

**MINUTES OF THE SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, DECEMBER 8, 2015 – 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	P	Alderman Michael Skinner	P

Department Directors/Staff

Eric Stuckey, City Administrator	P	Lisa Clayton, Parks Director	
Vernon Gerth, ACA Community & Economic Dev.	P	Shirley Harmon-Gower, Human Resources Director	
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	
David Parker, City Engineer/CIP Executive	P	Paul Holzen, Engineering Director	
Shauna Billingsley, City Attorney	P	Bob Martin, Interim Planning/Sustainability Director	
Rocky Garzarek, Fire Chief		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	
Becky Caldwell, SES Director			

Call to Order

Mayor Ken Moore called the December 8, 2015, meeting to order at 7:10 p.m.

Invocation

Mayor Moore said last Sunday was a special day in the life of the First United Methodist Church with close to 2,000 people attending worship services in their new building for the first time. The Mayor and some Aldermen attended the services. Next Sunday is the official consecration of the new facility.

The Mayor related it was a special honor to have Dr. Lynn Hill, Senior Pastor of the First United Methodist Church give the invocation at this meeting.

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 from Williamson County Mayor and Williamson County Commission

None in attendance

1. 15-1077 Approval of Minutes

Alderman Petersen moved to approve the November 24, 2015 Work Session and November 24, 2015 Board of Mayor and Aldermen minutes as presented. Seconded by Alderman Barnhill. Motion carried unanimously.

Recognitions

- FEMA Recognition
The City of Franklin is part of the National Flood Insurance Program Community Rating System. The award acknowledges the City has undertaken a series of meaningful activities to protect our citizens from losses caused by flooding, and significantly exceeded the requirements for NFIP participation.

Shanna McCoy, Michael Walters Young and Chris Robinson were recognized for their work on preparation of the packet sent to FEMA for review.

- David Parker Retirement
Mayor Moore said it was a great honor to recognize David Parker with a proclamation on the occasion of Mr. Parker's last Board meeting.

Standing with Mr. Parker in front of the City seal, Mayor Moore read the proclamation:

WHEREAS, on December 31, 2015, David Parker will be retiring after thirty-two years serving as City Engineer for the City of Franklin, Tennessee; and

WHEREAS, after his time as a contractor, on April Fool's Day in 1991, David Parker began whistling through the halls of City Hall with his Jim Dandy coffee mug in hand; and

WHEREAS, for over 30 years, David Parker has worked to provide the community with high quality infrastructure that meets the needs of one of the fastest growing cities in America; and

WHEREAS, David Parker has been a trusted colleague, friend, advisor and mentor to members of the City of Franklin team including employees, elected leaders, and community members; and

WHEREAS, when not at City Hall, you could find David on the golf course with cigars and beverage or hunting and hiking in the great outdoors or laying a rock wall or creating woodworking masterpieces;

NOW, THEREFORE, I, Dr. Ken Moore, Mayor and the undersigned Aldermen of the City of Franklin, do hereby appreciate his many years of dedicated service and offer him sincere best wishes for continued good health, happiness, low golf scores, successful hunting and rewarding travel adventures.

Mr. Parker remarked that he hadn't expected this. He went on to say that he enjoyed his work with the City and that it has been rewarding. He added that Franklin is still one of the most sought after places to live. He appreciated the opportunity to be here.

Eric Stuckey noted there would be festivities the afternoon of December 17 to give Mr. Parker a formal send off.

Miscellaneous Reports

- Pilgrimage Festival Organizers Presentation
Brant Wood, spoke for himself as well as his partners Kevin Griffin and Michael Whalen, and their whole team with sincere thanks to the City and Board for allowing them to produce an event they dreamed of doing for a long time. It was a \$4.2 million event. They plan on producing an even better Festival this coming year. Today they gave \$8,200 to Friends of Franklin Parks.

2. 15-1079 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 14-30 be placed on the Consent Agenda.

Alderman Barnhill moved to approve the Consent Agenda Items 14-30. Seconded by Alderman Burger. Motion carried unanimously.

