
**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, DECEMBER 11, 2018 – 7:00 P.M.**

Board Members

Mayor Ken Moore	P		
Vice Mayor Clyde Barnhill	P	Alderman Dan McLendon	P
Alderman Brandy Blanton	P	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	Lisa Clayton, Parks Director	
Vernon Gerth, ACA Community/Economic Dev.	P	Michelle Hatcher, Water Management Director	
Mark Hilty, ACA Public Works		Paul Holzen, Director of Engineering	
Kristine Tallent, ACA/CFO	P	Emily Hunter, Planning/Sustainability Director	
Shauna Billingsley, City Attorney	P	Kevin Townsel, HR Director	P
Deb Faulkner, Police Chief		Joe York, Streets Director	P
Rocky Garzarek, Fire Chief		Michael Walters Young, Budget/Analytic Mgr.	
Jordon Shaw, IT Director		Lanaii Benne, Assistant City Recorder	P
Tom Marsh, Interim BNS Director	P	Linda Fulwider, Board Recording Secretary	P
Jack Tucker, SES Director			

CALL TO ORDER

Mayor Ken Moore called the December 11, 2018 BOMA meeting to order at 7:10 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

No one present

APPROVAL OF MINUTES

1. 18-1116 Alderman Burger moved to approve the November 27, 2018 Work Session and Board of Mayor and Aldermen minutes as presented. Seconded by Alderman Blanton. Motion carried unanimously.

RECOGNITIONS

Eric Stuckey recognized the following persons:

- ✚ Carl Baughman, Traffic Engineer, 18 years with the City, is retiring at the end of week. Mr. Stuckey noted Mr. Baughman has served with distinction and has been a first-class employee. Mr. Baughman received a round of applause.

🌈 Tom Marsh was recently named Interim Director of Building & Neighborhood Services. Former director Chris Bridgewater has taken another position within the department.

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 19-30 be placed on the Consent Agenda.

2. 18-1118 Consideration of Items 19-30 on the Consent Agenda

Alderman Bransford moved to approve the Consent Agenda Items 18-29 Seconded by Vice Mayor Barnhill. Motion carried unanimously.

- ★ Later in the meeting it was pointed out there had been a change in the numbering of the Consent Agenda to Items 19-30. Item 30 was voted upon in sequence.

OLD BUSINESS

3. 18-0960 **PUBLIC HEARING: Consideration of RESOLUTION 2018-82, To BE Entitled: "A Resolution Approving a Revised Development Plan for Parish Presbyterian Church PUD, with One (1) Modification of Development Standards (Base and Cap), for the Property Located North of Clovercroft Road and East of Market Street, 4150-4160 Clovercroft Road."**

Alderman Ann Petersen, FMPC Representative

Emily Hunter, Planning/Sustainability Director

Amy Diaz-Barriga, Planning Supervisor

Josh King, Senior Planner

Study results show no impact on traffic. MOS 1 Buildings Façades: Base & Cap - Agrarian style architecture is appropriate. Institutional may be used. Staff recommends approval of MOS. Staff and FMPC recommend approval of revised development plan.

Public Hearing

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

Alderman Martin moved to approve Resolution 2018-82. Seconded by Alderman McLendon.

Vice Mayor Barnhill moved to approve MOS 1 Buildings Facades: Base & Cap. Seconded by Alderman Speedy.

Alderman Burger commented that she is a member of this church but will vote on this item as it is not seen as a conflict of interest.

Motion to approve MOS 1 carried unanimously.

Motion to approve Resolution 2018-82 with MOS 1 carried unanimously.

4. 18-1007 **PUBLIC HEARING: Consideration of ORDINANCE 2018-54, 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).**

Alderman Ann Petersen, FMPC Representative

Emily Hunter, Planning/Sustainability Director

Amy Diaz-Barriga, Planning Supervisor

Christopher Andrews, Principal Planner

[SECOND OF THREE READINGS]

Rezoning City-owned property to Civic Institutional (CI) District to be part of Southeast Municipal Complex Park. FMPC and planning 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 2018-54. Seconded by Alderman Petersen. Motion carried unanimously on Second of Three Readings.

5. 18-1031 **PUBLIC HEARING: 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).”**

[SECOND OF THREE READINGS]

Alderman Ann Petersen, FMPC Representative
Emily Hunter, Planning/Sustainability Director
Amy Diaz-Barriga, Planning Supervisor
Christopher Andrews, Principal Planner

Rezone to SD-R 5.03 to modify density of Lockwood Glen PUD Subdivision after removal of City-owned property. No additional dwellings or modifications. FMPC and staff recommend approval.

