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**MINUTES OF THE REGULAR MEETING  
BOARD OF MAYOR AND ALDERMEN  
FRANKLIN, TENNESSEE  
CITY HALL BOARDROOM  
TUESDAY, FEBRUARY 12, 2019 – 7:00 P.M.**

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**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	P
Vernon Gerth, ACA Community/Economic Dev.	P	Michelle Hatcher, Water Management Director	
Mark Hilty, ACA Public Works	P	Paul Holzen, Director of Engineering	P
Kristine Tallent, ACA/CFO	P	Emily Hunter, Planning/Sustainability Director	P
Shauna Billingsley, City Attorney	P	Kevin Townsel, HR Director	
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		Linda Fulwider, Board Recording Secretary	P
Jack Tucker, SES Director			

**CALL TO ORDER**

Mayor Ken Moore called the February 12, 2019 BOMA meeting to order at 7:27 p.m.

**INVOCATION**

The invocation was given by Alderman Clyde Barnhill.

**PLEDGE OF ALLEGIANCE**

Cub Scout Pack 188 members and their leader introduced themselves and 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**

Williamson County representatives were not present.

**APPROVAL OF MINUTES**

1. 19-0102 *Vice Mayor Barnhill moved to approve the January 22, 2019 Work Session minutes and Board of Mayor and Aldermen minutes as presented. Seconded by Alderman Petersen. Motion carried unanimously.*

**RECOGNITIONS**

2. 19-0092 **Proclamation of March 2019 as Procurement Month for the City of Franklin**
  - Mayor Moore read the proclamation and presented it to Kristine Tallent, Assistant City Administrator/CFO.

## MISCELLANEOUS REPORTS

No reports

## 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 9-28 be placed on the Consent Agenda.

### 3. 19-0103 Consideration of Items 9-28 on the Consent Agenda

*Alderman Martin moved to approve Consent Agenda Items 9-28, except for Item 22 which was pulled. Seconded by Vice Mayor Barnhill. Motion carried unanimously.*

## OLD BUSINESS

### 4. 18-0808 **PUBLIC HEARING: Consideration of RESOLUTION 2018-64, A Resolution Approving a Development Plan for Carothers Chase PUD Subdivision, for Property located North of South Carothers Road and East of Carothers Parkway (4338 and 4340 South Carothers Road).**

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

Chris Andrews: To be referred to the Planning Commission.

#### **Public Hearing**

- Dan Horecka: Issues with the four lots looking down into their larger lot homes. He will talk to the Planning Commission. Another issue is the walking path along his backyard and built into the subdivision. He doesn't want to meet all those residents and their dogs. All this is piling up and he will fight to the end.
- A letter from JoAnn Verbanic and Joseph Patrick, 412 Cross Creek Court, Franklin, was given to Mayor Moore to enter into the record.

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

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*Vice Mayor Barnhill moved to refer Resolution 2018-64 to the February 28, 2019, Planning Commission meeting. Seconded by Alderman Blanton. Motion carried unanimously.*

### 5. 18-0809 **Consideration of ORDINANCE 2018-43, An Ordinance to Rezone 22.07 Acres from the Detached Residential 1 District (R-1) to the Specific Development-Residential (SD-R 2.04) District for the Property located North of South Carothers Road and East of Carothers Parkway, 4338 and 4340 South Carothers Road (Carothers Chase).**

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

#### **[THIRD AND FINAL READING]**

*Alderman Blanton moved to refer Ordinance 2018-43 to the February 28, 2019, Planning Commission meeting. Seconded by Vice Mayor Barnhill. Motion carried unanimously.*

### 6. 18-1158 **Consideration of Road Impact Fee Offset Agreement (COF 2018-0231) with Sunnybrook Investment Company, LLC for the South Carothers Road Widening Project. (Carothers Chase PUD)**

**Paul Holzen, Director of Engineering  
Jimmy Wiseman, Assistant Director of Engineering**

*Alderman McLendon moved to defer COF Contract 2018-0231 to coincide with Resolution 2018-64 on a future BOMA agenda. Seconded by Alderman Bransford. Motion carried unanimously.*

