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**MINUTES OF THE REGULAR MEETING  
BOARD OF MAYOR AND ALDERMEN  
FRANKLIN, TENNESSEE  
CITY HALL BOARDROOM  
TUESDAY, FEBRUARY 14, 2017 – 7:00 P.M.**

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**Board Members**

Mayor Ken Moore	P		
Vice Mayor Pearl Bransford	A	Alderman Dana McLendon	A
Alderman Clyde Barnhill	P	Alderman Margaret Martin	P
Alderman Brandy Blanton	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	, HR Director	
Kristine Tallent, ACA Finance & Administration	P	Mark Hilty, Water Management Director	
Shauna Billingsley, City Attorney	P	Paul Holzen, Engineering Director	
Rocky Garzarek, Fire Chief		Emily Hunter, Planning/Sustainability Director	
Deb Faulkner, Police Chief		Joe York, Streets Director	
Fred Banner, IT Director		Brad Wilson, Facilities Project Manager	
Chris Bridgewater, BNS Director		Lanaii Benne, Assistant City Recorder	P
Becky Caldwell, SES Director		Linda Fulwider, Board Recording Secretary	P

**CALL TO ORDER**

Mayor Ken Moore called the February 14, 2017, meeting to order at 7:15 p.m.

**INVOCATION**

The invocation was given Alderman Clyde Barnhill.

**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)**

No one came forward to speak

**COMMUNICATIONS: WILLIAMSON COUNTY MAYOR/WILLIAMSON COUNTY COMMISSION**

None present

**APPROVAL OF MINUTES**

- 1. 17-0064** *Alderman Petersen moved to approve the January 24, 2017 Work Session and January 24, 2017 Board of Mayor and Aldermen minutes as presented. Seconded by Alderman Barnhill. Motion carried unanimously 6-0.*

**RECOGNITIONS**

None

## MISCELLANEOUS REPORTS

### Special Census

Eric Stuckey related that during these final days of the special census there will be an extra push on Friday and Saturday, February 17<sup>th</sup> and 18<sup>th</sup>, and Monday, February 20<sup>th</sup> by the door to door census takers. Residents may also go online to register. The only information needed is your name and who lives in your house. The shared revenue for each additional person counted since the previous census helps with the City budget and services provided to our growing community. Thus far the count is 65,000.

## 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 17-28 be placed on the Consent Agenda.

2.     **17-0065**     *Alderman Burger moved to approve the Consent Agenda Items 17-28. Seconded by Alderman Barnhill. Motion carried unanimously 6-0.*

## OLD BUSINESS

3.     **16-0904**     **PUBLIC HEARING:** Consideration of **ORDINANCE 2016-45, To Be Entitled: “An Ordinance to Amend Chapter 3 of The Zoning Ordinance of the City of Franklin, Tennessee, in Order to Add Parking Structures to the List of Permitted New Uses/Encroachments in the FFO – Floodway Fringe Overlay District and Revise the Requirements for Parking Lots located in the FFO.”**

[SECOND OF THREE READINGS]     Alderman Ann Petersen, FMPC Representative  
Emily Hunter, Planning & Sustainability Director  
James Svoboda, Principal Planner

### **Public Hearing**

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

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*Alderman Barnhill moved to approve Ordinance 2016-45. Seconded by Alderman Blanton. Motion carried unanimously 6-0 on Second of Three Readings.*

4.     **16-1038**     **PUBLIC HEARING:** Consideration of **ORDINANCE 2017-48, To Be Entitled: “An Ordinance to Rezone 1.30 Acres from Detached Residential 2 (R-2) District to General Office (GO) District, Located West of Royal Oaks Boulevard and North of Murfreesboro Road, 203 North Royal Oaks Boulevard.”**

[SECOND OF THREE READINGS]     Alderman Ann Petersen, FMPC Representative  
Emily Hunter, Planning & Sustainability Director  
Amy Diaz-Barriga, Current Planning Supervisor  
Brad Baumgartner, Senior Planner

### **Public Hearing**

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

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*Alderman Barnhill moved to approve Ordinance 2017-48. Seconded by Alderman Barnhill. Motion carried unanimously 6-0 on Second of Three Readings.*

