



City of Franklin

109 3rd Ave S
Franklin, TN 37064
(615)791-3217

Meeting Minutes

Board of Mayor & Aldermen

Tuesday, January 12, 2016

7:00 PM

Board Room

Call to Order

Present: 8 - Mayor Dr. Ken Moore, Alderman Ald. Margaret Martin, Alderman Ald. Michael Skinner, Alderman Ald. Dana McLendon, Alderman Ald. Beverly Burger, Alderman Ald. Clyde Barnhill, Alderman Ald. Pearl Bransford, and Alderman Ald. Ann Petersen

Absent: 1 - Vice Mayor Vice Mayor. Brandy Blanton

Invocation

Pledge of Allegiance

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.)

Communications

Approval Of Minutes.

1. [16-0041](#) Approval of Minutes:
December 8, 2015 4:30 p.m. Worksession
December 8, 2015 7:00 p.m. Board of Mayor and Aldermen

A motion was made by Alderman Bransford, seconded by Alderman Barnhill, that this Minutes be approved. The motion carried by a unanimous vote.

Recognitions

Miscellaneous Reports

Consent Agenda

2. [16-0042](#) Consideration of items 14 - 30 on the Consent agenda.

A motion was made by Alderman Barnhill, seconded by Alderman Burger, that the items on consent agenda be approved. The motion carried by a unanimous vote.

OLD BUSINESS

3. [15-0827](#) Consideration of Ordinance 2015-50, to be Entitled, "An Ordinance to Rezone 7.43 Acres from Estate Residential (ER) District to Residential 3 (R-3) District for the Properties Located at 1034 and 1040 Carlisle Lane." (9/24/15 FMPC motion to recommend disapproval 7-1) (10/13/2015 WS; 1st Reading 6-2 on 11/10/15; 01/12/16 BOMA 4-3) THIRD AND FINAL READING

Sponsors: Ald. Ann Petersen

Attachments: [ORD 2015-50 Cardel Village PUD Subdivision Rezoning Request.doc](#)
[5915 MAP CARDEL VILLAGE REZONING.pdf](#)
[5915 Rezoning Full Set Cardel Village PUD.pdf](#)

A motion was made by Alderman McLendon, seconded by Alderman Burger, that this Ordinance be approved on second of three readings and referred to the Board of Mayor & Aldermen on third and final reading at their meeting on 1/26/2016. The motion carried by the following vote:

Aye: 4 - Alderman McLendon, Alderman Burger, Alderman Barnhill, and Alderman Petersen

No: 3 - Alderman Martin, Alderman Skinner, and Alderman Bransford

Absent: 1 - Vice Mayor Blanton

4. [15-0828](#) PUBLIC HEARING: Consideration Of Resolution 2015-79 To Be Entitled, "A Resolution Approving A Development Plan For The Cardel Village PUD Subdivision, Located At 1034 And 1040 Carlisle Lane, By The City Of Franklin, Tennessee" (09/24/15 FMPC motion to recommend disapproval 6-2) (10/13/2015 WS)

Sponsors: Ald. Ann Petersen

Attachments: [Res 2015-79 RESOLUTION Cardel Village PUD Subdivision Dev Plan](#)
[5916 Cardel Village PUD Subdivision Map Revised](#)
[5916 CardelVillageCOA](#)
[5916 Elevations Cardell Village PUD Development Plan 9.3.2015-2.pdf](#)
[5916 Site Layout Cardell Village PUD Development Plan 9.3.2015.pdf](#)
[5916 Complete Set Cardell Village PUD Development Plan 9.3.2015.pdf](#)

A motion was made by Alderman Barnhill, seconded by Alderman McLendon, that this Resolution be approved. The motion carried by a unanimous vote.

