

**MINUTES OF THE SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, MAY 24, 2016 – 7:00 P.M.**

Board Members

Mayor Ken Moore	P		
Vice Mayor Brandy Blanton	P	Alderman Dana McLendon	P
Alderman Clyde Barnhill	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	P
Vernon Gerth, ACA Community & Economic Dev.	P	Shirley Harmon-Gower, Human Resources Director	P
Russell Truell, ACA Finance & Administration		Mark Hilty, Water Management Director	P
Shauna Billingsley, City Attorney	P	Paul Holzen, Engineering Director	P
Rocky Garzarek, Fire Chief		Bob Martin, Interim 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	
Becky Caldwell, SES Director	P	Linda Fulwider, Board Recording Secretary	P

Call to Order

Mayor Ken Moore called the May 24, 2016, meeting to order at 7:22 p.m.

Invocation

Alderman Clyde Barnhill gave the invocation.

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)

- Linda Horecka, 505 Biltmore Court, Franklin: Concerned about Ashcroft Valley opening up Cross Creek & Biltmore Court cul-de-sacs. She expressed deep fear for the safety of her mentally disabled daughter if those are opened to traffic. When they bought their home they were under the impression those two cul-de-sacs would remain closed.

Communications from Williamson County Mayor and Williamson County Commission

None in attendance

1. 16-0451 Approval of Minutes

Alderman Bransford moved to approve the May 5, 2016 Special Work Session, May 10, 2016 Work Session, and May 10, 2016 Board of Mayor and Aldermen minutes as presented. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.

Recognitions

None

Miscellaneous Reports

None

2. 16-0452 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 16-26 be placed on the Consent Agenda.

Alderman Bransford moved to approve the Consent Agenda Items 16-26. Seconded by Vice Mayor Blanton. Motion carried unanimously 7-0.

OLD BUSINESS

3. 15-1030 **PUBLIC HEARING: Consideration of Initiating the De-annexation Process for the De-annexation of Certain Areas Adjacent to Murfreesboro Road, Specifically 4113 Murfreesboro Road.**

Vernon Gerth, ACA Community & Economic Development Planning and Sustainability Department

Bob Martin, Interim Planning Director, referred to a map of New Highway 96 W displayed on the wall screens. The lower right-hand corner shows the 11th Avenue Neighborhood Commercial Node (a convenience store in the strip commercial node); 1.2 miles west is a Neighborhood Commercial Node Reid Hill Commons, including a pharmacy; 1.3 miles further west is Westhaven Neighborhood Commercial Node, Westhaven Town Center, including a Kroger with a pharmacy. Between these three points development has occurred over the years and development continues. Blossom Park to the north on Carlisle Lane and another development coming in as well.

Map of SR-96 E (Murfreesboro Road) with I-65 on the upper left; 1.3 miles to Arno Road; 1.6 miles east to North Chapel Road. At the far east on the map, there is potential for a Commercial Node. There is a request for annexation of about 1,200 dwellings on 500 acres in that area. There is no Commercial Node at Arno Road, but it bears looking at for the new Land Use Plan. Development is already in place from Arno Road to I-65. The potential for growth here is greater than on Highway 96 W because of the proximity to the Interstate. At the center of the map, west of Arno Road, is the Mizell property (outlined in orange).

De-annexing property is an incremental approach that can have unforeseen and difficult consequences. Considering the Mizell property to be one piece in the annexation process that is taking a holistic approach is rational from the standpoint of supplying infrastructure and service delivery.

Paul Holzen, Engineering Director, said when the City looks at annexing property, one of the first things done is to look at the City's ability to provide City services; City sewer, transportation and water. In consideration of de-annexation, staff looks at, as the City continues to grow, where it makes sense to grow. On the Engineering Mizell Property De-annexation Request 3/22/2016 map, staff outlined some potential transportation connections, which are subject to change and will be evaluated on a case-by-case basis for development, and ultimately submitted for the Board's consideration. Key with the transportation network is to look at Highway 96 being five lanes and the City's investment made on Carothers Parkway to the southwest. Also, staff looks at sanitary sewer. This map shows the sanitary sewer basin an area highlighted in green. The City is prepared to extend sewer infrastructure in the immediate future. It is an area that is set up, if the Board chooses, to be annexed.

