Ordinance To Amend Chapter 3 Of The Zoning Ordinance Of The City Of Franklin, Tennessee, In Order To Add Parking Structures To The List Of Permitted New Uses/Encroachments In The FFO - Floodway Fringe Overlay District And Revise The Requirements For Parking Lots located in the FFO." Establishing a Public Hearing for February 14, 2017. (12/15/16 FMPC 9-0) FIRST OF THREE READINGS

Sponsors: Ald. Ann Petersen and Emily Hunter

Attachments: [ORD 2016-45 Amend FFO Parking Structures Law Approved \(3\)](#)

A motion was made by Alderman Barnhill, seconded by Alderman Burger, that this Ordinance be referred as a Public Hearing Item to the Board of Mayor & Aldermen, meeting on 2/14/2017. The motion carried by a unanimous vote.

10. [16-1038](#) *Consideration Of Ordinance 2016-48, To Be Entitled, "An Ordinance To Rezone 1.30 Acres From Detached Residential 2 (R-2) District To General Office (GO) District, Located West Of Royal Oaks Boulevard And North Of Murfreesboro Road, 203 North Royal Oaks Boulevard." Establishing a Public Hearing for February 14, 2017. (12/15/16 FMPC 9-0) FIRST OF THREE READINGS

Sponsors: Ald. Ann Petersen, Emily Hunter, Amy Diaz-Barriga and Brad Baumgartner

Attachments: [Dodson and Herbert,Rezoning Map](#)
[Ord 2016-48 Dodson and Herbert Subd. with Map Law Approved](#)
[203 NRB Zoning Map-24x36](#)

A motion was made by Alderman Barnhill, seconded by Alderman Burger, that this Ordinance be referred as a Public Hearing Item to the Board of Mayor & Aldermen, meeting on 2/14/2017. The motion carried by a unanimous vote.

11. [16-1039](#) *Consideration Of Resolution 2016-87/Ordinance 2016-49 To Be Entitled, "A Resolution And Ordinance To Annex 459, 463, 467 Franklin Road, Consisting Of 5.4 Acres, Located West Of Franklin Road And North Of Mack Hatcher Parkway And Adjoining The City Limits Within The Western Part Of The Franklin Urban Growth Boundary (UGB)." Establishing a Public Hearing for February 14, 2017. (12/15/16 FMPC 9-0) FIRST OF THREE READINGS

Sponsors: Ald. Ann Petersen, Emily Hunter and Brad Baumgartner

Attachments: [Res 2016-87 Ord 2016-49 459 463 467 Franklin Road with Map.Law Approved](#)
[459 463 467 Franklin Rd Annexation Map](#)
[Letter of Request - SIGNED](#)
[Annexation Application - SIGNED](#)
[Owner Affidavit - SIGNED](#)
[Phyllis Anexation documents \(Additional Property Owner\)](#)

A motion was made by Alderman Barnhill, seconded by Alderman Burger, that this Ordinance be referred as a Public Hearing Item to the Board of Mayor & Aldermen, meeting on 2/14/2017. The motion carried by a unanimous vote.

12. [16-1040](#) *Consideration Of Ordinance 2016-50, To Be Entitled, "An Ordinance To Zone 5.4 Acres Detached Residential 1 (R-1) District, Hillside/Hillcrest Overlay (HHO) District, Berry's Chapel Character Area Overlay (BCCO- 7) District, And Designate The Development Standards As Being Appropriate For Either Traditional Or Conventional Area Development Standards, For The Property Located West Of Franklin Road And North Of Mack Hatcher Parkway, 459, 463, 467 Franklin Road." Establishing a Public Hearing for February 14, 2017. (12/15/16 FMPC 9-0; 01/10/17 WS) FIRST OF THREE READINGS

Sponsors: Ald. Ann Petersen, Emily Hunter, Amy Diaz-Barriga and Brad Baumgartner

Attachments: [Ord 2016-50 Zone 459 463 467 Franklin Road with Map.Law Approved](#)
[459.463.467 Franklin Road Rezoning Map](#)

A motion was made by Alderman Barnhill, seconded by Alderman Burger, that this Ordinance be referred as a Public Hearing Item to the Board of Mayor & Aldermen, meeting on 2/14/2017. The motion carried by a unanimous vote.

13. [16-1068](#) Consideration of Interlocal Agreement (COF Contract 2016-0116) for Non-Exclusive License and Data Sharing Between City of Franklin and Mallory Valley Utility District. (12/13/16 WS)

Sponsors: Fred Banner and Jordon Shaw

Attachments: [SKM_C3350161202164400.pdf](#)

This Contract/Agreement was approved.

14. [17-0002](#) Consideration of Change Order No. 3 (Final Change Order) to the Construction Contract for the Hillsboro Road Improvements Project Phase 1, SR96W to Independence Square (COF Contract No. 2012-0110, Resolution 2012-67) (12/15/2016 CIC 4-0)

Sponsors: Eric Stuckey, Paul Holzen, Jonathan Marston and William Banks

Attachments: [COF2012-0110 Hillsboro Rd Improvements-CO#3 Exh A](#)

This Contract/Agreement was approved.

