



City of Franklin

109 3rd Ave S
Franklin, TN 37064
(615)791-3217

Meeting Minutes

Board of Mayor & Aldermen

Tuesday, September 13, 2016

7:00 PM

Board Room

Call to Order

Present: 9 - Mayor Dr. Ken Moore, Alderman Ald. Margaret Martin, Alderman Ald. Michael Skinner, Alderman Ald. Dana McLendon, Alderman Ald. Beverly Burger, Vice Mayor Brandy Blanton, Alderman Ald. Clyde Barnhill, Alderman Ald. Pearl Bransford, and Alderman Ald. Ann Petersen

Invocation

Pledge of Allegiance

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.)

Communications

Approval Of Minutes.

- [16-0740](#) Consideration of Minutes:
August 23, 2016 Worksession
August 23, 2016 Board of Mayor and Aldermen

A motion was made by Alderman Petersen, seconded by Alderman Burger, that these Minutes be approved. The motion carried by a unanimous vote.

Recognitions

- [16-0738](#) Proclamation of September 2016 as "BE NICE" month

Attachments: [BE NICE Proclamation.pdf](#)

This Proclamation was acknowledged

3. [16-0760](#) Recognition of Becky Caldwell, Sanitation and Environmental Services Director, by Tennessee Solid Waste Association of North America (TNSWANA)

Sanitation and Environmental Services Director, Becky Caldwell, was acknowledged for her contributions to the Tennessee Solid Waste Association of North America.

Miscellaneous Reports

Consent Agenda

4. [16-0741](#) Consideration of Items 14 - 35 on the Consent Agenda

A motion was made by Alderman Burger, seconded by Alderman Petersen, that the items on the consent agenda be approved. The motion carried by a unanimous vote.

OLD BUSINESS

5. [16-0334](#) PUBLIC HEARING: Consideration Of Ordinance 2016-008, To Be Entitled, "An Ordinance To Rezone 30.39 Acres From General Commercial (GC) District To Specific Development-Residential (SD-R 10) District For The Property Located West Of Interstate 65, At 840 And 880 Oak Meadow Drive." (06-23-16 FMPC Recommended Disapproval 7-1; 07-12-16 BOMA WS; 08-09-16 BOMA 1st Reading 4-3) SECOND OF THREE READINGS

Sponsors: Ald. Ann Petersen

Attachments: [6085 Map Epoch Development PUD Subdivision Rezoning](#)
[2016-008 ORD_Epoch Rezoning_Law Approved 3](#)
[Epoch Rezoning Set](#)
[Impact Study \(5.26.16\) - WITHOUT ACCESS ON SRO](#)
[Staff report and attachments from 4.28.16 FMPC Agenda item](#)

A motion was made by Alderman Skinner, seconded by Alderman Martin, that this Ordinance be denied. The motion carried by a unanimous vote.

6. [16-0342](#) PUBLIC HEARING: Consideration Of Resolution 2016-20, To Be Entitled: "A Resolution Approving A Development Plan For Epoch Development PUD Subdivision, For The Property Located West Of Interstate 65, At 840 And 880 Oak Meadow Drive." (06-23-16 FMPC Recommended Disapproval 7-1; 07-12-16 WS)

Sponsors: Ald. Ann Petersen and Amy Diaz-Barriga

Attachments: [6086 Map Epoch Development PUD Subdivision DP](#)
[6086 Conditions of Approval 02](#)
[2016-20 RES Epoch PUD Development Plan Law Approved 2](#)
[Epoch PUD Site layout sheets](#)
[Epoch PUD elevations and perspectives](#)
[Epoch PUD FULL Resubmittal](#)
[Impact Study \(5.26.16\) - WITHOUT ACCESS ON SRO](#)
[4.28.16 FMPC item.staff report and attachments](#)

A motion was made by Alderman Skinner, seconded by Alderman Martin, that this Resolution be denied. The motion carried by a unanimous vote.

7. [16-0587](#) PUBLIC HEARING: Consideration of Resolution 2016-39, To Be Entitled, "A Resolution Approving A Revised Development Plan For Highlands At Ladd Park PUD Subdivision (Revision 7), With 1 Modification Of Development Standards (Cul-De-Sac Length), For The Property Located North Of Long Lane And West Of Carothers Parkway."; (07/28/16 FMPC 8-0; 08/09/16 WS)

Sponsors: Ald. Ann Petersen and Brad Baumgartner

Attachments: [RES 2016-39 Highlands at Ladd Park PUD Revision 2nd version](#)
[Law Approved 8 3](#)
[Conditions of Approval 01](#)
[6175 Highlands at Ladd Park DP Rev 7 Map.pdf](#)
[Ladd Park Devel Plan REV 7 7.7.2016.pdf](#)

A motion was made by Alderman McLendon, seconded by Alderman Skinner, that this Resolution be approved. The motion approved the modification of standards and the entire motion carried by a unanimous vote.

