
**MINUTES OF THE SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, NOVEMBER 27, 2018 – 7:00 P.M.**

Board Members

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

Department Directors/Staff

Eric Stuckey, City Administrator	P	Jack Tucker, SES Director	
Vernon Gerth, Assistant City Administrator	P	Lisa Clayton, Parks Director	P
Mark Hilty, ACA Public Works	P	Michelle Hatcher, Water Management Director	P
Kristine Tallent, ACA/CFO	P	Paul Holzen, Engineering Director	P
Shauna Billingsley, City Attorney	P	Emily Hunter, Planning & Sustainability Director	P
Deb Faulkner, Police Chief		Kevin Townsel, Human Resources Director	P
Rocky Garzarek, Fire Chief		Joe York, Streets Director	P
Jordon Shaw, IT Director		Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, BNS Director		Linda Fulwider, Board Recording Secretary	A

CALL TO ORDER

Mayor Ken Moore called the November 27, 2018, meeting to order at 7:15 p.m.

INVOCATION

Alderman 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.

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)

No one came forward to speak.

COMMUNICATIONS FROM WILLIAMSON COUNTY MAYOR AND WILLIAMSON COUNTY COMMISSION

No representatives present.

APPROVAL OF MINUTES

- 1. 18-1115** *Alderman Petersen moved to approve the October 29, 2018 Special Work Session-CIP Parks, November 12, 2018 Special Work Session-CIP Facilities, November 13, 2018 Work Session, and November 13, 2018 Board of Mayor and Aldermen minutes as presented. Seconded by Vice Mayor Barnhill. Motion carried unanimously.*

RECOGNITIONS

None

MISCELLANEOUS REPORTS

Eric Stuckey spoke about inclement weather expected Friday night and a Sunday rain date for the Christmas Tree Lighting. The annual Kiwanis Christmas Parade will take place Saturday.

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 5-9 be placed on the Consent Agenda.

2. 18-1117 **Consideration of Items 5-9 on the Consent Agenda**
Alderman Bransford moved to approve Consent Agenda Items 6-9 with Item 5 removed as requested by Alderman Martin. Seconded by Vice Mayor Barnhill. Motion carried unanimously.

NEW BUSINESS

3. 18-0103 **Consideration of ORDINANCE 2018-35, An Ordinance to Amend TITLE 10 of the City of Franklin Municipal Code to Add a New Chapter 3, to Restrict the Sale of Dogs and Cats at Pet Stores.**

[FIRST OF TWO READINGS]

Alderman Beverly Burger

Alderman Burger moved to approve Ordinance 2018-35. Seconded by Alderman McLendon.

Alderman Burger moved to amend to prohibit retail sale of Dogs and Cats except through rescue and rescue adoption days. Seconded by Alderman McLendon.

- Alderman Burger clarified she is a business owner and a promoter of small businesses. This ordinance will not affect any current businesses in Franklin. It will limit sales of any future cat and dog retail businesses. She read a prepared statement as well.
- Alderman McLendon advocated for the least restrictive solution, have the seller provide documentation of source which would verify the cats and dogs did not come from breeding mills. After thorough research he supports the ordinance and the amendment
- Alderman Speedy would like to see all puppy mills eradicated; however, he cannot support the ordinance because it all comes back to freedom of choice for the citizens of the community on where they want to buy their pets. One store has already closed taking away employees and removing a tax paying business. It is a dangerous precedent to have advocacy groups come in against a business even when the business is licensed and inspected by the state and the federal governments.
- Vice Mayor Barnhill: This restricts a business but does not abolish puppy mills. The emails he received were directed toward the business owner. This is a slippery slope. Government doesn't need to regulate or make a business illegal.
- Alderman Blanton: It is a public health situation. Her veterinarian has firsthand experience of animals sold at the local business that were ill and infected humans as well.
- Alderman Burger: The Ordinance will help eradicate puppy mills because Franklin will join 250 other cities with ordinances and others will follow.
- Shauna Billingsley: The Ordinance only addresses retail sale of dogs and cats in retail store fronts.

Motion to Amend Ordinance 2018-35 to prohibit retail sales of Dogs and Cats except through rescue and rescue adoption days carried 5-3 with Aldermen Bransford, Blanton, Martin, Burger and McLendon voting in favor, and Aldermen Petersen and Speedy and Vice Mayor Barnhill voting against the amendment.

Motion to approve Ordinance 2018-35, as amended, carried 5-3 with Aldermen Bransford, Blanton, Martin, Burger and McLendon voting in favor, and Aldermen Petersen and Speedy and Vice Mayor Barnhill voting against the ordinance. Ordinance 2018-35, as amended, approved on First of Two Readings.

4. 18-1201 **Consideration of RESOLUTION 2018-100, A Resolution to Amend Resolution 2018-61 to Extend the Grace Period for Mobile Food Vendors to Operate Temporarily on Private Property Through June 30, 2019, or Until the City of Franklin Board of Mayor and Aldermen have adopted a Comprehensive Mobile Food Vending Ordinance, Whichever Occurs First.**

Eric Stuckey, City Administrator
Vernon Gerth, Assistant City Administrator

Alderman McLendon moved to approve Resolution 2018-100. Seconded by Alderman Blanton. Motion carried unanimously.

