

**MINUTES OF THE REGULAR MEETING  
BOARD OF MAYOR AND ALDERMEN  
FRANKLIN, TENNESSEE  
CITY HALL BOARDROOM  
TUESDAY, DECEMBER 13, 2011 – 7:00 P.M.**

**Board Members**

Mayor Ken Moore

Alderman Clyde Barnhill	P	Alderman Margaret Martin	P
Alderman Brandy Blanton	P	Alderman Dana McLendon	P
Alderman Pearl Bransford	P	Alderman Ann Petersen	P
Alderman Beverly Burger	P	Alderman Michael Skinner	P

**Department Directors/Staff**

Eric Stuckey, City Administrator	P	Shirley Harmon, HR Director	P
Vernon Gerth, ACA Community & Economic Development	P	Mark Hilty, Water Management Director	P
Russell Truell, ACA Finance & Administration	P	Paul Holzen, Interim Engineering Director	P
David Parker, City Engineer/CIP Executive	P	Gary Luffman, BNS Director	P
Kristen Corn for Shauna Billingsley, City Attorney	P	Catherine Powers, Planning/Sustainability Director	P
Rocky Garzarek, Fire Chief		Joe York, Streets Director	P
David Rahinsky, Police Chief	P	Brad Wilson, Facilities Project Manager	
Fred Banner, MIT Director		Lanaii Benne, Assistant City Recorder	P
Becky Caldwell, Solid Waste Director		Linda Fulwider, Board Recording Secretary	P
Lisa Clayton, Parks Director			

**1. Call to Order**

Mayor Moore called the December 13, 2011, Regular BOMA meeting to order at 7:00 p.m. in the City Hall Boardroom.

**2. Invocation**

The invocation was given by Alderman Clyde Barnhill.

**3. Pledge of Allegiance**

All present stood and pledged allegiance to the Flag of the United States of America

**4. Grievances or Statements from Citizens:** 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)

None

**5. Communications from Williamson County Mayor and Williamson County Commission**

County officials were not present.

**6. Approval of Minutes**

*Alderman Petersen moved to approve the following minutes as presented: November 22, 2011 Work Session, November 22, 2011 Executive Session, and the November 22, 2011 Special BOMA meeting. Seconded by Alderman Barnhill. Motion carried unanimously.*

7. **Recognitions**

☼ Fire Department Toy Drive

Mayor Moore read a statement from the Franklin Fire Department thanking everyone for contributing to the Franklin Firefighters Charities. Many children will receive gifts this Christmas because of citizen generosity.

☼ Retirement of Gary Luffman, Director of Building and Neighborhood Services

Mayor Moore stated he was happy for Mr. Luffman but sad for the City and congratulated him on his retirement this month.

Eric Stuckey noted Mr. Luffman has served the City for just over 32 years. He stated Mr. Luffman has a great heart for the community and passion for making Franklin a better place. He added that it was hard to imagine working without him. He has literally been at the center for much of the transformation and growth of Franklin over the years. Mr. Stuckey acknowledged Mrs. Luffman who was in attendance. The official retirement party will take place December 20, 3:00-5:00 p.m. in the Board Room. After receiving a standing ovation, Mr. Luffman addressed the assembly saying he was here as the City evolved from 9,000 to 60,000 residents and he hoped he played a part in that over the years. He thanked his wife and family for their support during his career with the City.

☼ Hazard Mitigation Program

Mr. Stuckey announced that he received word that Phase I funds were approved for the City to purchase homes that were severely impacted by in the May 2010 flood. Directions on how to proceed are forthcoming from TEMA.

8. **Miscellaneous Reports**

None

9. **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 21-41 be placed on the Consent Agenda.

*Alderman Burger requested items 25 and 26 be pulled for comment and that the Consent Agenda Items 21-41, with the exception of items 25 and 26 be approved. Seconded by Alderman Bransford. Motion carried unanimously.*

**OLD BUSINESS**

10. **PUBLIC HEARING: Consideration of ORDINANCE 2011-34, An Ordinance to Amend Section 1-1001 of the Franklin Municipal Code so as to Redefine the Boundaries of the First and Second Wards of the City of Franklin, Tennessee, to Account for Population Growth Within Those Sections of the City, and to More Nearly Equalize Population Within Each Ward**

**[Second of Three Readings]**

**Catherine Powers, Planning & Sustainability Director**

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

---

*Alderman Blanton moved to approve Ordinance 2011-34 on Second of Three Readings. Seconded by Alderman Martin. Motion carried unanimously.*

