
**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, NOVEMBER 13, 2018 – 7:00 P.M.**

Board Members

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

CALL TO ORDER

Mayor Ken Moore called the November 13, 2018 BOMA meeting to order at 7:05 p.m.

Mayor Moore paid tribute to State Representative Charles Sargent saying a great statesman had been lost today. The invocation included remembrance and prayers for his family.

INVOCATION

The invocation was given by Alderman Clyde Barnhill.

PLEDGE OF ALLEGIANCE

Elliot Davis, Boy Scout Troop 13, led the Pledge of Allegiance to the Flag of the United States of America. It was noted that his brother, Aaron Davis, Pack 14, was present as well.

- ★ Alderman Burger asked that while all were still standing, a round of applause be given in tribute to Representative Sargent.

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

No one present

APPROVAL OF MINUTES

1. 18-1012 Alderman Petersen moved to approve the following minutes as presented: October 15, 2018 Special Work Session-CIP (Transportation), October 22, 2018 Special Work Session-CIP (Water), October 23, 2018 Work Session, and October 23, 2018 Board of Mayor and Aldermen. Seconded

by Alderman Barnhill. Motion carried unanimously 6-0 (Alderman McLendon had not yet joined the meeting).

RECOGNITIONS

2. 18-1153 Election of Vice-Mayor Pursuant to the City Charter, Article IV, Section 5.

Dr. Ken Moore, Mayor

Prior to taking nominations for Vice Mayor, Mayor Moore thanked current Vice Mayor Margaret Martin for serving this past year and representing the City well.

Alderman Petersen nominated Alderman Barnhill to serve as Vice Mayor.

Alderman Bransford nominated Alderman Burger to serve as Vice Mayor.

Vote on nomination of Alderman Barnhill was 2 in favor (Aldermen Petersen & Speedy), 1 abstention by Alderman Burger, Alderman Barnhill did not vote, Alderman McLendon was not yet present, and Alderman Blanton was absent.

Vote on nomination of Alderman Burger was 2 in favor (Aldermen Bransford & Martin), 1 abstention by Alderman Burger, Alderman Barnhill did not vote, Alderman McLendon was not yet present, and Alderman Blanton was absent.

The deciding vote was cast by Mayor Moore for Alderman-at-Large Barnhill to serve as Vice Mayor.

Mayor Moore explained his vote was based on the out-going Vice Mayor being a Ward Alderman as is Alderman Burger, and he preferred an At-Large Alderman serve this time.

★ Alderman McLendon joined the meeting.

3. 18-1154 Mayor's Appointments to Board of Aldermen Committees.

Dr. Ken Moore, Mayor

Mayor Moore announced the Budget & Finance and the Capital Investment committees will retain the same members as last year:

Budget & Finance Committee

- ♦ Vice Mayor Barnhill
- ♦ Alderman Petersen
- ♦ Alderman Bransford
- ♦ Alderman Speedy

Capital Investment Committee

- ♦ Alderman McLendon
- ♦ Alderman Blanton
- ♦ Alderman Burger
- ♦ Alderman Martin

4. 18-1155 Consideration of Mayor's Appointments to the City of Franklin Beer Board.

Dr. Ken Moore, Mayor

Mayor Moore reappointed the current Beer Board members for another year:

- ♦ Vice Mayor Barnhill
- ♦ Alderman Bransford
- ♦ Alderman Martin

Alderman McLendon moved to accept the reappointments to the Beer Board as stated. Seconded by Alderman Burger. Motion carried unanimously 7-0.

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 19-33 be placed on the Consent Agenda.

5. 18-1015 Consideration of Items 19-33 on the Consent Agenda

Alderman Martin moved to approve the Consent Agenda Items 19-33. Seconded by Vice Mayor Barnhill. Motion carried unanimously 7-0.

OLD BUSINESS

6. 18-0958 **PUBLIC HEARING: Consideration of RESOLUTION 2018-81, To BE Entitled: “A Resolution Approving a Development Plan for Carothers Crossing West PUD Subdivision, for the Property Located North of Liberty Pike and West of Carothers Parkway.”**

**Franklin Municipal Planning Commission
Emily Hunter, Planning/Sustainability Director
Amy Diaz-Barriga, Planning Supervisor
Josh King, Senior Planner**

Josh King: Supported by Envision Franklin. Planning staff and FMPC recommend approval.