5.      16-1039      **PUBLIC HEARING:** Consideration of **RESOLUTION 2016-87/ORDINANCE 2016-49 To Be Entitled, “A Resolution and Ordinance to Annex 459, 463, 467 Franklin Road, consisting of 5.4 Acres, Located West of Franklin Road and North of Mack Hatcher Parkway and Adjoining the City Limits Within the Western Part of the Franklin Urban Growth Boundary (UGB).”**

[SECOND OF THREE READINGS]      Alderman Ann Petersen, FMPC Representative  
Emily Hunter, Planning & Sustainability  
Brad Baumgartner, Senior Planner

**Public Hearing**

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

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*Alderman Barnhill moved to approve Resolution 2016-87/Ordinance 2016-49. Seconded by Alderman Blanton. Motion carried unanimously 6-0 on Second of Three Readings.*

6.      16-1040      **PUBLIC HEARING:** Consideration of **ORDINANCE 2016-50, To Be Entitled, “An Ordinance to Zone 5.4 Acres Detached Residential 1 (R-1) District, Hillside/Hillcrest Overlay (HHO) District, Berry’s Chapel Character Area Overlay (BCCO-7) District, and Designate the Development Standards as Being Appropriate for Either Traditional or Conventional Area Development Standards for the Property Located West of Franklin Road and North of Mack Hatcher Parkway, 459, 463, 467 Franklin Road.”**

[SECOND OF THREE READINGS]      Alderman Ann Petersen, FMPC Representative  
Emily Hunter, Planning & Sustainability Director  
Amy Diaz-Barriga, Current Planning Supervisor  
Brad Baumgartner, Senior Planner

**Public Hearing**

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

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*Alderman Barnhill moved to approve Ordinance 2016-50. Seconded by Alderman Blanton. Motion carried unanimously 6-0 on Second of Three Readings.*

7.      16-1041      **PUBLIC HEARING:** Consideration of **RESOLUTION 2016-45 To Be Entitled, “A Resolution Adopting A Plan Of Services For The Annexation of 459, 463, And 467 Franklin Road, By The City of Franklin, Tennessee”.**

Alderman Ann Petersen, FMPC Representative  
Emily Hunter, Planning & Sustainability Director  
Amy Diaz-Barriga, Current Planning Supervisor  
Brad Baumgartner, Senior Planner

**Public Hearing**

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

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*Alderman Blanton moved to approve Resolution 2016-45. Seconded by Alderman Burger. Motion carried unanimously 6-0.*

8.      17-0024      **PUBLIC HEARING:** Consideration of **ORDINANCE 2017-01, an Ordinance to Amend the FY 2016-2017 Budget (Amendment #4).**

[SECOND OF THREE READINGS]      Eric Stuckey, City Administrator  
Michael Walters Young, Budget & Analytics Manager

**Public Hearing**

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

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*Alderman Martin moved to approve Ordinance 2017-01. Seconded by Alderman Barnhill. Motion carried unanimously 6-0 on Second of Three Readings.*

