
**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, DECEMBER 12, 2017 – 7:00 P.M.**

Board Members

Mayor Ken Moore	P		
Vice Mayor Margaret Martin	P	Alderman Beverly Burger	P
Alderman Clyde Barnhill	P	Alderman Dana McLendon	P
Alderman Brandy Blanton	A	Alderman Ann Petersen	P
Alderman Pearl Bransford	P	Alderman Scott Speedy	P

Department Directors/Staff

Eric Stuckey, City Administrator	P	Jack Tucker, Interim 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	P
Shauna Billingsley, City Attorney	P	Emily Hunter, Planning/Sustainability Director	P
Deb Faulkner, Police Chief		Kevin Townsel, HR Director	P
Rocky Garzarek, Fire Chief		Joe York, Streets Director	P
Jordon Shaw, IT Director		Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, BNS Director	P	Linda Fulwider, Board Recording Secretary	A

CALL TO ORDER

Mayor Ken Moore called the December 12, 2017, BOMA meeting to order at 7:00 p.m.

INVOCATION

The invocation was given Alderman Clyde Barnhill.

PLEDGE OF ALLEGIANCE

Mayor Moore led the Pledge of Allegiance to 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 later. 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

County Commissioners Steve Smith and Dana Ausbrooks were present and recognized by Mayor Moore.

- Commissioner Smith spoke saying he and Commissioner Ausbrooks wanted to thank the Board for consideration of County residents and their constituents of the 12th District on concerns about Colletta Park. There continues to be concern and uncertainty about this neighborhood and the impact on its neighbors. Would appreciate the Board keeping the concerns in mind as they are echoing the concerns and thoughts of their constituents.

APPROVAL OF MINUTES

1. **17-1048** *Vice Mayor Martin moved to approve the November 28, 2017 Work Session and November 28, 2017 Board of Mayor and Aldermen minutes as presented. Seconded by Alderman Petersen. Motion carried unanimously 7-0.*

RECOGNITIONS

None

MISCELLANEOUS REPORTS

None

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 17-31 be placed on the Consent Agenda.

2. **17-1049** *Alderman Bransford moved to approve Consent Agenda Items 17-31. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.*

OLD BUSINESS

3. **17-1035** **Consideration of a Road Impact Fee Offset Agreement (COF Contract No. 2017-0293) with Suntrust Realty and Land, LLC for the Colletta Park PUD Subdivision.**

Paul Holzen, Engineering Director

Vice Mayor Martin moved to approve COF Contract 2017-0293. Seconded by Alderman Burger. Motion carried unanimously 7-0.

4. **17-0967** **PUBLIC HEARING: Consideration RESOLUTION 2017-62, To Be Entitled: “A Resolution Approving A Development Plan For Colletta Park PUD Subdivision, With 2 Modifications Of Development Standards (Lots Less Than One Acre, Cul-de-Sac Length Greater Than 500 Feet), For The Properties Located South Of Murfreesboro Road And East Of Carothers Parkway, (Including 4350 And 4344 South Carothers Road)”.**

Franklin Municipal Planning Commission

Emily Hunter, Planning/Sustainability Director

Amy Diaz-Barriga, Planning Supervisor

Josh King, Senior Planner

Emily Hunter: PUD Development Plan consisting of 199 single family lots on 199 acres with a range of lot sizes transitioning from larger lots on the north to smaller lots at the south. While the zoning of the property is R-1 and the plan meets the overall density requirement, submitting a plan through the PUD process allows deviations from certain base zoning criteria, including lot sizes and setbacks with the Board's approval of the PUD Development Plan. The PUD process is intended to reduce the inflexibility that sometimes results from strict application of zoning standards. If the plan met all the requirements of the Zoning Ordinance, it would have been approved by the Planning Commission as a preliminary plat, and we wouldn't be here tonight with the Board's consideration of this plan. However, the proposed Development Plan does deviate on two other sections of the zoning. Thus, two Modifications of Standards requests.

The first Modification request is to allow lots of less than one acre in size. The Seward Hall Character Area Overlay has additional standards over the base zoning district standards and requires lots of 1-5 acres in size. The proposed Development Plan provides a variety of lot sizes most of which are less than one acre in size. The largest of the lots are near the existing Franklin East and Cross Creek subdivisions and smallest of the lots being at the southern end of the development. Staff recommends approval of this request based on compliance with the Envision Franklin policies and the design concepts applicable for this piece of property.

