

**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, OCTOBER 13, 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	P	Alderman Michael Skinner	P

Department Directors/Staff

Eric Stuckey, City Administrator	P	Lisa Clayton, Parks Director	
Vernon Gerth, ACA Community & Economic Development	P	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	
Deb Faulkner, Police Chief		Brad Wilson, Facilities Project Manager	
Fred Banner, IT Director		Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, BNS Director		Linda Fulwider, Board Recording Secretary	P
Becky Caldwell, SES Director			

Call to Order

Dr. Ken Moore, Mayor, called the October 13, 2015, meeting to order at 7:10 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).

- * Boy Scout Troop 137 was present as part of earning a merit badge. Each scout took part telling the history of U.S. flags and each carried a small replica of the flag. They received a standing ovation for a job well done!
- * Alderman Brandy Blanton invited everyone to attend "Light the Way for Team Elliott & Rhizo Kids" at Eastern Flank Battlefield Park Sunday evening. Alderman Blanton expressed appreciation for all of the support from friends and the community for her granddaughter.

Communications from Williamson County Mayor and Williamson County Commission

Commissioner Lawrence was present but spoke during a public hearing.

1. Approval of Minutes

Alderman Burger moved to approve the September 22, 2015 Work Session and September 22, 2015 Board of Mayor and Alderman minutes as presented. Seconded by Alderman Blanton. Motion carried unanimously 7-0.

2. Recognitions

- Proclamation of Dyslexia Awareness Month

Mayor Moore read the Proclamation that states in part, Dyslexia is a language- based learning disability with as many as 1 in 5 having some symptoms. The Franklin Police Headquarters will be lit in red in conjunction with the Dyslexia Campaign, "Light It Up Red".

- Citizens Government Academy 2015 Graduates Recognition

Jerry Anderson	Daniela Kunz
Todd Benne, Jr.	Jessica Liang
J. Edward Campbell	Chandria Lucious
Jeff Carson	Shelley Moeller
Bill Coleman	Rebecca Mogan
Andrew Day	Jason Potts
Dino Evangelista	Beth Scruggs
Samuel Harris	Alan Simms
Dan Hieb	Teresa Stevens
Kunu Kaushal	

Eric Stuckey thanked Monique McCullough for the time and effort put into running this program.

Miscellaneous Reports

- ISO CLASS 1 Fire Protection Rating

Eric Stuckey recognized an important accomplishment by the Franklin Fire Department. The City received the top rating for fire protection services. Only 132 cities out of 48,754 rated in the U.S. have been awarded this classification. Congratulations to Chief Rocky Garzarek and his department.

The City sold the land that had been designated for Fire Station 7 in Berry Farms when it was determined that property on the southern portion of the AG Center on the east side of I-65 would be better. The amount of \$640,000 was realized from the sale.

- Administrative Approval

Mr. Stuckey will give administrative approval for the Franklin Cowboys Annual Homecoming Parade to be held Sunday, October 25, 2015 at 4:00 p.m. The application didn't arrive in time to move it through the system for BOMA approval. Administrative action is acceptable to move this annual parade forward on time.

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 **20-27** be placed on the Consent Agenda. *Vice Mayor Barnhill moved to approve the Consent Agenda Items 20-27. Seconded by Alderman Blanton. Motion carried unanimously 7-0.*

OLD BUSINESS

4. **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

Mayor Moore asked that the City Administrator and City Attorney give final approval of this Agreement. It is expected to be the same in final form as what is presented tonight.

Vice Mayor Barnhill moved to approve the Agreement (COF Contract 2015-0172) with Boyle Investment with Final Approval being given by the City Administrator and City Attorney. Seconded by Alderman Bransford. Motion carried unanimously 7-0.

5. **PUBLIC HEARING: 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."**

[SECOND OF THREE READINGS] Alderman Ann Petersen, FMPC Representative

Public Hearing

Planning advised this is zoning without entitlement.

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

Alderman Burger moved to approve Ordinance 2015-42. Seconded by Alderman Martin. Motion carried unanimously 7-0, on Second of Three Readings.