#### **NEW BUSINESS**

7. 18-1257 **Consideration of ORDINANCE 2018-61 – An Ordinance to Rezone 58.58 Acres from Specific Development Variety District (2.61, 391,012) to Specific Development Variety District (10.48,420875) for the Property located at the Intersection of Cool Springs Boulevard and East McEwen Drive (Avalon Square PUD Subdivision); Establishing a Public Hearing for March 12, 2019.**

**[FIRST OF THREE READINGS]**

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

*Vice Mayor Barnhill moved to approve Ordinance 2018-61. Seconded by Alderman Burger. Motion carried unanimously on First of Three Readings.*

8. 19-0112 **Consideration of the Appointment of Dr. Blake Wintory to the Civil War Historical Commission as the Representative from the Heritage Foundation.**

**Dr. Ken Moore, Mayor**

*Alderman Bransford moved to approve the appointment of Dr. Blake Wintory to the Civil War Historical Commission as the Representative from the Heritage Foundation. Seconded by Alderman Blanton. Motion carried unanimously.*

#### **CONSENT AGENDA**

9. 18-0860 **Consideration of ORDINANCE 2018-32, an Ordinance to Amend Title 16, Chapter 10, Section 16-1004 Relative to the Use of City Police Officers Required Under an Approved Traffic Control Plan.**

**[First of Two Readings]**

**Eric Stuckey, City Administrator  
Vernon Gerth, Assistant City Administrator  
Shauna Billingsley, City Attorney**

*Ordinance 2018-32 approved unanimously on First of Two Readings.*

10. 18-0988 **Consideration of ORDINANCE 2018-38, “An Ordinance to Establish All-Way Stop Control at the Intersection of 3<sup>rd</sup> Avenue North and 4<sup>th</sup> Avenue North.”**

**[Second and Final Reading]**

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

*Ordinance 2018-38 approved unanimously on Second and Final Reading.*

11. 18-0989 **Consideration of ORDINANCE 2018-39, “An Ordinance to Establish All-Way Stop Control at the Intersection of 1<sup>st</sup> Avenue South and Church Street.”**

**[Second and Final Reading]**

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

*Ordinance 2018-39 approved unanimously on Second and Final Reading.*

12. 18-0990 **Consideration of ORDINANCE 2018-40, “An Ordinance to Establish No Parking Zones and to Approve a signage and Pavement Marking Plan for Church Street.”**

**[Second and Final Reading]**

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

*Ordinance 2018-40 approved unanimously on Second and Final Reading.*

13. 18-0991 **Consideration of ORDINANCE 2018-41, “An Ordinance to Revise the Traffic Flow, Pavement Markings, and Signage on Cummins Street between Church Street and 5<sup>th</sup> Avenue South.**