OLD BUSINESS

- 3. 15-0899 PUBLIC HEARING: Consideration of ORDINANCE 2015-51, To Be Entitled, "An Ordinance To Amend The Zoning Ordinance Of The City of Franklin, Tennessee, Chapter 3, Section 3.2, Subsection 3.2.7(5) Pertaining To Convenience Stores And Automotive Fuel Sales And To Amend Chapter 5, Section 5.3, Subsection 5.3.6(3) Pertaining To Automotive Uses On Lots**

Located At Major Intersections, And To Modify Figure 5-37 Which References Subsection 5.3.6(3), And To Amend Chapter 5, Section 5.3, Subsection 5.3.6(9), Which References Roof Types On Nonresidential Structures.”

[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 Blanton moved to approve Ordinance 2015-51 with amendment to Chapter 3; Section 2.7; Subsection 3.2.7(5) of the Franklin Zoning Ordinance to read:

(5) Convenience Stores and Automotive Fuel Sales

“Convenience stores that sell gasoline and facilities for automotive fuel sales are prohibited from locating adjacent to residentially zoned properties or properties whose primary use is residential in nature; unless approved by the Board of Mayor and Aldermen as part of a PUD Development Plan.”

In lieu of the recommended ~~strikethrough~~ as currently written in the Ordinance. Seconded by Alderman Bransford.

Discussion:

- Alderman Barnhill: When this was discussed before he thought they were looking at restrictions of gasoline facilities on corner lots. Does this amendment do that?
- Alderman Skinner: He approached Planning staff with the concern that there may be some inadvertent approvals with having residential next to one of these corner lots. It is not intended to undo this change that would allow for corner lots. He asked them to insert this so that an existing residential home wouldn't wind up adjacent to an all-night service station. This has nothing to do with being on corner lots. It just adds a restriction in a residential area.
- Alderman Barnhill: A classic example of a corner lot convenience market is the one built on 96 West at Reid Hill Commons. He hasn't heard one complaint from anyone since it was built in 2008. What the Board started out to do was something entirely different from this amendment. Something he considers fairly significant should be on a work session agenda. This is one alderman who has gone to the planning department and asked for a change that wasn't discussed. It's one person's idea that we don't put that convenience market next to a residential development. He's not sure it puts in what he wants put in.
- Alderman Burger: If goes to third reading and is approved goes back to Planning Commission because they haven't seen the amendment. Add to work session and BOMA on January 12, 2016.

Alderman Skinner moved to defer Ordinance 2015-51 to the Planning Commission. Seconded by Alderman Barnhill.

Following consultation with the City Attorney, the following transpired:

Alderman Skinner withdrew his motion to defer to the Planning Commission, and Alderman Barnhill withdrew his second.

Vice Mayor Blanton withdrew the original motion that included the amendment. Alderman Bransford withdrew her second.

Alderman McLendon moved to approve Ordinance 2015-51 as written. Seconded by Alderman Bransford.

Alderman McLendon moved to amend Chapter 3; Section 2.7; Subsection 3.2.7(5) of the Franklin Zoning Ordinance to read:

(5) Convenience Stores and Automotive Fuel Sales

“Convenience stores that sell gasoline and facilities for automotive fuel sales are prohibited from locating adjacent to residentially zoned properties or properties whose primary use is

residential in nature; unless approved by the Board of Mayor and Aldermen as part of a PUD Development Plan."
Seconded by Alderman Burger.

Alderman McLendon moved to defer to the Planning Commission. Seconded by Alderman Barnhill. Motion carried unanimously.

Alderman Petersen confirmed when this comes back to BOMA there will be a public hearing.