The second Modification of Standards request is to permit a cul-de-sac greater than 500 feet and to allow a cul-de-sac to serve more than 20 lots. At the southern end of the property, property boundaries constrain the roadway design. Two future connection points are proposed at the southern end and a temporary turnaround would be required until one of the streets can be connected to. Staff recommends the approval

of this request based on the likelihood of future street connection at the southern end of the property. Overall, the proposed PUD Development Plan is consistent with the policies of the single family residential design concept and the residential design concept in Envision Franklin.

The northern portion of property sits within the single family residential design concept, while the southern portion sits in the next residential design concept. Therefore, since it is consistent with Envision Franklin, staff recommends approval of the overall development plan with the addition of one condition. That we clarify the statements of impact on the Plan. An email from the applicant summarizes the changes to the statement of impact.

To correct the street network section in the statement of Impact that we clarify that daily access to Colletta Park is provided by direct connection with South Carothers Road and that access from the north would be restricted to emergencies only. Emergency Access routes would connect to local roads Stanford Drive and Beacon Hill Drive. The Stanford Drive connection would be a 50- foot right-of-way and the road connection would be shut off with an emergency access gate. The Beacon Hill Drive connection would be a 12-foot paved multiuse trail with additional right-of-way dedication, and would also have the emergency access gate.

In the Land Use Plan section in the Statement of Impact, clarified to say that daily access is proposed from South Carothers Road at the south end of the site, and emergency access only is proposed at Stanford Drive and Beacon Hill on the north end. Staff would like that condition to added tonight. Staff recommends approval with that additional condition. The Planning Commission recommended approval with a vote of 7-2 at its November meeting.

Mayor Moore stated he had received a petition signed by 675 names, although he hadn't counted them, which would be put into the record.

Alderman Burger asked if the petition gave the names and zip codes of the people signing as she has been checking the names on it and some signing are way outside the Colletta Park area, outside the Highway 96 area, and numerous names of people around the nation that have signed the petition. She prefers to hear only from those in the affected area and sounding areas in the County, UGB and the City.

(Due to the number of people to speak, 90 seconds was allowed for each speaker)

Public Hearing

1. Al Gleason, 1157 Cross Creek Drive (borders the development): In addition to the items brought earlier they have approximately 30 issues that need to be evaluated and addressed before voting approval on this item. There are over 800 names on the petition now and said people from other areas of the U.S. have signed because they have impact on our community, because they have visited here and care about the community. One point is about hydrological concerns and the effect the development will have. Either 143 or 134 acres (discrepancy in the plat) will be disturbed, thus disturbances to water conveyances. They want an updated Environmental Study.
2. Greg Gamble, 716 Hampton Cove, Franklin (representative for the applicant): They have no objection to the additional condition that staff requests. They brought this up to the Planning Commission in November, and the FMPC did not address it.
3. Kevin Estes, Developer, 5074 Lakeview Drive, Nashville, TN (applicant): The environmental studies are up-to-date and verified by the State of Tennessee. Surveys are complete. Acreage is accurate on the plans. Appreciates all the community input and it is not all opposition. There is also support. They began at full connectivity, but have agreed to City and County standards. Asked for a positive outcome for this project.
4. Cole Donat, 110 Mealer Street: We know this will be developed when BOMA approves a development. This development is not well-thought-out and doesn't comply with the City's zoning ordinances and Envision Franklin. quoted the Seward Hall Character Area, McEwen Character Area 6, Land Use Plan, Envision Franklin, Modification of Standards, Zoning Ordinance in relationship to this development.
5. Brad Donat, 110 Mealer Street: Felt there is no justification for the Modification of Standards to create a cul-de-sac longer than 500 feet, just because the developer doesn't want to comply.