**NEW BUSINESS**

9.        17-0125    **Consideration of Amendment No. 1 to the Professional Services Agreement (COF Contract No. 2015-0381) with Smith Seckman Reid, Inc. for the Ladd Park Interceptor Sewer Project for an Increase in the Not-to-Exceed Contract Amount of \$69,200.00.**  
   **Paul Holzen, Engineering Director**  
*Alderman Blanton moved to approve Amendment No. 1 to COF Contract 2015-0381. Seconded by Alderman Skinner. Motion carried unanimously 5-0 with Alderman Martin recused.*
10.       17-0126    **Consideration of a Professional Services Agreement (COF Contract No. 2017-0012) with Smith Seckman Reid, Inc. for the Ladd Park Interceptor Sewer Resident Project Representative in the Not-to-Exceed Amount of \$112,000.00.**  
   **Paul Holzen, Engineering Director**  
*Alderman Barnhill moved to approve COF Contract 2017-0012. Seconded by Alderman Blanton. Motion carried unanimously 5-0 with Alderman Martin recused.*
11.       17-0104    **Consideration of Development Agreement for Mallory Green Development on the Corner of Mallory Lane and Spring Creek Drive (COF 2016-0335) with 3665 JV LLC.**  
   **Paul Holzen, Engineering Director**  
*Alderman Burger moved to approve Development Agreement for Mallory Green. Seconded by Alderman Martin. Motion carried unanimously 6-0.*
12.       17-0105    **Consideration of Request to Deny Sanitary Sewer Availability to 509 Franklin Road.**  
   **Paul Holzen, Engineering Director**  
*Alderman Barnhill moved to Deny Sanitary Sewer Availability to 509 Franklin Road. Seconded by Alderman Blanton. Motion carried unanimously 6-0.*
13.       17-0122    **Consideration of Final Payment to Southeast Contractors, Inc. in the Amount of \$30,186.25 for the Construction of the City of Franklin Fire Station No. 8 Westhaven (COF 2014-0032).**  
   **Eric Stuckey, City Administrator**  
   **Brad Wilson, Facilities Project Manager**  
*Alderman Blanton moved to approve Final Payment to Southeast Contractors, Inc. Seconded by Alderman Petersen. Motion carried unanimously 6-0.*
14.       17-0106    **Consideration RESOLUTION 2017-06 Awarding the Construction Contract (COF Contract No. 2014-0259) for the Hunters Bend Elementary Safe Routes to School Project (TDOT PIN 118151.00) to Jarrett Builders, Inc. in the Amount of \$321,000.00.**  
   **Engineering**  
*Alderman Blanton moved to approve Resolution 2017-06. Seconded by Alderman Barnhill. Motion carried unanimously 6-0.*
15.       17-0142    **Consideration of RESOLUTION 2017-10, A Resolution of Support for Sustainable Funding for Transportation.**  
   **Eric Stuckey, City Administrator**  
*Alderman Martin moved to approve Resolution 2017-10. Seconded by Alderman Skinner.*
- ▲ Alderman Skinner: Emphasized this is sustainable and does not need to be acted upon every year by the state legislature on how it fits into the General Fund. It is important to fund transportation in Tennessee.
  - ▲ Alderman Burger: The majority of her constituents support this resolution.
- Motion to approve Resolution 2017-10 carried unanimously 6-0.*

16. 17-0146 Consideration of a Funding Agreement for Knoll Top Lane at Columbia State Community College, COF Contract 2017-0010.

Eric Stuckey, City Administrator

Vernon Gerth, ACA Community & Economic Dev.

*Alderman Burger moved to approve Funding Agreement for Knoll Top Lane. Seconded by Alderman Skinner. Motion carried unanimously 6-0.*

#### CONSENT AGENDA

17. 17-0015 Consideration of ORDINANCE 2016-52 To Be Entitled: “An Ordinance to Amend Chapter 3 of The Zoning Ordinance of the City of Franklin, Tennessee, to Amend the Use Table and Regulations Pertaining to Self-Storage Facilities Uses.” Establishing a Public Hearing for March 14, 2017.

Alderman Ann Petersen, FMPC Representative

Emily Hunter, Planning & Sustainability Director

[FIRST OF THREE READINGS]

Amy Diaz-Barriga, Planning Supervisor

Josh, King, Senior Planner

*Ordinance 2016-52 approved unanimously 6-0 on First of Three Readings.*

18. 17-0048 Consideration of ORDINANCE 2016-51, To Be Entitled: “An Ordinance to Rezone 23.61 Acres from General Commercial (GC) District To Specific Development Variety (SD-X 14.61/350,000/200) District For the Property Located North of East McEwen Drive and East of Carothers Parkway, (Apex Village PUD Subdivision)”; Establishing a Public Hearing for March 14, 2017.

Alderman Ann Petersen, FMPC Representative

Emily Hunter, Planning & Sustainability Director

[FIRST OF THREE READINGS]

Amy Diaz-Barriga, Planning Supervisor

Josh King, Senior Planner

*Ordinance 2016-51 approved unanimously 6-0 on First of Three Readings.*

19. 17-0053 Consideration of ORDINANCE 2016-53, To Be Entitled: “An Ordinance To Amend Chapter 3 of The Zoning Ordinance Of The City Of Franklin, Tennessee, To Amend The Regulations for Commercial Uses For Bed And Breakfast Establishments In Order To Increase The Maximum Number of Permitted Guests From Six To Eight, and Increase The Maximum Number of Sleeping Rooms Available For Transient Occupancy From Three to Four.”; Establishing a Public Hearing Date of March 14, 2017.