**[Second and Final Reading]**

**Paul Holzen, Director of Engineering**

*Ordinance 2018-41 approved unanimously on Second and Final Reading.*

14. 18-0992 **Consideration of ORDINANCE 2018-42, “An Ordinance to Establish a No Parking Zone on South Margin Street and to Implement a Pavement Marking and Signage Plan.”**  
Paul Holzen, Director of Engineering  
[Second and Final Reading] Jonathan Marston, Assistant Director of Engineering  
*Ordinance 2018-42 approved unanimously on Second and Final Reading.*
15. 18-0993 **Consideration of ORDINANCE 2018-52, “An Ordinance to Establish a No Parking Zone and to Implement a Pavement Marking and Signage Plan on 7<sup>th</sup> Avenue North, between West Main Street and Fair Street.**  
Paul Holzen, Director of Engineering  
[Second and Final Reading]  
*Ordinance 2018-52 approved unanimously on Second and Final Reading.*
16. 18-0048 **Consideration of RESOLUTION 2019-08, A Resolution of Master Plan for the Park at Harlinsdale Farm (City of Franklin Contract 2018-0084).**  
Lisa Clayton, Parks Director  
*Resolution 2019-08 approved unanimously.*
17. 18-1276 **★Consideration of ORDINANCE 2018-62 – An Ordinance to Rezone 5.35 Acres from Specific Development Residential (SD-R 5.03) District to Neighborhood Commercial (NC) District for the Property located West of Carothers Parkway and South of South Carothers Road, 4309 South Carothers Road (Discovery Center); Establishing a Public Hearing Date of March 12, 2019.**  
Alderman Ann Petersen, FMPC Representative  
[First of Three Readings] Emily Hunter, Planning/Sustainability Director  
Amy Diaz-Barriga, Planning Supervisor  
Christopher Andrews, Principal Planner  
*Ordinance 2018-62 approved unanimously on First of Three Readings.*
18. 18-1277 **★Consideration of ORDINANCE 2018-63 – An Ordinance to Rezone 121.54 Acres from Specific Development-Residential (SD-R 5.03) District to Specific Development-Residential (SD-R 5.25) 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 March 12, 2019.**  
Alderman Ann Petersen, FMPC Representative  
[First of Three Readings] Emily Hunter, Planning/Sustainability Director  
Amy Diaz-Barriga, Planning Supervisor  
Christopher Andrews, Principal Planner  
*Ordinance 2018-63 approved unanimously on First of Three Readings.*
19. 18-0891 **★Consideration of ORDINANCE 2018-46, An Ordinance To Be Entitled: An Ordinance to Amend the Franklin Municipal Code, Appendix A-Comprehensive Fees and Penalties, Chapter 14, Relating to Zoning and Land Use Application Fees for the Planning Review Process. Establishing a Public Hearing Date of March 12, 2019.**  
Planning/Sustainability Department  
[FIRST OF THREE READINGS] Emily Hunter, Director  
*Ordinance 2018-46 approved unanimously on First of Three Readings.*
20. 18-1028 **Consideration of Final Change Order to the Construction Contract (COF Contract 2015-0062) for the Water Treatment Plant Modifications Project with Judy Construction, Inc. for a Cost DECREASE of \$79,790.00 and a Time Reduction of 15 days.**  
Michelle Hatcher, Water Management Director  
*COF Contract 2015-0062 approved unanimously.*

21. 18-1245 **Consideration of a Request for Sanitary Sewer Availability Approval for 4034 Clovercroft Road (MAP 79, PARCEL 56.01).**

**Eric Stuckey, City Administrator  
Paul Holzen, Director of Engineering  
Michelle Hatcher, Water Management Director**

*Approved unanimously*

22. 19-0028 **Consideration of RESOLUTION 2019-02, "A Resolution Approving the Preliminary Design of the East Main Street/Franklin Road Bridge over the Harpeth River.**

**Paul Holzen, Director of Engineering**

Alderman Martin said residents in that area don't want the bridge project to delay the Franklin Road project. Staff responded that when the road project is ready, it will proceed. The bridge project will not be ready before the road project.

*Alderman Speedy moved to approve Resolution 2019-02. Seconded by Alderman Burger. Motion carried unanimously.*

23. 19-0054 **Consideration of Change Order No. 2 (FINAL) to the Construction Contract (COF Contract No. 2017-0006) for the SR-96 East Sidewalk Project with Civil Constructors, LLC for a Cost Increase of \$208,684.31 and a Time Extension of 68 Days.**

**Paul Holzen, Director of Engineering**

*Approved unanimously*

24. 19-0036 **Consideration of Final Reconciling Change Order to Construction Contract (COF Contract No. 2017-0198) with Civil Constructors, LLC for the Goose Creek Inn Sanitary Sewer Extension Project for a Decrease in the Amount of \$89,195.80 and a Time Extension Through August 24, 2018.**

**Michelle Hatcher, Water Management Director  
Patricia McNeese, Utilities Engineer II**

*Approved Unanimously*

25. 19-0037 **Consideration of the Final Reconciling Change Order to the Construction Contract (COF Contract 2014-0288) with Revere Control Systems, Inc. for the Water Distribution and Collection System SCADA Improvements Project for a Decrease in the Amount of \$116,828.98 and a Time Extension of 297 Calendar Days.**

