



City of Franklin

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

Meeting Minutes

Board of Mayor & Aldermen

Tuesday, May 8, 2018

7:00 PM

Board Room

Call to Order

Present: 9 - Ald. Clyde Barnhill, Ald. Beverly Burger, Ald. Brandy Blanton, Vice Mayor Margaret Martin, Dr. Ken Moore, Ald. Scott Speedy, Ald. Pearl Bransford, Ald. Ann Petersen, and Ald. Dana McLendon

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.

- [18-0331](#) Consideration of Approval of Minutes:
April 24, 2018 5:00 p.m. Work Session
April 24, 2018 7:00 p.m. Board of Mayor and Aldermen

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

Recognitions

- [18-0220](#) Proclamation of Children's Mental Health Awareness Day

Attachments: [Childrens Day Proclamation 2018.pdf](#)

This Proclamation was acknowledged
- [18-0450](#) Proclamation of Jerome Bannister Day

Miscellaneous Reports**Consent Agenda**

4. [18-0332](#) Consideration of items 21 - 24 on the Consent Agenda

A motion was made by Alderman Burger, seconded by Vice Mayor Martin, that this Contract/Agreement be approved. The motion carried by a unanimous vote.

OLD BUSINESS

5. [18-0133](#) PUBLIC HEARING: Consideration of Ordinance 2018-04, To Be Entitled: "An Ordinance To Rezone 3.95 Acres From Light Industrial District (LI) To Neighborhood Commercial (NC) District For The Property Located West Of Columbia Avenue And South Of Fairgrounds Street (Near 200 And 300 Downs Boulevard)." (3/22/18 FMPC 8-0, 04-10-18 WS, 04/10/18 BOMA 1st Reading 7-0) SECOND OF THREE READINGS

Sponsors: Ald. Ann Petersen, Franklin Municipal Planning Commission, Emily Hunter, Amy Diaz-Barriga and Josh King

Attachments: [map_200300dOWNSbLVD.pdf](#)
[Ord2018-04_Downs Blvd.pdf](#)
[Ord 2018-04 rezone_Downs Blvd_with Map.Law Approved \(2\).pdf](#)
[Item 7 Attachment Handout from Applicant March 2018](#)

A motion was made by Alderman Bransford, seconded by Alderman Blanton, that this Ordinance be referred as a Consent Item to the Board of Mayor & Aldermen, meeting on 5/22/2018. The motion carried by a unanimous vote.

6. [17-0972](#) Consideration of Ordinance 2016-25, "An Ordinance to Amend the City of Franklin Municipal Code to Create a New Title 25, Parks, and to Add a New Chapter 4 to Establish Requirements for Parkland Impact Fees and Parkland Dedication, and Amend Appendix A, Comprehensive Fees and Penalties, to Add a New Chapter 25, Parks, to Establish Fees for Parkland Impact Fees and Parkland Dedication." (11/14/17 WS, Continued to 12/12/17 WS; 04/10/18 WS; 04/24/18 BOMA Deferred 1st Reading to 5/8/2018) FIRST OF TWO READINGS

Sponsors: Eric Stuckey, Vernon Gerth and Lisa Clayton

Attachments: [2016-25 Ordinance Parkland Dedication Municipal Code Amendment.Law Approved 4](#)
[2016-25 ORD Parkland Dedication.Law Approved \(2\).pdf](#)
[Latest Version Ord 2016-25_Parkland Dedication.Law Approved Ver. with edits 4-5-18](#)
[Ord 2016-25_Parkland Impact Fee Ordinance.Law Approved 11-7-17](#)
[Parkland Impact Fee Ordinance Presentation 11-14-17\(2\)](#)
[Generic Neighborhood Park.pdf](#)
[1 Quadrant map placements](#)
[2 Parkland fees collected & projected 5-1-18](#)
[3 Parkland fees collected 5-1-18](#)
[4 Quad totals broken down by quads 5-1-18](#)
[5 Quadrants By Acreage and Categorieslrc5216 kl all](#)
[6 Quadrants By Acreage and Categorieslrc5216 kl county](#)

A motion was made by Alderman Bransford, seconded by Alderman Burger, that this Ordinance be referred as an Old Business Item to the Board of Mayor & Aldermen, meeting on 6/12/2018. The motion carried by a unanimous vote.

