BOARD OF MAYOR & ALDERMEN REGULAR MEETING MINUTES TUESDAY, AUGUST 13, 2019 – 7:00 P.M. CITY HALL BOARD ROOM FRANKLIN, TENNESSEE

Board Members

Mayor Ken Moore	Р		
Vice Mayor Clyde Barnhill	Р	Alderman Dana McLendon	Р
Alderman Brandy Blanton	Р	Alderman Margaret Martin	Р
Alderman Pearl Bransford	Р	Alderman Ann Petersen	Р
Alderman Beverly Burger	Р	Alderman Scott Speedy	Р
Department Directors/Staff			
Eric Stuckey, City Administrator	Р	Lisa Clayton, Parks Director	Р
Vernon Gerth, ACA Community/Economic Dev.	Р	Michelle Hatcher, Water Management Director	
Mark Hilty, ACA Public Works	Р	Paul Holzen, Director of Engineering	
Kristine Brock, ACA/CFO	Р	Emily Hunter, Planning/Sustainability Director	Р
Shauna Billingsley, City Attorney	Р	Kevin Townsel, HR Director	
Deb Faulkner, Police Chief		Joe York, Streets Director	
Rocky Garzarek, Fire Chief		Michael Walters Young, Budget/Analytic Manager	Р
Jordon Shaw, IT Director		Lanaii Benne, Assistant City Recorder	Р
Tom Marsh, BNS Director		Linda Fulwider, Board Recording Secretary	Р
Jack Tucker, SES Director			

CALL TO ORDER

Mayor Ken Moore called the August 13, 2019 BOMA meeting to order at 7:20 p.m.

INVOCATION

The invocation was given by Vice Mayor Clyde Barnhill.

PLEDGE OF ALLEGIANCE

Mayor Ken 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

Mayor Moore said there were County Commissioners and representatives present who would speak during a public hearing.

APPROVAL OF MINUTES

 19-0724 Alderman Petersen moved to approve the July 2, 2019 Special Work Session, and July 9, 2019 Work Session minutes as presented, and the July 9, 2019 Board of Mayor and Aldermen minutes with correction to Item 4, Page 2 – the vote to approve Ordinance 2019-09: Motion carried unanimously 7-1 with Alderman Petersen voting no on Third and Final Reading. Seconded by Alderman Bransford. Motion carried unanimously.

RECOGNITIONS

- Mayor Moore read a proclamation supporting the 2020 Census.
- Mayor Moore invited Rebecca Kelly, Barry Evans, Greg Bourne, and Rob Naylor to the podium for a presentation. AARP Tennessee has named the City of Franklin to the list of Age-Friendly cities across the state. Certificates were presented. Ms. Kelly announced that in November the AARP Tennessee offices will be moving from Nashville to Franklin.

MISCELLANEOUS REPORTS

- The new zoning ordinance is on the website as zonefranklin.com. On Thursday staff will be at City Hall to answer questions from 5:00 pm to 8:00 p.m. and will have open hours on Friday.
- A CDBG program will be discussed in the Development Services Conference Room from 5:15 to 6:30 p.m.
- The correct date for the Capital Investment Committee meeting listed is August 22, 2019.

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 <u>20-22</u> be placed on the Consent Agenda.

2. 19-0726 Consideration of Items 20-22 on the Consent Agenda

Alderman Bransford moved to approve Consent Agenda Items 20-22. Seconded by Alderman Burger. Motion carried unanimously.

OLD BUSINESS

3. 19-0464 PUBLIC HEARING: Consideration of RESOLUTION 2019-42: A Resolution Adopting a Plan of Services for the Annexation of Several Properties Located East and West of Lewisburg Pike and North and South of the Intersection at Stream Valley Boulevard (Southbrooke PUD Subdivision) by the City of Franklin, Tennessee."