5. [15-1030](#) PUBLIC HEARING: Consideration of Initiating the De-annexation Process for the De-annexation of Certain Areas Adjacent to Murfreesboro Road, Specifically 4113 Murfreesboro Rd. (11/24/15 WS)

Sponsors: Vernon Gerth and Planning and Sustainability Dept

Attachments: [DeannexationRequest.pdf](#)
[DeannexationMizell](#)
[MapTimeline.pdf](#)
[1294 2006-89 POS Murfreesboro Road North Area 11-06.doc](#)
[Minutes.docx](#)
[MAP_06-101 N Murfreesboro Rd Annex.pdf](#)
[06-101 Annex Murfreesboro Road North Area.pdf](#)
[SR_1293 Annex Murfreesboro Road North.doc](#)

A motion was made by Alderman Skinner, seconded by Alderman Barnhill, that this proposed deannexation process be deferred to the Board of Mayor & Aldermen, meeting on 3/22/2016. The motion carried by the following vote:

Aye: 4 - Alderman Martin, Alderman Skinner, Alderman Barnhill, and Alderman Bransford

No: 3 - Alderman McLendon, Alderman Burger, and Alderman Petersen

Absent: 1 - Vice Mayor Blanton

6. [15-0945](#) Consideration of Ordinance 2015-21, To Be Entitled, "An Ordinance To Amend Chapter 8, Section 8.3, And Chapter 4, Sections 4.1.4 And 4.1.6, Of The Franklin Zoning Ordinance, Which Regulate Accessory Uses And Structures, And Chapter 3, Section 3.5.6, Central Franklin Character Area Overlay District, To Permit Accessory Dwellings in Certain Special Areas." (10/22/15 FMPC 9-0; 11-24-15 BOMA 1st Reading 6-0; 01/12/16 BOMA 7-0) THIRD AND FINAL READING

Sponsors: Ald. Ann Petersen

Attachments: [Final.2015-21 Accessory Dwellings.law approved.pdf](#)
[MAP CFCO Special Areas to Allow Accessory Dwellings.pdf](#)
[MAP Residentially Zoned Properties within CFCO Accessory Dwelling Special Areas.pdf](#)
[CFAP Excerpt Accessory Dwelling Recommendations.pdf](#)
[Accessory Dwellings - 2015-12-28](#)

A motion was made by Alderman Barnhill, seconded by Alderman Martin, that this Ordinance be referred to the Board of Mayor & Aldermen, meeting on 1/26/2016. The motion carried by a unanimous vote.

7. [15-0997](#) Consideration of Ordinance 2015-92 - FY 2016 Budget Amendment #3. (11/12/15 Finance 4-0; 11/24/15 BOMA 1st Reading 6-0; 01/12/16 BOMA 7-0) THIRD AND FINAL READING

Sponsors: Eric Stuckey and Michael Walters Young

Attachments: [2016 Budget Amendment #3 Memo - November 12](#)
[Ordinance 2015-92 - 2016 Budget Amendment Ordinance - #3](#)
[Impact of 2015-92 - FY 2016 Budget Amendment #3](#)

A motion was made by Alderman Barnhill, seconded by Alderman Bransford, that this Ordinance be referred to the Board of Mayor & Aldermen, meeting on 1/26/2016. The motion carried by a unanimous vote.

8. [15-0998](#) PUBLIC HEARING: Consideration of Ordinance 2015-66, an Ordinance to Change the Organizational Chart of the Finance Department. (11/12/15 Finance 4-0; Deferred from 11-24-15 BOMA; 1st Reading 12-08-15 BOMA 8-0) SECOND AND FINAL READING

Sponsors: Eric Stuckey and Russ Truell

Attachments: [Attachment A](#)
[00029564](#)

A motion was made by Alderman Bransford, seconded by Alderman Burger, that this Ordinance be approved on second and final reading. The motion carried by a unanimous vote.

9. [15-1014](#) Consideration Of Ordinance 2015-56, To Be Entitled, "An Ordinance To Amend The Zoning Ordinance Of The City Of Franklin, Tennessee, Chapter 5, Section 5.3, Subsection 5.3.5 (2)(a) Pertaining To Reverse Frontage." (11/19/15 FMPC 9-0; 12/08/15 WS; 1ST Reading 12-08-15 BOMA 8-0; 01/12/16 BOMA 7-0) THIRD AND FINAL READING

Sponsors: Ald. Ann Petersen

Attachments: [Ordinance 2015-56 - Zoning Amendment Reverse Frontage Law Approved](#)

A motion was made by Alderman Martin, seconded by Alderman Skinner, that this Ordinance be referred to the Board of Mayor & Aldermen, meeting on 1/26/2016. The motion carried by a unanimous vote.

