
**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, JULY 11, 2017 – 7:00 P.M.**

Board Members

Mayor Ken Moore	P		
Vice Mayor Pearl Bransford	P	Alderman Dana McLendon	P
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	Becky Caldwell, SES Director	
Vernon Gerth, ACA Community/Economic Dev.	P	Lisa Clayton, Parks Director	
Mark Hilty, ACA Public Works	P	Michelle Hatcher, Water Management Director	P
Kristine Tallent, ACA/CFO	P	Paul Holzen, Engineering Director	
Shauna Billingsley, City Attorney	P	Emily Hunter, Planning/Sustainability Director	P
Deb Faulkner, Police Chief		Kevin Townsel, HR Director	
Rocky Garzarek, Fire Chief		Joe York, Streets Director	P
Jordan Shaw, IT Director		Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, BNS Director		Linda Fulwider, Board Recording Secretary	P

CALL TO ORDER

Mayor Ken Moore called the July 11, 2017, BOMA meeting to order at 7:20 p.m.

INVOCATION

The invocation was given Alderman Clyde Barnhill.

PLEDGE OF ALLEGIANCE

Mayor Ken 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. 17-0598** *The June 27, 2017 Work Session and June 27, 2017 Board of Mayor and Aldermen were not ready and will be on the August 8, 2017 BOMA meeting agenda.*

RECOGNITIONS

None

MISCELLANEOUS REPORTS

None

CONSENT AGENDA

2. 17-0599 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 15-30 be placed on the Consent Agenda.

Vice Mayor Bransford moved to approve Consent Agenda Items 15-30. Seconded by Alderman Barnhill. Motion carried unanimously.

OLD BUSINESS

3. 17-410 **PUBLIC HEARING: Consideration of ORDINANCE 2017-17, To Be Entitled: “An Ordinance To Rezone 19.11 Acres From Specific Development Variety SD-X (2.5, 40,536) District To Specific Development Variety SD-X (2.9, 40,536) District for the Property Located South of Moores Lane and East of Franklin Road, 574 Franklin Road & 580 Franklin Road (Branch Creek Crossing PUD Subdivision).”**

Brad Baumgartner, Senior Planner

[SECOND OF THREE READINGS]

**Amy Diaz-Barriga, Current Planning Supervisor
Emily Hunter, Planning & Sustainability Director**

Public Hearing

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

Mayor Moore reported this item was withdrawn by the applicant.

4. 17-0409 **PUBLIC HEARING: Consideration of RESOLUTION 2017-30, To Be Entitled: “Resolution Approving a Revised Development Plan for Branch Creek Crossing PUD Subdivision for the Property Located South of Moores Lane and East of Franklin Road, 574 Franklin Road & 580 Franklin Road.”**

Brad Baumgartner, Senior Planner

**Amy Diaz-Barriga, Current Planning Supervisor
Emily Hunter, Planning & Sustainability Director**

Public Hearing

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

This item was withdrawn by the applicant.

5. 17-0442 **PUBLIC HEARING: Consideration of ORDINANCE 2017-12, To Be Entitled: “An Ordinance to Amend Chapters 2 and 3 of The Zoning Ordinance of the City of Franklin, Tennessee, To Modify the Height Overlay District (HTO) Standards and Location.”**

Andrew Orr, Principal Planner

[SECOND OF THREE READINGS]

**Kelly Dannenfelser, Long Range Planning Supervisor
Emily Hunter, Planning & Sustainability Director**

Andrew Orr noted this item is in compliance with Envision Franklin. The FMPC and staff recommend approval.

Public Hearing

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

Alderman Barnhill moved to approve Ordinance 2017-12. Seconded by Alderman Burger.

Alderman Burger commented this about elevation versus number of stories.

Mr. Orr said the story limit is 12 as it is now, regardless of elevation. Anything above six stories would automatically trigger review by the FMPC. Buildings exceeding six stories would be required to submit a view-shed analysis that includes three-dimensional imagery of the project and the surrounding parcels to understand how the building will impact the nearby buildings and natural environment.