Emily Hunter, Planning/Sustainability Director Amy Diaz-Barriga, Planning Supervisor

Draft Plan of Services For Southbrooke PUD Subdivision. Staff recommends approval. Public Hearing:

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

Vice Mayor Barnhill moved to approve Resolution 2019-42, Plan of Services. Seconded by Alderman Speedy. Motion carried 6-2 with Aldermen Bransford and Blanton voting no.

4. 19-0444 PUBLIC HEARING: Consideration of RESOLUTION 2019-41: "A Resolution to Annex Several Properties Located East and West of Lewisburg Pike and North and South of the Intersection at Stream Valley Boulevard, consisting of 318.49 Acres in the Southbrooke PUD Subdivision, and Adjoining the City Limits within the Southern Part of the Franklin Urban Growth Boundary (UGB)."

[SECOND OF THREE READINGS]

Emily Hunter, Planning/Sustainability Director Amy Diaz-Barriga, Planning Supervisor

The properties are both north and south of the Stream Valley Subdivision and extend across Lewisburg Pike to the West. Property is within the UGB. Staff recommends approval. <u>Public Hearing:</u>

• Kathy Webber, 1900 Springcroft Drive, Franklin: Referred to the growth discussions at the Work Session. Concerns about quality of life. Why is there no regional planning department for betterment of the whole county? At Planapalooza it was said that Envision Franklin had

already been aborted, and that citizens had a part in creating it. How can people trust you if their opinions have no value?

- Janet Curtis, 3665 N. Chapel Road: Infuriated. The City and County are destroying this county with all the traffic jams, ruining the schools with too many portables. The people allowed to vote for this, will vote for it. This was approved against the recommendation of staff. No one has concern for the residents.
- Commissioner Betsy Hester, UGB, 112 Valley Ridge Road, Franklin: She represents the people there. Concerned about traffic on Lewisburg Pike, with no plans to improve the road. Money set aside for schools isn't enough. Would have to raise taxes if this is passed. Envision Franklin was not followed in this development. Over \$700 million debt in the county.
- Diane Giddens, 4788 Bethesda Road, Thompson's Station: Asked the Board to consider a pause in annexation. Is the Southbrooke Subdivision consistent with Envision Franklin. Does it have the look and character wanted for Franklin? 749 new units. Why go south of 840? I-65 is continually backed-up making the commute too long.
- Commissioner Judy Herbert, 6921 Flat Creek Road, College Grove: If this is approved, worried about so many houses when most of the land is unbuildable. Limit the number of houses. There will be a tax increase.
- Greg Gamble, 716 Hampton Cove, Franklin, representing the Applicant: Look at the plan as a whole. A significant amount of time has been spent with five community and neighborhood meetings, and with county residents, Stream Valley and neighbors. The acres are contiguous to the city limits, 60 homes per year are to be built, 1,400+ jobs are coming. Key elements to managed growth: residential close to regional centers, with home prices \$250,000 up to \$1 million, workforce housing. The lots less than 45 ft. in width are just 27% of the development. Westhaven and other subdivisions have those. Exhibit of conditions shows turn lanes Goose Creek/Lewisburg. With improvement it will no longer be a failing intersection. An information sheet about Williamson County Schools was provided. In 5-10 years, there will be a new school in the Westhaven area.

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

Alderman Speedy moved to approve Resolution 2019-41, annexation. Seconded by Alderman Martin.

Discussion:

- So many new businesses coming in with many employees as well as.
- That edge of the City keeps going further.
- Long Lane overpass in the CIP
- Fire Station 7 in process as well as a new school
- This land by the interstate is developable now. We need to look at it now.
- The intersection will be improved.
- If we don't annex, we won't have control over the outcome.
- Support annexation and then see about the plan.
- Infrastructure does exist in the area and there is sewer capacity.

Motion to approve Resolution 2019-41 (Annexation) resulted in a 4-4 tie with Aldermen Burger, McLendon, Speedy and Martin voting in favor and Vice Mayor Barnhill, Aldermen Petersen, Bransford and Blanton voting against annexation. Mayor Moore, who has the deciding vote in these instances, voted in favor of annexation, thus the motion to approve annexation carried by a vote of 5-4 on Second of Three Readings.