10. [15-1019](#) Consideration of Ordinance 2015-45, To Be Entitled, "An Ordinance To Amend Chapter 3, Section 3.5, Subsection 3.5.6, The CFCO, Central Franklin Character Area Overlay District, Of The Franklin Zoning Ordinance."; (11/19/15 FMPC 9-0; 12/08/15 WS; 1st Reading 12-08-15 BOMA 8-0; 01/12/16 BOMA 7-0) THIRD AND FINAL READING

Sponsors: Ald. Ann Petersen

Attachments: [Ordinance 2015-45 Text Amdt CFCO 9 and 10 REVISED after FMPC.pdf](#)

A motion was made by Alderman Petersen, seconded by Alderman Bransford, that this Ordinance be referred to the Board of Mayor & Aldermen, meeting on 1/26/2016. The motion carried by a unanimous vote.

11. [15-1021](#) Consideration of Ordinance 2015-47, To Be Entitled, "An Ordinance To Rezone +/- 0.25 Acres From General Commercial (GC) District To Civic Institutional (CI) District And To Rezone +/- 2.75 Acres From Central Commercial (CC) To Civic Institutional (CI) District For City-owned Properties In And Near Bicentennial Park, East Of 5th Avenue North And North Of North Margin Street." (11/19/15 FMPC 9-0; 12/08/15 WS; 1st Reading 12-08-15 BOMA 8-0; 01/12/16 BOMA 7-0) THIRD AND FINAL READING

Sponsors: Ald. Ann Petersen

Attachments: [Ordinance 2015-47 - Rezoning City Owned Properties Bicentennial 5th Ave N.Law approved](#)
[MAP Rezoning City Owned Properties Bicentennial 5th Ave N.pdf](#)

A motion was made by Alderman Barnhill, seconded by Alderman McLendon, that this Ordinance be referred to the Board of Mayor & Aldermen, meeting on 1/26/2016. The motion carried by a unanimous vote.

NEW BUSINESS

12. [15-1060](#) Consideration of Resolution 2015-99, a Resolution to Adopt Budget Goals for FY 2016-2017 (12/03/15 Finance 3-0)

Sponsors: Eric Stuckey and Michael Walters Young

Attachments: [Resolution 2015-99 Budget Goals](#)
[Attachment A - Budget Goals FY17 - ESS - 11242015](#)

A motion was made by Alderman Barnhill, seconded by Alderman Burger, that this Resolution be approved. The motion carried by a unanimous vote.

13. [16-0046](#) Consideration of appointments to the Housing Commission:
Reappointments: Ron Crutcher, J. Edward Campbell, Paul Lebovitz, Mary Ann Dotson, and Mort Stein
New Appointments: Nancy Conway, Peter Dellos, Kari Scott, Tina Edwards, John Besser, and Jeffrey Caruth.

Sponsors: Dr. Ken Moore

A motion was made by Alderman Bransford, seconded by Alderman Barnhill, that this Nominations/Appointments be approved. The motion carried by a unanimous vote.

All Other Consent Items

14. [16-0017](#) PUBLIC HEARING: Consideration of Ordinance 2015-75 (Resolution 2015-107) To Be Entitled, "A Resolution And Ordinance To Annex 4150 Clovercroft Road And The Property Immediately Adjacent To The East, Consisting Of 13.6 Acres, Property Located North Of Clovercroft Road And East Of McKay's Mill Subdivision And Adjoining The City Limits Within The Northeastern Part Of The Franklin Urban Growth Boundary (UGB)."; Establishing a Public Hearing for February 9, 2016. (FMPC 12-17-15 7-0; 01/12/16 WS)

Sponsors: Ald. Ann Petersen

Attachments: [Parish Presbyterian Church Annexation Map.pdf](#)
[Annexation Resolution 2015-107 Ordinance 2015-75 Parish Presbyterian Church.docx](#)

A motion was made by Alderman Barnhill, seconded by Alderman Burger, that this Resolution be referred to the Board of Mayor & Aldermen, meeting on 2/9/2016. The motion carried by a unanimous vote.

