



City of Franklin

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

Meeting Minutes

Board of Mayor & Aldermen

Tuesday, November 26, 2019

7:00 PM

Board Room

Call to Order

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. [19-1218](#) Consideration of Approval of Minutes:

November 12, 2019 5:00 p.m. Work Session

November 12, 2019 5:00 p.m. Board of Mayor and Alderman

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

Recognitions

2. [19-1233](#) Proclamation to honor Lung Cancer Awareness Month

Attachments: [Lung Cancer Proclamation.pdf](#)

This Proclamation was acknowledged

- [19-1245](#) Proclamation of November as National Adoption Awareness Month

Attachments: [National Adoption Awareness Month.pdf](#)

This Proclamation was acknowledged

Miscellaneous Reports**Consent Agenda**

3. [19-1164](#) Consideration of items 11-27 on the Consent Agenda

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

OLD BUSINESS

4. [19-1096](#) PUBLIC HEARING: Consideration Of Ordinance 2019-37, As Amended, An Ordinance To Adopt A New Zoning Ordinance And Map Of The City Of Franklin, Tennessee. (FMPC 10/24/19, 9-0; WS 11/12/19; BOMA 1st Reading 11/12/19, 8-0 AS AMENDED) SECOND OF THREE READINGS

Sponsors: Emily Hunter

Attachments: [Franklin Zoning Ordinance - 11.20.2019.pdf](#)

[ORD 2019-37 Adopt new Zoning Ordinance and Map.Law Approved 2.pdf](#)

[Zoning Districts Map 10.24.2019.pdf](#)

[Zoning Overlay Map 11.18.2019.pdf](#)

[Public Outreach Comments](#)

[Fairground St Mailer](#)

[Postcard to all Property Owners](#)

[CFHCLetterPlanningADUs](#)

[FINAL FMPC Franklin ZO Update Presentation 10-24-19](#)

[BOMA Worksession ZO Update FINAL for Granicus 11-12-19.pdf](#)

[BOMA 1st Reading ZO Update FINAL for Granicus 11-12-19.pdf](#)

[CFHCLetterADUsBOMA.pdf](#)

[CFHCLetterPlanningLotsBOMA.pdf](#)

[Walter Green Comment](#)

[Michael Good Comment](#)

[Patrick Baggett Comment](#)

A motion was made by Alderman Petersen, seconded by Alderman Martin, that this Ordinance be referred as an Old Business Item to the Board of Mayor & Aldermen, meeting on 12/10/2019.

AMENDMENTS:

1. Motion to Amend Subsection 17.2.4.B, Minimum Tree Canopy Retention, to carry forward the current SD-X tree canopy requirements for mixed-use and nonresidential development in the Planned District. Moved by Ald. Ann Petersen, seconded by Ald. Brandy Blanton.

Vote to Amend 17.2.4.b Minimum Tree Canopy (Approved) (8-0)

2. Motion to Amend the Planned District Subsection 3.10.7, Dimensional Standards, for Principal Building Setbacks to instead read: "All principal building setbacks shall be determined by the BOMA through the adoption of a development plan. Buildings shall maintain a minimum spacing of ten feet."

Moved by Ald. Ann Petersen, seconded by Ald. Pearl Bransford.

Vote to Amend 3.10.7 Principle Building Setbacks (Approved) (8-0)

3. Motion to Amend the Scenic Corridor Overlay district for New Highway 96 West so that the 300-foot setback on south side of New Highway 96 West is located between Boyd Mill Pike and the western edge of the UGB, and the setback on the north side of New Highway 96 West is located between Mack Hatcher Parkway and the western edge of the UGB. Moved by Ald. Ann Petersen, seconded by Ald. Brandy Blanton.

Vote to Amend Scenic Overlay district New Hwy 96 West (Approved) (8-0)

4. Motion to Amend Section 5.1.3 to allow golf courses as a permitted use in the Civic Institution District. Moved by Ald. Dana McLendon, seconded by Ald. Beverly Burger. (Withdrawn)

5. Motion to Amend the Substantial Damage definition to insert "or Tennessee State certified appraiser" after "The market value is the assessed value of the structure per the Williamson County Property Assessor", and change the tracked costs from a ten-year to a five-year period. Moved by Ald. Beverly Burger, seconded by Ald. Pearl Bransford. (Withdrawn)

6. Motion to postpone the discussion regarding the Substantial Damage definition and request a study to review the consequences to a definition change. Moved by Ald. Pearl Bransford, seconded by Ald. Ann Petersen. (Withdrawn)

7. Motion to Amend the house building type to remove the words ", including side or wrap-around porches" from the Side Façade Facing a Frontage provision in Section 6.3. Moved by Ald. Ann Petersen, seconded by Ald. Brandy Blanton.