5. 19-0442 PUBLIC HEARING: Consideration of ORDINANCE 2019-13: "An Ordinance to Zone 318.49 Acres Specific Development – Residential District (SD-R 2.36, Hillside Overlay District (HHO), Goose Creek Character Area Overlay District (GCCO-5) and McLemore Character Area Overlay District (MLCO-2), Either Conventional or Traditional

Standards, for Several Properties Located East and West of Lewisburg Pike and North and South of the Intersection at Stream Valley Boulevard (Southbrooke PUD Subdivision)."

[SECOND OF THREE READINGS]

Emily Hunter, Planning/Sustainability Director Amy Diaz-Barriga, Planning Supervisor

Specific Development-Residential District, Hillside Overlay District. Envision Franklin places the majority of these properties into the Conservation Subdivision Design Concept. Staff recommends approval.

Public Hearing:

Greg Gamble, representing the applicant, said he had been listening closely to the comments and he was happy to defer the Zoning Ordinance and Development Plan Resolution. With no one else coming forward to speak, Mayor Moore declared the Public Hearing Closed

Alderman McLendon moved to defer Ordinance 2019-13 (Zoning) to November 12, 2019. Seconded by Alderman Burger. Motion carried unanimously.

6. 19-0443 PUBLIC HEARING: Consideration of RESOLUTION 2019-40, As Amended: "A Resolution Approving a Development Plan for Southbrooke PUD Subdivision, for Several Properties Located East and West of Lewisburg Pike and North and South of the Intersection at Stream Valley Boulevard."

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

Development Plan for Southbrooke PUD Subdivision <u>Public Hearing:</u>

- Steve Ritchie, 644 Streamside, Franklin: His property backs up to Southbrooke. The Planning Commission voted in favor of this even though staff did not recommend approval. He quoted Envision Franklin, pages 34 and 38, and said Southbrooke does not meet the intent regarding density, set-backs, and a lack of definition. He has questions.
- Brian Davis, 115 Gosling Drive, Goose Creek Estates, Franklin: Wanted to add more restrictions on Southbrooke: Mark the short connector/emergency drive so it doesn't look like an extension/continuation of the drive; Extend landscape buffer 50 ft. along the western border; high-low canopy trees; Restrict corner lighting and all street lights. Residents cannot turn left to exit the subdivision in the mornings because of the traffic.

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

Alderman McLendon moved to defer Resolution 2019-40, As Amended (Development Plan) to November 12, 2019. Seconded by Alderman Burger. Motion carried unanimously.

7. 19-0585 Consideration of COF Contract 2019-0172 Parkland Impact Fee and Trail System Construction Agreement between the City of Franklin and Southbrooke, LLC. Lisa Clayton, Parks Director

Alderman McLendon moved to defer Contract 2019-0172 (Parkland Impact Fee) to November 12, 2019. Seconded by Alderman Burger. Motion carried unanimously.

8. 19-0689 Consideration of Road Impact Fee Offset Agreement (COF 2019-0221) for Southbrooke PUD Subdivision with Southbrooke, LLC.

Paul Holzen, Director of Engineering

Jimmy Wiseman, Assistant Director of Engineering

Alderman McLendon moved to defer Contract 2019-0221 (Road Impact Fee Offset Agreement) to November 12, 2019. Seconded by Alderman Burger. Motion carried unanimously.

9. 19-0641 PUBLIC HEARING: Consideration of RESOLUTION 2019-61: "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."

Emily Hunter, Planning/Sustainability Director Amy Diaz-Barriga, Planning Supervisor

Joseph Bryan, Principal Planner

The main changes include the applicant moving dwelling units from Section 15 to Sections 16 and 17 and adding another external access point to South Carothers Road. <u>Public Hearing:</u>

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

Alderman Martin moved to approve Resolution 2019-61. Seconded by Vice Mayor Barnhill. Motion carried unanimously.