15. [16-0015](#) *Consideration of Ordinance 2015-76 To Be Entitled, "An Ordinance To Zone 13.6 Acres CI - Civic and Institutional District, SWCO - Seward Hall Character Area Overlay District And Designate As Conventional Area Standards, For The Property Located North Of Clovercroft Road And East Of McKay's Mill Subdivision, 4150 Clovercroft Road And The Property Immediately Adjacent To The East."; Establishing a Public Hearing for February 9, 2016. (FMPC 12-17-15 7-0) FIRST OF THREE READINGS

Sponsors: Ald. Ann Petersen

Attachments: [Parish Presbyterian Church Rezoning Map.pdf](#)
[Ord 2015-76 Zoning.docx](#)
[ParishPresby ReZ Set 12.3.2015.pdf](#)

A motion was made by Alderman Barnhill, seconded by Alderman Burger, that this Ordinance be referred to the Board of Mayor & Aldermen, meeting on 2/9/2016. The motion carried by a unanimous vote.

16. [16-0023](#) *Consideration of Ordinance 2015-79 To Be Entitled, "An Ordinance To Rezone 10.09 Acres From AG Agricultural District and ER Estate Residential District To NC Neighborhood Commercial For The Property Located At The Southeast Corner of South Carothers Parkway And South Carothers Road."; Establishing a Public Hearing for February 9, 2016. (FMPC 12-17-15 7-0) FIRST OF THREE READINGS

Sponsors: Ald. Ann Petersen

Attachments: [MAP 6002 South Carothers](#)
[Ordinance 2015 - 79 S Carothers NC rezonings](#)

A motion was made by Alderman Barnhill, seconded by Alderman Burger, that this Ordinance be referred to the Board of Mayor & Aldermen, meeting on 2/9/2016. The motion carried by a unanimous vote.

17. [15-1086](#) *Consideration Of Ordinance 2015-74, To Be Entitled, "An Ordinance To Rezone 4.66 Acres From Central Commercial (CC) District And Specific Development-Variety (SD-X 34.17/33650/115) District To Specific Development-Variety (33.4/35000/115) District For Multiple Properties Located Within The Block Of 1st Avenue North, Bridge Street, 2nd Avenue North and East Main Street."; Establishing a Public Hearing for February 9, 2016. (12-17-15 FMPC 6-0) FIRST OF THREE READINGS

Sponsors: Ald. Ann Petersen

Attachments: [5991 MAP Harpeth Sq PUD Sub, Rezoning](#)
[Ordinance 2015 - 74 Harpeth Square PUD Rev 1](#)
[Full Set Harpeth Rezoning Revision 1](#)

A motion was made by Alderman Barnhill, seconded by Alderman Burger, that this Ordinance be referred to the Board of Mayor & Aldermen, meeting on 2/9/2016. The motion carried by a unanimous vote.

18. [15-1096](#) *Consideration Of Ordinance 2015-61 To Be Entitled: "An Ordinance To Amend The Zoning Ordinance Of The City Of Franklin, Tennessee To Remove The Fee In-Lieu Of Option For Open Space Set Aside Requirements By Amending Chapter 5, Subsections 5.5.3 (1), Table 5-7 Entitled "Required Open Space Set-Aside" And Subsection 5.5.3 (3)."; Establishing a Public Hearing for February 9, 2016. (12/17/15 FMPC 7-0) FIRST OF THREE READINGS

Sponsors: Ald. Ann Petersen

Attachments: [Ordinance 2015-61 Remove Fee-in-lieu Open Space Law Approved](#)

A motion was made by Alderman Barnhill, seconded by Alderman Burger, that this Ordinance be referred to the Board of Mayor & Aldermen, meeting on 2/9/2016. The motion carried by a unanimous vote.

