
**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, OCTOBER 11, 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	P	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, HR Director	
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	
Shauna Billingsley, City Attorney	P	Paul Holzen, Engineering Director	P
Rocky Garzarek, Fire Chief		Emily Hunter, Planning/Sustainability Director	P
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	A

CALL TO ORDER

Mayor Ken Moore called the October 11, 2016, 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. 16-0863** *Alderman Petersen moved to approve the following minutes as presented, September 27, 2016 Work Session, September 27, 2016 Board of Mayor and Aldermen, and October 3, 2016 Special Work Session for CIP. Seconded by Alderman Barnhill. Motion carried unanimously.*

RECOGNITIONS

None

MISCELLANEOUS REPORTS

▲ Special Census

Eric Stuckey announced the Special Census is underway. Residents will be receiving mailers this week asking for the number of people in the household and their names. The return by mail is postage paid. The census has been launched on line, and almost 11,000 have registered in the last two weeks. Residents can choose to respond either way. The State collects revenue and shares it back to cities based on population. If the City can document a higher population, more of that revenue from taxes will come back to the City. In the special census three years ago, the population went from 62,000 to 66,000. The current population is probably around 70,000. The City could collect around \$120 per person per year for the rest of the decade. The count includes students away at college as well.

▲ Work Session – October 25, 2016

The Work Session **will begin at 4:00 p.m.**, an hour earlier than the normal 5:00 p.m. There will be presentations on roadway design, access, medians, etc. included.

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 11-25 be placed on the Consent Agenda.

Mr. Stuckey pointed out Item 16 is an updated Resolution following discussions with TCRS last week.

2. **16-0865** *Alderman Barnhill moved to pull Item 16 and approve the Consent Agenda Items 11-15 and 17-25. Seconded by Alderman Burger. Motion carried unanimously.*

OLD BUSINESS

3. **16-0617** **PUBLIC HEARING: Consideration of ORDINANCE 2016-31, An Ordinance to Amend the FY 2016-2017 Budget.**

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

Public Hearing

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

Alderman Bransford moved to approve Ordinance 2016-31. Seconded by Alderman Barnhill. Motion carried unanimously on Second of Three Readings.

4. **16-0650** **PUBLIC HEARING: Consideration of ORDINANCE 2016-32, To Be Entitled, “An Ordinance to Rezone 3.5 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**

[SECOND OF THREE READINGS] **Alderman Ann Petersen, FMPC Representative**
Brad Baumgartner related the Planning Commission and staff recommend approval.

Public Hearing

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

Alderman Skinner moved to approve Ordinance 2016-32. Seconded by Alderman Barnhill. Motion carried unanimously on Second of Three Readings.

5. **16-0651 PUBLIC HEARING: Consideration of RESOLUTION 2016-46, To Be Entitled, “A Resolution Approving a Development Plan for Avondale Cottages PUD Subdivision, for the Property Located South of Avondale Drive and East of Columbia Avenue, 302 Avondale Drive.”**

Alderman Ann Petersen, FMPC Representative

Brad Baumgartner related the development plan proposes a 40-unit development consisting of 1 single family dwelling, 24 duplex units, and 15 townhome units. The lots are of similar width to the detached homes fronting Avondale Drive. The Franklin Land Use Plan supports attached and detached residential development in this Character Area (CFCO-3). The site will be accessed by Avondale Drive and add a future connection and ROW to the southwestern side of the site. Favorable recommendation by Planning Commission and staff.

Public Hearing

- ▲ Pepper Meiler, Sunset Drive: Lives in the neighborhood adjacent to the proposed Avondale Cottages. The majority of the neighborhood in favor of this development. They have been involved in the project since the beginning. Their concerns have been addressed and their questions answered.
- ▲ Debbie Covington, 205 Avondale Drive: Has lived on this street for many years. She has been in favor of the project since the very beginning and will be happy to see the industrial designation and truck traffic gone. They welcome a beautiful new neighborhood.
- ▲ Johnny Henry, 207 Avondale Drive: Long-time resident on this street. He is not against the project, but he and some others who didn’t attend tonight think there are too many units stacked up, and too many people.

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

Alderman Skinner moved to approve Resolution 2016-46. Seconded by Vice Mayor Blanton. Motion carried unanimously.

6. **16-0666 PUBLIC HEARING: 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.**

[SECOND OF THREE READINGS]

Alderman Ann Petersen, FMPC Representative

Emily Hunter related the hospital requested that this property they own be rezoned to CI in case they want to expand in future.

Public Hearing

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

Alderman Burger moved to approve Ordinance 2016-44. Seconded by Alderman Bransford. Motion carried unanimously on Second of Three Readings.

NEW BUSINESS

7. **16-0752 Consideration of RESOLUTION 2016-59, A Resolution Adopting and Updating the Bicentennial Park Master Plan.**

Lisa Clayton, Parks Director

Paul Holzen, Engineering Director

Jonathan Marston, Engineering Assistant Director

Vice Mayor Blanton moved to approve Resolution 2016-59. Seconded by Alderman Martin.

