
**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, OCTOBER 9, 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	P	Alderman Ann Petersen	P
Alderman Pearl Bransford	A	Alderman Scott Speedy	P

Department Directors/Staff

Eric Stuckey, City Administrator	P	Jack Tucker, 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, Director of Engineering	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	
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 October 9, 2018 BOMA meeting to order at 7:00 p.m.

INVOCATION

The invocation was given by 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 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 present

APPROVAL OF MINUTES

- 1. 18-1010** *Vice Mayor Martin moved to approve the September 25, 2018 Work Session and BOMA minutes as presented. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.*

RECOGNITIONS

2. 18-0996 **Proclamation of National Community Planning Month – October 2018**
Mayor Moore read the proclamation and presented it to Emily Hunter and Kelly Dannenfelser.
3. 18-1027 **Recognition of Deputy Chief Glenn Johnson – Tennessee Office of Homeland Security First Responder**
Chief Rocky Garzarek recognized Deputy Chief Glenn Johnson who recently received the Tennessee Safety & Homeland Security First Responder Recognition Award for outstanding and/or heroic actions while serving the people of Tennessee.

Chief Johnson said he is proud to be part of a great team.

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 09-19 be placed on the Consent Agenda.

4. 18-1013 **Consideration of Items 09-19 on the Consent Agenda**
Alderman Blanton moved to approve the Consent Agenda Items 9-19. Seconded by Vice Mayor Martin. Motion carried unanimously 7-0.

OLD BUSINESS

5. 18-0936 **PUBLIC HEARING: Consideration of ORDINANCE 2018-47, An Ordinance Amending the City of Franklin Municipal Code, Appendix A – Comprehensive Fees and Penalties, Chapter 18 – Water and Sewers for the Purpose of Updating Water and Sanitary Sewer User Rates, As Amended.**

[SECOND OF THREE READINGS] Mark Hilty, ACA Public Works
Michelle Hatcher, Water Management Director

Public Hearing

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

Alderman Petersen moved to approve Ordinance 2018-47. Seconded by Alderman McLendon. Motion carried unanimously 7-0 on Second of Three Readings.

NEW BUSINESS

6. 18-0965 **Consideration of Amendment A to Interlocal Agreement between the City of Franklin and Williamson County, Tennessee, for Redistribution of Local Sales Taxes (COF Contract 2017-0145)**

Eric Stuckey, City Administrator
Shauna Billingsley, City Attorney
Kristine Tallent, ACA/CFO

Alderman Blanton moved to approve Amendment 1 to COF Contract 2017-0145. Seconded by Alderman Petersen.

Discussion:

- ♦ Eric Stuckey noted that Williamson County's attorney had not yet commented on the amendment to share some of the proceeds from the extra tax with Franklin Special School District.
- ♦ Alderman Barnhill said it annoying to give FSSD \$3.5 million that we don't yet have. The City has millions of dollars' worth of capital improvements to be done. He has never seen this type of agreement with a six-month extension. He will not support the amendment.
- ♦ Alderman Burger heard from constituents that it was not apparent how to share the money. The people that she heard from don't like the idea and she will not support the amendment.
- ♦ Alderman McLendon doesn't think the Aldermen should give away sales tax for something that should be settled between the two school districts. Won't support.
- ♦ Vice Mayor Martin said she didn't look at it that way. These are our children; half of them go to Williamson County Schools after 8th grade in FSSD schools. The good education children get here is what brings people to Franklin. If we can't do a little bit to help then it's sad. She will support this.
- ♦ Alderman Petersen: Clarification - The part of sales tax to schools is being divided in the normal way. It is the part that the City added that is in question, 8% to FSSD and the rest to the County schools. FSSD assumed part would be theirs and the County thought it was all theirs. Would the extra half-year give Williamson County Schools the amount they were expecting?
- ♦ Mr. Stuckey said it probably gives the County a little more than they would have received in three years. Both would be receiving money during the extra six-months.
- ♦ Alderman McLendon: Both entities can raise their taxes. We are being asked to forgo money to buy peace between two other taxing entities.
- ♦ Alderman Speedy noted that campaign materials stated that both school districts would benefit.