NEW BUSINESS

8. [16-0650](#) *Consideration of Ordinance 2016-32, To Be Entitled, "An Ordinance To Rezone 5.3 Acres From Heavy Industrial District (HI) And Detached Residential 3 District (R-3) To Specific Development Residential (SD-R 7.55) District For The Property Located South Of Avondale Drive And East Of Columbia Avenue, 302 Avondale Drive. Establishing a Public Hearing for October 11, 2016. (08/25/16 FMPC 8-0, 9/13/16 WS)

Sponsors: Ald. Ann Petersen

Attachments: [ORD 2016-32 Rezoning South of Avondale Drive and East of Columbia Avenue with map Law Approved.pdf](#)
[6196 Avondale Cottages PUD Subdivision Rezoning.pdf](#)
[2016-08-04 Avondale RZN Set.pdf](#)
[Citizen Comment Avondale Cottages Mr and Mrs Henry](#)

A motion was made by Alderman Skinner, seconded by Alderman Bransford, that this Ordinance be referred as a Public Hearing and Second Reading Item to the Board of Mayor & Aldermen, meeting on 10/11/2016. The motion carried by a unanimous vote.

9. [16-0666](#) *Consideration Of Ordinance 2016-44, To Be Entitled, "An Ordinance To Rezone 2.90 Acres From General Commercial District (GC) to Civic and Institutional District (CI) For The Property Located North Of Murfreesboro Road And West Of Edward Curd Lane. Establishing a Public Hearing for October 11, 2016. (08/25/16 FMPC 8-0, 9/13/16 WS)

Sponsors: Ald. Ann Petersen

Attachments: [ORD 2016-44 Williamson Medical Center Rezoning with Map Law Approved](#)
[Williamson Medical Center, rezoning request](#)

A motion was made by Alderman Martin, seconded by Alderman Bransford, that this Ordinance be referred as a Public Hearing Item and Second Reading to the Board of Mayor & Aldermen, meeting on 10/11/2016. The motion carried by a unanimous vote.

10. [16-0581](#) *Consideration of Resolution 2016-62, A Resolution to Finalize the Design and Construction for the Lewisburg Pike (U.S. 431) Roadway Project (08/23/16 WS).

Sponsors: Paul Holzen

Attachments: [Res 2016-62 Lewisburg Pike Access Issues with Exhibit A.Law Approved](#)
[Martocci Letter 7-27-2016](#)
[Access Option 8-25-2016](#)
[Denton, Josh Letter to BOMA re Harlan](#)

A motion was made by Alderman Skinner, seconded by Alderman Bransford, that this Resolution be approved with Option 1. The motion carried by a unanimous vote.

11. [16-0733](#) *Consideration of Resolution 2016-58 Authorizing City of Franklin Contract 2016-0265 with the State of Tennessee for the Clean Tennessee Energy Grant in the Amount of \$250,000 for Components of the Proposed Water Reclamation Facility Upgrades

Sponsors: Mark Hilty

Attachments: [Resolution 2016-58 Clean TN Grant.Law Approved](#)
[COF Contract 2016-0265 Law Approved 082316](#)

A motion was made by Vice Mayor Blanton, seconded by Alderman Barnhill, that this Resolution be approved. The motion carried by a unanimous vote.

12. [16-0758](#) *Consideration of Resolution 2016-56: A Resolution Awarding the Construction Contract (COF Contract No 2014-0288) To Revere Control Systems, Inc. In The Amount Of \$1,949,980.00 for the Water Distribution & Collection System SCADA Improvements Project

Sponsors: Paul Holzen, Mark Hilty and Patricia McNeese

Attachments: [Res 2016-56 SCADA Bid Award.Law Approved](#)
[2016-08-18 Franklin SCADA Improvements Bid Eval Letter and Tabulation](#)

A motion was made by Alderman Bransford, seconded by Alderman Skinner, that this Resolution be approved. The motion carried by a unanimous vote.

13. [16-0739](#) Consideration of Re-Appointment of Donnell Lane To The Franklin Housing Authority.

Sponsors: Dr. Ken Moore

A motion was made by Vice Mayor Blanton, seconded by Alderman Burger, that this Nominations/Appointments be approved. The motion carried by a unanimous vote.