Discussion:

- ▲ Alderman Petersen: The ordinance includes that the results of the parking study will be considered since the results may have an effect on parking. As discussed at Work Session, the main focus to begin with is improvement of the pavilion. However, she has concerns about some of the images displayed for the entryway, namely the large size of the one that has an arch, and the one that is a large wall. Most of this park is in the floodway and floodway fringe; large walls would be inappropriate. They all seem over the top for this area.
- ▲ Alderman Burger: These images, to her, appear to be filler and just generic entrances to parks. She couldn't see those being done in Franklin either.
- ▲ Lisa Clayton: The display is just a visual board of additional elements. Everything would have to be in context and adhere to design standards. The visuals are to show that some vertical elements are needed as well as an entryway into the park.
- ▲ Eric Stuckey: They are designed to give some concepts of things that will be addressed with the second tier of projects in the CIP associated with this project.
- ▲ Alderman Petersen: Another concern is the pavers that were thought to be ideal for flood-prone areas. Nashville hasn't experienced success with those. Perhaps the ordinance should be changed.
- ▲ Mr. Stuckey and Ms. Clayton: These things are being addressed through Stormwater and other means.

Alderman McLendon called the question. Seconded by Alderman Burger.

Motion to approve Resolution 2016-59 approved unanimously.

8. 16-0823 **★Consideration of COF Contract No. 2016-0274: Grant Contract for Select Burial Marker Restoration at City Cemetery.**
- Lisa Clayton, Parks Director**
Emily Hunter, Planning & Sustainability Director
Amanda Rose, Preservation Planner
- Alderman Skinner moved to approve COF Contract 2016-0274. Seconded by Alderman Barnhill.*
Motion carried unanimously.
9. 16-0824 **★Consideration of COF Contract No. 2016-0273: Grant Contract for Franklin Historic District NR Listing Update**
- Emily Hunter, Planning & Sustainability Director**
Amanda Rose, Preservation Planner
- Alderman Bransford moved to approve COF Contract 2016-0273. Seconded by Alderman Martin.*
Motion carried unanimously.
10. 16-0843 **★Consideration of Certificate of Compliance for Wine in Grocery Stores for Herban Market, LLC, Located at 3078 Maddux Way, Suite 300, Franklin, TN 37069 (Ashlea Hogancamp, Owner and Managing Agent; Matthew Hogancamp, Owner and Managing Agent).**
- Lanaii Benne, Assistant City Recorder**
- Alderman Bransford moved to approve Certificate of Compliance for Wine in Grocery Stores for Herban Market. Seconded by Alderman Burger. Motion carried unanimously.*

CONSENT AGENDA

11. 16-0689 **★Consideration of ORDINANCE 2016-33, To Be Entitled, "An Ordinance to Rezone 5.195 Acres From General Office District To Specific Development Residential 27.33 District for the Property Located North of Mallory Station Road and East of Franklin Road, 222 Mallory Station Road." Establishing a Public Hearing date for November 8, 2016.**
- [FIRST OF THREE READINGS]** **Alderman Ann Petersen, FMPC Representative**

Ordinance 2016-33 approved unanimously on First of Three Readings.

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| 12. | 16-0795 | <p>★Consideration of ORDINANCE 2016-37, To Be Entitled, “An Ordinance to Rezone 3.66 Acres From Specific Development Residential (SD-R 8.03) District To Specific Development Residential (SD-R 8.70) District and Rezone 0.48 Acres From Detached Residential 3 (R-3) District To Specific Development Residential (SD-R 8.70) District for the Property Located North of West Main Street and West of Rucker Avenue, 117 Rucker Avenue.” Establishing a Public Hearing date for November 8, 2016.</p> <p>[First of Three Readings] Alderman Ann Petersen, FMPC Representative</p> <p><i>Ordinance 2016-37 approved unanimously on First of Three Readings.</i></p> |
| 13. | 16-0811 | <p>★Consideration of ORDINANCE 2016-39, To Be Entitled: “An Ordinance to Amend Chapters 3 and 5 of the Zoning Ordinance of the City of Franklin, Tennessee, To Adopt the New FEMA Flood Insurance Rate Maps, and Amend the City of Franklin Zoning Map to Update the Boundaries of the Floodway Fringe (FFO) and Floodway (FWO) Overlay Districts Accordingly.” Establishing a Public Hearing Date for November 8, 2016.</p> <p>[First of Three Readings] Alderman Ann Petersen</p> <p><i>Ordinance 2016-39 approved unanimously on First of Three Readings.</i></p> |
| 14. | 16-0524 | <p>Consideration of RESOLUTION 2016-63, A Resolution Adopting Pension Plan Amendment #5, an Amendment to Expand the Incumbency Rules of the Pension Committee.</p> <p>Russ Truell, ACA Finance & Administration
Shirley Harmon, HR Director</p> <p><i>Resolution 2016-63 approved unanimously.</i></p> |
| 15. | 16-0787 | <p>Consideration of RESOLUTION 2016-64, a Resolution adopting Pension Plan Amendment #6, an Amendment to Adjust Rules of Withdrawal from the Plan.</p> <p>Russ Truell, ACA Finance & Administration
Shirley Harmon, HR Director</p> <p><i>Resolution 2016-64 approved unanimously.</i></p> |
| 16. | 16-0805 | <p>Consideration of RESOLUTION 2016-65, A Resolution Adopting Pension Plan Amendment #7, An Amendment to Restrict Expansion of the Plan.</p> <p>Russ Truell, ACA Finance & Administration
Shirley Harmon, HR Director</p> <p><i>Alderman Barnhill moved to approve Resolution 2016-65. Seconded by Alderman Burger.</i></p> |