*Motion to approve Amendment 1 to COF Contract 2017-0145 **Failed 3-4**, with Aldermen Blanton, Petersen and Vice Mayor Martin voting in favor, and Aldermen Barnhill, Burger, McLendon and Speedy voting against.*

7. 18-0966 **★Consideration of City of Franklin Contract No. 2018-0134 for a Professional Services Agreement (PSA) with Town Planning & Urban Design Collaborative, LLC (TPUDC) for Planning and Zoning Services for the Franklin Zoning Ordinance in the Amount of \$136,680.**

Emily Hunter, Planning/Sustainability Director
Kelly Dannenfelser, Planning Supervisor

Vice Mayor Martin moved to approve COF Contract 2018-0134. Seconded by Alderman Blanton.

Discussion:

- ♦ Alderman Burger asked why this aren't we doing this mainly in-house.
- ♦ Emily Hunter: The preliminary draft and full draft were done in-house, but staff doesn't have the time to do all the testing. It is good to have outside quality control.

Motion to approve COF Contract 2018-0134 carried unanimously 7-0.

8. 18-0999 **★Consideration of Amendment No. 1 to City of Franklin Contract 2016-0265 with the State of Tennessee for the Clean Tennessee Energy Grant to Extend the Contract End Date to August 31, 2020.**

Mark Hilty, ACA Public Works

Michelle Hatcher, Water Management Director

Alderman Blanton moved to approve Amendment No. 11 to COF Contract 2016-0265.

Seconded by Alderman Burger. Motion carried unanimously 7-0.

CONSENT AGENDA

9. 18-0959 **★Consideration of ORDINANCE 2018-50, To Be Entitled: “An Ordinance to Rezone 19.83 Acres from General Commercial District (GC) To Specific Development Variety (SD-X 16.79, 67328) District for the Property Located North of Liberty Pike and West of Carothers Parkway, (Carothers Crossing West PUD Subdivision).” Establishing a Public Hearing Date of November 13, 2018.**

Franklin Municipal Planning Commission,

[First of Three Readings]

Emily Hunter, Planning/Sustainability Director

Amy Diaz-Barriga, Planning Supervisor

Josh King, Senior Planner

Ordinance 2018-50 approved unanimously 7-0 on First of Three Readings.

10. 18-0833 **Consideration of ORDINANCE 2018-44, 1st Quarter 2019 Budget Amendments.**

[Third and Final Reading]

Kristine Tallent, ACA/CFO

Michael Walters Young, Budget/Strategic Manager

Ordinance 2018-44 approved unanimously 7-0 on Third and Final Reading.

11. 18-0859 **Consideration of RESOLUTION 2018-66, A Resolution to Authorize the City to Pay One-Half of an Employee’s Portion of the City’s Health Insurance Premium When the Employee is on Disability Leave with the City due to an On the Job Injury.**

Kevin Townsel, HR Director

Resolution 2018-66 approved unanimously 7-0.

12. 18-0807 **Consideration of RESOLUTION 2018-65, A Resolution of a 401(a) Defined Contribution Retirement Plan in the Form of the ICMA Retirement Corporation Deferred Compensation Plan & Trust and a 457(B) Plan in the Form of the ICMA Retirement Corporation Governmental Profit Sharing Plan & Trust and Engage ICMA Retirement Corporation for Third Party Administration of Each Plan.**

Eric Stuckey, City Administrator

Kristine Tallent, ACA/CFO

Kevin Townsel, HR Director

Resolution 2018-65 approved unanimously 7-0.

