
**BOARD OF MAYOR & ALDERMEN SPECIAL MEETING MINUTES
TUESDAY, AUGUST 27, 2019 – 7:00 P.M.
CITY HALL BOARD ROOM
FRANKLIN, TENNESSEE**

Board Members

Mayor Ken Moore	P		
Vice Mayor Clyde Barnhill	P	Alderman Dana 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, Assistant City Administrator	P	Michelle Hatcher, Water Management Director	
Mark Hilty, ACA Public Works	P	Paul Holzen, Engineering Director	P
Kristine Brock, ACA/CFO		Emily Hunter, Planning & Sustainability Director	P
Shauna Billingsley, City Attorney	P	Kevin Townsel, Human Resources Director	
Deb Faulkner, Police Chief		Joe York, Streets Director	
Rocky Garzarek, Fire Chief		Michael Walters Young, Budget/Analytics Manager	
Jordon Shaw, IT Director		Lanaii Benne, Assistant City Recorder	P
Tom Marsh, BNS Director		Linda Fulwider, Board Recording Secretary	
Jack Tucker, SES Director			

CALL TO ORDER

Mayor Ken Moore called the August 27, 2019, meeting to order at 7:00 p.m.

INVOCATION

Vice Mayor Clyde Barnhill gave the invocation.

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 at a later date. 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)

- Janet Curtis, 3665 North Chapel Road, Franklin: At the Work Session there was a lot of talk about infrastructure, planning for the future growth of the County and the City. Where is all this infrastructure? It's unknown when these roads and extensions will be built. Why can't the annexations be held off until these things are built. Southbrooke is a 12-year project. It's unknown what will happen or what the costs will be in 12 years. As to people working where they live; only management can afford these homes. Look at the whole picture, slow down and look at what is going on. Listen to the people that put you in office and respect their points of view, because this is getting out of hand.

COMMUNICATIONS FROM WILLIAMSON COUNTY MAYOR AND WILLIAMSON COUNTY COMMISSION
Commissioners Lawrence and Story were recognized.

APPROVAL OF MINUTES

1. **19-0841** Alderman Martin moved to approve the August 13, 2019 Work Session and August 13, 2019 Board of Mayor and Aldermen minutes. Seconded by Vice Mayor Barnhill. Motion carried unanimously.

RECOGNITIONS

- 19-0856 Proclamation to Honor September 18, 2019 as American Legion Day**
Vice Mayor Barnhill joined Mayor Moore along with Jackson Patterson, Commander of Post 22 in Franklin, Jim Howard and Benny Scott, members, for the reading of the proclamation.
- 19-0861 Proclamation for World Duchenne Awareness Day**
Mayor Moore read the proclamation.

MISCELLANEOUS REPORTS

- Wednesday night South Corridor Public Meeting @ 5:30 p.m. Brookdale Senior Residence.
- Police Chief Faulkner and the Police Department received recognition from the Office of the Secretary of Defense as an Employer Support of Guard and Reserve Excellence. Especially meaningful as a City police officer who was recently deployed made the nomination.
- Stephen Price, digital media specialist for the last 6.5 years is leaving his post this week and was recognized for his creativity while serving the City.
- Maricruz Fincher, new attorney in the Law Department was introduced and welcomed.

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 Number 13 be placed on the Consent Agenda.

2. **19-0842 Consideration of Item 13 on the Consent Agenda**
Vice Mayor Barnhill moved to approve Consent Agenda Item 13. Seconded by Alderman Burger. Motion carried unanimously.

OLD BUSINESS

3. **19-0597 ★PUBLIC HEARING: Consideration of RESOLUTION 2019-72: "A Resolution Requesting a Referendum for the Annexation of Several Properties Located South of Long Lane, East of Interstate 65, and Outside of the Southeastern Part of the Franklin Urban Growth Boundary (UGB), by the City of Franklin, Tennessee."**

Emily Hunter, Planning/Sustainability Director

Resolution 2019-72 is to decide if there should be a referendum on the annexation of 26 properties located outside of the Franklin UGB near Pratt Lane and Peytonsville Road. This item was previously discussed at the June 11th, August 13th, and August 27th BOMA Work Sessions.