Public Hearing

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

Alderman Bransford moved to approve Resolution 2018-81. Seconded by Alderman Petersen. Motion carried unanimously 7-0.

7. 18-0959 **PUBLIC HEARING: Consideration of ORDINANCE 2018-50, 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).”**

**Franklin Municipal Planning Commission
Emily Hunter, Planning/Sustainability Director
Amy Diaz-Barriga, Planning Supervisor
Josh King, Senior Planner**

[SECOND OF THREE READINGS]

Josh King: Ordinance to rezone the property in Item 6.

Public Hearing

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

Alderman Burger moved to approve Ordinance 2018-50. Seconded by Vice Mayor Barnhill. Motion carried unanimously (7-0) on Second of Three Readings.

NEW BUSINESS

8. 18-1137 **★Consideration of RESOLUTION 2018-95, “A Resolution Providing Direction Regarding the Final Design of the Franklin Road Corridor Improvements Project.”**

**Paul Holzen, Director of Engineering
Jonathan Marston, Assistant Director of Engineering**

Alderman Martin moved to approve Section 1, Option 2a (striping of bike lanes). Seconded by Vice Mayor Barnhill.

Alderman Martin moved to approve Section 2, Option 2a (lighting standard). Seconded by Vice Mayor Barnhill.

Alderman Martin moved to approve Section 3, Option 3b (no decorative treatment). Seconded by Vice Mayor Barnhill.

Alderman Martin moved to approve Section 4 (underground utilities). Seconded by Vice Mayor Barnhill.

Alderman McLendon moved to amend Alderman Martin’s motion to approve Section 4 (underground utilities), to include underground utilities served directly off Franklin Road (approximately 4 houses) with the condition that landowners donate service line easements.

Alderman Bransford moved to amend Alderman McLendon's motion to amend by including the stipulation that the owners of the Franklin Road properties take on the expense of underground utility installation from their property line into the home, with a choice to opt-out.

Alderman Bransford's amendment was approved by a vote of 6-1 with Alderman McLendon voting no.

Alderman McLendon's amendment was approved by a vote of 6-1 with Alderman Martin voting no.

The Main Motion as Amended, was approved unanimously 7-0.

9. 18-1145 **★Consideration of Amendment No. 7 to Tennessee Department of Transportation Agreement No. 070112 (COF Contract 2009-0051) the SR-397 (Mack Hatcher Parkway West) from South of SR-96 West of Franklin to East of SR-106 (US-431) North of Franklin Project (TDOT PIN 101454.01; Federal Project No. STP-397(8) and STP/HPP-397(10); State Project No. 94092-1224-14).**

Paul Holzen, Direction of Engineering

Alderman Petersen moved to approve Amendment No. 7 to COF Contract 2009-0051. Seconded by Alderman Burger. Motion carried unanimously 7-0.

10. 18-1110 **★Consideration of Road Impact Fee Offset Agreement (COF 2018-0228) with Embrey Partners, Ltd. For the Liberty Pike Improvements and Carothers Right-of-Way Dedication.**

Paul Holzen, Director of Engineering

Jimmy Wiseman, Assistant Director of Engineering

Vice Mayor Barnhill moved to approve COF 2018-0228. Seconded by Alderman Martin. Motion carried unanimously 7-0.

11. 18-1133 **★Consideration of Change Order No. 3 (Final Change Order and Project Closeout) to the Construction Contract (COF Contract No. 2015-0002, TDOT PIN 108409.00) with Eutaw Construction Company, Inc. for the Hillsboro Road Improvements Project Phase 2, Independence Square to Mack Hatcher Parkway, for a Project Decrease in the Amount of \$640,550.86.**

Paul Holzen, Director of Engineering

William Banks, Staff Engineer II

Alderman McLendon moved to approve Final Change Order and Project Closeout of Contract 2015-0002. Seconded by Alderman Bransford. Motion carried unanimously 7-0.

12. 18-0920 **★Consideration of Recommendation to Reject All Bids for Supply and Delivery of Bid Sludge Polymer for Wastewater Sludge Dewatering (Purchasing Office Procurement Solicitation No. 2019-003).**

Michelle Hatcher, Water Management Director

Alderman Burger moved to approve the recommendation to reject all bids on Purchasing Procurement No. 2019-003. Seconded by Alderman Martin. Motion carried unanimously 7-0.