19. [15-0931](#) Consideration Of Ordinance 2015-55, To Be Entitled, “An Ordinance To Amend The Zoning Ordinance Of The City Of Franklin, Tennessee, Chapter 3, Section 3.2, Subsection 3.2.3, Table 3-2, Entitled “Permitted Uses,” And Chapter 3, Section 3.2, Subsection 3.2.5(1)(B), To Add The Use Classification Clinics As A Permitted Use In The CC - Central Commercial District, And Amend Chapter 5, Section 5.9, Subsection 5.9.4, Table 5-9, Entitled “Minimum Off-Street Parking Standards [1] [2] [3] [4] [6]” To Revise The Use Type For Clinics.” (10/22/15 FMPC 9-0; 1st Reading 8-0 11/10/15, Public Hearing and 2nd Reading 12-08-15 8-0) THIRD AND FINAL READING

Sponsors: Ald. Ann Petersen

Attachments: [Ordinance 2015-55 - Add Clinic Use to CC Amend Parking Table Law Approved Clinic Use Map](#)

This Ordinance was approved on third and final reading.

20. [15-0933](#) Consideration Of Ordinance 2015-54, To Be Entitled, “An Ordinance To Amend The Zoning Ordinance Of The City Of Franklin, Tennessee, Chapter 3, Section 3.3, Subsection 3.3.2, Table 3-5, Entitled “Base District Density And Building Height [1], [2],” And Section 3.5, Subsection 3.5.6 (2)(b)(xi), Entitled “Landscape,” And Chapter 5, Section 5.5, Subsection 5.5.3(1), Table 5-7, Entitled “Required Open Space Set-Aside” In Order To Revise The Landscape Surface Ratio And Open Space Requirements Within Central Franklin Character Area Overlay District, Special Area CFCO-1 And Special Area CFCO-9.” ; (10/22/15 FMPC 9-0; 1st Reading 8-0 11/10/15; Public Hearing and 2nd Reading 12-08-15 8-0) THIRD AND FINAL READING

Sponsors: Ald. Ann Petersen

Attachments: [Ordinance 2015-54 - LSR CFCO1 ZO Text Amendment Approved by Legal Edit-Add CFCO-9 Approved by Legal LSR CFCO1 and 9 Map](#)

This Ordinance was approved on third and final reading.

21. [15-0935](#) Consideration Of Ordinance 2015-59, To Be Entitled, "An Ordinance To Rezone 5.19 Acres From Specific Development-Residential District (SD-R 9.16) to Attached Residential 20 District (RM-20) For Property Located At 780 Oak Meadow Drive" (10/22/15 FMPC 9-0; 1st Reading 8-0 11/10/15; Public Hearing and 2nd Reading 12-08-15 7-1) THIRD AND FINAL READING

Sponsors: Ald. Ann Petersen

Attachments: [ORD 2015-59 OakMeadow redline](#)
[5946 Woodlands RZ Lots 21](#)
[Woodland Subdivision \(Oak Meadow Drive\), rezoning lot 21 PLAN](#)

This Ordinance was approved on third and final reading.

22. [15-0936](#) Consideration of Ordinance 2015-58, To Be Entitled, "An Ordinance To Rezone 38.5 Acres From Specific Development-Residential District (SD-R 9.16) To Specific Development-Residential District (SD-R 10.6) For Property Located At Southwinds Drive, 1801 Brockton Place, And 549 Oak Meadows Drive." (10/22/15 FMPC 9-0; 1st Reading 8-0 11/10/15; Public Hearing and Second Reading 12-08-15 7-1) THIRD AND FINAL READING

Sponsors: Ald. Ann Petersen

Attachments: [ORD 2015-58 Southwinds redline](#)
[5946 Woodlands RZ Lots 12 13 14 15](#)

This Ordinance was approved on third and final reading.