Recap: The 26 property owners have requested annexation. A referendum of the property owners to be annexed is required if BOMA approves this resolution. If the referendum passes at the polls, the annexation would become effective 30 days after certification of the election. The property owners request the referendum be on October 22 in conjunction with the Franklin Municipal Election.

In May 2018 staff conducted and presented findings of an annexation analysis. The Goose Creek Drainage Basin was one of the top two areas defined to have a short-term capability for annexation due to the location of infrastructure already extended to the boundaries of the city limits, the potential for a mixture of land uses, and because annexation could be achieved in a manner that promotes continuity and orderly growth in this basin. A Plan of Services is attached for reference. If the Board chooses to hold the referendum, the POS will be discussed at the September 10 Work Session along with the zoning of Estate Residential. Due to the results of the annexation analysis conducted last year staff recommends that the resolution to request referendum be approved.

Public Hearing:

- Commissioner Gregg Lawrence, 4100 Clover Meadows Drive, Franklin: This issue is of great concern to him and many others in the County, particularly those who are on the Land Use Plan Committee. The County hired a consultant that did an extensive study of growth in the unincorporated areas in the County. There are several alarming things in the Plan; the main one is the rate the unincorporated area is being developed. Within 20 years there won't be much unincorporated area left. The consultant said the county needs to do something to preserve the rural character of the County now or lose the opportunity. The County is in the process making changes to the Land Use Plan that they are confident will have dramatic impact on development in the unincorporated areas. The big concern about this item to annex 26 properties makes it difficult for them to plan if all the municipalities can do whatever they want to do inside or outside of their UGB. In 1990 representatives of the County and municipalities came together and established boundaries for UGB. The county wants to meet with the municipalities again to discuss boundaries. He asked the Board to postpone this resolution until they all talk and agree where the boundaries are. They want to protect the rural areas.
- Beth Lincoln, 4498 Pratt Lane, Franklin: She is not one of the 26 asking for annexation. Her concern is their country road is a dead end and they have just gone through the pain of the Dave Ramsey project building a road around their bridge. Not all the 26 people who applied for annexation are on Pratt Lane. Of the ones that are, only three of those actually live on Pratt Lane and will feel the effects of development on that road. The rest own property and lease or rent them out. Take into consideration the number of people living in the middle who didn't sign affidavits to be in the City but will be the ones most affected. Consider the roads, the inconvenience, the construction. That bridge has a weight limit on it and that is why Ramsey couldn't use it. They need to know that those properties still in the county have things taken care of as well when county and City residents are trying to use the same things.

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

Vice Mayor Barnhill moved to approve Resolution 2019-72. Seconded by Alderman Martin.

Discussion:

- Vice Mayor Barnhill: In answer to some comments, deferral is a no and the state only allows annexation when property owners ask to be annexed. He remembers the 1990 meetings. He supports the Referendum.
- Alderman Bransford: Sees value in elected officials coming together to discuss this. The dead-end road is of concern.
- Mayor Moore said there had already been one meeting with the county. The City's focus now is on the Zoning Ordinance.
- Alderman McLendon: The 1990 action by the state was due to one disgruntled legislator in West Tennessee. It is unfortunate the state changed the rules again, because municipalities could annex previously. Franklin growth is largely driven by drainage basins. It would be a good idea for all the mayors to get together and talk about schools. A smaller functional working group is better. The donut hole is a huge problem and he isn't for development in them. He believes development along I-65 will be more urban than rural.
- Alderman Burger: Originally UGBs were for the health and growth of cities. The natural line to stop in Franklin are the drainage basins. We need to know where the County is going to put the schools.

Motion to approve Resolution 2019-72 carried unanimously.