6. **PUBLIC HEARING: Consideration of Initiating the Annexation Process and Draft Plan of Services, RESOLUTION 2015-63, for the Annexation of Certain Areas on Lewisburg Pike (West Side) and South of Goose Creek Bypass, Specifically 1456 and 1462 Lewisburg Pike.**

Planning & Sustainability

Vernon Gerth, ACA Community & Economic Development

Public Hearing

Per Planning: Staff and developer continue to work on this.

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

Alderman Bransford moved to approve Resolution 2015-63. Seconded by Alderman Skinner.

Historic Planning provided input. This Resolution approves moving forward to develop a Plan of Services and Development Plan.

Motion to approve Resolution 2015-63 carried unanimously 7-0.

7. **PUBLIC HEARING: Consideration of Initiating the Annexation Process and Draft Plan of Services, RESOLUTION 2015-62, for the Annexation of Certain Areas on Lewisburg Pike (East and West Side) and South of Goose Creek Bypass, Specifically 1445, 1480, and 1490 Lewisburg Pike.**

Planning & Sustainability

Vernon Gerth, ACA Community & Economic Development

Public Hearing

Per Planning: Same process as previous item.

- Candace Crumrine, 609 Streamside Lane, Franklin: Asked if items 6 and 7 are combined or separate. The response was they are owned separately and are both single family residential. This provides a second access into Stream Valley.

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

Alderman Skinner moved to approve Resolution 2015-62. Seconded by Vice Mayor Barnhill.

Alderman Burger asked if there is reclaimed water in Stream Valley. Eric Stuckey said that as the Plan of Services is developed, that can be confirmed.

8. **PUBLIC HEARING: Consideration of Initiating the Annexation Process and Draft Plan of Services, RESOLUTION 2014-101, for the Annexation of the Adams Property, Located South of Murfreesboro Road and East of I-65.**

Planning & Sustainability

Vernon Gerth, ACA Community & Economic Development

Public Hearing

- Planning clarified BOMA will vote whether the applicant and staff continue to work on the draft plan of services and development plan for the current development named Ashcroft Ridge. Approval does not approve annexation.
- 4th District County Commissioner Gregg Lawrence, 4100 Clover Meadows, Franklin: His constituents asked that he speak to issues of concern regarding this annexation. He understands the vote is preliminary. All the communities surrounding this development will be in the County. Three main issues: 1) is there enough infrastructure to support a development surrounding unique property with no access to a major thoroughfare. Developments have tried to make an access to Highway 96, but cannot because of TDOT. 100% of traffic will go through these developments. If 250 houses are put on the property, it will destroy the aesthetics of the neighborhoods. A major concern. 2) They don't want traffic backups. They already have them on Highway 96, and as he understands it the majority come out on

Ridgeway Road at 96 and will create more backups with the new volume. 3) Height requirements. Lots of height on the ridge with building on hillsides. There will have to be retaining walls, etc. He asked that the Board seriously consider these issues.

