



# City of Franklin

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

## Meeting Agenda

### Board of Mayor & Aldermen

---

Tuesday, August 14, 2018

7:00 PM

Board Room

---

#### Call to Order

#### 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. [18-0644](#) Consideration of Approval of Minutes:  
June 26, 2018 5:00 p.m. Work Session  
June 26, 2018 7:00 p.m. Board of Mayor and Aldermen  
July 10, 2018 5:00 p.m. Work Session  
July 10, 2018 7:00 p.m. Board of Mayor and Aldermen

#### Recognitions

#### Miscellaneous Reports

#### Consent Agenda

*All Items Under The Consent Agenda Are Deemed To Be 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 17-23 Be Placed On The Consent Agenda.*

2. [18-0646](#) Consideration of items 17 - 23 on the Consent Agenda

**OLD BUSINESS**

3. [18-0561](#) PUBLIC HEARING: Consideration of Ordinance 2018-34, To Be Entitled: "An Ordinance Authorizing Certain Incentives be Provided to the Franklin Housing Authority in Support of Developing a 48-Unit Multi-Family Senior Housing Complex On Chickasaw Place." (6/12/18 WS, 07/10/18 BOMA 1st Reading 6-2) SECOND OF THREE READINGS

**Sponsors:** Eric Stuckey and Vernon Gerth

**Attachments:** [Ord 2018-34\\_Chickasaw.Law Approved 3.pdf](#)  
[Ord 2018-34\\_Chickasaw.Law Approved \(2\).pdf](#)  
[FHA Letter of Request Chickasaw 5-16-18](#)  
[FHA Cooperation Agreement 1967](#)  
[FHA Presentation - rev 6.6.2018](#)

**Legislative History**

6/12/18	Work Session	referred to the Board of Mayor & Aldermen
7/10/18	Board of Mayor & Aldermen	approved

**NEW BUSINESS**

4. [18-0599](#) Consideration of COF Contract No. 2018-0087, An Agreement with The Jones Company of Tennessee, LLC for Reimbursement of Cost in the Amount of \$11,640.00 for Sanitary Sewer Collection System Improvements in the area of Ladd Park between Sections 32 - 34 and Section 37. (Deferred from 6/28/18 CIC)

**Sponsors:** Michelle Hatcher and Mark Hilty

**Attachments:** [COF 2018-0087 Moss Property PUD Subdivision Offset Agreement\\_with Map.L](#)

5. [18-0608](#) Consideration of Professional Services Agreement (COF Contract No. 2018-0143) with CDM Smith, Incorporated for Construction Administration and Inspection Services for the Water Reclamation Facility Upgrades Project in the Amount of \$11,677,396.00 (07/10/18 WS)

**Sponsors:** Michelle Hatcher

**Attachments:** [2018-0143 PSA with CDM SMITH\\_WRF Upgrades\\_with Attachment A.Law App](#)

**Legislative History**

7/10/18	Work Session	referred to the Board of Mayor & Aldermen
---------	--------------	---