Motion to approve Ordinance 2017-12 carried unanimously on Second of Three Readings.

NEW BUSINESS

6. **17-0608 Consideration of a Professional Services Agreement (COF Contract No. 2017-0171) with Volkert, Inc. for the Final Design of the Franklin ITS Extension Project (TDOT PIN 116144.00) in an Amount Not-to-Exceed \$71,500.00.**

Paul Holzen, Engineering Director

Alderman Blanton moved to approve COF Contract 2017-0171 with Volkert. Seconded by Alderman Petersen. Motion carried unanimously.

7. **17-0569 Consideration of an Interlocal Agreement with Williamson County Government to Redistribute the Half of the One-Half Percent Sales Tax Increase That is Not Allocated for Schools. (COF Contract No. 2017-0145).**

Eric Stuckey, City Administrator

This item is for BOMA to enter into an Interlocal Agreement with Williamson County Government for three fiscal years, should a referendum result in the increase of the local option sales tax rate from 2.25% to 2.75%.

Alderman Martin moved to approve Interlocal Agreement with Williamson County Government. Seconded by Alderman Blanton. Motion carried unanimously.

8. **17-0436 Consideration of Bids Received for Municipal Solid Waste Transport Services and, Optionally, Municipal Solid Waste Transfer Station Operation Services, for the City's Municipal Solid Waste Stream that is Processed at the City's Solid Waste Transfer Station, for the Sanitation and Environmental Services Department (Purchasing Office Procurement Solicitation No. 2017-008)**

Mark Hilty, ACA Public Works

Becky Caldwell, SES Director

Vice Mayor Bransford moved to defer this item to the October 10, 2017 meeting. Seconded by Alderman McLendon. Motion carried unanimously.

9. **17-0437 Consider Recommendation to Reject All Bids for Municipal Solid Waste Sanitary Landfill Disposal Services, for the Sanitation and Environmental Services Department (Purchasing Office Procurement Solicitation No. 2017-009)**

Mark Hilty, ACA Public Works

Becky Caldwell, SES Director

Alderman Burger moved to Reject All Bids for Municipal Solid Waste Landfill Disposal Services. Seconded by Alderman Barnhill. Motion carried unanimously.

10. 17-0611 **Consideration of RESOLUTION 2017-52, a Resolution Authorizing and Providing for the Financing of the Construction of a Wastewater Facilities Project, Including Authorizing the Execution of Application, Contractual Agreements, and Other Necessary Documents, and Making Certain Representations, Certifications, and Pledges of Certain Revenue in Connection with Such Financing for the Water Reclamation Facility Upgrades and Expansion Project with the State Revolving Fund (COF Contract 2017-0174)**

Alderman Blanton moved to approve Resolution 2017-52. Seconded by Alderman Skinner. Motion carried unanimously.

11. 17-0548 **Acknowledgement of Receipt of RESOLUTION 2017-35, To Be Entitled: “A Resolution by the Franklin Municipal Planning Commission to Adopt a Plan Amendment to Envision Franklin for Properties Located in Downtown Franklin Along the Harpeth Riverfront.”**

FYI only. Receipt of FMPC Resolution 2017-35 acknowledged by the Board.

12. 17-0604 **Acknowledgment of Receipt of State Form CT-0253 for the \$23,120,000 Series 2017 General Obligation Public Improvement Bonds.**

**Eric Stuckey, City Administrator
Kristine Tallent, ACA/CFO**

FYI only. Acknowledged receipt of State Form CT-0253.

13. 17-0592 **Consideration of Amendment No. 1 (COF Contract No. 2011-0076) to the Professional Services Agreement with Smith Seckman Reid, Inc. for the Mack Hatcher Parkway Extension Water & Sanitary Sewer Relocations Project for an Amount Not-to-Exceed \$35,400.00.**

Vice Mayor Bransford moved to approve Amendment No. 1 to COF Contract 2011-0076 with Smith Seckman Reid. Seconded by Alderman Skinner. Motion carried 7-0 with Alderman Martin recused.