6. Jody Mizell, 4113 Murfreesboro Road: Spoke to the plan not meeting the connectivity index in relationship to the Modification of Standards.
7. Marie Ferguson, 1112 Ridgeway Drive: Addressed errors on the Plan that were mentioned previously, referring to the developer's statement about typos in the Plan at a Work Session in September. Also, traffic calming solutions not addressed.
8. Linda Horecka, 505 Biltmore Court, Cross Creek Subdivision, Franklin: Colletta Park has various size lots trying to abide by the different standards. Section 3.5.10 (d)(6) of the Zoning Ordinance says smaller lots shall not be located on the exterior of a new development adjacent to or across from larger lots of an existing development. Looking at the Plan and surrounding lots, this is not the case. Developers shouldn't be allowed to deviate from the standard.
9. Kathryn Rhea, 1206 Ridgeway Drive, Franklin East Subdivision: Williamson County resident. Many of the people who signed the petition are City residents. Asked BOMA not to give exceptions to developers simply because they are asking, and to exercise consideration beyond staff recommendations. The current citizens of both City and County deserve your consideration. Vote no on this development.
10. Brian Caplen, 1991 Beacon Hill Drive, Franklin: Said someone already spoke about the connectivity index being incorrect. A point he has brought up before, the 86% of the Seward Hall area being mixed in with the lower section 14% of McEwen.
11. Monique Keuker, 4245 Warren Road: Asked to hand out the petitions to address Alderman Burger's concern that some people signing are non-residents. Using marbles and jars she demonstrated her concern about the square footage needed. Colletta Park does not meet the standards.
12. Sue Caplen, 1991 Beacon Hill Drive, Franklin: Sheet 2.0 of the Development Plan – indicates two emergency gates, one each on Stanford and Beacon Hill. She attended two County Highway Commission meetings. In July, they didn't want two access roads but may consider one emergency access on Stanford Road. The Plan now calls for 2 accesses. She related that at the December 6 meeting the Commission knew nothing about the request for two access points and the county mayor and commission said this is not right.
13. Tom Brittain, 1209 Ridgeway Drive, Franklin: Disappointed with developer because have gone through this process many times and always says will come back with something that complies. What we have is R-1 zoning with lots that are supposed to be 30,000 square feet and there are lots of 18,000, 11,050, 8,400 that don't comply with adjacent county neighborhoods. Feels they are using the end of the year to run the clock out. Urge vote no to development.
14. Pat Coflan, 4259 Warren Road, Franklin: Originally when Ashcroft Valley they were going to put a 40-foot wall between he and his neighbor. That's no longer in the plan. City staff told them there was supposed to be an emergency access on a higher road behind their homes – one of the comments from the City person was that in the future we will probably open this road up. An ordinance to him is the law. How you change the variances and things at the whims of somebody seems like a lot of variances to ordinances we are going through here. Why make laws if you're not going to follow them.
15. Denise Gleason, 1157 Cross Creek: Worried about 1,900 additional vehicles on Carothers. Already a traffic issue on Carothers going north. Vehicles are coming up by Cracker Barrel and cutting over to Curd Lane to that light when it gets backed up on Carothers. No improvements being made going toward Page High School.
16. Claudio Romeo, 4257 Warren Road: Big concern is school overcrowding. Trinity already overcrowded and 128 more predicted. Page Middle is over capacity and Page HS will also be over. Also supports landowner rights to develop property but not at the expense of all the residents. Should be in line with zoning laws.
17. Cliff Naber, 304 Ridgetop Court, Cross Creek Subdivision, Franklin: His concerns already stated. Thanks for opportunity to speak.
18. Wendy Warnica, 2017 Upland Drive, Falcon Creek Subdivision, Franklin: On Board for Falcon Creek and concerned about this development for some time. Even though there is no connectivity the piece of land between them is currently in probate and two future connections to the south were mentioned tonight. They are concerned about backed-up traffic and school overcrowding. Concerns about the connections to the north that drops all onto Falcon Creek and South Carothers and Carothers. Urge vote no

19. Marianne Cameron, 2033 Upland Drive, Franklin: Developers requesting many exceptions and modifications. If approved, can open the door to future developers requesting the same. When will the decision be made to stop developers from getting what they want at the expense of the zoning ordinances urge vote no
20. Terry Humphrey, 4240 Warren Road, Franklin: Most things have been said. Dealing in facts and opinions. Look at the facts. There are still many questions. Likes the rural setting with wildlife and no streetlights.
21. Kiersten Devore, 1205 Ridgeway Drive: Developer identified 99 critical lots out of 199, meaning lots with slopes greater than 14%. Almost half the plan will have to have individual review with City staff which equals time and taxpayer money. If enough of the lots are deemed unbuildable the developer will be back here again asking for amendments.
22. Troy Mizell, 4113 Murfreesboro Road: Handed out Development Plan and information from an environmental representative and response to hydrologic report. Ordinances and regulations are law. Require this developer to come back and submit a development plan that meets the Zoning Ordinance. Hundreds have spoken against this. The County Highway Commission doesn't want this subdivision connecting to existing county roads. If developers don't meet the codes at some point, why have them? Make them build this according to the standards, do not destroy what has designed the overall architecture of this Community. It's the special character areas and the overlays.