The Mizell property is located fairly close to the proposed sanitary sewer (depicted in brown) and an area where sewer infrastructure is being recommended for the City to grow. Sewer is currently on

the south side of Highway 96 at Ridgeway Drive. It would potentially go just past the Mizell property, and basically follows Watson Branch (blue line).

Public Hearing:

- Brooks Hodges, 1175 Cross Creek Drive, Franklin: Speaking on behalf of Troy Mizell, tonight he heard this as a steamroller approach to the inevitable in incremental annexation out to the east. He asked three questions: 1) Are the Mizell's City or County residents? 2) Have they been afforded the opportunity to vote in City elections? He pays property taxes but is not represented by this Board? 3) What City services are provided or intended to be provided?
- Jody Mizell, 4113 Murfreesboro Road, Franklin: The area shown on the map as the Mizell property is mostly in the County. Ten acres in the middle of the property is in the City and not suitable for future development because of the three gas lines there, the setbacks prohibit buildings, and the valley portion floods. Request de-annexation of the 10 acres so they can enjoy all of their property being in Williamson County.

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

Alderman Skinner moved to defer this request for de-annexation until the fourth Tuesday of May 2017, BOMA meeting, to allow time to receive guidance from the State as the Legislature has closed and de-annexation will probably be addressed next year. Seconded by Alderman Barnhill.

Discussion:

- Alderman McLendon spoke against deferral as either this is the right thing to do or not. To defer is denying the request. The law is what it is. If the state doesn't address de-annexation next year, will the Board defer it for another year? The Board owes the Mizell's a decision.
- Alderman Bransford asked about City services provided.
- Eric Stuckey explained there is no residence on the property located within the City limits, the residence is on County property. Sewer services are available nearby. Part of the process of annexation and de-annexation is that the property owner has the right to apply regardless of how the Board votes. Because of the lack of clarity from the State on what the exact process is, the presentation by staff was an opportunity to see the bigger picture. The property is in the middle of the UGB and there is connection as contiguous property. It further complicates the issue that one de-annexation may affect other properties. The Adams' property (under consideration) and others could be affected down the line.
- Alderman Martin said de-annexation was addressed at a recent TML Conference. The message was that municipalities should be very careful with de-annexation of any property as it could cut off possible revenues from other properties valuable to the City.
- Alderman Petersen referred to page two of the legislation that says after any action is taken, the property owner has the opportunity to apply to the Planning Commission.
- City Attorney Shauna Billingsley explained that once the Board makes a decision of support or not to process, the Mizell's can ask the Planning Commission to de-annex the property. If the request is deferred tonight, the process stops and puts the request on hold.
- Alderman Bransford asked what the Mizell's planned to do with the 10 acres since it floods has gas lines, and can't be developed.
- Mr. Stuckey said there had been discussion of using the property for a gun range; however, that use is not permitted in the City.

Motion to defer the Mizell request for de-annexation until the BOMA meeting on the fourth Tuesday of May 2017 was passed by a vote of 4-3, with Aldermen Martin, Skinner, Barnhill, and Bransford voting in favor of deferral, and Alderman McLendon, Vice Mayor Blanton, and Alderman Petersen voting against deferral.