NEW BUSINESS

10. 19-0698 Consideration of RESOLUTION 2019-64 to Adopt the Franklin Trails Brand Strategy and Brandmark Plan.

Lisa Clayton, Parks Director

Alderman Bransford moved to approve Resolution 2019-64. Seconded by Alderman Martin. Motion carried unanimously.

11. 19-0688 Consideration of RESOLUTION 2019-68, "A Resolution to Adopt the Project List for the FY 2019-2028 CIP (Capital Investment Program)."

Eric Stuckey, City Administrator

Alderman McLendon moved to approve Resolution 2019-68. Seconded by Alderman Martin.

Discussion:

- Vice Mayor Barnhill: The Parkview drainage issue for \$17 million isn't on the CIP. Not comfortable voting on this list. There are opportunities to leverage money. There is also the roadway project when Brentwood indicates they are ready for it. Not many roadway projects are on the list.
- Alderman Martin: Part of the Parkview project is on the list.
- Alderman Petersen: Not all projects on the list have funding.
- Mr. Stuckey: We do a 10-year outlook review every two years. A manageable group of projects is listed. We want to move forward on these projects or they will be delayed. A significant amount of planning has taken place on these projects.
- Alderman McLendon: We spent a long time building a consensus with staff, multiple committee meetings, and the Board had special meetings. It is time we make a commitment and not start culling things out of the list. If there hadn't been the presentation tonight, would anyone want the \$17 million project derail millions in projects. It is a long and excruciating process. Roads are on the list and people are talking about infrastructure.
- Alderman Petersen: Looking back, many of these aren't on roads, some are sidewalks. Many are extremely expensive. There isn't enough money for all projects. She doesn't agree with the listed ones. There is not that much money coming from elsewhere.
- Mayor Moore: There was plenty of time during the break in July to offer projects, and no one came forward.

Alderman Burger called the question. Seconded by Alderman Bransford. Carried by a vote of 6-2 with Vice Mayor Barnhill and Alderman Petersen voting no.

Motion to approve Resolution 2019-68 carried 6-2 with Vice Mayor Barnhill and Alderman Petersen voting no.

12. 19-0751 Consideration of RESOLUTION 2019-79, "A Resolution Authorizing the City Administrator to Execute a Road Impact Fee Offset Agreement with Parkes Development Group, LLC." Contract 2019-0003

Paul Holzen, Director of Engineering

Alderman Burger moved to approve Resolution 2019-79. Seconded by Alderman Martin. Motion carried unanimously.

13. 19-0759 Consideration of COF Contract 2019-0096 As Amended, Parkland Dedication and Construction, an Agreement between the City of Franklin and Legacy Cool Springs, LLC concerning the Development Known as Huffines Ridge.

Lisa Clayton, Parks Director

Alderman Burger moved to approve Contract 2019-0096, As Amended. Seconded by Vice Mayor Barnhill. Motion carried unanimously.

14. 19-0768 ★Consideration of RESOLUTION 2019-076, a Resolution Adopting the Williamson County Hazard Mitigation Plan.

Rocky Garzarek, Fire Chief

Alderman Burger moved to approve Resolution 2019-076. Seconded by Vice Mayor Barnhill. Motion carried unanimously.

15. 19-0722 ★Consideration of ORDINANCE 2019-26 to be entitled: "An Ordinance to Establish a Four (4) Hour Time Limit for All Public Parking Spaces Located on West Main Street Between 5th Avenue and 7th Avenue.

[First of Two Readings]

Alderman Margaret Martin

Alderman McLendon moved to approve Ordinance 2019-26, Option 4. Seconded by Alderman Blanton.

Aldermen McLendon and Blanton expressed they would support every 4-hour parking ordinance that comes along. The two Aldermen voted against the ordinance for 2-hour parking when it was presented.

Alderman Martin moved to amend the motion to add limitless parking from 6th to 7th Avenues on both sides of the street, Option 3. Motion died for lack of a second.