All Other Consent Items

14. [16-0465](#) Consideration of Ordinance 2016 - 19, To Be Entitled: "An Ordinance To Rezone 5.03 Acres From Specific Development-Residential District (SD-R 2.82) To Specific Development-Residential District (SD-R 2.92) For The Property Located South Of South Carothers Road And East Of Carothers Parkway, 4373 South Carothers Road." (06-23-16 FMPC 8-0; 07-12-16 WS, 07/12/16 BOMA 7-0; (08/23/16 BOMA 8-0) THIRD AND FINAL READING

Sponsors: Ald. Ann Petersen

Attachments: [Updated Ord 2016-19 6021 Lockwood Glen Rezoning Res Map Updated Lockwood Glen PUD Subdivision, rezoning \(Residential\) - submittal 003 Plans.pdf](#)
[Lockwood Glen 2nd reading date move request](#)
[Ordinance 2016-19 Lockwood Glen PUD Subd Rezoning Residential with map Revised-Law Approved 2 Ord 2016-19 6021 Lockwood Glen Rezoning Res Map.pdf](#)

This Ordinance was approved on third and final reading.

15. [16-0466](#) Consideration Of Ordinance 2016 - 20, To Be Entitled: "An Ordinance To Rezone 8.68 Acres From Specific Development-Residential District (SD-R 2.82) District To Neighborhood Commercial District (NC) For The Property Located South Of South Carothers Road And East Of Carothers Parkway."; (05/26/16 FMPC 9-0; 07-12-16 WS, 07/12/16 BOMA 7-0; 08/23/16 BOMA 8-0) THIRD AND FINAL READING

Sponsors: Ald. Ann Petersen

Attachments: [Ord 2016-20 Lockwood Glen Rezoning Commercial Law Approved Ord 2016-20 6022 Lockwood Glen Rezoning CommMap.pdf](#)
[Lockwood Glen PUD Subdivision, rezoning \(Commercial\) - submittal 003 Plans.pdf](#)
[Lockwood Glen 2nd reading date move request](#)

This Ordinance was approved on third and final reading.

16. [16-0617](#) Consideration Of Ordinance 2016-31, An Ordinance To Amend The FY2016-2017 Budget. Establishing A Public Hearing On October 11, 2016. (08/18/16 Finance 4-0) FIRST Of Three Readings
- Sponsors:** Michael Walters Young and Eric Stuckey
- Attachments:** [2016 Budget Amendment #1 Memo](#)
[Ord 2016-31FY 2017 Budget Amendment #1](#)
[Impact of 2016-31 - FY 2017 Budget Amendment #1](#)
- This Ordinance was referred as a Public Hearing Item. to the Board of Mayor & Aldermen due back on 10/11/2016**
17. [16-0620](#) Consideration of Ordinance 2016-030 To Be Entitled: “An Ordinance To Amend Title 21, Affordable And Workforce Housing Of The Franklin Municipal Code In Order To Delete Chapter 7, Inclusionary Housing For Previously Approved Planned Unit Developments.” (08/09/16 WS, 08/23/16 1st BOMA Reading 8-0) SECOND AND FINAL READING
- Sponsors:** Vernon Gerth and Emily Hunter
- Attachments:** [Ord 2016-030 - Amend FMC Inclusionary Zoning Title 21 Law Approved Public Chapter No 822](#)
- This Ordinance was approved on second and final reading.**
18. [16-0630](#) Consideration Of Ordinance 2016-023, An Ordinance To Amend Title 16, Chapter 2 Of The Franklin Municipal Code Relating To Street Occupancy, Obstructions, And Excavations. (08/09/16 WS, 08/23/16 1st BOMA Reading 8-0) SECOND AND FINAL READING
- Sponsors:** Eric Stuckey, Vernon Gerth and Joe York
- Attachments:** [Ordinance 2016-023 - Street Occupancy Permit Law Approved 7 29 16.pdf](#)
- This Ordinance was approved on second and final reading.**
19. [16-0637](#) Consideration Of Ordinance 2016-024, An Ordinance To Amend The City Of Franklin Municipal Code, Appendix A - Comprehensive Fees And Penalties, Chapter 16 - Streets And Sidewalks, Etc., For The Purpose Of Adding Street Occupancy And Valet Parking Permit Fees. (08/09/16 WS, 08/23/16 1st BOMA Reading 8-0) SECOND AND FINAL READING
- Sponsors:** Eric Stuckey, Vernon Gerth and Joe York
- Attachments:** [Law Approved 8 2 16 Ordinance 2016-024 Street Occupancy Permit Fees REVISED 2.pdf](#)
- This Ordinance was approved on second and final reading.**