7. [17-0973](#) Consideration Of Ordinance 2016-36, To Be Entitled: "An Ordinance To Amend Chapter 5 Of The Zoning Ordinance Of The City Of Franklin, Tennessee To Amend Subsections 5.5.4 Pertaining To The Requirements For The Dedication Of Land For Parks And Greenways/Blueways." (11/16/17 FMPC 9-0; 04/10/18 WS; 04/24/18 BOMA Deferred 1st Reading to 05/08/18) Establishing a Public Hearing of May 22, 2018. FIRST OF THREE READINGS

Sponsors: Ald. Ann Petersen and James Svoboda

Attachments: [Ordinance 2016-36 - Amend Parkland Dedication Requirements in Zoning Ordinance.Law Approved](#)

A motion was made by Alderman Petersen, seconded by Vice Mayor Martin, that this Ordinance be referred as a Public Hearing Item to the Board of Mayor & Aldermen, meeting on 5/22/2018. The motion carried by a unanimous vote.

8. [18-0217](#) Consideration of Ordinance 2018-05, An Ordinance Granting a natural gas Franchise Agreement with Atmos Energy Corporation (COF Contract No. 2018-0032). (03/08/18 Finance 4-0; 04/10/18 1st BOMA Reading Deferred to May 8, 2018 7-0) FIRST OF TWO READINGS

Sponsors: Kristine Tallent

Attachments: [Franklin TN Franchise Agreement Proposed by Atmos Feb 27 2018](#)
[History of Natural Gas Franchise Fees 2013-2018](#)

This Ordinance was withdrawn.

NEW BUSINESS

9. [18-0349](#) Consideration of Resolution 2018-38, A Resolution Authorizing The City Administrator To Forward a Letter To the Tennessee Department Of Transportation - Excess Land Committee Waiving The City's Right To Purchase A Strip Of Excess Right-Of-Way And To Execute A Cross-Access Easement Agreement With Franklin Investment Holdings, LLC. (04/24/18 WS)

Sponsors: Eric Stuckey and Vernon Gerth

Attachments: [Res. No. 2018-38 - TDOT Riverside Drive with Exhibit A.Law Approved](#)
[Letter of Request Riverside Drive 3-29-18](#)
[Illustration - Riverside Drive TDOT ROW 4-1-18](#)
[14-034 1010 RIVERSIDE DR BDRY TOPO 2017-11-01 klb](#)

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

10. [18-0396](#) Consideration of Amendment #2 to the Professional Services Agreement (COF Contract No. 2011-0076) with Smith Seckman Reid for the Mack Hatcher Parkway Water and Sanitary Sewer Relocation Project in the amount of \$7,850.00 (4/26/18 CIC 2-0, 1 Recusal)

Sponsors: Paul Holzen

Attachments: [2011-0076 Amendment 2 SSR with attachment.Law Approved](#)

A motion was made by Alderman Barnhill, seconded by Alderman Burger, that this Contract/Agreement be approved. The motion carried by the following vote:

Aye: 7 - Barnhill, Burger, Blanton, Speedy, Bransford, Petersen, and McLendon

Abstain: 1 - Moore

Recused: 1 - Martin

11. [18-0397](#) Consideration of Amendment #4 to the Professional Services Agreement (COF Contract No. 2014-0177) with Hethcoat and Davis for Goose Creek Sanitary Sewer Extension Project from West of I65 to East of I65 in the amount of \$5,500.00 (4/26/18 CIC 2-0, 1 Recusal)

Sponsors: Michelle Hatcher

Attachments: [COF 2014-0177 PSA Amendment 4 with attachment.Law Approved](#)

A motion was made by Alderman Blanton, seconded by Alderman Burger, that this Contract/Agreement be approved. The motion carried by the following vote:

Aye: 7 - Barnhill, Burger, Blanton, Speedy, Bransford, Petersen, and McLendon

Abstain: 1 - Moore

Recused: 1 - Martin

12. [18-0407](#) Consideration of Change Order No. 3 to the Construction Contract (COF Contract No. 2015-0062) with Judy Construction Company for the Water Treatment Plant Modifications Project for a Total Time Extension of 78 calendar days. (4/26/18 CIC 2-0, 1 Recusal)

Sponsors: Michelle Hatcher

Attachments: [2015-0062 Change Order no 3 Judy](#)
[180307ATJ_LTR_CO003_Time_Extension_Franklin_WTP_draft](#)

A motion was made by Alderman Burger, seconded by Alderman Barnhill, that this Contract/Agreement be approved. The motion carried by the following vote:

Aye: 7 - Barnhill, Burger, Blanton, Speedy, Bransford, Petersen, and McLendon

Abstain: 1 - Moore

Recused: 1 - Martin

13. [18-0414](#) *Consideration of Amendment No. 5 to the Professional Services Agreement (COF Contract No. 2013-0034) with CDM Smith, Inc. for the Mack Hatcher Extension Project [SR-397 Mack Hatcher Parkway West, from South of SR-96, West of Franklin, to East of SR-106 (US-431), North of Franklin, Williamson County] at a Cost Increase Not-to-Exceed \$32,640.00

Sponsors: Engineering

Attachments: [COF 2013-0034 - Mack Hatcher Amendment No 5 with attachment.Law Approved](#)

A motion was made by Alderman Petersen, seconded by Alderman Speedy, that this Contract/Agreement be approved. The motion carried by a unanimous vote.

14. [18-0479](#) *Consideration of Amendment No. 1 to the Professional Services Agreement (COF Contract No. 2016-0325) with Alfred Benesch and Company for the SR-96W Multi-Use Trail Project for a Cost Increase in the Amount Not-to-Exceed \$46,226.50

Sponsors: Engineering

Attachments: [2016-0325 Amend1 PSA Benesch SR96WTrail Design with Attachment A.Law Approved](#)

A motion was made by Alderman Bransford, seconded by Alderman Blanton, that this Contract/Agreement be approved. The motion carried by a unanimous vote.

15. [18-0454](#) *Consideration of Resolution 2018-36 Authorizing the Use of the FY 2019 On-Call Annual Contract for Pavement Preservation (COF Contract No. 2018-0036) Prior to July 1, 2018

Sponsors: Engineering

Attachments: [2018-36 Authorize Use On-Call Services with Exhibit A 18-0454 Jarrett Builders 4-26-18.pdf](#)

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

16. [18-0442](#) *Consideration Of Resolution 2018-35, A Resolution Of The Board Of Mayor And Aldermen For The City Of Franklin Employees' Pension Plan, Providing A Cost Of Living Adjustment To The Monthly Benefit For Retired Recipients, Effective July 2018.

Sponsors: Eric Stuckey and Kristine Tallent

Attachments: [History of Closed Franklin Pension cost of living adjustment 2018 2018-35 RES Cost of Living increase for retirees.Law Approved](#)

A motion was made by Alderman Bransford, seconded by Alderman Burger, that this Resolution be approved. The motion carried by the following vote:

Aye: 7 - Barnhill, Burger, Blanton, Speedy, Bransford, Petersen, and McLendon

Abstain: 1 - Moore

Recused: 1 - Martin

17. [18-0411](#) *Consideration Of Procurement Award To Symetra Life Insurance Co. Of Enfield, Connecticut For Voluntary Group Term Life Insurance With Accidental Death & Dismemberment Benefits And Voluntary Short-Term Disability Insurance For A Three-Year Term Of Service To Be Effective July 1, 2018, With Two (2) One-Year Options To Extend The Term Of Service (Purchasing Office Procurement Solicitation No. 2018-015; Contract No. 2018-0082)

Sponsors: Kevin Townsel and Sara Sylvis

Attachments: [2018-015 Tabulation of proposals 2017.04.28.1036](#)

A motion was made by Alderman Burger, seconded by Alderman Speedy, that this Contract/Agreement be approved. The motion carried by a unanimous vote.