NEW BUSINESS

4. 16-0357 **★Consideration of ORDINANCE 2016-012, An Ordinance to Adopt a Budget for Fiscal Year 2016-2017; Establishing a Public Hearing for June 14, 2016.**
Eric Stuckey, City Administrator
[First of Three Readings] Russ Truell, ACA Finance & Administration
Michael Walters Young, Budget & Analytics Manager
Alderman Skinner moved to approve Ordinance 2016-012. Seconded by Alderman Martin. Motion carried unanimously 7-0 on First of Three Readings.
- Alderman Petersen said she would voice her concerns at the Second Reading.
5. 16-0358 **★Consideration of ORDINANCE 2016-013, An Ordinance to Establish a Property Tax Rate for 2017; Establishing a Public Hearing for June 14, 2016.**
Eric Stuckey, City Administrator
[First of Three Readings] Russ Truell, ACA Finance & Administration
Michael Walters Young, Budget & Analytics Manager
Alderman Bransford moved to approve Ordinance 2016-013. Seconded by Vice Mayor Blanton.
- Eric Stuckey noted an estimated rate is shown in the Ordinance, and the actual Certified Rate will be in the Ordinance by the Second Reading/Public Hearing. Information on how to do a Public Hearing relative to the specific certified rate will be known by that time as well.
- Motion to approve Ordinance 2016-013 carried unanimously 7-0 on First of Three Readings.*
6. 16-0359 **Consideration of ORDINANCE 2016-014, An Ordinance to Amend Appendix A, Chapter 17, of the Municipal Code Regarding Refuse and Trash Disposal Rates.**
Eric Stuckey, City Administrator
[First of Two Readings] Becky Caldwell, SES Director
Alderman Petersen moved to approve Ordinance 2016-014. Seconded by Alderman Barnhill.
- Mr. Stuckey clarified there is no increase to the Residential Rate. It remains at \$16.50 per month. The increases are to Commercial Rates
- Motion to approve Ordinance 2016-014 carried unanimously 7-0 on First of Two Readings.*
7. 16-0361 **Consideration of RESOLUTION 2016-21, A Resolution Amending the Estimate of Revenues and Expenditures for the Water and Sanitary Sewer Utility Fund for Fiscal Year 2016-2017, and Providing an Effective Date.**
Eric Stuckey, City Administrator
Mark Hilty, Water Management Director
Alderman Bransford moved to approve Resolution 2016-21. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.
8. 16-0360 **★Consideration of ORDINANCE 2016-015, To Be Entitled: “An Ordinance Amending The City of Franklin Municipal Code, Appendix A – Comprehensive Fees and Penalties, Chapter 18 – Water & Sewer for the Purpose of Updating Water and Sanitary Sewer User Rates”; Establishing a Public Hearing for June 14, 2016.**
Eric Stuckey, City Administrator
[First of Three Readings] Mark Hilty, Water Management Director
Alderman Martin moved to approve Ordinance 2016-015, Option 1 (volumetric) for water and sewer. Seconded by Alderman Petersen. Motion carried unanimously 7-0 on First of Three Readings.

9. **16-0439 Consideration of RESOLUTION 2016-26, A Resolution to Approve Financing of a SCADA System for Water Management with the State Revolving Fund.**
Mark Hilty, Water Management Director
Eric Stuckey, City Administrator
 Mr. Stuckey explained this was presented as one resolution at the Budget & Finance Committee; however, the State Revolving Fund requires it be split into two resolutions. The amount is the same.

Alderman Barnhill moved to approve Resolution 2016-26 as amended. Seconded by Vice Mayor Blanton. Motion carried unanimously 7-0.

Vice Mayor Blanton moved to approve Resolution 2016-31. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.
10. **16-0308 Consideration of ORDINANCE 2016-006, An Ordinance to Amend the FY 2015-2016 Budget; Establishing a Public Hearing for June 14, 2016.**
[First of Three Readings] **Eric Stuckey, City Administrator**
Michael Walters Young, Budget & Analytics Manager
Alderman Martin moved to approve Ordinance 2016-006. Seconded by Alderman Bransford. Motion carried unanimously 7-0 on First of Three Readings.
11. **16-0453 ★Consideration of RESOLUTION 2016-23, a Resolution to Adopt Amendment 4 to the City of Franklin Employees' Pension Plan.**
Eric Stuckey, City Administrator
Russ Truell, ACA Finance & Administration
Shirley Harmon, HR Director
Vice Mayor Blanton moved to approve Resolution 2016-23. Seconded by Alderman Petersen. Motion carried unanimously 7-0.
12. **16-0454 ★Consideration of RESOLUTION 2016-27, a Resolution to Amend the Partnership Agreement with Forest Growth Timber Advisors.**
Eric Stuckey, City Administrator
Russ Truell, ACA Finance & Administration
Shirley Harmon, HR Director
Alderman Bransford moved to approve Resolution 2016-27. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.
13. **16-0443 Consideration of Appointment of Ms. Beth Denton to the Housing Commission.**
Mayor Ken Moore
Alderman Bransford moved to approve appointment of Beth Denton to the Housing Commission. Seconded by Alderman Skinner. Motion carried unanimously 7-0.
14. **16-0444 Consideration of Reappointment of Mr. Owen Reese to the Williamson County Equalization Board.**
Mayor Ken Moore
Alderman Barnhill moved to approve the reappointment of Owen Reese to the Williamson County Equalization Board. Motion carried unanimously 7-0.
15. **16-0455 Consideration of Reappointment of Kerry Perkinson to the Franklin Transit Authority.**
Mayor Ken Moore
Alderman Bransford moved to approve the reappointment of Kerry Perkinson to the Franklin Transit Authority. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.