4. 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."**

[Second and Final Reading]

Alderman Margaret Martin

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

Discussion:

- Alderman McLendon supports this Ordinance for four-hour parking.
- Alderman Petersen asked if there had been any contact with the Downtown Neighborhood Association or the downtown merchants. Eric Stuckey responded there had been no dialogue.
- Alderman Martin said her intention was 4-hour parking between 6th and 7th Avenues but supports 4-hour parking between 5th and 7th Avenues.
- Vice Mayor Barnhill mentioned the parking study and the conclusion that 1.5 hours is the turnaround time for parking spaces. There are 60 parking places, including driveways. This change was requested by one property owner and if approved it may beget other requests to change time limits.
- Alderman Speedy: If people need to park more than two hours, there are two free parking garages downtown. For the intensity of Five Points, the parking limit should be 2-hour parking.

Alderman Martin moved to amend the motion with Option 7: 4-Hour parking both sides of the street from 6th to 7th Avenue and 2-Hour parking both sides of the street from 5th to 6th Avenue. Seconded by Alderman Speedy.

- Alderman McLendon said this would be confusing. There will never be a perfect solution or a consensus. No more Alderman requested changes taking up so much meeting time.

*Motion to amend to Option 7 **failed** by a vote of 2-6 with Alderman Martin and Speedy voting in favor and Aldermen Petersen, Bransford, Blanton, Burger, McLendon and Vice Mayor Barnhill voting against.*

Main Motion to approve Ordinance 2019-26, Option 4: 4-Hour time limit for all public parking spaces located on West Main Street between 5th Avenue and 7th Avenue, carried by a vote of 6-2 with Aldermen Bransford, Blanton, Burger, McLendon, Martin and Vice Mayor Barnhill voting in favor and Aldermen Petersen and Speedy voting against on Second and Final Reading.

5. **19-0444 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)."**

[Third and Final Reading]

Emily Hunter, Planning/Sustainability Director

Amy Diaz-Barriga, Planning Supervisor

Alderman McLendon moved to defer Resolution 2019-41 to the November 12, 2019 BOMA meeting. Seconded by Vice Mayor Barnhill. Motion carried unanimously.

NEW BUSINESS

6. **19-0711 Consideration of ORDINANCE 2019-23: "An Ordinance to Rezone 0.28 Acres from R-3 to Office Residential (OR) for the Property Located at 1330 Columbia Avenue"; Establishing a Public Hearing for September 24, 2019.**

[First of Three Readings]

Emily Hunter, Planning/Sustainability Director

Amy Diaz-Barriga, Planning Supervisor

Joseph Bryan, Principal Planner

*Ordinance 2019-23 **failed** for lack of a motion.*

7. 19-0746 ★ **Consideration of RESOLUTION 2019-85, A Resolution to Award the Construction Contract (COF CONTRACT No. 2019-0236) for the Municipal Services Complex Project and to Establish a Project Contingency.**
Paul Holzen, Director of Engineering
Alderman Petersen moved to approve Resolution 2019-85 (COF Contract 2019-0236). Seconded by Vice Mayor Barnhill. Motion carried unanimously.
8. 18-0787 ★ **Consideration of a Professional Services Agreement (COF CONTRACT No. 2019-0254) with C&T Engineering and Inspection, LLC for Construction Engineering and Inspection Services for the Cool Springs Area Adaptive Signal Control Technology Project (TDOT PIN 116144.01) in the Amount Not-to-Exceed \$82,350.00.**
Paul Holzen, Director of Engineering
Jonathan Marston, Assistant Director
Alderman Burger moved to approve COF Contract 2019-0254. Seconded by Alderman Petersen. Motion carried unanimously.
9. 19-0802 **Consideration of Reappointment of Todd Palmer to the Franklin Sustainability Commission.**
Vernon Gerth, Assistant City Administrator
Alderman Blanton moved to approve the reappointment of Todd Palmer to the Sustainability Commission. Seconded by Alderman Bransford. Motion carried unanimously.
10. 19-0819 **Consideration of Reappointment of Danny Anderson to the Development Services Advisory Commission.**
Vernon Gerth, Assistant City Administrator
Alderman Bransford moved to approve the reappointment of Danny Anderson to the Development Services Advisory Commission. Seconded by Alderman Burger. Motion carried unanimously.
11. 19-0820 **Consideration of Reappointment of Nick Biniker to the Development Services Advisory Commission.**
Vernon Gerth, Assistant City Administrator
Alderman Blanton moved to approve the reappointment of Nick Biniker to the Development Services Advisory Commission. Seconded by Alderman Burger. Motion carried unanimously.
12. 19-0821 **Consideration of Reappointment of Matt Bryant to the Development Services Advisory Commission.**
Vernon Gerth, Assistant City Administrator
Alderman McLendon moved to approve the reappointment of Matt Bryant to the Development Services Advisory Commission. Seconded by Alderman Burger. Motion carried unanimously.