Vote to amend the house building type to remove the words ", including side or wrap-around porches" from the Side Façade Facing a Frontage provision in Section 6.3. (Approved) (6-2)

8. Motion to amend the house building type to remove the Entry Features provision that requires a covered porch, covered stoop, or a balcony over the entrance in Chapter 6.3. Moved by Ald. Ann Petersen, seconded by Ald. Dana McLendon.

Vote to Amend the house building type to remove the Entry Features provision that requires a covered porch, covered stoop, or a balcony over the entrance in Chapter 6.3. (Failed) (3-5)

9. Motion to Amend Subsection 2.2.4, Short-Term Vacation Rentals, to add "If ownership of a STVR changes to a family member (persons related by blood, marriage, civil union, or adoption) grandfathering protections will continue." Moved by Ald. Beverly Burger, seconded by Ald. Scott Speedy.

Vote to Amend Subsection 2.2.4, Short-Term Vacation Rentals, to add "If ownership of a STVR changes to a family member (persons related by blood, marriage, civil union, or adoption) grandfathering protections will continue." (Approved) (6-2)

10. Motion to Amend Paragraph 5.1.4.R, Short Term Vacation Rentals, by

deleting Clause 2 and replacing it with "The property owner must be a permanent resident of the City or live within 25 miles of the STVR" and amend the MNC 13-203 to add this same sentence. Moved by Ald. Beverly Burger, seconded by Clyde Barnhill.

Vote to Amend Paragraph 5.1.4.R, Short Term Vacation Rentals, by deleting Clause 2 and replacing it with "The property owner must be a permanent resident of the City or live within 25 miles of the STVR" and amend the MNC 13-203 to add this same sentence. (Failed) (1-7)

11. Motion to Amend 5.1.4.R by adding a new Clause 5 that reads "Except for accessory dwellings, a STVR shall not be permitted on any lot within a radius of 600 feet of a lot containing another STVR." Moved by Ald. Beverly Burger. (The motion did not receive a second and was lost.)

12. Motion to amend the ordinance to limit ownership to a maximum of 2 STVRs (excluding grandfathered STVRs). Moved by Ald. Beverly Burger, seconded by Ald. Pearl Bransford. (Withdrawn)

The amended motion carried by a unanimous vote.

5. [19-0936](#) *PUBLIC HEARING: Consideration Of Ordinance 2019-38, An Ordinance Amending Title 14, Chapter 2 Of The Franklin Municipal Code To Change The Adoption Date Of The Pending Franklin Zoning Ordinance. FIRST OF TWO READINGS (WS 11/26/19)

Sponsors: Emily Hunter

Attachments: [ORDINANCE 2019-38](#)
[Zoning Ordinance \(Attachment A\) 11.20.2019](#)
[Zoning Districts Map \(Attachment B\)](#)
[Zoning Overlays Map \(Attachment B\) 11.18.2019](#)

A motion was made by Vice Mayor McLendon, seconded by Alderman Burger, that this Ordinance be referred as a Consent Item to the Board of Mayor & Aldermen, meeting on 12/10/2019. The motion carried by a unanimous vote.

NEW BUSINESS

6. [19-1094](#) Consideration of Resolution 2019-110, A Resolution to Initiate an Application for a Revision to the McKays Mill PUD Development Plan on behalf of Ali Hemyari/Nashville K-9. (WS 11/12/19)

Sponsors: Ald. Beverly Burger

Attachments: [RES 2019-110 Initiate Application for McKays Mill Dev Plan Nashville K-9_with Exhibit.Law Approved](#)

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

7. [19-1211](#) *Consideration of a Professional Services Agreement (COF Contract No. 2019-0313) with Windrow Phillips Group, to provide lobbying and advisory services on behalf of the City of Franklin. (WS 11/26/19)

Sponsors: Shauna Billingsley

Attachments: [2019-0313 PSA Windrow Phillips COF Legislative Services.Law Approved](#)

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

8. [19-1187](#) *Consideration of Professional Services Agreement (COF Contract No. 2019-0337) with ECS Southeast, LLP for Construction Engineering, Testing, and Inspection Services for the Municipal Services Complex Improvements in an Amount Not-to-Exceed \$40,810.00. (WS 11/26/19)

Sponsors: Engineering

Attachments: [Contract 2019-0337 PSA ECS CEI MSCImprovementsRoad with Exhibit.Law Approved.pdf](#)

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

9. [19-1208](#) Consideration of Mayor's Re-appointment of Kelly Harwood and Gary Vogrin to the Franklin Public Arts Commission.