CONSENT AGENDA

5. 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); Establishing a Public Hearing Date of January 8, 2019.**

Alderman Ann Petersen, FMPC Representative
Emily Hunter, Planning/Sustainability Director
Amy Diaz-Barriga, Planning Supervisor
Christopher Andrews, Principal Planner

[FIRST OF THREE READINGS]

(Removed from Consent Agenda by Alderman Martin) Vice Mayor Barnhill moved to approve Ordinance 2018-43. Seconded by Alderman Burger.

Alderman Martin asked the developer to look again at the plan for home locations to try to realign the lots to neighbors who would not be affected by the homes. If this can be done she will support the ordinance.

Motion to approve Ordinance 2018-43 carried unanimously on First of Three Readings.

6. 18-0959 **Consideration of ORDINANCE 2018-50, To Be Entitled, "An Ordinance to Rezone 19.83 Acres From General Commercial District (GC) To Specific Development Variety (SD-X 16.79, 67328) District for the Property Located North of Liberty Pike and West of Carothers Parkway, (Carothers Crossing West PUD Subdivision).**

Franklin Municipal Planning Commission
Emily Hunter, Planning/Sustainability Director
Amy Diaz-Barriga, Planning Supervisor
Josh King, Senior Planner

[THIRD AND FINAL READING]

Ordinance 2018-50 approved unanimously on Third and Final Reading.

7. 18-1157 **Consideration of ORDINANCE 2018-58, To Be Entitled: "An Ordinance to Rescind Ordinance 2018-45 and to Rezone 0.22 Acres From R -6 District To Office Residential (OR) District for the Property Located North of E. Fowlkes Street and East of Cummins Street at 517 Cummins Street"; Establishing a Public Hearing on January 8, 2019.**

Alderman Ann Petersen, FMPC Representative
Emily Hunter, Planning/Sustainability Director

[FIRST OF THREE READINGS]

Ordinance 2018-58 approved unanimously on First of Three Readings.

8. 18-1042 **Consideration of City of Franklin Contract No. 2018-0155 of the Parkland Impact Fee Allocation toward the Construction and Maintenance of a Mountain Biking Trail System. (The Standard)**

Vernon Gerth, Assistant City Administrator
Lisa Clayton, Parks Director

COF Contract 2018-0155 approved unanimously.

9. 18-1113 **Consideration of Liquor License Renewal for Westside Wine & Spirits, LLC, d/b/a Westside Wine & Spirits (Richard English and Steven Poe, Managing Agents), 188 Front Street, Suite 108, Franklin, TN 37064.**

Lanaii Benne, Assistant City Recorder

Liquor License Renewal approved unanimously.

RECEIPT OF REPORTS AND ITEMS APPROVED ON BEHALF OF THE BOARD

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10. 18-1737 **Contract with Stantec Consulting Services, Inc. for 2017 Macroinvertebrate Stream Survey Sample Sorting, Identification, Data Reduction, and Report in the Lump Sum Amount of \$7,780.00 (Contract 2018-0157)**
Acknowledged Jonathan Marston, Assistant Director Engineering
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11. 18-1187 **Sole-Source Purchase from Temple, Inc. of Decatur, Alabama in the Total Amount of \$29,940 for a Quantity of Three (3) Traffic Signal Cabinets for the Traffic Division of the Streets Department (\$24,999 budgeted in 110-8353043110 for fiscal year 2019)**
Acknowledged Joe York, Streets Director
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12. 18-0794 **Contract 2018-0171 with Pinnacle Constructors, Inc. in an Amount of \$17,845 for Reimbursement Related to Road Cut Repairs on Liberty Pike.**
Acknowledged Mark Hilty, Assistant City Administrator
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13. 18-1044 **Acknowledgement of Contract Award to Southern Style Photo Booths, LLC (COF Contract 2018-0224) in the Amount of \$1,098 for Photo Booth at 2018 Tree Lighting Ceremony.**
Acknowledged Eric Stuckey, City Administrator
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14. 18-1212 **Acknowledgement of Agreement with MTEMC (COF Contract 2018-0068) in the Amount of \$10,000 for their Sponsorship of the City's 2018 Christmas Tree Lighting Ceremony.**
Acknowledged Eric Stuckey, City Administrator
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15. 18-1217 **Acknowledgement of Agreement with Williamson Medical (COF Contract 2018-0069) in the Amount of \$5,000 for their Sponsorship of the City's 2018 Christmas Tree Lighting Ceremony.**
Acknowledged Eric Stuckey, City Administrator
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THERE WAS NO EXECUTIVE SESSION

EXECUTIVE SESSION

16. 18-1119 **Consideration of Motion to Enter Executive Session for Purpose of Reviewing Various Matter of Pending Litigation.**
Shauna Billingsley, City Attorney

RETURN FROM EXECUTIVE SESSION

17. 18-1122 **Consideration of Matters from Executive Session**
Dr. Ken Moore, Mayor

ADJOURN

Alderman McLendon moved to adjourn. Seconded by Alderman Burger. Motion carried unanimously.

Meeting adjourned @ 7:39 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office 1/30/2019 1:28 PM