18. [18-0462](#) *Consideration Of Certificate Of Compliance RENEWAL For Wine In Grocery Stores For Aldi Inc. (Tennessee) D/B/A Aldi#52) Located At 209 S. Royal Oaks Boulevard, Franklin, TN, 37064 (Jesus Lopez, Managing Agent; Jason C. Hart, Chairman and CEO; David K. Behm, President; Charles E. Youngstrom, COO, and Terry R. Pfortmiller, Secretary/Treasurer)

Sponsors: Lanaii Benne

Attachments: [ALDI #52 05-08-18 RENEWAL.pdf](#)

A motion was made by Alderman Blanton, seconded by Vice Mayor Martin, that this Liquor License be approved. The motion carried by a unanimous vote.

19. [18-0400](#) Consideration Of Appointment Of Mr.Larry Eley To The Williamson County Equalization Board.

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

20. [18-0223](#) Consideration of Resolution 2018-34, A Resolution Authorizing The City Of Franklin To Assign Capacity Fees To Five Parcels That Will Benefit From An Unplanned Capital Improvement To The City's Public Wastewater System For The Purpose Of Recapturing The City' Of Franklin's Monetary Contribution Toward Upsizing Of Sanitary Sewer Infrastructure In The Area Of Boyd's Mill. (Ward's Mill) (03/13/18 WS, 04/10/18 WS)

Sponsors: Eric Stuckey, Vernon Gerth, Mark Hilty, Michelle Hatcher and Jimmy Wiseman

Attachments: [Wards Mill Development Fee-Revised 03-13.pdf](#)
[Resolution 2018-34 Wards Mill Capacity Fee_with Exhibit A.Law Approved](#)
[Citizen letter.pdf](#)

A motion was made by Alderman Petersen, seconded by Alderman Barnhill, that this Resolution be referred to the Work Session, meeting on 6/12/2018. The motion carried by a unanimous vote.

All Other Consent Items

21. [18-0361](#) *Consideration of Ordinance 2018-06, To Be Entitled: "An Ordinance To Amend Chapter 5 Of The Zoning Ordinance Of The City Of Franklin, Tennessee, To Amend Various Sections Of The Sign Regulations Pertaining To Temporary Signs, And Adding A New Temporary Sign Type For Temporary Multi-Story Building Development-In-Progress Signs." Establishing a Public Hearing for June 12, 2018. (04/26/18 FMPC 9-0) FIRST OF THREE READINGS

Sponsors: Ald. Ann Petersen, James Svoboda and Emily Hunter

Attachments: [Ordinance 2018-06 Temporary Multi-Story Building Development In Progress Signs.Law Approved](#)

This Ordinance was referred as a Public Hearing Item. to the Board of Mayor & Aldermen due back on 6/12/2018

22. [18-0355](#) Consideration of COF Contract No. 2018-0057, Engagement Agreement with Miller & Martin, PLLC, for Outside Counsel Services for Right-of-Way and Slope Easements on Lewisburg Pike. (04/24/18 WS)

Sponsors: Shauna Billingsley

Attachments: [2018-0057 Engagement agreement Doug Berry Miller and Martin.pdf](#)

This Contract/Agreement was approved.

23. [18-0357](#) Consideration of a 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 in an Amount Not-to-Exceed \$28,365.60 (04/26/18 CIC 3-0)

Sponsors: Engineering

Attachments: [C2018-0062_PSA_Benesch_McEwenI65Improvements_with_attachment.Law Approved](#)

This Contract/Agreement was approved.

24. [18-0399](#) Consideration of Long Term Special Event Permit for Main Street Festival in Downtown Franklin. (04/24/18 WS)

Sponsors: Eric Stuckey

Attachments: [MSF Long Term Permit REVISED App](#)

This Event Permit was approved.

RECEIPT OF REPORTS AND ITEMS APPROVED ON BEHALF OF THE BOARD

25. [18-0393](#) Reimbursement of attorney fees to the Williamson County Election Commission associated with the Defense of the Williamson County Election Commission in litigation for Michael Vaughn vs. Williamson County Election Commission, Dana McLendon III in an Amount of \$79.50.

Sponsors: Shauna Billingsley

Attachments: [Miller & Martin Invoices County Election Commision2.pdf](#)

This Item Approved on Behalf of the Board was acknowledged.