6. [18-0769](#) \*Consideration of Resolution 2018-61 Entitled, A Resolution To Establish A Grace Period For Mobile Food Vendors To Operate Temporarily Through December 31, 2018 Or Until The City Of Franklin Board Of Mayor And Aldermen Have Adopted A Comprehensive Mobile Food Vending Ordinance, Whichever Occurs First.
- Sponsors:** Eric Stuckey and Vernon Gerth
- Attachments:** [Res 2018-61 Mobile Food Vending Grace Period.Law Approved.pdf](#)
7. [18-0562](#) \*Consideration of Ordinance 2018-29 to be entitled: An Ordinance to Amend Title 9 Chapter 2 Section 9-201(2) of the City of Franklin Municipal Code as it Pertains to Itinerant Merchants and the Removal of Vehicles, Trailers, Kiosks, Stands, Tables, Signage, Furniture, and Related Ancillary Equipment when Not Open for Business. (6/12/18 WS, 6/26 BOMA Deferred 1st Reading to 8/14 BOMA.) FIRST OF TWO READINGS
- Sponsors:** Eric Stuckey and Vernon Gerth
- Attachments:** [18-0562 2018-29 ORD Itinerant merchants.Law Approved.pdf](#)  
[ORD 2018-29 - Section 9-201 - Itinerant MerchantMFvfg.docx](#)  
[NLC Mobile Food Vendors](#)  
[Knoxville Mobile Food Ordinance](#)  
[Cary, NC Mobile Food Application and Ordinance](#)  
[Muni Code Sec. 9-201\(2\) and Recommended Amendment 5-18](#)
- Legislative History**
- |         |                           |   |
|---------|---------------------------|---|
| 6/12/18 | Work Session              | referred to the Board of Mayor & Aldermen |
| 6/26/18 | Board of Mayor & Aldermen | referred to the Board of Mayor & Aldermen |
8. [18-0690](#) \*Consideration of Contract No. 2018-0100 Riverbluff Homeowners Association/City of Franklin Easement Access Agreement.
- Sponsors:** Eric Stuckey and Vernon Gerth
- Attachments:** [2018-0100 Riverbluff City of Franklin Easement Agreement\\_with Map.pdf](#)
9. [18-0676](#) \*Consideration of Ordinance 2018-31 An Ordinance to Reappoint Deana Hood as City Judge for the City Court of Franklin, Tennessee. FIRST OF TWO READINGS
- Sponsors:** Shauna Billingsley
- Attachments:** [2018-31 ORD Reappointing Deana Hood as City Judge.Law Approved 07.09.18](#)
10. [18-0772](#) \*Consideration of Ordinance 2018-37, An Ordinance to Amend Title 16, Chapter 14, and Appendix A of the City of Franklin's Municipal Code as it Pertains to Small Wireless Facilities in the Public Right-Of-Way. FIRST OF TWO READINGS
- Sponsors:** Shauna Billingsley, Misty Foy and Paul Holzen
- Attachments:** [2018-37 ORD Small Cell Ordinance\\_Revised per State Law\\_with Appendix A I](#)

11. [18-0774](#) \*Consideration of a Professional Services Agreement (COF Contract No. 2018-0162) with Windrow Phillips Group, to provide lobbying and advisory services on behalf of the City of Franklin.
- Sponsors:** Shauna Billingsley
- Attachments:** [2018-0162\\_PSA with Windrow Phillips.Law Approved.pdf](#)
12. [18-0784](#) \*Consideration of Resolution No. 2018-62 to Adopt the Amended and Restated Pension Plan Effective January 1, 2018, and To Adopt the First Amendment to the Amended and Restated Pension Plan Effective January 1, 2018.
- Sponsors:** Eric Stuckey, Kristine Tallent and Kevin Townsel
- Attachments:** [Res. 2018-62 Amended and Restate Pension Plan with Exhibits.Law Approved 2018\\_2019 Retiree Payroll Dates](#)
13. [18-0721](#) \*Consideration Of Liquor License Issuance For An Existing Store Known As Carothers Wine And Spirits (Bacolet Investment Corp.); Ruby Richmond (Managing Agent), 103 International Drive, Franklin, Tennessee, 37067.
- Sponsors:** Lanaii Benne
- Attachments:** [2018 Certificate Ruby Richmond for Carothers Wine and Spirits.pdf](#)
14. [18-0147](#) \*Consideration of Liquor License for HolBev, LLC, dba Holiday Cigars & Spirits, (Alpa Patel, Managing Agent) 108 N. Royal Oaks Blvd, Franklin, TN 37067.
- Sponsors:** Lanaii Benne
- Attachments:** [2018 Certificate Alpa Patel.pdf](#)
15. [18-0780](#) \*The Stanard & Associates, Inc. contract for Police Department Promotional Testing (Contract No. 2018-0166).
- Sponsors:** Kevin Townsel
- Attachments:** [2018-0166 Stanard and Associates Promotional Assessment Sgt, Lt, MPO, De](#)
16. [18-0736](#) Consideration of Appointments to the Development Services Advisory Commission  
Matt Bryant, Danny Anderson, Dwight Kiser, Ryan McMaster, Scot Dever, Kate Holliday, Bridget Parkes, Alan Thompson, Nick Biniker, BOMA representative Alderman Scott Speedy, and City Administrator appointment Michael Walters Young.
- Sponsors:** Dr. Ken Moore