Mr. Stuckey noted, that as discussed two weeks ago, the City was afforded the opportunity to move the City's employee pension plan to the Tennessee Consolidated Retirement System (TCRS). The current plan will be closed at the end of 2016 with no more employees added to that plan. Beginning January 1, 2017, new employees will sign on to a new TCRS plan plus enhancements. TCRS will manage and invest both plans. In the long-term, this change will save the City money.

Mayor Moore, a member of the Pension Committee, said Russ Truell and Shauna Billingsley met with TCRS staff Friday and amended the Resolution to clarify how the existing employees will be managed.

Alderman Barnhill, Pension Committee Chair, explained that current employees won't be affected except for where they get information. Since the 1990s the plan has grown to over \$90 million due to good management. With the current plan administrated by the City, many dollars are paid in fees to money managers, pension attorney, actuary, etc. Approximately \$1 million can be saved with the elimination of those fees. The change will also relieve City staff of the complicated, time-consuming administration duties. The plans will be well-invested and managed by the TCRS.

17. 16-0829 **Consideration of RESOLUTION 2016-60, A Resolution to Revise the Organizational Chart Within the Street Department.**
Joe York, Streets Director
Resolution 2016-60 approved unanimously.
18. 16-0821 **Consideration of Traffic Signal Construction and Installation Agreement (COF 2016-0081) with BCC Investment, Inc. for the Branch Creek Crossing Development.**
Approved unanimously **Paul Holzen, Engineering Director**
19. 16-0762 **Consideration of Liquor License Renewal for The Bottle Shop at McEwen (Lisa Quillman and Nancy Jones Quillman, Managing Agents), 1556 West McEwen Drive, Suite 102, Franklin, TN 37067.**
Approved unanimously **Lanaii Benne, Assistant City Recorder**
20. 16-0763 **Consideration of Liquor License renewal for Cool Springs Wine and Spirits (James W. Woodard, Jr, Managing Agent), 1935 Mallory Lane, Franklin, TN 37067**
Approved unanimously **Lanaii Benne, Assistant City Recorder**
21. 16-0764 **Consideration of Liquor License Renewal for Berry Farm Wine & Spirits (Satish Patel, Managing Agent), 4000 Hughes Crossing, Suite 160, Franklin, TN 370-64-1484.**
Approved unanimously **Lanaii Benne, Assistant City Recorder**
22. 16-0765 **Consideration of Retail Liquor License Renewal for Carothers Wine and Spirits (Surati Retail Investments 3, LLC), Vrushank Ramesh Surati (Managing Agent), 103 International Drive, Franklin, Tennessee 37067.**
Approved unanimously **Lanaii Benne, Assistant City Recorder**
23. 16-0803 **Consideration of Certificate of Compliance for Wine in Grocery Stores for Max Arnold & Sons, LLC (D/B/A Max's Convenience Shop #165), Located at 1017 Riverside Drive, Franklin, TN 37064 (Robert S. Arnold, President; Crystal Choate, Supervisor Josephine Picado, Store Manager, Victoria Hughes, Assistant Manager, Nina Rushing, Cashier).**
Approved unanimously **Lanaii Benne, Assistant City Recorder**
24. 16-0816 **Consideration of Event Permit for Jingle Bell Run 5K Sponsored by the Arthritis Foundation on December 3, 2016 in Downtown Franklin.**
Approved unanimously **Deb Faulkner, Police Chief**

ITEMS APPROVED ON BEHALF OF THE BOARD

25. 16-0841 **Acknowledge Report of Sole-Source Purchase from Physio-Control, Inc. of Redmond, Washington in Total Amount of \$47,253.15 (\$14,742.75 in FY 2017 and \$16,255.20 Per Year in FY 2018 and 2019) for Three Years of Annual Maintenance and Technical Support for City's Inventory of Lifepak Cardiac Monitors and Automated External Defibrillators (AEDS) for the First Department (\$23,000 Budgeted in 110-82620-42200 for Fiscal Year 2017; Contract No. 2016-0239**
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 Barnhill moved to enter Executive Session. Seconded by Vice Mayor Blanton. Motion carried unanimously. (7:48 p.m.)

RETURN FROM EXECUTIVE SESSION

Consideration of Matters from Executive Session

Dr. Ken Moore, Mayor

There were no matters for consideration.

ADJOURN

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

Meeting adjourned @ 8:00 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office—Updated: 10/25/2017 3:54 PM