Sponsors: Dr. Ken Moore

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

10. [19-1230](#) Consideration of Appointment of Jeff Fleishour to the Board of Zoning Appeals.

Sponsors: Emily Hunter

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

All Other Consent Items

11. [19-0926](#) Consideration of Ordinance 2019-36, 1st Quarter Budget Amendment. (Finance 9/12/19, 3-0; BOMA 10/8/19, 8-0; 11/12/19, 8-0) THIRD AND FINAL READING

Sponsors: Kristine Brock and Michael Walters Young

Attachments: [Ord 2019-36 FY 2020 Budget Amendment with exhibit Law Approved.pdf](#)
[FY 2020 Budget Amendment #1 Memo.pdf.pdf](#)
[Impact of 2019-36 - FY 2020 Budget Amendment.pdf](#)

This Ordinance was approved on third and final reading.

12. [19-0982](#) Consideration of Ordinance 2019-31: An Ordinance to Prohibit On-Street

Parking Along Both Sides of the Entire Length of Benelli Park Court. (WS 10/8/19; BOMA 11/12/19, 8-0) SECOND AND FINAL READING

Sponsors: Engineering

Attachments: [ORDINANCE 2019 31 NoParking BenelliParkCt.Law Approved.pdf](#)
[Benelli Park Ct petition and request.pdf](#)
[petition area.pdf](#)

This Ordinance was approved on second and final reading.

13. [19-0830](#) Consideration of Ordinance 2019-32, An Ordinance to Amend Title 8, Chapter 1 - Alcoholic Beverages, of the Franklin Municipal Code for the Purpose of Incorporating Tennessee Alcohol and Beverage Commission (TABC) Changes and Other General Housekeeping. (WS 10/8/19; BOMA 11/12/19, 8-0) SECOND AND FINAL READING

Sponsors: Lanaii Benne and Angie Johnson

Attachments: [Ordinance 2019-32 Title 8 Chapter 1 - 2 Amendments.Law Approved.pdf](#)

This Ordinance was approved on second and final reading.

14. [19-1127](#) Consideration of an Amendment No. 1 to the Professional Services Agreement (COF Contract No. 2018-0143) with CDM Smith, For the Water Reclamation Facility Upgrades Project Construction Services For An Increased Cost of \$39,600. (10/24/19 CIC 4-0)

Sponsors: Michelle Hatcher and Brian Goodwin

Attachments: [Contract # 2018-0143.pdf](#)

This Contract/Agreement was approved on the Consent Agenda

15. [19-0983](#) Consideration of Ordinance 2019-42: An Ordinance to Reduce the Speed Limit on Natchez Street, from West Main Street to 9th Avenue South, to Twenty-Five Miles Per Hour (25 MPH). (WS 10/8/19; BOMA 11/12/19, 8-0) SECOND AND FINAL READING

Sponsors: Engineering

Attachments: [ORDINANCE 2019-42 SpeedLimit Natchez.Law Approved.pdf](#)

This Ordinance was approved on second and final reading

16. [19-0865](#) Consideration of Resolution 2019-120, A Resolution In Support Of A 911 Surcharge Rate Restoration And Requesting Support Of The Tennessee General Assembly. (WS 11/12/19)

Sponsors: Eric Stuckey

Attachments: [2019-120 RES Support Of A 911 Surcharge Rate Restoration Request Support Of Tennessee General Assembly.Law Approved.pdf](#)

This Resolution was approved on the Consent Agenda

17. [19-1041](#) Consideration of Resolution 2019-58, A Resolution To Increase The Hourly Rate For Extra-Duty Police Officers And To Authorize Use Of Patrol Cars For Extra-Duty Work When Requested Or For Special Events. (WS 11/12/19)

Sponsors: Deb Faulkner

Attachments: [Resoulution 2019-58.pdf](#)

