

**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, JANUARY 10, 2017 – 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	P	Alderman Ann Petersen	P
Alderman Beverly Burger	P	Alderman Michael Skinner	P

Department Directors/Staff

Eric Stuckey, City Administrator	P	Lisa Clayton, Parks Director	P
Vernon Gerth, ACA Community/Economic Dev.	P	, HR Director	
Kristine Tallent, ACA Finance & Administration	P	Mark Hilty, Water Management Director	
Shauna Billingsley, City Attorney	P	Paul Holzen, Engineering Director	P
Rocky Garzarek, Fire Chief	P	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	P	Lanaii Benne, Assistant City Recorder	P
Becky Caldwell, SES Director		Linda Fulwider, Board Recording Secretary	P

CALL TO ORDER

Mayor Ken Moore called the January 10, 2017, 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)

None

COMMUNICATIONS: WILLIAMSON COUNTY MAYOR/WILLIAMSON COUNTY COMMISSION

None present

APPROVAL OF MINUTES

1. **16-1030** *Alderman Petersen moved to approve the December 13, 2016 Work Session and December 13, 2016 Board of Mayor and Aldermen minutes as presented. Seconded by Alderman Blanton. Motion carried unanimously.*

RECOGNITIONS

None

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 9-25 be placed on the Consent Agenda.

2. **17-0028** *Alderman Barnhill moved to approve Consent Agenda Items 9-25. Seconded by Alderman Burger. Motion carried unanimously.*

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}**

[THIRD AND FINAL READING]

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

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

Alderman McLendon asked if the motion included the Modification of Standards and Conditions. Emily Hunter explained this Ordinance has no MOS or Conditions; it is only for Rezoning.

Motion to approve Ordinance 2016-40 approved on Third and Final Reading by a 7-1 vote, with Alderman Martin voting against.

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).”**

[SECOND OF THREE READINGS]

**Alderman Ann Petersen, FMPC Representative
Brad Baumgartner, Senior Planner**

Brad Baumgartner: Rezoning required because the applicant is proposing a Development Plan Revision which includes the commercial square footage on the site. Land Use Plan supports the changes. Staff recommends approval.

Public Hearing

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

Alderman Barnhill moved to approve Ordinance 2016-46. Seconded by Alderman Petersen. Motion carried unanimously.

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.”**

**Alderman Ann Petersen, FMPC Representative
Brad Baumgartner, Senior Planner**

Brad Baumgartner: Development Plan Revision to expand the commercial square footage for this site. The recent approval of the Family Legacy site plan to the south of this property renders the incompatible use buffer not applicable, and the applicant is planning to remove it. The commercial square footage is increasing by 7,520 square feet because removal of the buffer allows a larger developable area. Only Phase 3 is being adjusted with this revision.

Public Hearing

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

Alderman Barnhill moved to approve Resolution 2016-74. Seconded by Alderman Petersen.

There was a bit of confusion regarding Modification of Standards. Emily Hunter explained the Modifications of Standards were approved as part of Resolution 2014-97 in 2014, as shown on page three of this Resolution.

Alderman Burger asked how many feet between this and the next residential structure to the south, and is there proper buffering. Mr. Baumgartner responded the property to the south is Family Legacy and the buffer is there.

Motion to approve Resolution 2016-74 carried unanimously.

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).**

[SECOND OF THREE READINGS]

**Alderman Ann Petersen, FMPC Representative
Brad Baumgartner, Senior Planner**

Brad Baumgartner: Rezoning is required because the applicant is proposing to exceed the maximum density number allowed under the current zoning. Proposed zoning is consistent with the neighboring subdivisions and with the Land Use Plan.

Public Hearing

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

Alderman Blanton moved to approve Ordinance 2016-47. Seconded by Alderman Burger. Motion carried unanimously on Second of Three Readings.

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.**

**Alderman Ann Petersen, FMPC Representative
Brad Baumgartner, Senior Planner**

Brad Baumgartner: Development Plan Revision to change the layout of properties to the southeastern side of the development and addition of a new typical lot type. New typical lot type is 40’ by 125’ and provides a single family detached residential unit with an alley loaded garage. Provides new larger open space which is a more appealing design.

Public Hearing

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

Alderman Skinner moved to approve Resolution 2016-75. Seconded by Alderman Barnhill. Motion carried unanimously.

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 Di Benedetto, Vice President; Jeffrey G. Chamberlain, Vice President (Executive Officers)**
Lanaii Benne, Assistant City Recorder
Alderman Martin moved to approve Certificate of Compliance for Publix #1529. Seconded by Alderman Skinner. Motion carried unanimously.

CONSENT AGENDA

9. 16-0904 ★ **Consideration of ORDINANCE 2016-45, 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.**
[FIRST OF THREE READINGS] Alderman Ann Petersen, FMPC Representative
Emily Hunter, Planning & Sustainability Director
Ordinance 2016-45 approved unanimously on First of Three Readings
10. 16-1038 ★ **Consideration of ORDINANCE 2017-48, 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**
[FIRST OF THREE READINGS] Alderman Ann Petersen, FMPC Representative
Emily Hunter, Planning & Sustainability Director
Amy Diaz-Barriga, Current Planning Supervisor
Brad Baumgartner, Senior Planner
Ordinance 2017-48 approved unanimously on First of Three Readings
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.**
[FIRST OF THREE READINGS] Alderman Ann Petersen, FMPC Representative
Emily Hunter, Planning & Sustainability
Brad Baumgartner, Senior Planner
Resolution 2016-87/ORDINANCE 2016-49 approved unanimously on First of Three Readings
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**
[FIRST OF THREE READINGS] Alderman Ann Petersen, FMPC Representative
Emily Hunter, Planning & Sustainability Director
Amy Diaz-Barriga, Current Planning Supervisor
Brad Baumgartner, Senior Planner
Ordinance 2016-50 approved unanimously on First of Three Readings

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.**
Approved unanimously
Fred Banner, IT Director
Jordan Shaw, Assistant IT Director
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)**
Approved unanimously
Eric Stuckey, City Administrator
Paul Holzen, Engineering Director
Jonathan Marston, Engineering Assistant Director
William Banks, Staff Engineer I
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)**
Approved unanimously
Paul Holzen, Engineering Director
Jonathan Marston, Engineering Assistant Director
William Banks, Staff Engineer I
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.**
Resolution 2016-94 approved unanimously
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.**
Approved unanimously
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.**
Approved unanimously
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.**
Resolution 2016-96 approved unanimously
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**
Approved unanimously
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.**
Approved unanimously

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)
Approved unanimously Becky Caldwell, SES Director
23. 16-1047 Consideration of a Professional Services Agreement (COF Contract No. 2016-0248) with Norman Hall & Associates for the Bobby Drive Water Line Improvements Appraisals in the Not-to-Exceed Amount of \$18,200.00.
Approved unanimously
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 the Fiscal Year 2017; City Contract No. 2016-0298)
Approved unanimously Chris Bridgewater, BNS Director
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)
Approved unanimously Fred Banner, IT Director

THERE WAS NO EXECUTIVE SESSION

ADJOURN

Alderman Burger moved to adjourn. Seconded by Vice Mayor Bransford. Motion carried unanimously.

Meeting adjourned @ 7:19 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office—Updated: 10/24/2017 10:10 AM