- Vice Mayor Barnhill: We spent months and months on the parking issue, yet this is being brought now.
- Alderman Blanton: A resident brought forth the issue.

Motion to approve Ordinance 2019-26, Option 4 was a tie 4-4 with Aldermen McLendon, Blanton, Bransford, Burger voting in favor, and Vice Mayor Barnhill and, Aldermen Petersen, Martin and Speedy voting against. Mayor Moore cast the deciding vote in favor, making the final vote approval of the Ordinance by a vote of 5-4 on First of Two Readings.

16. 19-0755 ★Consideration of a Request for Water and Sewer Availability Approval for: 1819 Hillsboro Road, Map and Parcel 371-03100.

Michelle Hatcher, Water Management Director

Alderman Blanton moved to approve water and sewer availability for 1819 Hillsboro Road. Seconded by Alderman Bransford. Motion carried unanimously.

17. 19-0756 **Consideration of a Request for Sewer Availability Denial for: 2271 South Berry's Chapel** Road, Map and Parcel 053-04200.

Michelle Hatcher, Water Management Director

Alderman Burger moved to approve the request for denial of sewer availability for 2271 South Berry's Chapel Road. Seconded by Alderman Bransford. Motion carried unanimously.

18. 19-0752 ★Consideration of procurement award to Hayes Pipe Supply, Inc. of Nashville, Tennessee in the total amount of \$146,463.25 for supply and delivery of PVC pipe and ductile iron fittings to be used for construction of a new reclaimed water line to Berry Farms Subdivision and Reams Fleming Tract for the Reclaimed Water system Division of the of the Water Management Department (Purchasing Office Procurement Solicitation No. 2020-005; \$500,000 (including supplies) budgeted in 441-89320-52321 for fiscal year 2020; Contract 2019-0241;Project 2019-008)

Michelle Hatcher, Water Management Director

Alderman Bransford moved to approve Contract 2019-0241. Seconded by alderman McLendon. Motion carried unanimously.

19. 19-0715 ★Consideration of ORDINANCE 2019-20: "An Ordinance to Rezone 20.90 Acres from General Commercial (GC) District to Specific Development-Residential (SD-R 11.34) District for the Property Located East of Carothers Parkway and South of Murfreesboro Road, 250 Rosa Helm Way, 2050 and 2051 Wood Duck Court (Wood Duck court PUD Subdivision) Establishing a Public Hearing Date of 09-10-19

> [First of Three Readings] Emily Hunter, Planning/Sustainability Director Amy Diaz-Barriga, Planning Supervisor

Alderman Bransford moved to approve Ordinance 2019-20. Seconded by Alderman Martin. Motion carried unanimously on First of Three Readings.

CONSENT AGENDA

- 20.
 19-0680
 Consideration of ORDINANCE 2019-24, An Ordinance Creating a Competitive Sealed Proposal Process to Purchase Goods and Services.

 [Second and Final Reading]
 Shauna Billingsley, City Attorney

 Ordinance 2019-24 carried unanimously on Second and Final Reading.
- 21. 19-0640 Consideration of an Interlocal Agreement between Franklin Special School District and the City of Franklin for the Design, Bidding, and Construction of Ballfields and related Infrastructure Located at Freedom Middle School and Poplar Grove School and Campus (COF Contract 2019-0214).

Mark Hilty, ACA Public Works Lisa Clayton, Parks Director

Contract 2019-0214 approved unanimously

22. 19-0519 Consideration of Procurement Award to Microbac Laboratories, Inc. Maryville, Tennessee in the estimated total annual amount of \$22,276 for industrial pretreatment sampling and testing. Water Reclamation Facility influent and effluent testing and testing of river samples wastewater treatment laboratory contract services for a term award for the Water Reclamation Division of the Water Management Department (Purchasing Office Procurement Solicitation No. 2019-013; \$60,000 budgeted for line item in 431-82280-52213 for fiscal year 2020; Contract No. 2019-0161.