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

Alderman Barnhill moved to approve Resolution 2017-62 with Planning staff recommendation to add a Condition to the Land Use Plan Section of the Statement of Impact, clarifying that daily access is proposed from South Carothers Road at the south end of the site, and emergency access only is proposed at Stanford Drive and Beacon Hill on the north end. Seconded by Alderman Burger.

Alderman Barnhill moved to approve Modification of Standard No. 1 – Lots less than 1 Acre in Size. Seconded by Vice Mayor Martin.

Discussion:

- Alderman McLendon referred to MOS 1: Section 3.5.10(2)(d)(iii) of the Zoning Ordinance, “New development shall be restricted to detached residential dwellings on lots with a minimum lot area of one to five acres.” Why did staff recommend this and will we be seeing an ordinance to do away with Chapter 3 in its entirety? Someone had said Chapter 3 had been rendered obsolete by subsequent Planning documents and amendments.
- Emily Hunter said that is correct to some point. Envision Franklin replaces most of this property and the single-family residence design concept. The provisions are outlined more specifically in the staff memo. As a policy in Envision Franklin, when there is an existing neighborhood, lots adjacent to that existing neighborhood are comparable in size. Where the complication comes is where our current Zoning Ordinance does not really align with Envision Franklin. We are currently working on a new zoning ordinance to address that issue. The current Zoning Ordinance says that comparable lots are within 75% of the size of the existing neighborhood adjacent to it. Staff did the review based on that standard. In terms of the character area overlays, in the previous Land Use Plan in the Seward Hall Character Area there was not a minimum lot size version. When the Zoning Ordinance amendment came forward around 2010, some citizens requested that provision include lots of 1-5 acres. That was added by both the Planning Commission and BOMA through that zoning amendment update process. That has never aligned with the Land Use Plan prior to Envision Franklin.
- Alderman McLendon: Do we anticipate an amendment coming forward from staff to eliminate that entire chapter?
- Ms. Hunter: With the new Zoning Ordinance, the character areas will go away.

- Alderman McLendon: Does this development comply with current R-1 zoning requirements.
- Ms. Hunter: Not in terms of the lot sizes. But, through the PUD process they can request and propose smaller lot sizes and will comply if approved under the special footnote under that table.
- Alderman McLendon: There are 99 lots shown as critical that will require specific individual review. There are three ways you can trigger the hillside ordinance, apparently none of those were triggered for this, one of which is a designer review team evaluation of the site, designate it in advance, as the City has predesignated areas all over the City, or the designer review team to say yes. When and where does that happen? And in this case, what evaluations and criteria were used to not apply the hillside ordinance.
- Ms. Hunter: It is very rare that staff applies the hillside ordinance outside the actual map districts. A lot of forethought put into that. The view show analysis that we had done in 2004, when this wasn't annexed we went to the UGB map to make sure it was not already mapped. It wasn't. The slope analysis information was inadvertently left off the plans initially. When staff identified it during one of the subsequent submittals, staff had multiple meetings with the applicant, got all the information and checked into it. There were some areas of lots they were concerned about but overall after staff received some more detailed grading and slope analysis information, engineering confirmed that they thought these lots would be able to be built upon while meeting all city standards. If that happens and is outside the HHO, we would not apply additional slope restrictions.
- Alderman McLendon: If it turns out that on this review that it is determined that even one lot is not buildable, the applicant would then have the prerogative to request a PUD amendment to reallocate lots and lot sizes.
- Ms. Hunter: They could do that but would require going back all the way through the process of neighborhood meetings, joint workshop all the way back to Planning Commission and the Board. They could make all those open space.
- Alderman McLendon: But they will not be able to take a big lot cut it in half and keep moving Emily some flexibility in moving a lot line a little but not creation of a new lot which would trigger the whole process
- Alderman Petersen: Where it says, "new development should include a range of lot sizes, the following are recommended minimums" does that mean even an R-1 would be able to have lots with dwelling units that are lot size of 7,150 square feet would also be an eighth of an acre?
- Ms. Hunter: If the applicant is requesting a PUD that would not be allowed by right as part of the process and those smaller lots could not be immediately adjacent to an existing subdivision with larger lots.
- Alderman Petersen: But, you are saying that single family residential, even under Envision Franklin, says that New development would include a range of lot sizes? In other words, there would never be a subdivision where it says R-1 means all the lots must be the 30,000 square feet which is about $\frac{3}{4}$ of an acre. Ms. Hunter said there could be a subdivision with 20,000 and all one-acre lots. But generally, if you have a 200-unit subdivision, Envision Franklin really does promote a variety of lot sizes to include some housing diversity, and allow for a variety of choices for our citizens. Ann but basically R-1 will be gone.
- Alderman Barnhill: Is there anything the developer hasn't met within the City's guidelines? The response was just the connectivity and MOS.