CONSENT AGENDA

16. 16-0178 **Consideration of ORDINANCE 2016-001, “An Ordinance Approving A Special Permit for Culivate For The Purpose Of Operating An Agricultural Use On 1.21 Acres, Located At 215 Granbury Street.”**
[Third and Final Reading] Alderman Ann Petersen, FMPC Representative
Ordinance 2016-001 approved unanimously 7-0 on Third and Final Reading.
17. 16-0399 **Consideration of ORDINANCE 2016-17, “An Ordinance to Temporarily Reduce the Speed Limit on Hillsboro Road (SR-106) From Del Rio Pike to Mack Hatcher Parkway to Twenty-Five Miles Per Hour (25 MPH) in Both Directions for the Duration of the Hillsboro Road Improvements Phase 2 Construction Project.”**
[Second and Final Reading] Paul Holzen, Engineering Director
Ordinance 2016-17 approved unanimously 7-0 on Second and Final Reading
18. 16-0284 **Consideration of Sole-Source Purchase from TargetSolutions Learning, LLC of San Diego, California, of an Online Training Management System in the Total Lump-Sum Amount of \$13,670 for First Year Plus a Like Amount Per Year if Extended for the Fire Department (Contract No. 2016-0045).**
Rocky Garzarek, Fire Chief
Todd Horton, Deputy Fire Chief
Approved unanimously 7-0
19. 16-0285 **Consideration of Procurement Award to Aetna Life Insurance Company of Hartford, Connecticut, in the Total Estimated Annual Amount of \$119,908 for Life, Accidental Death and Dismemberment, and Supplemental Life Group Employee Insurance Benefits for a Three-Year Term of Award with Two One-Year Options to Extend, for the Human Resources Department (Purchasing Office Procurement Solicitation No. 2016-018; Contract No. 2016-0112)**
Shirley Harmon-Gower, HR Director
Sara Sylvis, Risk Manager
Approved unanimously 7-0
20. 16-0286 **Consideration of Procurement Award to Aetna Life Insurance company of Hartford, Connecticut, in the Total Estimated Annual Amount of \$99,502 for Long-Term Disability Group Employee Insurance Benefits for a Three-Year Term of Award with Two One-Year Options to extend, for the Human Resources Department (Purchasing Office Procurement Solicitation No. 2016-019; Contract No. 2016-0113)**
Shirley Harmon-Gower, HR Director
Sara Sylvis, Risk Manager
Approved unanimously 7-0
21. 16-0352 **Consideration of Procurement Award to Brenntag Mid-South, Inc. of Henderson, Kentucky, in the Unit Amount of \$0.915 per Pound for an Estimated Quantity of 38,000 Pounds per Year of Powder-Activated Carbon (Hydrodarco B) for a Term of Award of Up to Five (5) Years for the Water Treatment Division of the Water Management Department (Purchasing Office Procurement Solicitation No. 2016-022; Contract No. 2016-0103)**
Mark Hilty, Water Management Director
Michelle Hatcher, Water Management Assistant Director
Approved unanimously 7-0
22. 16-0431 **Consideration of Network Infrastructure Connectivity to Support the Consolidation of the Williamson County Emergency Operations Center**
Fred Banner, IT Director
Jordan Shaw, IT Assistant Director
Approved unanimously 7-0

23. 16-0416 **Consideration of Event Permit for the Great Americana BBQ Festival sponsored by the Franklin Noon Rotary Club on August 27, 2016**
Lisa Clayton, Parks Director
Approved unanimously 7-0
24. 16-0417 **Consideration of Event Permit for Harpeth River Bike Ride sponsored by the Harpeth Bike Club on June 25, 2016**
Deb Faulkner, Police Chief
Approved unanimously 7-0
25. 16-0419 **Consideration of Event Permit for Tour de Cure Bike Ride sponsored by the American Diabetes Association on June 11, 2016**
Deb Faulkner, Police Chief
Approved unanimously 7-0
26. 16-0420 **Consideration of Event Permit for Porchfest sponsored by the Westhaven Foundation on June 18, 2016 in Westhaven**
Deb Faulkner Police Chief
Approved unanimously 7-0

THERE WAS NO EXECUTIVE SESSION

ADJOURN

Alderman Barnhill moved to adjourn. Seconded by Vice Mayor Blanton. Motion carried unanimously 7-0.

Meeting adjourned @ 8:00 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office – Updated: 10/11/2016 1:38 PM