4. 15-0931 **PUBLIC HEARING: Consideration of ORDINANCE 2015-55, To Be Entitled, "An Ordinance To Amend The Zoning Ordinance Of The City Of Franklin, Tennessee, Chapter 3, Section 3.2, Subsection 3.2.3, Table 3-2, Entitled "Permitted Uses," And Chapter 3, Section 3.2, Subsection 3.2.5(1)(B), To Add The Use Classification Clinics As A Permitted Use In The CC – Central Commercial District, And Amend Chapter 5, Section 5.9, Subsection 5.9.4, Table 5-9, Entitled "Minimum Off-Street Parking Standards [1] [2] [3] [4] [6]" To Revise The Use Type for Clinics."**
[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 2015-55. Seconded by Alderman Martin. Motion carried unanimously on Second of Three Readings.

5. 15-0933 **PUBLIC HEARING: Consideration of ORDINANCE 2015-54, To Be Entitled, "An Ordinance To Amend The Zoning Ordinance Of The City Of Franklin, Tennessee, Chapter 3, Section 3.3, Subsection 3.3.2, Table 3-5, Entitled "Base District Density And Building Height [1], [2]," And Section 3.5, Subsection 3.5.6(2)(b)(xi), Entitled "Landscape", And Chapter 5, Section 5.5, Subsection 5.5.3(1), Table 5-7, Entitled "Required Open Space Set-Aside", In Order to Revise The Landscape Surface Ratio and Open Space Requirements Within Central Franklin Character Area Overlay District, Special Area CFCO-1 And Special Area CFCO-9."**
[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 McLendon moved to approve Ordinance 2015-54. Seconded by Alderman Barnhill.

Alderman Burger asked for a synopsis of the open space requirement. Jim Svoboda, Senior Planner obliged.

Motion to approve Ordinance 2015-54 carried unanimously on Second of Three Readings.

6. 15-0935 **PUBLIC HEARING: Consideration of ORDINANCE 2015-59, To Be Entitled, "An Ordinance To Rezone 5.19 Acres From Specific Development-Residential District (SD-R 9.16) to Attached Residential 20 District (RM-20) For Property Located At 780 Oak Meadow Drive."**
[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

Vice Mayor Blanton moved to approve Ordinance 2015-59. Seconded by Alderman Bransford.

Alderman Skinner related this was a math error made by the City some time ago. As a result, 100 units on Oak Meadow Drive adjacent to Royal Oaks Boulevard can be built adding to the already traffic congested Royal Oaks. Therefore, he will not support this ordinance.

Eric Stuckey noted this entitlement was granted previously and the City has no control to deny the building of additional units.

Motion to approve Ordinance 2015-59 carried 7-1, with Alderman Skinner voting no, on Second of Three Readings.

7. 15-0936 **PUBLIC HEARING: Consideration of ORDINANCE 2015-58, To Be Entitled, "An Ordinance To Rezone 38.5 Acres From Specific Development-Residential District (SD-R 9.16) To Specific Development-Residential District (SD-R 10.6) For Property Located at Southwinds Drive, 1801 Brockton Place, And 549 Oak Meadow Drive."**
[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 2015-58. Seconded by Vice Mayor Blanton.

This is the same situation as item 6.

Motion to approve Ordinance 2015-58 carried 7-1, with Alderman Skinner voting no, on Second of Three Readings.

8. 15-0555 **Consideration of ORDINANCE 2015-19, "An Ordinance to Amend the City of Franklin Municipal Code, Appendix A – Comprehensive Fees and Penalties, Chapter 12 Relating to Residential Construction Permit Fees."**
[SECOND AND FINAL READING] Chris Bridgewater, BNS Director
Alderman Skinner moved to approve Ordinance 2015-19. Seconded by Alderman Barnhill. Motion carried unanimously on Second and Final Reading.