15. [17-0001](#) Consideration of Change Order No. 3 to the Construction Contract (COF Contract No. 2014-0037, Resolution 2015-46) with Jones Bros. Contractors, LLC for the 3rd Avenue North Trail/Greenway Project (Bicentennial Park Phase I, TDOT PIN 109424.00) (12/15/2016 CIC 4-0)

Sponsors: Paul Holzen, Jonathan Marston and William Banks

Attachments: [COF2014-0037 3rd Ave Trail-CO#3 Exhibit A](#)

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

16. [17-0003](#) Consideration of Resolution 2016-94, A Resolution to Approve the Final Design and to Authorize Property Acquisition and Construction of the 100-Block Battle Avenue Drainage Improvements Project (12/15/16 CIC 4-0)

Attachments: [Res 2016-94 100 Block Battle Ave with Attachment.Law Approved](#)

[RESOLUTION 2014-50](#)

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

17. [17-0006](#) Consideration of Agreement (COF 2016-0327) with the U.S. Geological Survey, United States Department of Interior for the Operation and Maintenance of Stream Gaging Stations in the Amount of \$43,575 (12/15/2016 CIC 4-0).

Attachments: [COF 2016-0327 USGS Contract.Law Approved](#)

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

18. [17-0007](#) Consideration of Amendment No. 2 to the Road Impact Fee Offset Agreement (COF 2013-0016) with Trillium Farms, L.P. for the Construction of Carothers Parkway from the Proposed Intersection of Carothers Parkway and Long Lane. (12/15/16 CIC 4-0)

Attachments: [COF 2013-0016 Amendment 2 with Exhibit A.Law Approved](#)

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

19. [17-0008](#) Consideration of Resolution 2016-96, A Resolution of the Board of Mayor and Aldermen for the City of Franklin Reapproving the Post-Construction Stormwater Control Measures Provided for in the City of Franklin Stormwater BMP Manual for the Purpose of Compliance with SB1830/HB1892 (12/15/16 CIC 4-0)

Attachments: [Res 2016-96 MEP Stormwater Resolution.Law Approved](#)

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

20. [17-0009](#) Consideration of a Professional Services Agreement (COF Contract No. 2016-0330) with Hethcoat & Davis Inc. for the Holiday Court Sewer Pump Station Replacement in the Not-to-Exceed Amount of \$71,760.00 (12/15/16 CIC 4-0)

Attachments: [COF 2016-0330 Holiday Court Sewer Pump Station PSA with Scope.Law Approved](#)

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

21. [17-0010](#) Consideration of Amendment No. 1 to the 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 \$6,500 (12/15/16 CIC 4-0)

Attachments: [COF 2015-0096 - Amendment 1 with Scope - CEC Jordan Branch - PSA.Law Approved](#)

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

Items Approved on Behalf of the Board

22. [16-0997](#) Acknowledge report of procurement award to and execution of Procurement Agreement with Franklin Disposal, LLC, of Franklin, Tennessee in the amount of \$3.25 per container per day for the purchase of three-day-per-week servicing of public refuse collection containers located in downtown Franklin for a one-year term of service for the Sanitation and Environmental Services Department (Purchasing Office Procurement Solicitation No. 2017-005; Contract No. 2016-0337)

Sponsors: Becky Caldwell

Attachments: [2017-005 Tabulation of bids](#)
[2016-0337 Procurement Agreement, signed for both parties, with attachments](#)

A motion was made by Alderman Barnhill, seconded by Alderman Burger, that this Item Approved on Behalf of the Board be approved. The motion carried by a unanimous vote.

23. [16-1047](#) Consideration of a Professional Services Agreement (COF Contract No. 2016-0248) with Normal Hall & Associates for the Bobby Drive Water Line Improvements Appraisals in the Not-to-Exceed Amount of \$18,200.00.

Attachments: [Bobby Drive Appraisals](#)

A motion was made by Alderman Barnhill, seconded by Alderman Burger, that this Item Approved on Behalf of the Board be approved. The motion carried by a unanimous vote.

24. [16-1097](#) Acknowledge report of sole-source purchase from Infor Public Sector, Inc. of Alpharetta, Georgia in the total amount of \$30,000 for 25 Infor Field Inspector Work Management perpetual licenses and first year of support for the Building and Neighborhood Services Department (\$50,000 budgeted in 110-83550-41900 for fiscal year 2017; City Contract No. 2016-0298)

Sponsors: Chris Bridgewater

A motion was made by Alderman Barnhill, seconded by Alderman Burger, that this Item Approved on Behalf of the Board be approved. The motion carried by a unanimous vote.

25. [17-0014](#) Acknowledge report of execution of Premier Support Services and Technical Account Manager Description Schedule with Microsoft in the total amount of \$63,880 for the Information Technology Department (\$65,000 budgeted for fiscal year 2017; City Contract No. 2016-0365)

Sponsors: Fred Banner

Attachments: [2016-0365 Microsoft Premier Support Services Description Schedule, signed for both parties](#)

A motion was made by Alderman Barnhill, seconded by Alderman Burger, that this Item Approved on Behalf of the Board be approved. The motion carried by a unanimous vote.

EXECUTIVE SESSION

RETURN FROM EXECUTIVE SESSION

Scheduled Meetings and Events

Other Business

Adjourn

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