

**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, SEPTEMBER 8, 2015 – 7:00 P.M.**

Board Members

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

Department Directors/Staff

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

Call to Order

Dr. Ken Moore, Mayor, called the September 8, 2015, meeting to order at 7:04 p.m.

Invocation

Vice Mayor Clyde Barnhill gave the invocation.

Pledge of Allegiance

Mayor Ken Moore led the pledge of allegiance to the Flag of the United States of America.

Grievances or Statements from Citizens: 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 from Williamson County Mayor and Williamson County Commission

Not in attendance.

1. Approval of Minutes

Vice Mayor Barnhill moved to approve the August 25, 2015 Work Session and August 25, 2015 Board of Mayor and Aldermen minutes as presented. Seconded by Alderman Petersen. Motion carried unanimously 6-0.

2. Recognitions

- Proclamation: National Payroll Week – September 7-11, 2015
Mayor Moore read the proclamation and presented it to Melda Kincade, Payroll Specialist, and Lisa Odum.

Miscellaneous Reports

- Alderman Skinner announced the September 13th Civil War Roundtable, 3:00 p.m. at Police Headquarters. The contemporary music group 1861 will perform Civil War era type music. They participated in the commemoration of the 150th anniversary of the Battle of Franklin.

3. **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 **11-27** be placed on the Consent Agenda. *Alderman Martin moved to approve the Consent Agenda Items 11-27 with the exception of Item 21. Seconded by Alderman Skinner. Motion carried unanimously 6-0.*

OLD BUSINESS

4. **PUBLIC HEARING: Consideration of ORDINANCE 2015-12, "An Ordinance to Establish Unit Prices Associated with Infrastructure Requirements and Authorize Staff to Determine Final Performance Agreement (Surety) Amounts Without First Obtaining Approval From The Franklin Municipal Planning Commission."**

[SECOND OF THREE READINGS]

Alderman Ann Petersen, FMPC Representative

Public Hearing

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

Alderman Petersen moved to approve Ordinance 2015-12. Seconded by Vice Mayor Barnhill. Motion carried unanimously, 6-0, on the Second of Three Readings.

5. **PUBLIC HEARING: Consideration of ORDINANCE 2015-22, To Be Entitled, "An Ordinance to Annex the Property Located at 1845 Carters Creek Pike, Consisting of 75.69 Acres Located West of Carters Creek Pike and Southwest of Downs Boulevard and Adjoining the City Limits Within the Southwestern Part of The Franklin Urban Growth Boundary (UGB)."**

[SECOND OF THREE READINGS]

Alderman Ann Petersen, FMPC Representative

Public Hearing

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

Alderman Bransford moved to approve Ordinance 2015-22. Seconded by Alderman Petersen. Motion carried unanimously, 6-0, on the Second of Three Readings.

6. **PUBLIC HEARING: Consideration of ORDINANCE 2015-23, To Be Entitled, "An Ordinance to Zone 75.69 Acres Agriculture (AG) for the Property Located at 1845 Carters Creek Pike, Located West of Carters Creek Pike and Southwest of Downs Boulevard and Adjoining the City Limits Within the Southwestern Part of the Franklin Urban Growth Boundary (UGB)."**

[SECOND OF THREE READINGS]

Alderman Ann Petersen, FMPC Representative

Public Hearing

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

Alderman Petersen moved to approve Ordinance 2015-23. Seconded by Alderman Bransford. Motion carried unanimously, 6-0, on the Second of Three Readings.

7. **PUBLIC HEARING: Consideration of RESOLUTION 2015-26, To Be Entitled, "A Resolution Adopting a Plan of Services for the Annexation of the Property Located at 1845 Carters Creek Pike, Consisting of 75.69 Acres Located West of Carters Creek Pike and Southwest of Downs Boulevard and Adjoining the City Limits Within the Southwestern Part of the Franklin Urban Growth Boundary (UGB)."**

Alderman Ann Petersen, FMPC Representative

Public Hearing

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

Alderman Petersen moved to approve Resolution 2015-26. Seconded by Vice Mayor Barnhill. Motion carried unanimously 6-0.