Public Hearing

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

Vice Mayor Barnhill moved to approve Ordinance 2018-55. Seconded by Alderman McLendon. Motion carried unanimously on Second of Three Readings.

6. 18-1030 **PUBLIC HEARING: Consideration of RESOLUTION 2018-89, To Be Entitled: “A Resolution Approving a Revised Development Plan for Lockwood Glen PUD Subdivision for the Property Located East of Carothers Parkway and South of South Carothers Road.”**

Alderman Ann Petersen, FMPC Representative
Emily Hunter, Planning/Sustainability Director
Amy Diaz-Barriga, Planning Supervisor
Christopher Andrews, Principal Planner

Revised Development Plan to remove City of Franklin property.

Public Hearing

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

Alderman Blanton moved to approve Resolution 2018-89. Seconded by Vice Mayor Barnhill. Motion carried unanimously.

7. 18-0103 **Consideration of ORDINANCE 2018-35, An Ordinance to Amend TITLE 10 of the City of Franklin Municipal Code to Add a New Chapter 3, to Restrict the Sale of Dogs and Cats at Pet Stores.**

[SECOND AND FINAL READING]

Alderman Beverly Burger

Alderman Burger moved to approve Ordinance 2018-35. Seconded by Alderman Bransford.

Discussion:

- ✚ Alderman Bransford: People want to make sure the City is not overreaching with this ordinance. It is a slippery slope. Others could come and try to ban something they don't like. The Alderman who talked to the pet store owner said the owner would not make any disclosures. If there are is no disclosure or guarantee, that is a red flag.
- ✚ Alderman Burger: Spoke about inhumane puppy mills and read a prepared statement regarding the number of complaints the humane society has received online and the CDC multi-state outbreak of diseases from puppy mill dogs in 18 states with 118 ill.

- ✚ Alderman McLendon agreed it is a slippery slope. When would the line be drawn. Puppies and kittens are living breathing animals, not inanimate objects. Even if the breeder's information were provided, the information is heavily redacted and not much would be learned. There are no businesses in town selling animals in a storefront currently. Animals adopted from a reputable breeder and/or shelters don't come with guarantees. Until the State legislature does something to change the situation with puppy mills, he supports this ordinance.
- ✚ Alderman Speedy: Read a letter from a constituent which included comments on shelters not being a choice for everyone, she appreciated the now closed Pawfect Puppy store. USDA licensure is no guarantee. Alderman Speedy opposes the ordinance.
- ✚ Vice Mayor Barnhill: This ordinance does not address puppy mills. Through the concentrated effort of a few and delay of City action, the puppy store owner was put in a position in which he could not function. Not every dog from a shelter will be healthy or emotionally stable, either. This is a slippery slope. He expects this to be addressed by the State legislature later.
- ✚ Alderman Martin: Puppy mills will continue selling somewhere else. She supports the ordinance. USDA licensure doesn't mean anything. Lack of oversight is why an ordinance is needed.

Motion to approve Ordinance 2018-35 carried 5-3 with Aldermen Bransford, Blanton, Burger, McLendon and Martin voting in favor and Vice Mayor Barnhill and Aldermen Speedy and Petersen voting against.

★ Alderman Speedy left the meeting.

NEW BUSINESS

8. 18-1267 ★**PUBLIC HEARING: Consideration of RESOLUTION 2018-103, A Resolution to Approve Issuance by the Health and Educational Facilities Board of the Metropolitan Government of Nashville and Davidson County, Tennessee of Up to \$14,000,000 Facilities Revenue Bonds (Centerstone of America, Inc. Project) Series 2018 for Projects Located in Franklin, Tennessee and Related Transactions.**

Shauna Billingsley, City Attorney

Public Hearing

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

Alderman McLendon moved to approve Resolution 2018-103. Seconded by Vice Mayor Barnhill. Motion carried unanimously 7-0.

9. 18-1238 ★**Consideration RESOLUTION 2018-106, a Resolution Approving a Bid Award to Southland Constructors, Inc. in the Amount of \$6,671,000.00 (Six million six hundred seventy-one thousand dollars and no cents) for the Construction of the City of Franklin Fire Station No. 7 Located in the I-65/Peytonsville Corridor (COF Contract 2018-0259, Project #2016-018).**

Brad Wilson, Facilities Project Manager

Alderman Blanton moved to approve Resolution 2018-106. Seconded by Alderman Bransford. Motion carried unanimously 7-0.

10. 18-1247 ★**Consideration of RESOLUTION 2018-104, A Resolution to Adopt Budget Goals for FY 2019-2020.**

**Eric Stuckey, City Administrator
Kristine Tallent, Assistant City Administrator
Michael Walters Young, Budget/Analytics Mgr.**

Alderman Bransford moved to approve Resolution 2018-104. Seconded by Alderman Blanton. Motion carried unanimously 7-0.