Michelle Hatcher, Water Management Director

Contract 2019-0161 approved unanimously

RECEIPT OF REPORTS AND ITEMS APPROVED ON BEHALF OF THE BOARD

23. 19-0609 Professional Services Agreement (COF Contract 2019-0177) with Gresham Smith for the Pratt Lane Improvements Project for an Amount Not-to-Exceed \$15,000. Acknowledged Paul Holzen, Director of Engineering

Jimmy Wiseman, Assistant Director of Engineering 24. 19-0684 Flock Group, Inc. COF Contract 2019-0216 for the purchase of two license plate readers for the Franklin Police Department. Acknowledged **Deb Faulkner, Police Chief** Agreement (COF Contract No. 2018-0239) for Dedication of Easement by Christopher and 25. 19-1159 Laura Derrigo for the Township PUD Subdivision offsite water improvements. 26. 19-0721 Professional Services Agreement (COF Contract 2019-0228) with Hazen and Sawyer for an Amount of \$15,000 to Evaluate the Existing Data and Develop and Develop Short Term Recommendations for the Raw Water Reservoir Management Plan at the Water Treatment Plant. Acknowledged Michelle Hatcher, Water Management Director 27. 19-0743 **Emergency purchase to rebuild Pump No. 6 for Main Pump Station at Water Reclamation** Facility from Tech Industrial Sales and Service, Inc. of Nashville, Tennessee in the total amount of \$60,838.05 for the Water Reclamation Division of the Water Management Department (\$365,000 budgeted in line-item 431-89530-52213 for fiscal year 2019) Acknowledged Michelle Hatcher, Water Management Director 28. 19-0753 Sole-source purchase from Gulf States Distributors of Montgomery, Alabama of replacement TASER-brand law enforcement technology and ancillary parts in the total amount of \$58,563 for the Police Department (\$59,000 budgeted in 110-83280-42110 for fiscal year 2020) Acknowledged **Deb Faulkner, Police Chief** 29. 19-0754 Sole-source purchase from Central Square Technologies of San Diego, California for CAD (Computer-aided dispatch) software maintenance renewal in the total amount of \$73,942.81 for the year beginning July 1, 2019 for the Police Department (\$74,000 budgeted in 110-82510-41350 for fiscal year 2020; COF Contract 2014-0316) Acknowledged **Jordon Shaw, IT Director** 30. Sole-source purchase from the C.I. Thornburg Co., Inc. of Nashville, TN of 4,000 Sensus-19-0761 brand 5/8" x ¾" iPERL water meters and 4,000 Sensus-brand model 520M water meter transceiver units in the total amount of \$820,000 for the Water Management Department (\$1,007,000 budgeted in 431-89320-52219 for fiscal year 2020 for advanced metering infrastructure including this purchase, and \$1,007,000 budgeted in 421-89320-522'9 for fiscal year 2020 for advanced metering infrastructure including this purchase, and \$1,007,000 budgeted in 421-89320-52109 for fiscal year 2020 for advanced metering infrastructure including this purchase) Acknowledged Michelle Hatcher, Water Management Director **EXECUTIVE SESSION** 31. Consideration of Motion to Enter Executive Session for Purpose of Reviewing Various 19-0727 Matters of Pending Litigation.

Shauna Billingsley, City Attorney

Vice Mayor Barnhill moved to enter Executive Session. Seconded by Alderman McLendon. Motion carried unanimously. (8:49 p.m.)

RETURN FROM EXECUTIVE SESSION

32. 19-0728 Consideration of Matters from Executive Session

Dr. Ken Moore, Mayor

(Returned @ 8:57 p.m.)

Alderman McLendon moved to authorize the City Administrator and City Attorney to execute such agreements that allow the City to continue a relationship with the Tennessee Fair Housing Council. Seconded by Alderman Blanton. Motion carried unanimously.

ADJOURN

Alderman McLendon moved to adjourn. Seconded by Alderman Blanton. Motion carried unanimously.

Meeting adjourned @ 8.59 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office-9/26/2019 4:45 PM