**Consent Agenda**

17. [18-0659](#) Consideration of Contract No. 2018-0146 with Thomson Reuters For Westlaw Online Legal Research Subscription (Contract No. 2018-0146) (07/10/18 WS)
- Sponsors:** Shauna Billingsley
- Attachments:** [COF Contract No. 2018-0146 Thomson Reuters Westlaw Renewal.pdf](#)
- Legislative History**
- |         |              |   |
|---------|--------------|---|
| 7/10/18 | Work Session | referred as a Consent Item to the Board of Mayor & Aldermen |
|---------|--------------|---|
18. [18-0591](#) Consideration of Event Permit for Franklin Classic 5K/10K benefitting Mercy Community Healthcare in Downtown on September 3, 2018 (7/10/18 WS)
- Sponsors:** Deb Faulkner
- Attachments:** [Franklin Classic 2018 REVISED APP](#)
- Legislative History**
- |         |              |   |
|---------|--------------|---|
| 7/10/18 | Work Session | referred as a Consent Item to the Board of Mayor & Aldermen |
|---------|--------------|---|
19. [18-0726](#) \*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." Establishing a Public Hearing Date of September 11, 2018. (07-26-18 FMPC 7-0). FIRST OF THREE READINGS
- Sponsors:** Emily Hunter
- Attachments:** [6749 - MAP - 1044 Carlisle Lane Rezoning](#)  
[ORDINANCE 2018-28 Carlisle Lane with Map and Survey.Law Approved](#)  
[6749 - COA - 1044 Carlisle Lane Rezoning](#)
- Legislative History**
- |         |  |  |
|---------|--|--|
| 7/26/18 | Franklin Municipal Planning Commission | recommended favorably to the Board of Alderman and to the Work Session |
|---------|--|--|

20. [18-0684](#) \*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 Of Hillsboro Road And South Of The Harpeth River, 1215 Hillsboro Road, (Christ Community Church PUD Subdivision)." Establishing a Public Hearing Date of September 11, 2018. (07-26-18 FMPC 7-0) FIRST OF THREE READINGS

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

**Attachments:** [MAP\\_ChristCommunity.pdf](#)  
[ORD 2018-30 Rezone\\_ChristCommunity\\_with Map.Law Approved.pdf](#)  
[Christ Community Church PUD Subdivision \(1\).pdf](#)

**Legislative History**

7/26/18	Franklin Municipal Planning Commission	recommended favorably to the Board of Alderman and to the Work Session
---------	--	--

21. [18-0752](#) \*Consideration Of Ordinance 2018-33, To Be Entitled: "An Ordinance To Zone 419 Murfreesboro Road Into The Historic Preservation Overlay (HPO) District, Consisting of 1.08 Acres And Located At 419 Murfreesboro Road." Establishing a Public Hearing Date of September 11, 2018. (07-26-18 FMPC 7-0) FIRST OF THREE READINGS

**Sponsors:** Emily Hunter

**Attachments:** [MAP 67369 419 Murfreesboro HPO Rezon](#)  
[ORD 2018-33 419 Murfreesboro Rd HPO\\_with Map and Survey](#)  
[6739 7.5.18 Powell Zoning Request Plan](#)

**Legislative History**

7/26/18	Franklin Municipal Planning Commission	recommended favorably to the Board of Alderman and to the Work Session
---------	--	--

22. [18-0750](#) Consideration of Amendment No. 2 to the Professional Services Agreement (COF Contract No. 2017-0007) with Barge Design Solutions, Inc. for the Design of Intersection Improvements at East McEwen Drive and Cool Springs Boulevard for a Cost Increase Not-to-Exceed \$52,300.00 (07/26/18 CIC 3-0)

**Sponsors:** Paul Holzen and Jonathan Marston

**Attachments:** [2017-0007\\_Amend2\\_EMcEwenRndabt\\_with attachment.Law Approved.pdf](#)

**Legislative History**

7/26/18	Capital Investment Committee	referred as a Consent Item to the Board of Mayor & Aldermen
---------	------------------------------	---

23. [18-0775](#) Consideration of a Professional Services Agreement (COF Contract No. 2018-0169) with Civil & Environmental Consultants, Inc. for the Municipal Services Complex Improvements in an Amount Not-to-Exceed \$85,500.00 (07/26/18 CIC 3-0)