14. 17-0595 **Consideration of Amendment No. 1 to the Professional Services Agreement (COF Contract No. 2013-0128) with Smith Seckman Reid, Inc. for the Hunters Bend Elementary Safe Routes to School Project (TDOT PIN 118151.00) for a Cost Increase Not-to-Exceed \$57,928.44.**

Paul Holzen, Engineering Director

Alderman Barnhill moved to approve Amendment No. 1 to COF Contract 2013-0128 with Smith Seckman Reid. Seconded by Alderman Blanton. Motion carried 7-0 with Alderman Martin recused.

CONSENT AGENDA

15. 17-0556 **Consideration of Resolution 2017-48/Ordinance 2017-32, To Be Entitled: A Resolution and Ordinance to Annex Part of 4360 Long Lane, Parcel 180.01, Consisting of 15.3 Acres, Located South of Carothers Parkway and North of Long Lane.” Establishing a Public Hearing of August 8, 2017.**

[FIRST OF THREE READINGS]

**Emily Hunter, Planning & Sustainability Director
Amy Diaz-Barriga, Planning Supervisor
Brad Baumgartner, Senior Planner**

Resolution 2017-48/Ordinance 2017-32 approved unanimously on First of Three Readings.

16. 17-0552 **Consideration of ORDINANCE 2017-27, To Be Entitled, “An Ordinance to Rezone 2.29 Acres From Detached Residential 2 (R-2) To Specific Development District – SD-R 1.71 District and Zone 15.3 Acres Specific Development – District 1.71, Conventional Development Standard Overlay, Goose Creek Character Area (GCCO-6) Overlay, for the Properties Located East of Carothers Parkway and North of Long Lane, 4360 Long Lane, Moss Property PUD Subdivision.” Establishing a Public Hearing on August 8, 2017.**
Emily Hunter, Planning & Sustainability Director
[FIRST OF THREE READINGS] Amy Diaz-Barriga, Planning Supervisor
Brad Baumgartner, Senior Planner
Ordinance 2017-27 approved unanimously on First of Three Readings.
17. 17-0493 **Consideration of ORDINANCE 2017-05, To Be Entitled: “An Ordinance to Amend Title 4 of the City of Franklin Municipal Code To Remove the City’s Occupational Safety and Health Program Plan From the Municipal Code and Adopt it by Reference.**
[SECOND AND FINAL READING] Kevin Townsel, HR Director
Ordinance 2017-05 approved unanimously on Second and Final Reading
18. 17-0496 **Consideration of RESOLUTION 2017-40 To Be Entitled: “A Resolution of the City of Franklin, Tennessee Relating to ICMA Regarding Participation for Designated Employees of the City.**
Kevin Townsel, HR Director
Resolution 2017-40 approved unanimously.
19. 17-0511 **Consideration of ORDINANCE 2017-30, An Ordinance to Adopt Updates to the Franklin Municipal Code Title 18 Water and Sewer Billing Procedures.**
[SECOND AND FINAL READING] Kristine Tallent, ACA/CFO
Lawrence Sullivan, Assistant City Recorder/Revenue
Ordinance 2017-30 approved unanimously on Second and Final Reading
20. 17-0512 **Consideration of ORDINANCE 2017-31, An Ordinance to Adopt Updates to the Franklin Municipal Code Title 23 Stormwater Management’s Billing Procedures.**
[SECOND AND FINAL READING] Kristine Tallent, ACA/CFO
Lawrence Sullivan, Assistant City Recorder/Revenue
Ordinance 2017-31 approved unanimously on Second and Final Reading
21. 17-0573 **Consideration of ORDINANCE 2017-29, an Ordinance to Create Title 2, Chapter 6 of the City of Franklin Municipal Code Relating to the Creation of the Franklin Public Art Commission.**
[FIRST OF TWO READINGS] Vernon Gerth, ACA Community & Economic Dev.
Monique McCullough, Public Outreach Specialist
Ordinance 2017-29 approved unanimously on First of Two Readings
22. 17-0574 **Consideration of RESOLUTION 2017-44, A Resolution Adopting a Policy for the Use, Maintenance, and Retention of Security Video Cameras on City-Owned Properties.**
Fred Banner, IT Director
Kristen Corn, Assistant City Attorney
Resolution 2017-44 approved unanimously
23. 17-0575 **Consideration of RESOLUTION 2017-05, A Resolution to Amend the City of Franklin Records Retention Policy Relative to Social Media and Security Video Camera Records.**
Shauna Billingsley, City Attorney
Kristen Corn, Assistant City Attorney
Resolution 2017-05 approved unanimously