20. [16-0698](#) Consideration of Ordinance 2016-35, "An Ordinance to Establish a One Hour Parking time Limit (Temporary) on the South Side of East Main Street Between the Public Square and 2nd Ave South. (08/23/16 Work Session, 1ST Reading BOMA 8-0) SECOND AND FINAL READING

Sponsors: Eric Stuckey, Vernon Gerth and Paul Holzen

Attachments: [2016-35 ORD Parking on Main Street with Map.Law Approved](#)

This Contract/Agreement was approved on second and final reading.

21. [16-0742](#) Consideration of a Request to Deny Sanitary Sewer Availability for 3713 E. McEwen Drive (Map 61 Parcel 305 (8-25-16 CIC 3-0))

Sponsors: Paul Holzen

Attachments: [Exhibit A](#)
[EPSON009](#)
[McEwen.Plat](#)

A motion was made by Alderman Burger, seconded by Alderman Petersen, that this Contract/Agreement to DENY Sanitary Sewer Availability for 3713 E. McEwen Drive be approved. The motion carried by a unanimous vote.

22. [16-0743](#) Consideration of Change Order No. 3 (FINAL) to the Contract with Jones Bros. Contractors, LLC for the Construction of Carothers Parkway South Extension (COF Contract No. 2013-0048; Resolution 2013-37) for a DECREASE of \$616,379.00 (8-25-16 CIC 3-0)

Sponsors: Engineering

Attachments: [CarothersSouth_CONST_CO3_FINAL.pdf](#)

A motion was made by Alderman Burger, seconded by Alderman Petersen, that this Contract/Agreement be approved. The motion carried by a unanimous vote.

23. [16-0744](#) Consideration of Change Order No. 2 to the Construction Contract (COF Contract No. 2014-0037, Resolution 2015-46) with Jones Bros. Contractors, LLC for the 3rd Avenue North Trail/Greenway Project (Bicentennial Park Phase I, TDOT PIN 109424.00) for an INCREASE of \$17,172.85 and a Time Extension of 23 Calendar Days (8-25-16 CIC 4-0).

Sponsors: Paul Holzen

Attachments: [COF2014-0037_3rd_Ave_Trail-CO#2_Exh_A](#)

A motion was made by Alderman Burger, seconded by Alderman Petersen, that this Contract/Agreement be approved. The motion carried by a unanimous vote.

24. [16-0745](#) Consideration of Change Order No. 1 (FINAL) to the Contract with Jenco Construction, Inc. for the Construction of Century-Beasley Connector Project (COF Contract No. 2015-0042; Resolution 2015-45) for a DECREASE of \$91,155.88 (8-25-2016 CIC 4-0)

Sponsors: Paul Holzen

Attachments: [Century - Beasley Final Change Order](#)

A motion was made by Alderman Burger, seconded by Alderman Petersen, that this Contract/Agreement be acknowledged. The motion carried by a unanimous vote.

25. [16-0747](#) Consideration of Resolution 2016-51, Authorizing Right-of-Way and Easement Acquisition for the Franklin Road Project, From 1,700 Feet South of Moores Lane to Concord Road (8-25-16 CIC 4-0)

Sponsors: Paul Holzen

Attachments: [Res 2016-51 - Franklin Road ROW Authorization Law Approved](#)

A motion was made by Alderman Burger, seconded by Alderman Petersen, that this Resolution be approved. The motion carried by a unanimous vote.

26. [16-0748](#) Consideration of Resolution 2016-54, A Resolution Authorizing Condemnation for the Acquisition of Rights-of-Way and/or Easements for SR-96 East Sidewalk Improvements (8-25-16 CIC 4-0)

Sponsors: Paul Holzen

Attachments: [Res 2016-54 SR96 Sidewalk Condemnation Resolution Law Approved](#)

A motion was made by Alderman Burger, seconded by Alderman Petersen, that this Contract/Agreement be approved. The motion carried by a unanimous vote.

27. [16-0749](#) Consideration of a Professional Services Agreement (COF Contract No. 2016-0152) with CDM Smith for the Sanitary Sewer System Model Assistance - Phase 2 in Not-to-Exceed Amount of \$145,000.00 (08-25-16 CIC 4-0)

Sponsors: Engineering

Attachments: [COF 2016-0152 - CDMSmith Sewer Model Phase 2 _with Scope Law Approved](#)

A motion was made by Alderman Burger, seconded by Alderman Petersen, that this Contract/Agreement be approved. The motion carried by a unanimous vote.