11. 18-1142 **★Consideration of a Professional Services Agreement (COF Contract No. 2018-0236) with Revere control Systems, Incorporated, for the Telemetry System Maintenance Contract in the Amount of \$51,170.**

Michelle Hatcher, Water Management Director

Alderman Burger moved to approve COF Contract 2018-0236. Seconded by Vice Mayor Barnhill. Motion carried unanimously 7-0.

12. 18-1229 **Consideration of Mayor's Appointment of Brian Laster to the Historic Zoning Commission.**

**Planning & Sustainability Department
Emily Hunter, Director**

Alderman Bransford moved to approve appointment of Brian Laster to the Historic Zoning Commission. Seconded by Alderman Burger. Motion carried unanimously 7-0.

13. 18-1231 **Consideration of Mayor's Appointment of Jenny Szilagyi to the Franklin Municipal Planning Commission.**

**Planning & Sustainability Department
Emily Hunter, Director**

Vice Mayor Barnhill moved to approve appointment of Jenny Szilagyi to the FMPC. Seconded by Alderman Burger. Motion carried unanimously 7-0.

14. 18-1230 **Consideration of Mayor's Appointment of Brenton Montgomery to the Sustainability Commission.**

**Planning & Sustainability Department
Emily Hunter, Director**

Alderman Burger moved to approve the appointment of Brenton Montgomery to the Sustainability Commission. Seconded by Alderman Martin. Motion carried unanimously 7-0.

15. 18-1233 **Consideration of Mayor's Reappointment of Julie Garland to the Franklin Public Arts Commission.**

Dr. Ken Moore, Mayor

Alderman Bransford moved to approve the reappointment of Julie Garland to the Franklin Public Arts Commission. Seconded by Alderman Blanton. Motion carried unanimously 7-0.

16. 18-1234 **Consideration of Mayor's Reappointment of Shari Fox to the Franklin Public Arts Commission.**

Dr. Ken Moore, Mayor

Alderman Blanton moved to approve the reappointment of Shari Fox to the Franklin Public Arts Commission. Seconded by Vice Mayor Barnhill. Motion carried unanimously 7-0.

17. 18-1235 **Consideration of Mayor's Appointment of Jennifer Alvarado to the Franklin Public Arts Commission to Replace Kelly Selfe, who Resigned.**

Dr. Ken Moore, Mayor

Alderman Blanton moved to approve the appointment of Jennifer Alvarado to the Franklin Public Arts Commission. Seconded by Vice Mayor Barnhill. Motion carried unanimously 7-0.

18. 18-1195 **Consideration of Amendment No. 3 to the Professional Services Agreement (COF Contract 2016-0330) with Hethcoat & Davis for the Holiday Court Pump Station Upgrade Project for a Cost Increase of \$5,900.00.**

Michelle Hatcher, Water Management Director

Alderman Blanton moved to approve Amendment 3 to COF Contract 2016-0330. Seconded by Alderman Burger. Motion carried 6-0 with Alderman Martin recused.

