
**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, APRIL 10, 2018 – 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, SES Director	P
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	
Deb Faulkner, Police Chief		Kevin Townsel, HR Director	P
Rocky Garzarek, Fire Chief	P	Joe York, Streets Director	P
Jordon 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 April 10, 2018 BOMA meeting to order at 7:00 p.m.

INVOCATION

The invocation was given Alderman Clyde Barnhill.

PLEDGE OF ALLEGIANCE

Three young men from Scout Troop 82 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 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

Not in attendance.

APPROVAL OF MINUTES

1. **18-0228** Alderman Petersen moved to approve the March 27, 2018 Work Session and March 27, 2018 Board of Mayor and Aldermen minutes as presented. Seconded by Vice Mayor Martin. Motion carried unanimously 7-0.

RECOGNITIONS

Marcus Stamps came forward to accept the Proclamation For Our Nation's Children proclaiming the month of April 2018 as Child Abuse Prevention Month.

Mr. Stamps said he is grateful for the City and the community for involvement in the protection of children.

MISCELLANEOUS REPORTS

Mayor Moore asked those present to join him in wishing a happy birthday to Assistant City Recorder Lanaii Benne.

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 13-16 be placed on the Consent Agenda.

2. 18-0229 Consideration of Items 13-16 on the Consent Agenda

Vice Mayor Martin asked that Item 14 be pulled from the Consent Agenda and moved to approve the Consent Agenda Items 13, 15, and 16. Seconded by Alderman Bransford. Motion carried unanimously 7-0.

OLD BUSINESS

3. 18-0051 **PUBLIC HEARING:** Consideration of RESOLUTION 2018-03, To Be Entitled: "A Resolution Approving a Development Plan for Wards Mill PUD Subdivision with 1 Modifications of Development Standards (Cul-de-Sac Length), for the Property Located North of Boyd Mill Avenue and West of Downs Boulevard, 3206 Boyd Mill Avenue."

**Alderman Ann Petersen, FMPC Representative
Emily Hunter, Planning/Sustainability Director
Brad Baumgartner, Senior Planner**

For 18 single family homes. Compatible with surrounding development and Envision Franklin, with one Modification of Standards for a cul-de-sac over 500 ft. MOS for 12,425 ft. cul-de-sac.

Public Hearing

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

Alderman Barnhill moved to approve Resolution 2018-03. Seconded by Vice Mayor Martin.

Alderman Barnhill moved to approve MOS 1. Seconded by Alderman Petersen. Motion carried unanimously 7-0.

Motion to approve Resolution 2018-03 with MOS 1 carried unanimously 7-0.

4. 18-0240 **Consideration of Sanitary Sewer Reimbursement Agreement (COF Contract No. 2018-0029) with Trace Construction, Inc. for Wards Mill PUD Subdivision Off-Site Sanitary Sewer Improvements.**

**Mark Hilty, ACA Public Works
Michelle Hatcher, Water Management Director**

Alderman Barnhill moved to approve COF Contract 2018-0029. Seconded by Alderman Burger. Motion carried unanimously 7-0.

5. 18-0131 **PUBLIC HEARING:** Consideration of ORDINANCE 2018-03, To BE Entitled: "An Ordinance to Rezone 22.37 Acres from Specific Development Variety (SD-X 0/34,500)

District to Specific Development Variety (SD-X 0/60,820) District for the Property Located South of Moores Lane and East of Franklin Road (Near 554 and 562 Franklin Road) (Family Legacy PUD Subdivision, Revision 1).

[SECOND OF THREE READINGS]
Alderman Ann Petersen, FMPC Representative
Franklin Municipal Planning Commission
Emily Hunter, Planning/Sustainability Director
Amy Diaz-Barriga, Current Planning Supervisor
Josh King, Principal Planner

Meets provision and intent of Envision Franklin. FMPC and staff recommend approval.

Public Hearing

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

Alderman Bransford moved to approve Ordinance 2018-03. Seconded by Alderman Barnhill. Motion carried unanimously 7-0 on Second of Three Readings.

6. 18-0132 **PUBLIC HEARING: Consideration of RESOLUTION 2018-07, To Be Entitled: “A Resolution Approving a Revised Development Plan for Family Legacy PUD Subdivision, for the Property Located South of Moores Lane and East of Franklin Road, Near 554 and 562 Franklin Road.**

Alderman Ann Petersen, FMPC Representative
Franklin Municipal Planning Commission
Emily Hunter, Planning/Sustainability Director
Amy Diaz-Barriga, Current Planning Supervisor
Josh King, Principal Planner

Compatible with Envision Franklin. Funeral Home removed and additional office space added.