- Alderman Bransford: Are we doing pretty much everything required by our current standards or are we competing with current vs. Envision. The response was we are that in-between time where the code hasn't caught up with the new plan.
- Paul Holzen: In the Development Plan, we look very high level at everything and our staff takes a lot of pride in going out and looking at wet weather conveyances, streams and wetlands and making sure they are delineated appropriately. A lot of these items are Site Plan issues that get addressed at the Site Plan which is a much more detailed review of everything but on a high level with the development plan we have visited the site we are in concurrence with the applicant of what they have found about streams and where buffers should be. We will revisit all aspects of this during the Site Plan more detailed review. Regarding connectivity of the streets, that has been taken off the table and was looked at mainly for emergency personnel. He would defer to Andy King on the requirement to have the emergency connections within.
- Vernon Gerth: Our team did attend a meeting and the Highway Commission was specific about the emergency connection only at Stanford Drive. The Beacon Hill Drive was discussed but there was not a formal motion by the highway commission. Currently the County Highway Commission determines connections from City to county roads. The reason for the emergency access at Beacon Hill Drive is because of the high-pressure gas line. It is not for any connectivity.
- Vice Mayor Martin: We have taken the county residents around this area into consideration, if we hadn't this would never have gone on two or three years. When this first came about there were three main objections 1) no traffic on your county roads (that has been eliminated) 2) the density needed to match what is already there (We zoned it 199 lots on 199 acres not one unit on every acre but comes out as 199 lots on 199 acres). In a PUD, you can change the design for what you need, but the topography does not allow one unit on every acre. Can't build on steep slopes. 3) you did not want all that development in your neighborhood. Or all those people moving into your neighborhood. The only way to control that is to own it. She had suggested at the time that the neighbors go in together from all those neighborhoods and buy that property and make your park. That statement was offensive to many of you and it wasn't intended to be offensive. If you want to control it you must own it. We have done everything we can to help you.
- Alderman Speedy: asked for clarification on the one unit per acre. His understanding is the Seward Hall Character Area is about .89 in density per acre. And needs to be 75% of Franklin East and it is meeting that compatibility, and the McEwen Character Area is more of a 1.5 and is way less dense than surrounding Simmons Ridge and Lockwood Glen.
- Ms. Hunter: Staff haven't evaluated the exact density of all those various neighborhoods. She would defer to Greg Gamble who has done a little more study of the lot sizes because generally they just compare 75% of the immediate lots along the boundary. Staff planner made sure it met the requirement of 75% for those lots.
- Alderman Burger: Her issue is the connectivity being out of our control. She again referred to the petition resident states being all over the country and well as in foreign countries. Not credible and should only be people in our community to weigh in.
- Alderman Petersen: Who will approve the Site Plan. Emily the Site Plan would be approved by staff unless there is an incompatible use buffer and isn't one in this
- Mr. Gerth: The entitlements that come with a development plan are free of any variances, or subsequent requests of a variance. There are 199 lots on 199 acres, that's all they are afforded no opportunity to request a variance to have another lot or do something different with a lot. The engineering that comes with the site plan allows some flexibility beyond how the lots are positioned but essentially must mirror the development plan.