NEW BUSINESS

9. 15-0901 **Consideration of RESOLUTION 2015-84, A Resolution Authorizing the Issuance of \$40 Million in Water/Sewer Revenue and Tax Bonds.**
Eric Stuckey, City Administrator
Russ Truell, ACA Finance & Administration
Alderman Barnhill moved to approve Resolution 2015-84. Seconded by Vice Mayor Blanton. Motion carried unanimously.
10. 15-1059 **Consideration of RESOLUTION 2015-98, A Resolution to Adopt a Pension Plan Investment Policy.**
Russ Truell, ACA Finance & Administration
Alderman Bransford moved to approve Resolution 2015-98. Seconded by Alderman Barnhill. Motion carried unanimously.
11. 15-1062 **Consideration of 2016 Liquor License Renewal for Red Dog Wine & Spirits (Mr. Bard Quillman, Jr., Managing Agent), 1031 Riverside Drive, 37064.**
Lanail Benne, Assistant City Recorder
Alderman Petersen moved to approve renewal liquor license for Red Dog Wine & Spirits. Seconded by Vice Mayor Blanton. Motion carried unanimously.
12. 15-1064 **Consideration of Professional Services Agreement (COF 2015-0381) with Smith Seckman Reid (SSR) for Design Services for the Ladd Park Interceptor Sewer Project for an Amount Not to Exceed \$176,600.00.**
Paul Holzen, Engineering Director
Alderman Skinner moved to approve COF 2015-0381 with SSR. Seconded by Alderman Burger. Motion carried unanimously 7-0 with Alderman Martin recused.
13. 15-1082 **Consideration of RESOLUTION 2015-104, A Resolution of Intent to Fund and Authorize the City's Portion of the Williamson County Wide Radio System Project.**
Eric Stuckey, City Administrator

Vice Mayor Blanton moved to defer Resolution 2015-104 to January 12, 2016 or a specially called meeting December 21st or 22nd. Seconded by Alderman Bransford. Motion carried unanimously.

CONSENT AGENDA

14. 15-1014 Consideration of ORDINANCE 2015-56, To Be Entitled, "An Ordinance to Amend The Zoning Ordinance of The City of Franklin, Tennessee, Chapter 5, Section 5.3, Subsection 5.3.5 (2)(a) Pertaining to Reverse Frontage." Establishing a Public Hearing for January 12, 2016.
[FIRST OF THREE READINGS] Alderman Ann Petersen, FMPC Representative
Ordinance 2015-56 approved unanimously on First of Three Readings.

15. 15-1019 Consideration of ORDINANCE 2015-45, To Be Entitled, "An Ordinance To Amend Chapter 3, Section 3.5, Subsection 3.5.6, The CFCO, Central Franklin Character Area Overlay District, Of The Franklin Zoning Ordinance."
[FIRST OF THREE READINGS] Alderman Ann Petersen, FMPC Representative
Ordinance 2015-45 approved unanimously on First of Three Readings.

16. 15-1021 Consideration of ORDINANCE 2015-47, To Be Entitled, "An Ordinance To Rezone +/- 0.25 Acres From General Commercial (GC) District To Civic Institutional (CI) District And To Rezone +/- 0.275 Acres from Central Commercial (CC) To Civic Institutional (CI) District for city-Owned Properties In and Near Bicentennial Park, East of Fifth Avenue North and North of North Margin Street." Establishing a Public Hearing for January 12, 2016.
[FIRST OF THREE READINGS] Alderman Ann Petersen, FMPC Representative
Ordinance 2015-47 approved unanimously on First of Three Readings.

17. 15-1031 Consideration of an ORDINANCE 2015-60 to Amend The City of Franklin Municipal Code, Appendix A – Comprehensive Fees and Penalties, Published by the International Code Council to Calculate Non-Residential Building Permit Fees.
[FIRST OF TWO READINGS] Chris Bridgewater, BNS Director
Ordinance 2015-60 approved unanimously on First of Two Readings.

18. 15-1023 Consideration of ORDINANCE 2015-49, An Ordinance to Amend Appendix A, Chapter 17, of the Franklin Municipal Code to Increase the Tipping Fees for Transfer Station Services
[FIRST OF TWO READINGS] Eric Stuckey, City Administrator
Becky Caldwell, SES Director
Ordinance 2015-49 approved unanimously on First of Two Readings.