13. 18-1138 **★Consideration of Event Permit for the Turkey Trot Sponsored by Graceworks Ministries on November 22, 2018 in Cool Springs.**

Deb Faulkner, Police Chief

Alderman Martin moved to approve Event Permit for Turkey Trot. Seconded by Alderman Petersen. Motion carried unanimously 7-0.

14. 18-1139 **★Consideration of Event Permit for Dickens of a Christmas Sponsored by the Heritage Foundation on December 8-9, 2018 in Downtown Franklin.**

Deb Faulkner, Police Chief

Alderman Bransford moved to approve Event Permit for Dickens of a Christmas. Seconded by Alderman Speedy. Motion carried unanimously 7-0.

15. 18-1140 **★Consideration of Event Permit for Christmas Parade Sponsored by the Kiwanis Club of Franklin on December 1, 2018 in Downtown Franklin.**
Deb Faulkner, Police Chief
Vice Mayor Barnhill moved to approve Event Permit for Christmas Parade. Seconded by Alderman Speedy. Motion carried unanimously 7-0.
16. 18-1124 **Consideration of Mayor's Reappointment of Jim Roberts to the Historic Zoning Commission.**
Dr. Ken Moore, Mayor
Alderman Bransford moved to approve reappointment of Jim Roberts to the Historic Zoning Commission. Seconded by Alderman McLendon. Motion carried unanimously 7-0.
17. 18-1129 **Consideration of Mayor's Reappointment of Scott Harrison to the Franklin Municipal Planning Commission.**
Dr. Ken Moore, Mayor
Alderman Burger moved to approve reappointment of Scott Harrison to the FMPC. Seconded by Alderman McLendon. Motion carried unanimously 7-0.
18. 18-1130 **Consideration of Mayor's Reappointment of Greg Caesar to the Board of Zoning Appeals.**
Dr. Ken Moore, Mayor
Alderman Speedy moved to approve the reappointment of Greg Caesar to the Board of Zoning Appeals. Seconded by Alderman Burger. Motion carried unanimously 7-0.

CONSENT AGENDA

19. 18-1007 **★Consideration of ORDINANCE 2018-54, To Be Entitled: "An Ordinance to Rezone 75.52 Acres from Specific Development-Residential (SD-R 2.92) District to Civic Institutional (CI) District for the Property Located West of Carothers Parkway and East of Interstate I-65, (City of Franklin Owned Property). Establishing a Public Hearing Date of December 11, 2018.**
Alderman Ann Petersen, FMPC Representative
Emily Hunter, Planning/Sustainability Director
Amy Diaz-Barriga, Planning Supervisor
Christopher Andrews, Principal Planner
[FIRST OF THREE READINGS]
Ordinance 2018-54 approved unanimously 7-0 on First of Three Readings.
20. 18-1031 **★Consideration of ORDINANCE 2018-55, To Be Entitled: "An Ordinance to Rezone 126.89 Acres from Specific Development-Residential (SD-R 2.92) District To Specific Development-Residential (SD-R 5.03) District for the Property Located East of Carothers Parkway and South of South Carothers Road (Lockwood Glen PUD Subdivision)." Establishing a Public Hearing Date of December 11, 2018)**
Alderman Ann Petersen, FMPC Representative
Emily Hunter, Planning/Sustainability Director
Amy Diaz-Barriga, Planning Supervisor
Christopher Andrews, Principal Planner
[FIRST OF THREE READINGS]
Ordinance 2018-55 approved unanimously 7-0 on First of Three Readings.
21. 18-0944 **Consideration of ORDINANCE 2018-48 – An Ordinance to Amend the FY 2019 Budget.**
[THIRD AND FINAL READING]
Kristine Tallent, Assistant City Administrator
Michael Walters Young, Budget/Analytic Manager
Ordinance 2018-48 approved unanimously 7-0 on Third and Final Reading.
22. 18-1040 **Consideration of RESOLUTION 2018-92, A Resolution to Adopt a New Administrative Services Agreement with ICMA Retirement Corporation for the City's 401(a) and 457(b) Deferred Compensation Plans.**

Eric Stuckey, City Administrator
Kristine Tallent, Assistant City Administrator
Kevin Townsel, Human Resources Director

Resolution 2018-92 approved unanimously 7-0.