- Larry Cox, 220 Vantage Way, Franklin: He has seen a drastic change in Franklin over the last 30 years. Look at the quality of life today and look at what is trying to be done with this property. It will change the lives of many who have lived here for many years. Be careful and not change that. The image of Franklin – a great place to live. Don't change it.
- Susan Caplen, 1991 Beacon Hill Drive, Franklin: Safety of children, older generation, joggers, etc. in the neighborhood. In their neighborhood community and the communities in the surrounding area there are no sidewalks, there are narrow winding roads, people walking dogs, etc. This development would destroy that. Afraid the volume of traffic would harm children.
- Brian Caplen, 1991 Beacon Hill Drive, Franklin: Concerned with traffic issues, 20' roads. The hill in front of his house, Warren Road, narrow roads with no sidewalks. In the winter can't get down the hill. School buses another concern.
- Mark Moehle, 1115 Ridgeway Drive, Franklin: Traffic concerns and safety. Has lived at the corner of Ridgeway and Stanford for more than 18 years. It is a great community with very little traffic on the road. Everyone walks and talks to each other. The roads are currently safe. This project would generate excess traffic. People are out walking with strollers, etc. He wants future residents in their community to enjoy what his family has; skateboarding, bike riding, walking. Hopes the Board will consider their community and not vote in favor of this.
- Claudio Romeo, 4257 Warren Road, Franklin: The road they are planning to build is at least at a 45 degree angle. Very steep with a ravine at the end that is 10'-15' deep. This is a small and dangerous road. Cars cannot get around buses. Yards face down at least a 30 degree angle. His property line is 5' beyond the patio. Whatever they build will be that close to his house. Warren is dangerous with a lot of traffic getting to Arno Road. The beauty and quaintness will be lost.
- Jon Hood, 4264 Warren Road, Franklin: There are dead spots on Warren Road and he has to cross the road when walking every night to make sure he is seen by approaching cars. If that many cars were added there would be a pinch point getting on Arno and Cedarmon Roads. His boys play in the street, it is a dead end. Not in favor of development.
- Tim Thompson, 4253 Warren Road, Franklin: On the map, where the road is proposed to be, it is just an easement, on the PowerPoints it shows a road, and it is not a road, it is a yard. Simmons Ridge also wants to connect into Warren Road and that would be 400 homes. He mentioned the lack of sidewalks, shoulder and the narrowness of the road. There is no traffic light at the Ridgeway exit. He asked the Board to look at the entire picture and not just this development and Simmons Ridge.
- Chris Hayes, 2002 Cedarmon Drive, Franklin: Traffic concerns as well as light pollution and noise pollution. He can sit on the back porch and hear I-65 noise and see the light pollution from Carothers. He asked that the Board terminate this project to save resources and time.
- Al Gleason, 1157 Cross Creek Drive, Franklin: He lives next to the property in question. Look at the property developments all around and this pristine piece of property with wildlife, deer, turkey, bobcats, etc. Maybe another use could be a wildlife sanctuary or park. That opportunity is lost if the property is developed.
- Monique Kueker, 4245 Warren Road, Franklin: Has lived there a year and wanted the house for the reasons others have said. Public safety is the biggest problem. She has the most beautiful view in the area. Ms. Kueker quoted from the Land Use Plan and Ordinance about preservation and said it would be sad to destroy the view of that land with the wildlife.

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

Alderman Skinner moved to approve Resolution 2014-101. Seconded by Alderman Burger.

Discussion:

- Alderman Skinner said he heard a lot about traffic, yet he hasn't seen an official report or a traffic study. A traffic study should be done and evaluated to be fair to the applicant
- Alderman Martin related she felt pain when every subdivision came in, but now is delighted to have them. Most people would probably say they would like to have a park there, but it can't be done. That was left for future development by the owners. She added that most of Cedarmon came and complained about traffic and wanted Carothers built to alleviate their traffic. Surely, these residents knew when they moved to Williamson County that it is one of the fastest growing counties.
- Alderman Bransford supports the motion to move it to the next discussion. There is concern about

- congestion on the roads.
- Alderman Burger wanted to move it forward to study it more thoroughly. The landowner has the right to sell and use the property how he chooses. Further study needed to bring back to the Board.
- Eric Stuckey noted there is need for an independent traffic study. There should be discussion with the County regarding roads, etc.

Alderman Skinner amended the motion to approve Resolution 2014-101 to include that the City select and order an Independent Traffic Study paid for by the Applicant. Seconded by Vice Mayor Barnhill.

Motion to amend carried unanimously 7-0. Main Motion as Amended carries unanimously 7-0.

9. PUBLIC HEARING: Consideration of ORDINANCE 2015-48, an Ordinance to Amend Fiscal Year 2015-2016 Budget.

**[SECOND AND FINAL READING] Eric Stuckey, City Administrator
Michael Walters-Young, BPI Manager**

Public Hearing

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

Vice Mayor Barnhill moved to approve Ordinance 2015-48. Seconded by Alderman Burger. Motion carried unanimously 7-0 on Second and Final Reading.

NEW BUSINESS

10. Consideration of RESOLUTION 2015-82, a Resolution to Authorize Staff to Enter Into Contract Negotiations with Barge Waggoner Sumner & Cannon, Inc. for the Preliminary Engineering Phase (Environmental Only) for the Columbia Avenue Widening Project.

Paul Holzen, Engineering Director

Vice Mayor Barnhill moved to approve Resolution 2015-82. Seconded by Alderman Skinner. Motion carried unanimously 7-0.