Public Hearing

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

Alderman Barnhill moved to approve Resolution 2018-07. Seconded by Alderman Petersen.

Alderman Burger asked if the parking had been reduced and was told that there were no reductions.

Motion to approve Resolution 2018-07 carried unanimously 7-0.

NEW BUSINESS

7. 16-0835 **Consideration of ORDINANCE 2016-42, “An Ordinance to Amend Title 17-Refuse and Trash Disposal of the Franklin Municipal Code for the Purpose of Providing for Various Clarifications and Other General Housekeeping, and Appendix A-Comprehensive Fees and Penalties to be Consistent with the Amendments to Title 17.”**

[FIRST OF TWO READINGS]
Mark Hilty, ACA Public Works
Jack Tucker, SES Director

Vice Mayor Martin moved to approve Ordinance 2016-42. Seconded by Alderman Barnhill. Motion carried unanimously 7-0 on First of Two Readings.

8. 18-0280 **Consideration of Event Permit for Main Street Festival sponsored by the Heritage Foundation on April 28-29 in Downtown Franklin.**

Deb Faulkner, Police Chief

Alderman Bransford moved to approve Event Permit for Main Street Festival. Seconded by Alderman Speedy. Motion carried unanimously 7-0.

9. 18-0276 **Consideration of Liquor License Renewal for Berry Farm Wine & Spirits (Satish Patel, Managing Agent), 4000 Hughes Crossing, Suite 160, Franklin, TN 37064-1484.**
Lanaii Benne, Assistant City Recorder
Alderman Barnhill moved to approve License Renewal for Berry Farm Wine & Spirits. Seconded by Alderman Bransford. Motion carried unanimously 7-0.
10. 18-0289 **Consideration of Certificate of Compliance (RENEWAL) for Wine in Grocery Stores for Sam's East, Inc. d/b/a Sam's Club #6249 Located at 3070 Mallory Lane, Franklin, TN 37067 (William Brandon Bell, Managing Agent; John Robert Furner [President], Cynthia P. Moehring [Senior Vice President], Matthew William Allen [Treasurer], and Andrea Lazenby [Assistant Secretary], Executive Officers).**
Lanaii Benne, Assistant City Recorder
Alderman Barnhill moved to approve Certificate of Compliance Renewal for Sam's Club. Seconded by Alderman Speedy. Motion carried unanimously 7-0.
11. 18-0296 **Consideration of Certificate of Compliance (RENEWAL) for Wine in Grocery Stores for Wal-Mart Stores East, LP. d/b/a Walmart #272 Located at 3600 Mallory Lane, Franklin, TN 37067 (Jason Harnden, Managing Agent; Michael Moore [EVP], Cynthia P. Moehring [Senior Vice President], Matthew William Allen [Treasurer], and Andrea Lazenby [Assistant Secretary], Executive Officers).**
Lanaii Benne, Assistant City Recorder
Alderman Bransford moved to approve Certificate of Compliance Renewal for Walmart #272. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.
12. 18-0277 **Consideration of a Professional Services Agreement (COF Contract No. 2018-0053) with Volkert, Inc. for Right-of-Way Acquisition Services for the SR-96 West Multi-Use Trail in a Lump Sum Amount of \$67,200.00.**
Paul Holzen, Engineering Director
Vice Mayor Martin moved to approve COF Contract 2018-0053. Seconded by Alderman Burger. Motion carried unanimously 7-0.

CONSENT AGENDA

13. 18-0133 **Consideration of ORDINANCE 2018-04, To Be Entitled: "An Ordinance to Rezone 3.95 Acres from Light Industrial District (LI) to Neighborhood Commercial (NC) District for the Property Located West of Columbia Avenue and South of Fairground Street (Near 200 and 300 Downs Boulevard).**
Alderman Ann Petersen
Franklin Municipal Planning Commission
[FIRST OF THREE READINGS] **Emily Hunter, Planning/Sustainability Director**
Amy Diaz-Barriga, Current Planning Supervisor
Josh King, Principal Planner
Ordinance 2018-04 approved unanimously 7-0 on First of Three Readings.
14. 18-0217 **Consideration of ORDINANCE 2018-05, An Ordinance Granting a Natural Gas Franchise Agreement with Atmos Energy Corporation (COF Contract No. 2018-0032)**
[FIRST OF TWO READINGS] **Kristine Tallent, ACA/CFO**
Vice Mayor Martin moved to defer this item to May 8, 2018. Seconded by Alderman McLendon. Motion carried unanimously 7-0.