8. **Consideration of Agreement (COF Contract No. 2015-0172) with Boyle Investment Company for the Carothers Parkway and Meridian Boulevard/Gillespie Drive Intersection Improvements Project.**

Paul Holzen, Engineering Director

Staff requested this item be deferred for two weeks.

Alderman Blanton moved to defer this item to the September 22, 2015 BOMA meeting. Seconded by Alderman Skinner. Motion carried unanimously 6-0.

NEW BUSINESS

9. **Consideration of Addendum Number 1 to City of Franklin Contract Number 2014-0140 in an Amount of \$10,700 for Additional Services for the Parks Comprehensive Master Plan.**

Lisa Clayton, Parks Director

Alderman Bransford moved to approve Addendum Number 1 to COF Contract 2014-0140. Seconded by Alderman Blanton. Motion carried unanimously 6-0.

10. **Consideration of Amendment No. 4 to Add Construction Administration and Resident Project Representative Services to the Professional Services Agreement (COF Contract No. 2012-0183) with Smith Seckman Reid, Inc. for the Design of the Water Treatment Plant Modifications.**

Alderman Martin was recused.

Alderman Blanton moved to approve Amendment No. 4 to COF Contract 2012-0183. Seconded by Alderman Bransford. Motion carried 5-0 with Alderman Martin recused.

CONSENT AGENDA

11. **Consideration of ORDINANCE 2015-18 to Amend Title 12, Chapter 10 of the Franklin Municipal Code to Amend the International Residential Code, 2012 Edition, Section R408.3 Unvented Crawl Spaces.**

[FIRST OF TWO READINGS] Chris Bridgewater, BNS Director

Ordinance 2015-18 approved unanimously 6-0 on First of Two Readings.

12. **Consideration of ORDINANCE 2015-42, To Be Entitled, "An Ordinance to Rezone 2.3 Acres From Specific Development-Mixed Use (SD-X) District To General Commercial (GC) District for the Property Located at 1222 Liberty Pike." Establishing a Public Hearing for October 13, 2015.**

[FIRST OF THREE READINGS] Planning and Sustainability

Ordinance 2015-42 approved unanimously 6-0 on First of Three Readings.

13. **Consideration of ORDINANCE 2015-44, An Ordinance to Set New Speed Limits on Carothers Parkway, South Carothers Road, and Connector Road Upon Completion of the Carothers Parkway South Extension Construction Project.**

[FIRST OF TWO READINGS] Paul Holzen, Engineering Director

Ordinance 2015-44 approved unanimously 6-0 on First of Two Readings.

14. **Consideration of Contract Number 2015-0190, Annual Housing Consultant Contract for 2015-2016 CDBG Program Year with The Housing Fund, Inc.**

Paul Holzen, Engineering Director

Approved unanimously 6-0.

15. **Consideration of RESOLUTION 2014-71, A Resolution to Authorize the City Administrator or the City Administrator's Designee to Execute Master Agreements, Cooperative Agreements, Right-of-Way Certifications, Project Certifications, Utility Agreements, and Any Amendments Thereto With Outside**

Utility Districts on Behalf of the Board of Mayor and Aldermen Without First Seeking Approval From the Board of Mayor and Aldermen.

Paul Holzen, Engineering Director
Lisa Clayton, Parks Director

Resolution 2014-71 approved unanimously 6-0.

16. **Consideration of PSA with Barge Waggoner Sumner & Cannon, Inc. for Aspen Grove Intersection Improvements Project (COF Contract 2015-0196)**
Engineering

Approved unanimously 6-0.

17. **Consideration of a Request for Water Availability Approval for 139 Spencer Creek Road (Map 52, Parcel 12)**

Paul Holzen, Engineering Director

Approved unanimously 6-0.