11. Consideration of Amendment No. 2 to the TDOT Contract No. 110291 (COF Contract No. 2011-0129) for the Franklin ITS Extension (TDOT PIN 116144.00) and Adaptive Signal Control Technology (TDOT PIN 116144.01) Projects for a Time Extension and a Redistribution of Existing Funds.

Paul Holzen, Engineering Director

Alderman Blanton moved to approve Amendment No. 2 to TDOT Contract 110291. Seconded by Alderman Bransford. Motion carried unanimously 7-0.

12. Consideration of COF Contract 2015-0344, an Agreement to Increase the Pension Investment with Westwood Global Advisors.

Eric Stuckey, City Administrator

Russ Truell, ACA Finance & Administration

Mayor Moore related this is being finished and to consider adding, "with final approval by the City Administrator and City Attorney". Vice Mayor Barnhill advised the date should be corrected to October 6, 2009.

Alderman Bransford moved to approve COF Contract 2015-0344 with the correction of the date to October 6, 2009, and with final approval to be given by the City Administrator and City Attorney. Seconded by Alderman Burger. Motion carried unanimously 6-0 with Alderman Martin abstaining.

13. Consideration of RESOLUTION 2015-81 Entitled, "A Resolution to approve a PILOT (Payment in Lieu of Taxes) Program for the Lampo Group, Incorporated, as requested by the Industrial Development Board of Williamson County, Tennessee.

Eric Stuckey, City Administrator

Alderman Skinner moved to approve Resolution 2015-81. Seconded by Alderman Burger. Motion carried unanimously 7-0

14. Consideration of Bid Award to Truckers Lighthouse, Inc. of Nashville, Tennessee in the Total Lump-Sum Amount of \$76,711.90 for After-Market Up-Fitting of Ten (10) New Police Vehicles for the Police

Department (Purchasing Office Procurement Solicitation No. 2016-009; Purchase Not Itemized in Budget for Fiscal Year 2016; Contract No. 2015-0334.

Deb Faulkner, Police Chief

Vice Mayor Barnhill moved to approve Bid Award to Truckers Lighthouse. Seconded by Alderman Blanton. Motion carried unanimously 7-0.

15. **Consideration of Retail Liquor License Application for Brinkmann's Wine and Spirits (Surati Retail Investments 3, LLC), Vrushank Ramesh Surati (Managing Agent), 103 International Drive, Franklin, Tennessee 37067.**

Lanaii Benne, Assistant City Recorder

Alderman Bransford moved to approve Retail Liquor License for Brinkmann's Wine and Spirits. Seconded by Alderman Burger. Motion carried unanimously 7-0.

16. **Consideration of Event Permit for Juvenile Diabetes Research Foundation (JDRF) Ride to Cure Bike Ride on October 31, 2015 in the Cool Springs Area.**

Deb Faulkner, Police Chief

Vice Mayor Barnhill moved to approve Event Permit for Juvenile Diabetes Research Foundation. Seconded by Alderman Burger. Motion carried unanimously 7-0.

17. **Consideration of Mayor's Appointment to the Sustainability Commission**

Mayor Ken Moore, M.D.

Alderman Skinner moved to approve the appointment of Nancy Whitmore to the Sustainability Commission. Seconded by Vice Mayor Barnhill. Motion carried unanimously 7-0.

18. **Consideration of a Professional Services Agreement (COF Contract No. 2015-0292) with Smith Seckman Reid, Inc. (SSR) for the Water Line Relocation Design on the Franklin Road Corridor Improvements Project, from the Harpeth River Bridge to Harpeth Industrial Court, for a Lump Sum Fee of \$55,500.00.**

Paul Holzen, Engineering Director

Vice Mayor Barnhill moved to approve COF Contract 2015-0292. Seconded by Alderman Bransford. Motion carried unanimously 6-0 with Alderman Martin recused.

19. **Consideration of a Professional Services Agreement (COF Contract No. 2015-0293) with Smith Seckman Reid, Inc. (SSR) for the Sanitary Sewer Line Relocation Design on the Franklin Road Corridor Improvements Project, from Harpeth River Bridge to Harpeth Industrial Court, for a Lump Sum Fee of \$24,500.00.**

Paul Holzen, Engineering Director

Vice Mayor Barnhill moved to approve COF Contract 2015-0293. Seconded by Alderman Burger. Motion carried unanimously 6-0 with Alderman Martin recused.