13. 18-0939 **Consideration of Event Permit for Boots for Troops 5K Sponsored by Medals of Honor, Inc. on November 10, 2018 at the Park at Harlinsdale Farm.**

Lisa Clayton, Parks Director

Approved unanimously 7-0

14. 18-0940 **Consideration of Event Permit for Jingle Bell Run 5K sponsored by the Arthritis Foundation on December 1, 2018 in Downtown Franklin.**
Deb Faulkner, Police Chief
Approved unanimously 7-0
15. 18-0814 **Consideration of a Request for Denial of the Sewer Availability for 1984 Carter's Creek Pike (Map 091, Parcel 13100).**
Michelle Hatcher, Water Management Director
Denied unanimously 7-0
16. 18-0973 **Consideration of RESOLUTION 2018-84, "A Resolution Authorizing Condemnation for the Acquisition of Property for the Mack Hatcher Northwest Extension Utility Relocations Project."**
Michelle Hatcher, Water Management Director
Patricia McNeese, Utilities Project Manager
Resolution 2018-84 approved unanimously 7-0
17. 18-0986 **Consideration of Final Change Order to the Construction Contract (COF Contract No. 2016-0083) with Cleary Construction, Inc. for the Ladd Park Interceptor Sewer Improvements Project for a Decrease in Cost of \$41,382.25 and a Time Extension through September 11, 2018.**
Michelle Hatcher, Water Management Director
Patricia McNeese, Utilities Project Manager
Approved unanimously 7-0
18. 18-0948 **Consideration of COF Contract No. 2018-0203, "Murfreesboro Road at Edward Curd Lane/Old South Carothers Road Intersection Upgrade Improvements Agreement" with Williamson County Hospital District.**
Paul Holzen, Director of Engineering
Approved unanimously 7-0
19. 18-0994 **Consideration of a Professional Services Agreement (COF Contract No. 2018-0213) with the Corradino Group, Inc. for the Intersection Design – Highway 96 West at Westhaven Boulevard/Old Charlotte Pike Project.**
Paul Holzen, Director of Engineering
Approved unanimously 7-0

RECEIPT OF REPORTS AND ITEMS APPROVED ON BEHALF OF THE BOARD

20. 18-0957 **Sole-source Purchase from Wavetronix of Provo, Utah of Traffic Signal Vehicle Detection Equipment for Stock in the Total Amount of \$44,120 for the Street Department (\$45,000 budgeted in 110-83641-43110 for Fiscal Year 2019)**
Acknowledged **Joe York, Streets Director**
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21. 18-0875 **Acknowledgement of Receipt of RESOLUTION 2018-68, To Be Entitled: "A Resolution to Adopt an Envision Franklin Plan Amendment for the Property Located on Lewisburg Pike West of Stream Valley Known as Map 117, Parcel 12.00 to Change the Design Concept from Single-Family Residential to Conservation Subdivision."**
Acknowledged **Emily Hunter, Planning/Sustainability Director**
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22. 18-0879 **Acknowledgement of Receipt of RESOLUTION 2018-70, To Be Entitled: "A Resolution to Adopt an Envision Franklin Plan Amendment for the City-Owned Property at 403**

and 405 Fifth Avenue North, known as “The Hill Property” to Change the Design Concept from Recreation to Mixed Residential, with a Special Consideration for Secondary Access Outside of the Floodplain for Public Safety Purposes.”

Acknowledged

Emily Hunter, Planning/Sustainability Director

- 23. 18-0812 Professional Services Agreement (COF Contract No. 2018-0179) with Boozer & Company for the Spencer Creek at Franklin Road Sanitary Sewer Improvements Project in the Amount of \$2,500.00.**

Acknowledged

Michelle Hatcher, Water Management Director

EXECUTIVE SESSION

- 24. 18-1016 Consideration of Motion to Enter Executive Session for Purpose of Reviewing Various Matters of Pending Litigation.**

Shauna Billingsley, City Attorney

Alderman Burger moved to enter Executive Session. Seconded by Alderman Barnhill. Motion carried unanimously 7-0. (Entered Executive Session 7:28 p.m.)

RETURN FROM EXECUTIVE SESSION

- 25. 18-1019 Consideration of Matters from Executive Session**

Dr. Ken Moore, Mayor

(Returned from Executive Session 7:38 p.m.)

Alderman McLendon moved that the City enter into a Settlement Agreement with Eutaw Construction Company for the Hillsboro Road Project: No additional payments, and all warranties provided will remain in place. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.

ADJOURN

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

Meeting adjourned @ 7:39 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office--1/30/2019 1:22 PM