24. 17-0589 Consideration of Amendment No. 2 to the Professional Services Agreement, COF Contract No. 2014-0209, with CT Consultants, Inc. (Formerly EG&G, Inc.) for the Preparation of Final Plans and Specifications for the Franklin Road Corridor Improvements (Streetscape) Project, from the Harpeth River Bridge to Harpeth Industrial Court, at a cost INCREASE Not-to-Exceed \$65,590.00.

Approved unanimously

25. 17-0590 Consideration of RESOLUTION 2017-19, "A Resolution to Approve the Preliminary Design of the Jordan Branch Stream Restoration Project and Authorize Staff to Complete Right-of-Way Acquisition, Final Design and Construction."

Resolution 2017-19 approved unanimously

26. 17-0593 Consideration of Amendment No. 4 (COF Contract No. 2011-0190) to the TDOT Contract No. 050013, PIN 105717 for Widening of SR-6 (Franklin Road) from just South of SR-441 (Moores Lane) to SR-253 (Concord Road).

Approved unanimously

27. 17-0594 Consideration of Amendment No. 1 to the Professional Services Agreement (COF Contract No. 2015-0186) with Civil & Environmental Consultants, Inc. for the Harpeth River Bank Stabilization at the Franklin Water Reclamation Facility at a Cost Increase Not-to-Exceed \$40,000.00.

Paul Holzen, Engineering Director

Approved unanimously

28. 17-0596 Consideration of a Request for Water Availability for 1381 Old Hillsboro Road (Map 037 Parcel 00400).

Paul Holzen, Engineering Director

Approved unanimously

29. 17-0597 Consideration of a Request for Water Availability for 637 Legends Crest Drive (Map 037B Parcel 00900).

Paul Holzen, Engineering Director

Approved unanimously

ITEMS APPROVED ON BEHALF OF THE BOARD

30. 17-0219 Acknowledge Report of Procurement Award To and Execution of Procurement Agreement with Smith Art Conservation of Long Beach, California in the lump-sum amounts of \$14,100 for Grant supported Restoration Work and \$5,000 for 100% Locally Funded Restoration Work for Burial Marker Restoration Services at City Cemetery for the Parks Department (Purchasing Office Procurement Solicitation No. 2017-010; Grant Supported Restoration Work to be budgeted in FY2018; for 100% Locally Funded Restoration Work, \$5,000.00 budgeted in 110-83652-44700 for Fiscal Year 2017; Contract No. 2017-0098).

Lisa Clayton, Parks Director

Approved unanimously

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 Barnhill. Motion carried unanimously. (7:33 p.m.)

RETURN FROM EXECUTIVE SESSION

Consideration of Matters from Executive Session

(Returned 8:08 p.m.)

Dr. Ken Moore, Mayor

Alderman McLendon moved that the City of Franklin versus James Arthur Adams case be settled for a total of \$375,000, which is \$90,000 more than initially deposited for this Hillsboro Road Condemnation. Seconded by Alderman Barnhill. Motion carried unanimously.

ADJOURN

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

Meeting adjourned @ 8:11 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office—Updated: 10/24/2017 10:57 AM