- Alderman McLendon: To clarify, is it true that a specific review was made to compare the proposed lots to the adjoining lots and make sure they were within 75% is that any given lot or is that on average.
- Ms. Hunter: Reiterated they normally evaluate for every lot along the periphery and get an average of the adjacent to get a minimum 75% of that average and make sure that each lot is at least that size.

Motion to approve Modification of Standard No. 1 – Lots less than 1 Acre in Size passed 5-2 with Aldermen Bransford, Barnhill, Burger, Speedy and Vice Mayor Martin voting in favor, and Aldermen Petersen and McLendon voting against.

Alderman Barnhill moved to approve Modification of Standard No. 2 – Cul-de-Sac Length Greater than 500 feet. Seconded by Vice Mayor Martin.

Discussion:

- Alderman McLendon: It has been represented to BOMA by the developer that the developer has an option to acquire a secondary access. If that were true right now, would we be having a conversation about Modification of Standard No. 2.
- Ms. Hunter: No, it wouldn't be necessary if that connection back out to South Carothers Road just south of the original connection to South Carothers Road were able to be made now.
- Alderman McLendon: Assuming what the applicant has said were true and approved tonight, it would be rendered moot as soon as that connection is made. Would it then be advisable to make it a condition of building more than 20 homes or more than 500 feet from Carothers pending the access.
- Ms. Hunter: There is already a condition on this plan that addresses sprinkling of homes having that second connection, or having one of the emergency accesses to the north constructed or bonded before more than 20 units can be built in the entire subdivision. However, you could add a condition that no more than 20 homes could be built until that second access point is made out to South Carothers.

Motion to approve Modification of Standard No. 2 – Cul-de-Sac Length Greater than 500 feet passed unanimously 7-0.

Motion to approve Resolution 2017-62 with Planning staff recommendation to add a Condition to the Land Use Plan Section of the Statement of Impact, clarifying that daily access is proposed from South Carothers Road at the south end of the site, and emergency access only is proposed at Stanford Drive and Beacon Hill on the north end, along with Modifications of Standards Nos. 1 and 2 passed by a vote of 4-3 with Aldermen Bransford, Barnhill, Speedy, and Vice Mayor Martin voting in favor, and Aldermen Petersen, Burger and McLendon voting against.

5. 17-0903 PUBLIC HEARING: Consideration of ORDINANCE 2017-51, To Be Entitled: “An Ordinance to Rezone 0.42 Acres from Civic-Institutional (CI) District to Detached Residential (R-3) District for The Property Located East of Cannon Street and South of Fairground Street, At 221 Fairground Street.”

**[SECOND OF THREE READINGS] Emily Hunter, Planning/Sustainability Director
Amy Diaz-Barriga, Current Planning Supervisor**

This is a Rezoning Request by Franklin Special School District. The property is in the Historic Residential Design Concept in Envision Franklin and the residential lot would be in line and size consistency with the four residentially designed homes to the west. Recommend approval.

Public Hearing

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

Alderman Barnhill moved to approve Ordinance 2017-51. Seconded by Alderman Bransford. Motion carried unanimously 7-0 on Second of Three Readings.

6. 17-0436 **Consideration of REJECTING ALL 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
Jack Tucker, Interim Director SES**

Alderman McLendon moved the Reject All Bids received for Municipal Solid Waste Transport Services. Seconded by Alderman Burger. Motion carried unanimously 7-0.

NEW BUSINESS

7. 17-1014 **Consideration of RESOLUTION 2017-85, a Resolution to Adopt Budget Goals for FY 2018-2019.**

**Kristine Tallent, ACA/CFO
Michael Walters Young, Budget/Strategic Manager**

Alderman Barnhill moved to approve Resolution 2017-85. Seconded by Alderman Petersen. Motion carried unanimously 7-0.

8. 17-1041 **Consideration of Appointment of Elizabeth Wanczak to the Franklin Housing Commission, replacing J. Edward Campbell who has resigned.**

Dr. Ken Moore, Mayor

Vice Mayor Martin moved to approve the appointment of Elizabeth Wanczak to the Franklin Housing Commission. Seconded by Alderman Bransford. Motion carried unanimously 7-0.