**Michelle Hatcher, Water Management Director**

*Approved unanimously*

26. 19-0087 **Consideration of a Variance from Title 18 for 1215 Hillsboro Road (MAP 052, PARCEL 00700), Christ Community Church.**

**Michelle Hatcher, Water Management Director**

*Approved unanimously*

27. 19-0091 **Consideration of Interlocal Agreement (COF Contract 2018-0275) with Williamson County for Fire Station 7.**

*Approved unanimously*

28. 19-0100 **Consideration of Amendment No. 3 to the Professional Services Agreement (COF Contract 2017-0007) with Barge Design Solutions, Inc. for the Design of Intersection Improvements at East McEwen Drive and Cool Springs Boulevard for a Cost Increase Not-to-Exceed \$15,950.00**

**Engineering**

*Approved unanimously*

#### **RECEIPT OF REPORTS AND ITEMS APPROVED ON BEHALF OF THE BOARD**

- |       |         |  |   |
|-------|---------|--|---|
| 29.   | 18-1285 | <b>Contract 2018-0274, between the City of Franklin and Paul Johnson for Assistance with the Community Development Block Grant Program Including Development of the Consolidated Plan, the Annual Action Plan (AAP), and the Comprehensive Annual Performance and Evaluation Report (CAPER)</b><br><i>Acknowledged</i> | <b>Tom Marsh &amp; Kathleen Sauseda</b> |
| <hr/> |         |  |   |
| 30.   | 19-0107 | <b>City of Franklin Contract 2018-0210 for the Federal Preservation Grant for Window Restoration at Hayes House at the Park at Harlinsdale Farm</b><br><i>Acknowledged</i>   |   |
| <hr/> |         |  |   |
| 31.   | 19-0108 | <b>City of Franklin Contract 2018-0204 for the Federal Preservation Grant for Completion of National Register Listing Update for Hincheyville Historic District</b><br><i>Acknowledged</i>   | <b>Amanda Rose</b>                      |
| <hr/> |         |  |   |
| 32.   | 19-0117 | <b>Acknowledgement of Quitclaim Deed for Fire Station 7 (COF Contract 2018-0244) with Williamson County, Tennessee</b><br><i>Acknowledged</i>  | <b>Brad Wilson</b>                      |
| <hr/> |         |  |   |
| 33.   | 19-0119 | <b>Warranty Deed and Easements (COF Contracts 2019-0012, 2019-0016 and 2019-0029) for the Franklin Road Corridor Improvements.</b><br><i>Acknowledged</i>  |   |
| <hr/> |         |  |   |
| 34.   | 19-0126 | <b>Acknowledgement of COF Contract 2018-0266 Terms and Conditions for TRAFx Data Net Renewal.</b><br><i>Acknowledged</i>   | <b>Lisa Clayton and Paige Cruse</b>     |

#### **EXECUTIVE SESSION**

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| 35. | 19-0004 | <b>Consideration of Motion to Enter Executive Session for Purpose of Reviewing Various Matters of Pending Litigation.</b><br><br><div style="text-align: right;"><b>Shauna Billingsley, City Attorney</b></div> Alderman McLendon moved to Enter Executive Session. Seconded by Alderman Burger. Motion carried unanimously. [7:44 p.m.] |
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#### **RETURN FROM EXECUTIVE SESSION**

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| 36. | 19-0005 | <b>Consideration of Matters from Executive Session</b><br><br><div style="text-align: right;"><b>Dr. Ken Moore, Mayor</b></div> [8:02 p.m.] There were no matters to consider. |
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#### **ADJOURN**

*Vice Mayor Barnhill moved to adjourn. Seconded by Alderman Bransford. Motion carried unanimously.*

Meeting adjourned @ 8:03 p.m.

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Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office—4/23/2019 11:58 AM