CONSENT AGENDA

20. **Consideration of ORDINANCE 2015-17, To Be Entitled, "An Ordinance to Rezone 22.72 Acres From Residential 1 District (R-1) To Specific Development-Variety (SD-X 0, 34500) District for the Properties Located at 554 and 562 Franklin Road." (Funeral Home)**

[THIRD AND FINAL READING]

Alderman Ann Petersen, FMPC Representative

Ordinance 2015-17 approved unanimously 7-0 on Third and Final Reading.

21. **Consideration of ORDINANCE 2015-52, "Ordinance to Rezone 21.31 Acres Into The Height Overlay District (HTO) for the Properties Located Within the Cool Springs East Subdivision 501 & 1000 Corporate Centre Drive (Lots 370 & 372)"; Establishing a Public Hearing for November 10, 2015.**

[FIRST OF THREE READINGS]

Alderman Ann Petersen, FMPC Representative

Ordinance 2015-52 approved unanimously 7-0 on First of Three Readings.

22. **Consideration of ORDINANCE 2015-53, To Be Entitled, "An Ordinance to Amend The Zoning Ordinance of The City of Franklin, Tennessee, Chapter 3, Section 3.3, Subsection 3.3.1 (3) Pertaining to Lot Measurements and Amend Chapter 3, Section 3.3, Subsection 3.3.3, Table 3-6 Entitled "Site Development Standards For Residential Building Types In Conventional Areas [1], [2], [3], [10]" And**

Table 3-8 Entitled "Site Development Standards For Traditional Areas [1], [2], [3]" To Add Minimum Lot Frontage Requirements For Residential Detached"; Establishing a Public Hearing for November 10, 2015.

[FIRST OF THREE READINGS]

Alderman Ann Petersen, FMPC Representative

Ordinance 2015-53 approved unanimously 7-0 on First of Three Readings.

23. Consideration of RESOLUTION 2015-32, "A Resolution to Amend the City's Policy on Water and Sanitary Sewer Availability."

Paul Holzen, Engineering Director

Resolution 2015-32 approved unanimously 7-0.

24. Consideration of RESOLUTION 2015-78, A Resolution to Authorize the City of Franklin to Submit an Application to the Tennessee Department of Transportation (TDOT) for the Transportation Alternatives FY 2016 Grant Program (96 West Sidewalk).

Paul Holzen, Engineering Director

Resolution 2015-78 approved unanimously 7-0.

25. Consideration of Amendment to Contract 2015-0191 with Regional Transit Authority.

Eric Stuckey, City Administrator

Russ Truell, ACA Finance & Administration

Approved unanimously

ITEMS APPROVED ON BEHALF OF THE BOARD

26. Report of Bid Award to ESC Lab Sciences of Mt. Juliet, Tennessee in the Total Estimated Amount of \$4,400 Per Year for Aquatic Toxicity (Bio monitoring) Testing for the Water Reclamation Division of the Water Management Department (Purchasing Office Procurement Solicitation No. 2016-006; \$47,250.00 Budgeted for All Water Reclamation Laboratory Services in 431-82280-52213 for Fiscal Year 2016; Contract No. 2015-0329).

Mark Hilty, Water Management Director

Michelle Hatcher, Water Management Assistant Director

Approved unanimously.

27. Acknowledge COF Contract No. 2015-0315 Between City of Franklin and Graceworks Ministries for Lease of Approximately 2,500 Square Feet at the Building Located at 108 Southeast Parkway, in the City of Franklin for the Term of One (1) Year at a Monthly Rental Rate of \$1,000.

Eric Stuckey, City Administrator

Approved unanimously.

NO EXECUTIVE SESSION

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

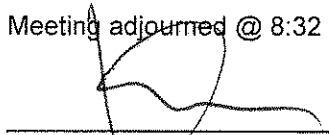
29. Consideration of Matters from Executive Session.

Dr. Ken Moore, Mayor

ADJOURN

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

Meeting adjourned @ 8:32 p.m.


Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - updated 11/6/2015 2:53 PM