This Resolution was approved on the Consent Agenda

18. [19-1108](#) Consideration of Resolution No. 2019-112, A Resolution to Authorize Staff To Enter Into Contract Negotiations With Selected Consulting Firms For Professional Design And Consulting Services For Parks Projects For The Parks Department. (Purchasing Office Procurement Solicitation No. 2020-008) (WS 11/12/19)

Sponsors: Lisa Clayton

Attachments: [2019-112 Resolution Selecting Consultants for Contract Negotiations for parks projects Law Approved.pdf](#)
[2020-008 Tabulation of submittals 2019.10.29.1529](#)

This Resolution was approved on the Consent Agenda

19. [19-1184](#) Consideration of Amendment No. 2 to the 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 for a Cost Increase Not-to-Exceed \$14,345.00 (CIC 10/24/19, 4-0)

Sponsors: Engineering

Attachments: [Contract 2018 0062 Amend2 Benesch McEwenI65InterchangeMods with Exhibit.Law Approved.pdf](#)

This Contract/Agreement was approved on the Consent Agenda

20. [19-1185](#) Consideration of a Professional Services Agreement (COF Contract No. 2019-0317) with Alfred Benesch & Company for the Final Design of the Multi-Use Trail & Bridge at The Park at Harlinsdale Farm in an Amount Not-to-Exceed \$398,268.00 (CIC 10/24/19, 4-0)

Sponsors: Engineering

Attachments: [Contract 2019-0317 PSA Benesch FinalDesign HarlinsdaleTrailBridge with Exhibit.Law Approved.pdf](#)

This Contract/Agreement was approved on the Consent Agenda

21. [19-1206](#) Consideration of a Professional Services Agreement (COF Contract No. 2019-0321) with KCI Technologies, Inc. for the Cool Springs Area Transportation Network Study in a Lump Sum Amount of \$290,100.00 (CIC 10/24/19, 4-0)

Sponsors: Engineering

Attachments: [Contract 2019-0321 PSA KCI CoolSpringsStudy with exhibit.Law Approved - Copy.pdf](#)

This Contract/Agreement was approved on the Consent Agenda

22. [19-1207](#) Consideration of a Professional Services Agreement (COF Contract No. 2019-0318) with CDM Smith for the Final Design of Jordan Road Improvements in a Lump Sum Amount of \$120,000.00. (CIC 10/24/19, 4-0)

Sponsors: Engineering

Attachments: [Contract 2019-0318 PSA CDMSmith_FinalDesign_JordanRoad_with Exhibit.Law Approved.pdf](#)

This Contract/Agreement was approved on the Consent Agenda

23. [19-0932](#) Consideration of Change Order No. 2 to the Construction Contract (COF Contract No. 2017-0264) with Kiewit Infrastructure South, Co., for the Water Reclamation Facility Modifications and Expansion Project for a Cost Decrease of \$6,480.00 (10/24/19 CIC 4-0)

Sponsors: Michelle Hatcher and Brian Goodwin

Attachments: [Change Order No. 2 1 of 5.pdf](#)
[Change Order No. 2 2 of 5.pdf](#)
[Change Order No. 2 Part 3.1.pdf](#)
[Change Order No. 2 Part 3.2.pdf](#)
[Change Order No. 2 4 of 5.pdf](#)
[Change Order No. 2 5 of 5.pdf](#)

This Contract/Agreement was approved on the Consent Agenda

24. [19-1026](#) Consideration of Tennessee 1033 Law Enforcement Support Office (LESO) Program That Provides New, Unissued And Surplus Equipment And Materials To Participants At No Charge (COF Contract No. 2019-0308) (WS 11/12/19) .

Sponsors: Deb Faulkner

Attachments: [2019-0308 Tennessee 1033 Law Enforcement Property Program.Law Approved.10.24.pdf](#)

This Contract/Agreement was approved on the Consent Agenda

25. [19-1110](#) Consideration Of Procurement Award To Polydyne, Inc. Of Riceboro, Georgia In The Total Amount Of \$1.260 Per Pound Of Bid Chemical Product And The Estimated Amount Of \$11.97 Per Ton Of Dewatered Sludge For Supply And Delivery Of Sludge Polymer For Wastewater Sludge Dewatering For A Term Of Award For The Water Reclamation Division Of The Water Management Department. (Purchasing Office Procurement Solicitation No. 2020-007; Contract No. 2019-0314) (WS 11/12/19)