23. [15-1023](#) Consideration of Ordinance 2015-49, an Ordinance to Amend Appendix A, Chapter 17, of the Franklin Municipal Code to Increase the Tipping Fees for Transfer Station Services. (11/12/15 Finance 4-0; 1st Reading 12-08-15 BOMA 8-0) SECOND AND FINAL READING

Sponsors: Eric Stuckey and Becky Caldwell

Attachments: [Ordinance 2015-49 Transfer Station Tip Fees](#)

This Ordinance was adopted on second reading.

24. [15-1031](#) Consideration of an Ordinance 2015-60 to Amend The City of Franklin Municipal Code, Appendix A - Comprehensive Fees and Penalties, Chapter 12 Relating To Use of a Standard Construction Valuation Table Published by the International Code Council to Calculate Non-Residential Building Permit Fees (11/24/15 WS; 1st Reading 12-08-18 BOMA 8-0) SECOND AND FINAL READING
- Sponsors:** Chris Bridgewater and Building and Neighborhood Services (BNS)
- Attachments:** [00029065](#)
[Charts - ICC Construction Costs - 11.2015](#)
- This Ordinance was approved on second and final reading.**
25. [15-1065](#) Consideration of Ordinance 2015-62 “An Ordinance To Establish A No Right Turn On Red Regulation On South Royal Oaks Boulevard At The Northbound Approach To Murfreesboro Road” (Discussed at 10/29/15 CIC AND 12/08/15 WS; 01/12/16 BOMA 7-0) SECOND AND FINAL READING
- Sponsors:** Paul Holzen
- Attachments:** [Ord 2015-62 No Turn On Red Murf Rd Final](#)
- This Ordinance was referred. to the Board of Mayor & Aldermen due back on 1/26/2016**
26. [15-1066](#) Consideration of Ordinance 2015-63, “An ordinance to revise the no right turn on red regulation on Mack Hatcher Memorial Parkway at the northbound approach to Liberty Pike”(Discussed at 10/29/15 CIC AND 12/08/15 WS; 01/12/16 BOMA 7-0). SECOND AND FINAL READING
- Sponsors:** Paul Holzen
- Attachments:** [Ord 2015-63 No Rt Turn Mack Hatcher at Liberty Final](#)
- This Contract/Agreement was referred. to the Board of Mayor & Aldermen due back on 1/26/2016**
27. [15-1068](#) Consideration of Resolution 2015-96; “A Resolution Declaring a Portion of Right-of-Way on Huffines Ridge Drive as Surplus Property. (12-08-15 WS)
- Sponsors:** Paul Holzen
- Attachments:** [Res 2015-96 Revolution Motosports 2015-11-11 Huffines Ridge Letter](#)
[Res 2015-96 Huffines Ridge Excess ROW Final](#)
- This Resolution was approved.**

28. [15-1071](#) Consideration of Event Permit for Friends for Healing 5K/10K sponsored by Pastoral Counseling Centers of Tennessee on March 19, 2016 (12/08/15 WS)

Sponsors: Deb Faulkner

Attachments: [Friends for Healing 2016 REVISED APP.pdf](#)

This Event Permit was approved.

Items Approved on Behalf of the Board

29. [16-0037](#) Acknowledge report of sole-source purchase from CMI Equipment Sales, Inc. of Nashville, TN in the total amount of \$29,500 for mower equipment replacement parts for the Fleet Division of the Streets Department (CoF requisition no. 1018)

Sponsors: Joe York

A motion was made that this Item Approved on Behalf of the Board be received and filed. The motion carried by a unanimous vote.

30. [16-0036](#) Acknowledge Purchase of Trakstar Employee Evaluation Software

Attachments: [Trakstar Signed Contract](#)

A motion was made that this Item Approved on Behalf of the Board be received and filed. The motion carried by a unanimous vote.

EXECUTIVE SESSION

31. [16-0043](#) Motion to Enter Executive Session

RETURN FROM EXECUTIVE SESSION

32. [16-0044](#) Consideration of items from Executive Session.

Scheduled Meetings and Events

Other Business

Adjourn

Anyone needing accommodations due to disabilities please contact the Risk Manager at 615-791-3277 24 hours prior to the meeting.