18. **Consideration of a Request for Sanitary Sewer Availability Approval for 1375 Caroline Circle (Map 890, Parcel 02000)**

Paul Holzen, Engineering Director

Approved unanimously 6-0.

19. **Consideration of Change Order No. 2 (FINAL) to the Construction Contract (COF Contract No. 2012-0145) with Brown Builders, Inc. for the Intersection of State Route 252 (Wilson Pike) and McEwen Drive Project for a Time Extension and Cost DECREASE of \$200,469.88.**

Paul Holzen, Engineering Director

Approved unanimously 6-0.

20. **Consideration of RESOLUTION 2015-71, A Resolution Reallocating \$20,925.00 in Unspent Funds from the Intersection of State Route 252 (Wilson Pike) and McEwen Drive Construction Project (COF Contract No. 2012-0145) to the Streets Department Stormwater Division FY2016 Annual Operations Budget.**

Paul Holzen, Engineering Director

Approved unanimously 6-0.

21. **Consideration of a Professional Services Agreement (COF Contract No. 2015-0284) with Barge Waggoner Sumner & Cannon, Inc., for the Development of Street Lighting Standards for a Lump Sum Fee of \$43,500.00.**

Paul Holzen, Engineering Director

Alderman Martin moved to approve COF Contract 2015-0284. Seconded by Alderman Skinner.

Alderman Martin expressed that she is delighted that issues with street lights in her Ward will be addressed in already developed areas and new development. She would like input from City staff and BOMA on this and not leave everything up to the consultant.

Motion to approve COF Contract 2015-0284 carried unanimously 6-0.

22. **Consideration of Amendment No. 1 to the Professional Services Agreement (COF Contract No. 2015-0075) with OHM Advisors for the Bobby Drive Water Line Improvements Project for an INCREASE in Cost of \$25,500.00.**

Paul Holzen, Engineering Director

Approved unanimously 6-0.

23. **Consideration of Amendment No. 1 to the Professional Services Agreement (COF Contract No. 2014-0177) with Hethcoat & Davis, Inc. for the Goose Creek Sanitary Sewer Extension Project from West of I-65 to the East Side of I-65 Improvements Project at a Cost INCREASE of \$11,810.00.**

Paul Holzen, Engineering Director

Approved unanimously 6-0.

24. **Consideration of Liquor License Renewal for Franklin Wine and Spirits (James D. Clark, Managing Agent), 1400 Liberty Pike, Suite #300, Franklin, TN 37064.**

Lanaii Benne, Assistant City Recorder

Approved unanimously 6-0.

25. **Consideration of Liquor License Renewal for Cool Springs Wine and Spirits (James W. Woodard, Jr., Managing Agent), 1935 Mallory Lane, Franklin, TN 37067.**

Lanaii Benne, Assistant City Recorder

Approved unanimously 6-0.

26. **Consideration of Liquor License Renewal for The Bottle Shop at McEwen (Lisa Quillman and Nancy Jones Quillman, Managing Agents), 1556 West McEwen Drive, Suite 102, Franklin, TN 37067.**

Lanaii Benne, Assistant City Recorder

Approved unanimously 6-0.

27. **Items Approved on Behalf of the Board: Contract 2015-0294, an Actuarial Services and Consulting Agreement with Acuff & Associates, LLC.**

Eric Stuckey, City Administrator

Russ Truell, ACA Finance & Administration

Approved unanimously 6-0.

THERE WAS NO EXECUTIVE SESSION HELD

EXECUTIVE SESSION

28. **Consideration of Motion to Enter Executive Session for Purpose of Reviewing Various Matters of Pending Litigation.**

Shauna Billingsley, City Attorney

RETURN FROM EXECUTIVE SESSION


29. **Consideration of Matters from Executive Session.**

Dr. Ken Moore, Mayor

ADJOURN

Vice Mayor Barnhill moved to adjourn. Seconded by Alderman Skinner. Motion carried unanimously 6-0.

Meeting adjourned @ 7:17 p.m.



Dr. Ken Moore, Mayor