CONSENT AGENDA

19. 18-1134 **Consideration of ORDINANCE 2018-57, An Ordinance to Amend Title 2, Chapter 5 of the City of Franklin Municipal Code Pertaining to the Battlefield Preservation Commission in Order to Amend the Name, Purpose, and Membership Structure of the Commission.**
Alderman Scott Speedy,
Emily Hunter, Planning/Sustainability Director
[FIRST OF TWO READINGS] James Svoboda, Planning/Sustainability Asst. Director
Amana Rose, Preservation Planner
Ordinance 2018-57 approved unanimously on First of Two Readings
20. 18-1210 **Consideration of Agreement (COF Contract 2018-0238) Between the City and the State of Tennessee, Department of Treasury, for the Provision of Certain Investment Management Services for the City's closed Defined Benefit Pension Plan.**
Eric Stuckey, City Administrator
Kristine Tallent, Assistant City Administrator
COF Contract 2018-0238 approved unanimously
21. 18-1222 **Consideration of ORDINANCE 2018-60, 2nd Quarter 2019 Budget Amendments; Establishing a Public Hearing Date of January 8, 2019.**
Eric Stuckey, City Administrator
[FIRST OF THREE READINGS] Michael Walters Young, Budget/Analytic
Ordinance 2018-60 approved unanimously
22. 18-1216 **Consideration of Final Change Order for the Construction Contract (COF Contract No. 2014-0301) for the Fieldstone Farms Pump Station No. 1 Upgrade with J.S. Haren for a Cost DECREASE of \$125,354.12 and a Time Increase of 48 Calendar Days.**
Michelle Hatcher, Water Management Director
COF Contract 2014-0301 approved unanimously
23. 18-0915 **Consideration of RESOLUTION 2018-75, "A Resolution Authorizing Condemnation for the Acquisition of Property for the South Carothers Road Sewer Line Improvements Project".**
Eric Stuckey, City Administrator
Michelle Hatcher, Water Management Director
Jimmy Wiseman, Engineering Assistant Director
Resolution 2018-75 approved unanimously
24. 18-1199 **Consideration of ORDINANCE 2018-59, "An Ordinance to Implement a Pavement Marking and Signage Plan on 4th Avenue South Between Church Street and South Margin Street".**
Paul Holzen, Engineering Director
[FIRST OF TWO READINGS] Jonathan Marston, Engineering Assistant Director
Ordinance 2018-59 approved unanimously on First of Two Readings
25. 18-1209 **Consideration of Amendment No. 1 to the Professional Services Agreement (COF Contract No. 2018-0062) with Alfred Benesch Company for the Design of Intersection Improvements at the McEwen Drive Interchange with I-65 for Additional Engineering Services in an Amount Not-to-Exceed \$35,015.20.**
Paul Holzen, Director of Engineering
Amendment No. 1 to COF Contract 2018-0062 approved unanimously
26. 18-1182 **Consideration of RESOLUTION 2018-98 to Adopt the Tennessee Department of Transportation (TDOT) Consultant Selection Policy for Projects Funded in Whole or in Part with Funds Provided by the Federal Highway Administration or the Tennessee Department of Transportation (Local Government Guidelines Form 1-2), Relative to**

Projects Funded in Whole or in Part with Funds Provided by the Federal Highway Administration or the Tennessee Department of Transportation.

Paul Holzen, Director of Engineering

Resolution 2018-98 approved unanimously

27. 18-1200 **Consideration of a Professional Services Agreement (COF Contract No. 2018-0242) with Barge Design Solutions for Final Design Services Associated with the Columbia Avenue Widening and Improvements Project in an Amount of \$750,000.00 (TDOT PIN 121454.00).**

Paul Holzen, Engineering Director

Jonathan Marston, Engineering Assistant Director

COF Contract 2018-0242 approved unanimously

28. 18-1135 **Consideration of 2019 Liquor License Renewal for Red Dog Wine & Spirits (Mr. Bard Quillman, Jr., Managing Agent), 1031 Riverside Drive, 37064.**

Lanaii Benne, Assistant City Recorder

Liquor License Renewal approved unanimously

29. 18-1188 **Acknowledge Receipt of 2018 Comprehensive Annual Financial Report (CAFR) for City of Franklin.**

Eric Stuckey, City Administrator

Kristine Tallent, Assistant City Administrator

Mike Lowe, Comptroller

Receipt of 2018 CAFR for COF approved unanimously

30. 18-1189 **Acknowledge Receipt of 2018 Comprehensive Annual Financial Report (CAFR) for Cool Springs Conference Center.**

Eric Stuckey, City Administrator

Kristine Tallent, Assistant City Administrator

Mike Lowe, Comptroller

Alderman McLendon moved to approve 2018 CAFR for Conference Center. Seconded by Alderman Burger. Motion carried unanimously 7-0.

RECEIPT OF REPORTS AND ITEMS APPROVED ON BEHALF OF THE BOARD

31. 18-0836 **City of Franklin, Police Headquarters Aaron Fresh Air Make Up Systems Factory Service Agreement in an Amount of \$6,307.18 (COF Contract No. 2018-0174)**

Acknowledged

Brad Wilson, Facilities Project Manager

32. 18-0964

Acknowledged

Jordon Shaw, IT Director

33. 18-1141 **Contract No. 2011274-C (COF Contract No. 2018-0209) between Regional Transportation Authority and City of Franklin.**

Acknowledged

Michael Walters Young, Budget/Analytics Manager

34. 18-1192 **Acknowledgement of Recording Solutions Agreement (COF Contract No. 2018-0237) with Corporation Services Company for the Digital Recording of Documents with the Williamson County Register of Deeds.**

Acknowledged

Paul Holzen, Director of Engineering

EXECUTIVE COMMITTEE DID NOT CONVENE

EXECUTIVE SESSION

- 35.

18-1120

Consideration of Motion to Enter Executive Session for Purpose of Reviewing Various Matters of Pending Litigation.

Shauna Billingsley, City Attorney

36.

18-1123

Consideration of Matters from Executive Session

Dr. Ken Moore, Mayor

ADJOURN

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

Meeting adjourned @ 7:50 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office--1/30/2019 1:29 PM