**Sponsors:** Paul Holzen and Jonathan Marston

**Attachments:** [COF 2018-0169 Municipal Services Complex\\_CEC\\_PSA\\_with Attachment.Law](#)

**Legislative History**

7/26/18	Capital Investment Committee	referred as a Consent Item to the Board of Mayor & Aldermen
---------	------------------------------	---

**RECEIPT OF REPORTS AND ITEMS APPROVED ON BEHALF OF THE BOARD**

24. [18-0600](#) Professional Services Contract with Civil and Environmental Consultants, Inc. for Surveying, Phase 1, Parking Count and Utility Inverts located at 109 3rd Ave South Contract for Services \$ 15,300.00 (COF Contract No. 2018-0040).

**Sponsors:** Brad Wilson

**Attachments:** [2018-0040 Civil & Environmental Consultants\\_survey current City Hall](#)

25. [18-0692](#) The City's Use Of Temporary Staffing Agency Express Employment Professionals, COF Contract No. 2018-0058

**Sponsors:** Kevin Townsel

**Attachments:** [2018-0058 Express Employment Professional\\_temporary staffing](#)

26. [18-0695](#) Report of Memorandum of Understanding (MOU) between the 21st Judicial Drug Task Force and The City of Franklin Police Department. Contract No. 2018-0147.

**Sponsors:** Deb Faulkner

**Attachments:** [MOU 21st Drug Task Force 2018-0147](#)

27. [18-0696](#) Quit Claim Deed (COF Contract 2017-0042) for Right-of-Way Dedication from First Farmers and Merchants Bank (Map 117A, Parcel 00400).

**Sponsors:** Paul Holzen

**Attachments:** [COF Contract 2017-0042](#)

28. [18-0697](#) Professional Services Agreement (COF Contract No. 2017-0046) with Boozer and Company, P.C. for the Franklin Road Improvements EPA Appraisal in the amount of \$3,500

**Sponsors:** Paul Holzen

**Attachments:** [COF Contract 2017-0046](#)

29. [18-0698](#) Professional Services Agreement (COF Contract No. 2017-0047) with John M. Hahn, Jr. for the Franklin Road Improvements EPA Appraisal in the amount of \$3,500
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0047](#)
30. [18-0700](#) Professional Services Agreement (COF Contract No. 2017-0074) with Huner Consulting, LLC. for the Municipal Services Complex Pavement Rehabilitation Plan for an amount not to exceed \$24,000.
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0074](#)
31. [18-0702](#) Agreement (COF Contract No. 2017-0092 and 2017-0096) for dedication of Public Drainage and Access Easement and Agreement (COF Contract No. 2017-0114) for Dedication of Riparian Buffer Conservation Easement for the Jordan Branch Stream Restoration Project.
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0092](#)  
[COF Contract 2017-0096](#)  
[COF Contract 2017-0114](#)
32. [18-0704](#) Public Utility and Drainage Easement Abandonment Agreement (COF Contract 2017-0352 and COF 2017-0353) with SS McEwen, LLC.
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0352](#)  
[COF Contract 2017-0353](#)
33. [18-0705](#) Agreement for Dedication of Easement Agreement (COF Contract 2017-0143 and COF 2017-0144) with First Presbyterian Church at Franklin, Inc.
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0143](#)  
[COF Contract 2017-0144](#)
34. [18-0706](#) Agreement for Dedication of Easement (COF Contract 2017-0070 and 2017-0071) with Crescent Lockwood MF, LLC.
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0070](#)  
[COF Contract 2017-0071](#)