CONSENT AGENDA

13. 19-0605 **Consideration of ORDINANCE 2019-25, An Ordinance to Amend Title 18-Water and Sewer, Assessing a Monthly Availability Charge Where Sewer Access is Available Even if the Customer has Not Connected to the Sewer.**
[First of Two Readings] Lawrence Sullivan, Asst. City Recorder/Revenue
Ordinance 2019-25 approved unanimously on First of Two Readings.

RECEIPT OF REPORTS AND ITEMS APPROVED ON BEHALF OF THE BOARD

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14. 19-0803 **CONTRACT No. 2019-0206 with Drury Hotel for out-of-town FFD Captain Promotional Assessors.**
Acknowledged **Rocky Garzarek, Fire Chief**
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15.	19-0804	CONTRACT No. 2019-0207 with Drury Hotel for out-of-town FFD Lieutenant Promotional Assessors. <i>Acknowledged</i>	Rocky Garzarek, Fire Chief
16.	19-0816	CONTRACT No. 2019-0129 Amendment No. 1 to East Franklin Farmer's Market at Liberty Pike Lease <i>Acknowledged</i>	Lisa Clayton, Parks Director
17.	19-0782	CONTRACT No. 2019-0253 Agreement for a Tennessee Agricultural Enhancement Program Project between the Tennessee Urban Forestry Council & City of Franklin, TN. <i>Acknowledged</i>	Mark Hilty, ACA Public Service Lisa Clayton, Parks Director
18.	19-0838	CONTRACT No. 2019-0119 Between City of Franklin and Liquid Engineering for Tank Inspection Services for the Long Lane Tank <i>Acknowledged</i>	Michelle Hatcher, Water Management Director
19.	19-0817	CONTRACT No. 2019-0237 Between the City of Franklin and Medora Corporation for Beekeeping Maintenance Services at the Water Treatment Plant. <i>Acknowledged</i>	Michelle Hatcher, Water Management Director
20.	19-0832	CONTRACT No. 2019-0257 for a donation to the Williamson County Archives. <i>Acknowledged</i>	Emily Hunter, Planning/Sustainability Director
21.	19-0749	Acknowledgement of Agreement with MTEMC (COF CONTRACT 2019-0239) in the amount of \$10,000 for their Sponsorship of the City's 2019 Christmas Tree Lighting Ceremony. <i>Acknowledged</i>	Eric Stuckey, City Administrator
22.	19-0778	2nd Quarter 2019 Wastewater Collection System Activities Summary <i>Acknowledged</i>	

NO EXECUTIVE SESSION

EXECUTIVE SESSION

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| 23. | 19-0843 | Consideration of Motion to Enter Executive Session for Purpose of Reviewing Various Matter of Pending Litigation. | Shauna Billingsley, City Attorney |
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RETURN FROM EXECUTIVE SESSION

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| 24. | 19-0844 | Consideration of Matters from Executive Session | Dr. Ken Moore, Mayor |
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ADJOURN

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

Meeting adjourned @ 8:00 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office 9/26/2019 4:48 PM