9. 17-1045 **Consideration of Mayor's Reappointment of Mr. Sam Whitson to the Battlefield Preservation Commission.**

Dr. Ken Moore, Mayor

Alderman Bransford moved to approve the Reappointment of Sam Whitson to the Battlefield Preservation Commission. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.

10. 17-1046 **Consideration of Mayor's Nomination to Reappoint Beth Adams, Kim Hoover, Skip Heibert, and Michael Johnson to the Tree Commission.**

Dr. Ken Moore, Mayor

Alderman McLendon moved to approve the Reappointment of Beth Adams, Kim Hoover, Skip Heibert, and Michael Johnson to the Tree Commission. Seconded by Alderman Burger. Motion carried unanimously 7-0.

11. 17-1047 **Consideration of Appointment of Kelly Baker-Hefley to the Historic Zoning Commission.**

Dr. Ken Moore, Mayor

Alderman Barnhill moved to approve the appointment of Kelly Baker-Hefley to the Historic Zoning Commission. Seconded by Alderman Bransford. Motion Carried unanimously 7-0.

12. 17-1060 **Consideration of Mayor's Reappointment of Frank Jones and Joel Tomlin III to the Board of Zoning Appeals.**

Dr. Ken Moore, Mayor

Alderman Bransford moved to approve the reappointment of Frank Jones and Joel Tomlin III to the Board of Zoning Appeals. Seconded by Alderman Burger. Motion carried unanimously 7-0.

13. 17-1061 **Consideration of Mayor's Reappointment of Ms. Marcia Allen and Ms. Lisa Gregory to the Franklin Municipal Planning Commission.**
Dr. Ken Moore, Mayor
Alderman Burger moved to approve the reappointment of Marcia Allen and Lisa Gregory to the FMPC. Seconded by Alderman Petersen. Motion carried unanimously 7-0.
14. 17-1077 **Consideration of Appointment of Mike Leonard to the Franklin Sustainability Commission, Replacing Karina Young Who Has Resigned.**
Dr. Ken Moore, Mayor
Alderman McLendon moved to approve the appointment of Mike Leonard to the Franklin Sustainability Commission. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.
15. 17-1080 **Consideration of Procurement Award to Franklin Disposal, LLC, of Franklin, Tennessee in the Amount of \$3.25 per Container per Day for the Purchase of Servicing of Public Refuse Collection Containers Located in Downtown Franklin for a Term of Service for the Sanitation and Environmental Services Department (Purchasing Office Procurement Solicitation No. 2018-010; Contract No. 2017-0331).**
Mark Hilty, ACA Public Works
Jack Tucker, Interim Director SES
Alderman Bransford moved to approve Procurement Award. Seconded by Alderman Burger. Motion Carried unanimously 7-0.
16. 17-1029 **Consideration of Amendment No. 5 to the Professional Services Agreement (COF Contract No. 2012-0183) with Smith Seckman Reid, Inc. (SSR) for the Water Treatment Plant (WTP) Modifications Project in an Amount Not-to-Exceed \$93,750.00.**
Mark Hilty, ACA Public Works
Michelle Hatcher, Water Management Director
Alderman Barnhill moved to approve Amendment No. 5 to COF Contract 2012-0183. Seconded by Alderman Speedy. Motion carried unanimously 5-1 with Alderman McLendon voting no and Vice Mayor Martin recused.

CONSENT AGENDA

17. 17-0958 **Consideration of RESOLUTION 2017-79, a Resolution Authorizing the City Administrator to Terminate the Off-Street Parking Lease Agreement with the 4th Avenue Church of Christ for the Two Parking Areas Located Adjacent to their 117-4th Avenue N, Franklin, TN property**
Eric Stuckey, City Administrator
Vernon Gerth, ACA, Community/Economic Development
Resolution 2017-79 approved unanimously 7-0.
18. 17-1044 **Consideration of an Extension to Contract No. 2011-0118, a Contract between U.S. Bank and the City of Franklin for Custodian Relationship Relative to the City of Franklin Pension Plan.**
Eric Stuckey, City Administrator
Kristine Tallent, ACA/CFO
Approved unanimously 7-0.
19. 17-0861 **Consideration of RESOLUTION 2017-71, "A Resolution to Revise the Organizational Chart Within the Franklin Police Department**

Resolution 2017-71 approved unanimously 7-0.