35. [18-0707](#) Quit Claim Deed (COF Contract No. 2017-0105) for dedication of Right-of-Way with John Roderick Heller, III and Kay Culbreath Heller for the Carnton Lane Bridge Replacement Project.
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0105](#)
36. [18-0708](#) Professional Services Agreement (COF 2017-0107) with Barge Waggoner Sumner & Cannon, Inc. for the Phase 1 - Franklin Eastside Park Development Traffic Counts and Phase 1 ESA in the amount of \$9,700.
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0107](#)
37. [18-0709](#) Professional Services Agreement (COF Contract 2017-0129) with Mainstream Commercial Divers, Inc. for the Robinson Lake Hydrographic Soundings Project for an amount not to exceed \$5,300.00.
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0129](#)
38. [18-0710](#) Professional Services Agreement (COF Contract 2018-0015) with Geotek Engineering Company, Inc. for the Chestnut Bend Geotechnical Investigation of Settlement Areas for an amount not to exceed \$17,500.
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2018-0015](#)
39. [18-0711](#) Professional Services Agreement (COF Contract 2017-0375) with Stantec Consulting Services, Inc. for the Third Party Review for Wetlands Delineation and Hydrologic Determinations, Cheekwood Golf Course, in the amount of \$4,000.00.
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0375](#)
40. [18-0712](#) Professional Services Agreement (COF Contract 2017-0262) with K. S. Ware and Associates, LLC. For Asbestos and Regulated Material Survey for the Mack Hatcher Parkway (SR-397) Northwest Extension Project in the amount of \$5,800.00.
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0262](#)
41. [18-0713](#) Professional Services Agreement (COF Contract 2017-0246) with Alfred Benesh & Company for the FY 2018 Transportation Alternatives Program (TAP) Grant Application Project in the amount of \$4,794.00.
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0246](#)

42. [18-0714](#) Professional Services Agreement (COF Contract 2017-0218) with Kimley-Horn and Associates, Inc. for the 2017 Congestion Mitigation and Air Quality (CMAQ) Grant Application Project in the amount of \$4,500.00.
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0218](#)
43. [18-0715](#) Professional Services Agreement (COF Contract 2017-0201) with Stantec Consulting Services, Inc. for the 2016 Macroinvertebrate Stream Survey Sample Sorting and Analysis, Data Reduction and Report in the amount of \$7,520.00
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0201](#)
44. [18-0716](#) Irrigation Repair Agreement (COF Contract 2017-0193) with the Carlisle Homeowners Association, Inc. as part of the SR96 West Trail Project in the amount of \$3,500.00
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0193](#)
45. [18-0717](#) Warranty Deed (COF Contract No. 2017-0138) from George Dwight Lynch and Mary Delores Lynch for the offsite improvements associated with the Harpeth Square Development Project.
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0138](#)
46. [18-0718](#) Professional Services Agreement (COF Contract 2017-0134) with Fulmer Engineering, LLC. For the Flood Plain Cut and Fill Evaluation for City Property Known as Map 063 Parcel 02101 in the Amount not to Exceed \$5,000.00.
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0134](#)
47. [18-0719](#) Professional Services Agreement (COF Contract 2017-0130) with CDM Smith, Inc. for the Robinson Lake Dam Assessment in the amount of \$5,000.00
- Sponsors:** Paul Holzen
- Attachments:** [COF Contract 2017-0130](#)
48. [18-0732](#) COF Contract No. 2018-0021 Rental agreement with Southern Events Party Rental Company.
- Sponsors:** Rocky Garzarek and Cyndi Wright
- Attachments:** [COF Contract 2018-0021](#)

49. [18-0766](#) Agreements for Dedication of Easement (COF Contract Nos. 2016-0195, 2016-0196, 2016-0199, 2016-0200, 2016-0204, 2016-0206, 2016-0207, 2016-0208, 2016-0209, 2016-0210, 2016-0211, 2016-0212, 2016-0213, 2016-0214, 2016-0215, 2016-0216, 2016-0217, 2016-0219, 2016-0220, 2016-0223, 2018-0055) for The Bobby Drive Water Line Improvements Project

**Sponsors:** Michelle Hatcher and Patricia McNeese

**Attachments:** [8\\_14\\_18 Items on Behalf of Easements Bobby Drive](#)

#### EXECUTIVE SESSION

50. [18-0648](#) Motion to move into Executive Session

#### RETURN FROM EXECUTIVE SESSION

51. [18-0650](#) Actions from Executive Session

#### Scheduled Meetings and Events

*Scheduled meetings:*

August 20 4:00 p.m. Historic Zoning Design Review Committee

August 23 4:00 p.m. Capital Investment Committee

August 23 5:30 p.m. Joint BOMA / FMPC Work Session

August 23 7:00 p.m. Franklin Municipal Planning Commission

August 28 5:00 p.m. BOMA Work Session

August 28 7:00 p.m. Board of Mayor and Aldermen

#### Other Business

#### Adjourn

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