26. [18-0420](#) Acknowledgement of City of Franklin Contract No. 2017-0210 Interactive Systems Security System & Services Agreement

Sponsors: Lisa Clayton

Attachments: [COF Contract 2017-0210 Interactive Systems for Parks Concession Stands](#)

This Item Approved on Behalf of the Board was acknowledged.

27. [18-0421](#) Acknowledgement of City of Franklin Contract No. 2017-0265 for rental of Franklin Trolley.

Sponsors: Lisa Clayton

Attachments: [COF Contract 2017-0265 TMA Trolley Rental](#)

This Item Approved on Behalf of the Board was acknowledged.

28. [18-0423](#) Acknowledgement of City of Franklin Contract No. 2017-0269 for the rental of golf carts for Family Day at the Park at Harlinsdale Farm.

Sponsors: Lisa Clayton

Attachments: [COF Contract 2017-0269 TN Golf Carts Rental Contract](#)

This Item Approved on Behalf of the Board was acknowledged.

29. [18-0425](#) Acknowledgement of Extension of Contract 2017-0003 With Paul Johnson For Administrative Assistance With Development of the Consolidated Action Plan and Report (CAPER) For Community Development Block Grant Program (CDBG) in the Amount of \$7,500

Sponsors: Building and Neighborhood Services (BNS) and Chris Bridgewater

Attachments: [COF Contract 2017-0003](#)

This Item Approved on Behalf of the Board was acknowledged.

30. [18-0435](#) Statement of Work with Presidio Network Solutions Group, LLC for Parking Structure Capacity Project, COF Contract No 2017-0360

Sponsors: Kristine Tallent and Jordon Shaw

Attachments: [COF Contract 2017-0360.pdf](#)

This Item Approved on Behalf of the Board was acknowledged.

31. [18-0436](#) Nondisclosure Agreement with Schneider Electric, COF Contract No 2017-0261

Sponsors: Kristine Tallent and Jordon Shaw

Attachments: [COF Contract 2017-0261.pdf](#)

This Item Approved on Behalf of the Board was acknowledged.

32. [18-0438](#) Services between the Tennessee Department of Health and the City of Franklin, COF Contract No. 2017-0351.

Sponsors: Eric Stuckey

Attachments: [COF Contract 2017-0351](#)

This Item Approved on Behalf of the Board was acknowledged.

33. [18-0449](#) Tennessee Consolidated Retirement System (“TCRS”) Employer Actuarially Determined Contribution Rate for Fiscal Year 2019, COF Contract No. 2018-0077
- Sponsors:** Eric Stuckey and Kristine Tallent
- Attachments:** [FY 2019 TCRS Employer Contribution April 24 2018](#)
- This Item Approved on Behalf of the Board was acknowledged.**
34. [18-0456](#) Consideration of a 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 in an Amount Not-to-Exceed \$28,365.60 (4/27/2018 CIC 3-0)
- Sponsors:** Paul Holzen
- Attachments:** [C2018-0062 PSA Benesch McEwenI65Improvements with attachment.Law Approved](#)
- This Contract/Agreement was a duplicate of item number 23.**
35. [18-0268](#) Agreement for Dedication of Easement for Watson Branch Sewer Improvements, COF Contract No. 2015-0260.
- Sponsors:** Michelle Hatcher
- Attachments:** [COF Contract 2015-0260](#)
- This Item Approved on Behalf of the Board was acknowledged.**
36. [18-0269](#) Agreement for Dedication of Easement for Water Main Easement, COF Contract No. 2016-0029. For \$100.00 to Franklin Iron Wood Retail Partners and Madison Brookside Cary JV Member, LLC.
- Sponsors:** Michelle Hatcher
- Attachments:** [COF Contract 2016-0029](#)
- This Item Approved on Behalf of the Board was acknowledged.**

EXECUTIVE SESSION

37. [18-0333](#) Motion to move into Executive Session
- A motion was made by Alderman Burger, seconded by Alderman Barnhill, that they move into Executive Session be acknowledged. The motion carried by a unanimous vote.**

RETURN FROM EXECUTIVE SESSION

38. [18-0334](#) Actions 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.