19. 15-0998 Consideration of ORDINANCE 2015-66, An Ordinance to Change the Organizational Chart of the Finance Department; Establishing a Public Hearing for January 12, 2016.
[FIRST OF THREE READINGS] Eric Stuckey, City Administrator
Russ Truell, ACA Finance & Administration
Ordinance 2015-66 approved unanimously First of Three Readings.

20. 15-1027 Consideration of Contract 2015-0348 for the Receipt of Community Based Development Organization (CDBO) Program Funding with Hard Bargain Association in the Amount of \$120,000.
Chris Bridgewater, BNS Director
Contract 2015—0348 approved unanimously.

21. 15-1029 Consideration of Contract 2015-0324 for the Receipt of Community Based Development Organization (CDBO) Program Funding with Community Housing Partnership in the Amount of \$30,000.
Chris Bridgewater, BNS Director
Contract 2015-0324 approved unanimously.

22. 15-1046 Consideration of Bid Award to Charlie Irwin Painting, LLC of Franklin, Tennessee, in the Total Lump-Sum Amount of \$78,836 for Improvements to the Shelter at the City's Bicentennial Park for the Parks Department (Purchasing Office Procurement Solicitation No. 20160913; \$100,000 Budgeted in 150-89230-47100 for Fiscal Year 2016; Contract No. 2015-0377)

Lisa Clayton, Parks Director
Kevin Lindsey, Facilities Superintendent

Approved unanimously.

23. 15-1022 Consideration of City of Franklin/MTEMC Updated License Agreement for Pole Attachments (COF Contract 2015-0333)

Eric Stuckey, City Administrator
Vernon Gerth, Assistant City Administrator

Approved unanimously.

24. 15-0875 Receipt of Audit Report for City of Franklin.

Eric Stuckey, City Administrator
Mike Lowe, Comptroller

Approved unanimously.

25. 15-0876 Receipt of Audit Report for Cool Springs Conference Center.

Eric Stuckey, City Administrator
Mike Lowe, Comptroller

Approved unanimously.

ITEMS APPROVED ON BEHALF OF THE BOARD

26. 15-1005 Consideration of Contract 2015-0359 Between the Tennessee Department of Health and The City of Franklin.

Russ Truell, ACA Finance & Administration
Eric Stuckey, City Administrator

Approved unanimously.

27. 15-1072 Modification of Contract Demands Associated with Three Middle Tennessee Electric Membership Corporation (MTEMC) Transformers at the Water Reclamation Facility, City of Franklin Contract 2015-0402.

Mark Hilty, Water Management Director

Approved unanimously.

28. 15-1083 Modification of Contract Demands Associated with Three Middle Tennessee Electric Membership Corporation (MTEMC) Transformers at the Water Reclamation Facility, City of Franklin Contract 2015-0403.

Mark Hilty, Water Management Director

Approved unanimously.

29. 15-1083 Modification of Contract Demands Associated with Three Middle Tennessee Electric Membership Corporation (MTEMC) Transformers at the Water Reclamation Facility, City of Franklin Contract 2015-0403.

Mark Hilty, Water Management Director

Approved unanimously.

30. 15-1067 Consideration of Contract 2015-0373 Between Edge Planning, Landscape Architects, and Urban Design and the City of Franklin in the Amount of \$10,750 for Engineering and Technical Services Related to the Lockwood Glen Park Master Plan.

Lisa Clayton, Parks Director

Approved unanimously.

NO EXECUTIVE SESSION

EXECUTIVE SESSION

24. Consideration of Motion to Enter Executive Session for the Purpose of Reviewing Various Matters of Pending Litigation

Shauna Billingsley, City Attorney

RETURN FROM EXECUTIVE SESSION

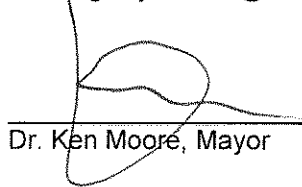
25. Consideration of Matters from Executive Session

Dr. Ken Moore, Mayor

ADJOURN

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

Meeting adjourned @ 7:55 p.m.



Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office – Updated: 1/8/2016 2:13 PM