Sponsors: Michelle Hatcher and Brian Goodwin

Attachments: [2019-0314 Procurement Agreement 2019.10.30.1451, signed for SUPPLIER, with attachments.Law Approved 1.pdf](#)
[2020-007 Tabulation of bids 2019.10.28](#)

This Contract/Agreement was approved on the Consent Agenda

26. [19-1113](#) Consideration Of Procurement Award To 360 Network Solutions Of Marietta, Georgia, In The Total Amount Of \$38,391.93 For Access Security Components For Traffic Signals And Intelligent Transportation System For The Traffic Operations Division Of The Engineering Department (Purchasing Office Procurement Solicitation No. 2020-014; \$50,000 Budgeted In 110-89530-41610 For Fiscal Year 2020; Contract No. 2019-0316) (WS 11/12/19)

Sponsors: Paul Holzen

Attachments: [2019-0316 Procurement Agreement 2019.10.24.1210, signed for SUPPLIER, with attachments Law Approved.pdf](#)
[2020-014 Tabulation of bids 2019.10.24](#)
[2020-014 Tabulation of bid line-item pricing 2019.10.24](#)

This Contract/Agreement was approved on the Consent Agenda

27. [19-1158](#) Consideration of Event Permit for Christmas Parade sponsored by the Kiwanis Club of Franklin on December 7, 2019 in Downtown Franklin. (WS 11/12/19)

Sponsors: Deb Faulkner

Attachments: [Christmas Parade 2019 REVISED APP.pdf](#)

This Event Permit was approved on the Consent Agenda

RECEIPT OF REPORTS AND ITEMS APPROVED ON BEHALF OF THE BOARD

28. [19-1171](#) Recently exercised options to extend the terms of award for certain procurements (Contract Nos. 2017-0088 (Pinnacle Bank), 2016-0017 (CareHere, LLC), 2016-0112 (Aetna Life Insurance Company), 2016-0113 (Aetna Life Insurance Company), 2015-0091 (Public Risk Insurors), 2015-0106 (Sun Life Assurance Company of Canada), 2015-0362

(American Development Corp.), 2015-0361 (American Development Corp.), 2016-0101 (American Development Corporation), 2015-0363 (Brenntag Mid-South, Inc.), 2016-0102 (Brenntag Mid-South, Inc.), 2016-0012 (Civil & Environmental Consultants, Inc. (CEC)), 2015-0035 (Hach Company))

Sponsors: Kristine Brock and Brian Wilcox

Attachments: [2017-0088 contract extension eff. 2019.07.01](#)
[2016-0017 contract extension eff. 2019.04.01](#)
[2016-0112 contract extension eff. 2019.07.01](#)
[2016-0113 contract extension eff. 2019.07.01](#)
[2016-0101 contract extension eff. 2019.07.01](#)
[2016-0102 contract extension eff. 2019.07.01](#)
[2016-0012 contract extension eff. 2019.07.01](#)
[2015-0091 contract extension eff. 2019.07.01](#)
[2015-0106 contract extension eff. 2019.07.01](#)
[2015-0362 contract extension eff. 2019.07.01](#)
[2015-0361 contract extension eff. 2019.07.01](#)
[2015-0363 contract extension eff. 2019.07.01](#)
[2015-0035 contract extension eff. 2019.03.10](#)

This Item Approved on Behalf of the Board was acknowledged.

29. [19-1212](#) Filing of the State of Tennessee Forms CT-0253 Related to the City of Franklin Series 2019C (COF Contract No. 2019-0351) and Series 2019D (COF Contract No. 2019-0352) General Obligation Refunding Bonds (RES 2019-87).

Sponsors: Eric Stuckey and Kristine Brock

Attachments: [COF Contract 2019-0352 Signed CT-0253 Form for City of Franklin TN Series 2019D Taxable GO Bonds.Law Approved](#)
[COF Contract 2019-0351 Signed CT-0253 Form for City of Franklin TN Series 2019C Tax Exempt GO Bonds.Law Approved](#)

This Item Approved on Behalf of the Board was acknowledged.

EXECUTIVE SESSION

30. [19-1166](#) Motion to move into Executive Session

RETURN FROM EXECUTIVE SESSION

31. [19-1167](#) Actions from Executive Session

Scheduled Meetings and Events

Other Business

Adjourn

A motion was made by Alderman Barnhill, seconded by Alderman Burger, to adjourn.. The motion carried unanimously.

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