20. 17-1000 **Acknowledge Receipt of Comprehensive Annual Financial Report for City of Franklin.**
Eric Stuckey, City Administrator
Kristine Tallent, ACA/CFO
Mike Lowe, City Comptroller
Approved unanimously 7-0.
21. 17-1001 **Acknowledge Receipt of Annual Financial Report for Cool Springs Conference Center.**
Eric Stuckey, City Administrator
Kristine Tallent, ACA/CFO
Mike Lowe, City Comptroller
Approved unanimously 7-0.
22. 17-1002 **Consideration of RESOLUTION 2017-81, A Resolution for Adoption of a Debt Management Policy.**
Eric Stuckey, City Administrator
Kristine Tallent, ACA/CFO
Resolution 2017-81 approved unanimously 7-0.
23. 17-1025 **Consideration of Change Order No. 2 to the Construction Contract (COF Contract No. 2015-0062) with Judy Construction for the Water Treatment Plant Modifications Project for a Decrease of \$21,700.00 and a Time Extension of 92 Calendar Days.**
Mark Hilty, ACA Public Works
Michelle Hatcher, Water Management Director
Approved unanimously 7-0.
24. 17-1026 **Consideration of Change Order No. 1 to the Construction Contract No. 2014-0288) with Revere Controls, Inc. for the Water Distribution and Collection System SCADA Improvements Project for a Time Extension of 51 Calendar Days.**
Mark Hilty, ACA Public Works
Michelle Hatcher, Water Management Director
Approved unanimously 7-0.
25. 17-1027 **Consideration of a Professional Services Agreement (COF Contract No. 2017-0278) with Hazen and Sawyer for the Regulatory Assistance Project in an Amount Not-to-Exceed \$24,500.00.**
Mark Hilty, ACA Public Works
Michelle Hatcher, Water Management Director
Approved unanimously 7-0.
26. 17-1082 **Consideration of DRAFT Amendment No. 4 to Tennessee Department of Transportation (TDOT) Agreement No. 110291 (COF Contract No. 2011-0129) for the Franklin ITS Extension (PIN 116144.00 and Adaptive Signal Control Technology (PIN 116144) Projects for a Time Extension of One (1) Year.**
Paul Holzen, Engineering Director
Approved unanimously 7-0.
27. 17-1084 **Consideration of a DRAFT Professional Services Agreement (COF Contract No. 2017-0297) with Civil & Environmental Consultants, Inc. for the Carlisle Subdivision Channel Analysis for an Amount Not-to-Exceed \$18,500.00.**

Paul Holzen, Engineering Director

Approved unanimously 7-0.

28. 17-1085 **Consideration of Amendment No. 4 to TDOT Agreement 060118 (COF Contract No. 2011-0028) for Hillsboro Road Improvements Project (PIN 108409.00)**

Paul Holzen, Engineering Director

Approved unanimously 7-0.

29. 17-1086 **Consideration of Amendment No. 1 (COF Contract No. 2017-0283) to the Road Impact Fee Offset Agreement with Avalon Squared, LLC.**

Paul Holzen, Engineering Director

Approved unanimously 7-0.

ITEMS APPROVED ON BEHALF OF THE BOARD

30. 17-0857 **Consideration of Approval for COF Contract No. 2017-0028 for The Factory at Franklin Rental Agreement.**

**Kevin Townsel, HR Director
Sara Sylvis, Risk Management**

Approved unanimously 7-0.

31. 17-0654 **Acknowledgement of Amendment 1 to COF Contract No. 2012-0021 Renewal of Lease Agreement with the Tennessee Recreation & Parks Association (TRPA) at Jim Warren Park.**

**Eric Stuckey, City Administrator
Mark Hilty, ACA Public Works
Lisa Clayton, Parks Director**

Approved unanimously 7-0.

EXECUTIVE SESSION

32. 17-1050 **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 Alderman Burger. Motion carried unanimously 7-0. (8:39 p.m.)

RETURN FROM EXECUTIVE SESSION

33. 17-1051 **Consideration of Matters from Executive Session**

Dr. Ken Moore, Mayor

(9:21 p.m.) There were no matters for consideration.

ADJOURN

Alderman McLendon moved to adjourn. Seconded by Alderman Bransford. Motion carried unanimously 7-0.

Meeting adjourned @ 9:22 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office—12/8/2017 9:17 AM