Alderman Ann Petersen, FMPC Representative

Emily Hunter, Planning & Sustainability Director

[FIRST OF THREE READINGS]

Amy Diaz-Barriga, Planning Supervisor

James Svoboda, Principal Planner

*Ordinance 2016-53 approved unanimously 6-0 on First of Three Readings.*

20. 17-0123 Consideration of a Professional Services Agreement (COF Contract No. 2017-0007) with Barge Waggoner Sumner & Cannon, Inc. for the Design of East McEwen Drive and Cool Springs Boulevard Intersection Improvements in an Amount Not-to-Exceed \$74,955.00.

Paul Holzen, Engineering Director

*Contract 2017-0007 approved unanimously 6-0.*

21.      17-0124      **Consideration of RESOLUTION 2017-03, Awarding the Construction Contract (COF Contract No. 2016-0083) to Cleary Construction, Inc. in the Amount of 2,339,780.00 for the Ladd Park Interceptor Sewer Improvements Project.**  
Paul Holzen, Engineering Director  
*Resolution 2017-03 approved unanimously 6-0.*
22.      17-0127      **Consideration of RESOLUTION 2016-68, a Resolution Authorizing the City Administrator, Director of Engineering, and Assistant Director of Engineering to Review and Approve the Spending of a Project Contingency for the Hillsboro Road Improvements Project Phase 2, Independence Square to Mack Hatcher Parkway, in an Amount Not-to-Exceed \$500,000.**  
Paul Holzen, Engineering Director  
*Resolution 2016-68 approved unanimously 6-0.*
23.      17-0128      **Consideration of a Professional Services Agreement (COF Contract No. 2017-0017) with Volkert, Inc. for the Design of Intersection Improvements at Mallory Lane/North Royal Oaks Boulevard & Liberty Pike in an Amount Not-to-Exceed \$229,965.**  
Paul Holzen, Engineering Director  
*COF Contract 2017-0017 approved unanimously 6-0.*
24.      17-0129      **Consideration of ORDINANCE 2017-03, “An Ordinance to Establish All-Way Stop Control at the Intersection of Churchill Place and Newcastle Drive”.**  
Paul Holzen, Engineering Director  
*Ordinance 2017-03 approved unanimously 6-0.*
25.      17-0066      **Consideration of RESOLUTION 2017-04, to Re-Purpose Excess Water and Sewer Taps from City-Owned Undevelopable Parcels.**  
Chris Bridgewater, BNS Director  
*Resolution 2017-04 approved unanimously 6-0.*
26.      17-0055      **Consideration of COF Contract No. 2016-0369, City of Franklin Special School District Property Master Planning Scope of Work.**  
Lisa Clayton, Parks Director  
*COF Contract 2016-0369 approved unanimously 6-0.*
27.      16-1100      **Consideration of Event Permit for the Pilgrimage Music and Cultural Festival on September 22-24, 2017 at the Park at Harlinsdale Farm.**  
Lisa Clayton, Parks Director  
*Event Permit Pilgrimage Music and Cultural Festival approved unanimously 6-0.*

#### **ITEMS APPROVED ON BEHALF OF THE BOARD**

28.      17-0093      **Acknowledge Report of Option to Extend the Term of Award for a Certain Procurement having been Recently Exercised (Contract No. 2015-0056)**  
Brian Wilcox, Purchasing Manager  
*Contract 2015-0056 approved unanimously 6-0.*

#### **EXECUTIVE SESSION**

**Consideration of Motion to Enter Executive Session for Purpose of Reviewing Various Matter of Pending Litigation.**

**Shauna Billingsley, City Attorney**

*Alderman Burger moved to Enter Executive Session. Seconded by Alderman Blanton. Motion carried unanimously 6-0.*

*(7:30 p.m.)*

## **RETURN FROM EXECUTIVE SESSION**

### **Consideration of Matters from Executive Session**

(7: 49 p.m.)

**Dr. Ken Moore, Mayor**

There were no matters for consideration.

## **ADJOURN**

*Alderman Burger moved to adjourn. Seconded by Alderman Barnhill. Motion carried unanimously 6-0.*

Meeting adjourned @ 7:50 p.m.

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Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office—Updated: 10/24/2017 10:13 AM