23. 18-1066 **Consideration of Procurement Award to Findley, Inc. of Brentwood, Tennessee in the Estimated Annualized Amount of \$39,400 for Closed Employee Pension Plan and OPEB Actuarial Consulting Services for a Term of Award (Purchasing Office Procurement Solicitation No. 2019-001; Contract No. 2018-0225).**

Kristine Tallent, Assistant City Administrator
Kevin Townsel, Human Resources Director

Contract 2018-0225 approved unanimously 7-0.

24. 18-1037 **Consideration of RESOLUTION 2018-90, "A Resolution Amending Resolution 2018-33 that Authorized Condemnation for the Acquisition of Property for the SR-96 West Trail Project (Vera Valley Drive to 5th Avenue North)".**

Paul Holzen, Director of Engineering

Resolution 2018-90 approved unanimously 7-0.

25. 18-0804 **Consideration of Road Impact Fee Offset Agreement (COF 2018-0176) with Middle Tennessee Health Realty, LLC for the Carothers Parkway Physicians Way Signal Project.**

Paul Holzen, Director of Engineering

COF 2018-0176 approved unanimously 7-0.

26. 18-1025 **Consideration of a Joint Funding Agreement (COF Contract No. 2018-0217) for Water Resources Investigations with the U.S. Geological Survey, Lower Mississippi Gulf Water Science Center, U.S. Department of the Interior, at a Cost to the City of \$43,575.00.**

Paul Holzen, Director of Engineering

Jonathan Marston, Assistant Director of Engineering

COF Contract 2018-0217 approved unanimously 7-0.

27. 18-1043 **Consideration of Amendment No. 5 to Tennessee Department of Transportation (TDOT) Agreement No. 110291 (COF Contract No. 2011-0129) for the Franklin ITS Extension (PIN 116144.00) and the Adaptive Signal Control Technology (PIN 16144.01) Projects for a Time Extension of Eighteen (18) Months.**

Paul Holzen, Director of Engineering

COF Contract 2011-0129 Amendment No. 5 approved unanimously 7-0.

28. 18-1065 **Consideration of Committee Recommendation to Deny Request for Sewer Availability for: 1028 Cedarview Lane, Map and Parcel 089---02700.**

Michelle Hatcher, Water Management Director

Recommendation to deny request for sewer availability approved unanimously 7-0.

29. 18-1108 **Consideration of a Request for Sewer Availability Denial for 4649 Delta Springs Lane, Map and Parcel 107H---01300. (CIC Recommended Request for Denial)**

Michelle Hatcher, Water Management Director

Sewer Availability request to deny approved unanimously 7-0.

30. 18-1061 **Consideration of a Request for Sewer Availability for 404 Ellington Drive, Map and Parcel 106H---07700. (CIC Recommended Approval with Conditions)**

Michelle Hatcher, Water Management Director

Recommendation for sewer availability with conditions approved unanimously 7-0

RECEIPT OF REPORTS AND ITEMS APPROVED ON BEHALF OF THE BOARD

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| 31. | 18-0956 | COF Contract 2010-0045, Amendment 4 with Infor Public Sector, Inc. for Multiyear Support Commitment. | |
| | | <i>Acknowledged</i> | Jordon Shaw, IT Director |
| 32. | 18-0963 | Infor Additional License Purchase (COF Contract No. 2010-0045, Amendment 5). | |
| | | <i>Acknowledged</i> | Jordon Shaw, IT Director |
| 33. | 18-1114 | 3rd Quarter 2018 Wastewater Collection System Activities Summary. | |
| | | | Michelle Hatcher, Water Management Director |
| | | <i>Acknowledged</i> | Eric Stuckey, City Administrator |
| | | | Mark Hilty, Assistant City Administrator. |

EXECUTIVE SESSION

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| 34. | 18-1018 | Consideration of Motion to Enter Executive Session for Purpose of Reviewing Various Matters of Pending Litigation. | |
| | | | Shauna Billingsley, City Attorney |
| | | <i>Alderman Burger moved to Enter Executive Session. Seconded by Vice Mayor Barnhill. Motion carried unanimously 7-0. (7:36 p.m.)</i> | |

RETURN FROM EXECUTIVE SESSION

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| 35. | 18-1021 | Consideration of Matters from Executive Session | |
| | | | Dr. Ken Moore, Mayor |
| | | <i>(Returned 8:07 p.m.) There were no matters for consideration.</i> | |

ADJOURN

Alderman McLendon moved to adjourn. Seconded by Vice Mayor Barnhill. Motion carried unanimously 7-0.

Meeting adjourned @ 8:07 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office–1/30/2019 1:27 PM