15. 18-0262 **Consideration of Contract No. 2018-0025 with Hard Bargain Association for Community Based Development Organization (CBDO) Funding in the Amount of \$115,952 which will be used to construct Two New Single-Family Homes in the Hard Bargain Neighborhood.**
Chris Bridgewater, BNS Director
Approved unanimously 7-0
16. 18-0265 **Consideration of Contract No. 2018-0026 with Community Housing Partnership for Community Based Development Organization Recipient in the Amount of \$85,000 which will be used to Construct One Single-Family Home.**
Chris Bridgewater, BNS Director
Approved unanimously 7-0

RECEIPT OF REPORTS AND ITEMS APPROVED ON BEHALF OF THE BOARD

17. 18-0263 **Agreement for Dedication of Easement (COF Contract No. 2016-0127) with Marc Headden and Robert N. Moore, Jr.**
Acknowledged Michelle Hatcher, Water Management Director
18. 18-0264 **Agreement for Dedication of Easement (Bobby Drive Water Line Improvements), COF Contract No. 2016-0197, for and in Consideration of \$5,791.50 to Reja Ferdowski.**
Acknowledged Michelle Hatcher, Water Management Director
19. 18-0267 **Lease Agreement with Graceworks located at 108 Southeast Parkway, City of Franklin (COF Contract No. 2017-0254).**
Acknowledged Brad Wilson, Facilities Project Manager
20. 18-0283 **Procurement Agreement with Waypoint Analytical, Inc. of Memphis, Tennessee in the total estimated Amount of \$6,640 per year for a term of award for certain biological wastewater treatment laboratory services for the Water Reclamation Division of the Water Management Department (Purchasing Office Procurement Solicitation No. 2018-002; \$50,000 budgeted for all Water Reclamation laboratory services in 431-822880-52213 for fiscal year 2018; Contract No. 2017-0292)**
Acknowledged Michelle Hatcher, Water Management Director
21. 18-0284 **Procurement Agreement with Swift Lawn & Land, Inc. of Franklin, Tennessee in the estimated total amount of \$26,133 per year for City facility landscaping and related contract services for a term of award for the Facilities Department (Purchasing Office Procurement Solicitation No. 2018-008; \$32,000 budgeted in 110-82599-41320 for fiscal year 2018; Contract No. 2017-0372).**
Acknowledged Brad Wilson, Facilities Project Manager
22. 18-0285 **Procurement Agreement with Landscape Services, Inc. of Nashville, Tennessee in the estimated total amount of \$247,140 per year for mowing and related contract services for certain City parks and certain other City-owned properties for a term of award for the Parks Department (Purchasing Office Procurement Solicitation No. 2018-007; Contract No. 2017-0371)**
Acknowledged Lisa Clayton, Parks Director
23. 18-0329 **Payment to the Williamson County Election Commission for Reimbursement of Attorney Fees associated with the Defense of the Williamson County Election Commission in litigation (Michael Vaughn vs. Williamson County Election Commission, Dana McLendon III) in an Amount of \$4,919.80.**

Acknowledged with Comment

Eric Stuckey, City Administrator

Alderman McLendon: Item 23 is an action taken by the City Administrator for reimbursement of attorney fees to the Williamson County Election Commission associated with the defense of the Williamson County Election Commission in litigation for Michael Vaughn vs. The Williamson County Election Commission and Dana McLendon III in the amount of \$4,919.80.

Alderman McLendon related that after the fall elections Mr. Vaughn sued him and the Williamson County Election Commission alleging numerous things, including fraud, voter intimidation, voter suppression, illegal acts, among other things. When he did that the City of Franklin was required to by statute to provide the funds to defend the Williamson County Election Commission, which the City did - \$4,919.80. Throughout the course of that lawsuit he represented himself; thus, no fees, but he spent significant time in the case.

Mr. Vaughn, rather than answer the questions that Alderman McLendon posed to him, elected to voluntarily dismiss the lawsuit. So, he got no relief. He proved nothing. Alderman McLendon is calling on Mr. Vaughn tonight to reimburse the City of Franklin, \$4,919.80 for the frivolous lawsuit and the wasted taxpayer money that he caused the City to incur. If Mr. Vaughn sees this or someone else sees this and wants to share with him, he should do the right thing and at least settle with the City and repay the City taxpayers almost \$5,000 that he caused the wasteful spending of.

THERE WAS NO EXECUTIVE SESSION

ADJOURN

Alderman Burger moved to adjourn. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.

Meeting adjourned @ 7:20 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office—4/24/2018 2:21 PM