28. [16-0750](#) Consideration of Amendment No. 1 to the Professional Services Agreement (COF Contract No. 2015-0077) with Gresham Smith and Partners for the Old Carter's Creek Pike Water System Improvements Project in the Not-to-Exceed Amount of \$21,780 (08-25-16 CIC 4-0)
- Sponsors:** Engineering
- Attachments:** [COF 2015-0077 Old Carter's Creek Water System Improvements Amendment 1 PSA with Scope.Law Approved](#)
- A motion was made by Alderman Burger, seconded by Alderman Petersen, that this Contract/Agreement be approved. The motion carried by a unanimous vote.**
29. [16-0751](#) Consideration of Agreement 160125 (COF Contract No. 2016-0267) with the Tennessee Department of Transportation for the SR-96 West Multi-Use Trail Project, From 9TH Avenue North to Vera Valley Drive (TDOT PIN 123098.00; Federal Project No. TAP-96(49); State Project No. 94LPLM-F3-092 (8-25-16 CIC 4-0))
- Sponsors:** Engineering
- Attachments:** [CIP Exhibits.pdf](#)
[Submitted COF 2016-0267 Enhancement Grant from MPO - Law Approved](#)
- A motion was made by Alderman Burger, seconded by Alderman Petersen, that this Contract/Agreement be approved. The motion carried by a unanimous vote.**
30. [16-0675](#) Consideration Of Procurement Award To Neely Coble Co., Inc. Of Nashville, Tennessee In The Total Amount Of \$107,470 For One (1) New And Unused Single Rear Axle Dump Truck For The Maintenance Division Of The Streets Department (Purchasing Office Procurement Solicitation No. 2017-001; \$115,000 Budgeted, Scheduled To Be Financed By Means Of The City's FY2017 Master Lease Arrangement; Contract No. 2016-0259) (08/23/16 Work Session)
- Sponsors:** Joe York
- Attachments:** [2017-001 Tabulation of bids](#)
[2016-0259 Procurement Agreement with attachments, signed for vendor and approved by Law](#)
- A motion was made by Alderman Burger, seconded by Alderman Petersen, that this Procurement be approved . The motion carried by a unanimous vote.**

31. [16-0676](#) Consideration of Event Permit for Franklin 4 the Cure benefitting the Westhaven Foundation in Westhaven on September 16, 2016 (08/23/16 Work Session)
- Sponsors:** Deb Faulkner
- Attachments:** [Franklin 4 the Cure 2016 REVISED app](#)
- This Event Permit was approved.**
32. [16-0677](#) Consideration of Event Permit for Franklin High School Homecoming Parade in Downtown Franklin on September 30, 2016 (08/23/16 Work Session)
- Sponsors:** Deb Faulkner
- Attachments:** [FHS Parade 2016 REVISED App2](#)
- This Event Permit was approved.**
33. [16-0678](#) Consideration of Event Permit for Celebration of Nations benefitting Sister Cities in Downtown Franklin on October 8, 2016 (08/23/16 Work Session)
- Sponsors:** Deb Faulkner
- Attachments:** [CON 2016 REVISED App](#)
- This Event Permit was approved.**
34. [16-0679](#) Consideration of Event Permit for Centennial High School Homecoming Parade in Cool Springs on September 22, 2016 (08/23/16 Work Session)
- Sponsors:** Deb Faulkner
- Attachments:** [CHS HC Parade 2016 REVISED App](#)
- This Event Permit was approved.**

Items Approved on Behalf of the Board

35. [16-0584](#) Acknowledge Report Of Sole-Source Purchase From Controlled Air Systems, LLC, Of Franklin In The Total Amount Of \$75,000 For Vehicle Exhaust Extraction Equipment For Fire Station 8. (Included As Part Of Fire Station 8's Project Budget.)
- Sponsors:** Brad Wilson
- A motion was made by Alderman Burger, seconded by Alderman Petersen, that this Item Approved on Behalf of the Board be approved. The motion carried by a unanimous vote.**

EXECUTIVE SESSION

RETURN FROM EXECUTIVE SESSION

A motion was made by Alderman McLendon, seconded by Alderman Barnhill, that Case 05503 be settled in the amount of \$15,000, and case 07447 be settled in the amount of \$45,000. The motion carried unanimously.

Scheduled Meetings and Events

Other Business

Adjourn

Anyone needing accommodations due to disabilities please contact the Risk Manager at 615-791-3277 24 hours prior to the meeting.