11. **PUBLIC HEARING: Consideration of ORDINANCE 2011-32, To Be Entitled: “An Ordinance to Amend Chapter 2, Section 2.4.2, in the Franklin Zoning Ordinance to Revise the Planned Unit Development Process”**

[Second of Three Readings]

**Alderman Ann Petersen, FMPC Representative**

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

---

*Alderman Petersen moved to approve Ordinance 2011-32 on Second of Three Readings. Seconded by Alderman Barnhill. Motion carried unanimously.*

12. **PUBLIC HEARING: Consideration of ORDINANCE 2011-33, To Be Entitled: “An Ordinance to Amend Various Chapters and Sections of the City of Franklin Zoning Ordinance to Revise References to Plans Required by the Planned Unit Development Process”**

[Second of Three Readings]

**Alderman Ann Petersen, FMPC Representative**

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

---

*Alderman Petersen moved to approve Ordinance 2011-33 on Second of Three Readings. Seconded by Alderman Bransford. Motion carried unanimously.*

### **NEW BUSINESS**

13. **Consideration of Contract Award to Taleo, in the Amount of \$19,840.00 for Calendar Year 2012, for the Human Resources Department with Renewal for 2013 in the Amount of \$14,625.00 Budgeted in 110-89550-41650 in Fiscal Year Budget 2012 (COF Contract No. 2011-0185)**

**Shirley Harmon, Human Resources Director**

*Alderman Martin moved to approve Contract Award to Taleo in the Amount of \$19,840.00. Seconded by Alderman Skinner. Motion carried unanimously.*

14. **Consideration of Lease Agreement with Energy Source Partners (ESP) for Wastewater Treatment Plant Solar Array Installation (COF Contract No. 2011-0156)**

**Dan Allen, Interim Assistant Engineering Director**

*Alderman Skinner moved to approve Lease Agreement with ESP. Seconded by Alderman Bransford. Motion carried unanimously.*

15. **Consideration of Amendment No. 1 to Professional Services Agreement with SSR for Resident Inspection Services (COF Contract No. 2010-0004) in an Amount of \$22,000.00 for Downs Boulevard Water Line**

**David Parker, City Engineer/CIP Executive**

*Alderman Bransford moved to approve Amendment No. 1 to PSA with SSR. Seconded by Alderman Blanton.*

Alderman Martin asked to be recused.

*Motion to approve amendment with SSR approved unanimously with one abstention.*

16. **Consideration of Bid Award to Walker Chevrolet, Inc. of Franklin, TN in the Total Amount of \$36,741.00 for a Quantity of One (1) Four Door One-Ton Pickup Truck with Diesel Engine for the Parks Department (Purchasing Office Procurement Solicitation No. 2012-017; \$37,500.00 Budgeted in 110-89520-44700 for Fiscal Year 2012)**

**Lisa Clayton, Parks Director**

*Alderman Skinner moved to approve Bid Award to Walker Chevrolet. Seconded by Alderman Martin. Motion carried unanimously.*

- 17. Consideration of Bid Award to Tom Bannen Chevrolet, Inc. of Madison, TN in the Total Amount of \$27,834.90 for a Quantity of One (1) Two Door One-Ton Flatbed Truck with Gasoline Engine for Streets Department (Purchasing Office Procurement Solicitation No. 2012-018; \$33,000.00 Budgeted in 110-8950-43100 for Fiscal Year 2012)**

**Joe York, Streets Department**

*Alderman Bransford moved to approved Bid Award to Tom Bannen Chevrolet. Seconded by Alderman Blanton. Motion carried unanimously.*

- 18. Consideration of Request Received for Purchase of a Small Amount of Land for Parking from the Aspen Grove Park Eastern Boundary Near the Back of the Thoroughbred Village VI Shopping**

**Gary Luffman, BNS Director**

**Lisa Clayton, Parks Director**

*Alderman Burger moved to defer this issue to January 10, 2012. Seconded by Alderman Bransford. Motion carried unanimously.*

- 19. Consideration of Mayor's Appointment of Board Representative to Sister Cities Board**

**Mayor Ken Moore**

Mayor Moore appointed Alderman Blanton as Board Representative to the Sister Cities Board.

*Alderman Bransford moved to approve appointment. Seconded by Alderman Skinner. Motion carried unanimously.*

- 20. Acknowledgement of Various Appointments to the Battlefield Preservation Commission**

**Mayor Ken Moore**

The following persons were appointed by their respective entities to serve on the Battlefield Preservation Commission and were duly acknowledged by BOMA:

- ♦ Sam Huffman Save the Franklin Battlefield Representative
- ♦ Sam C. Gant Sons of Union Veterans of the Civil War Representative
- ♦ Ernie Bacon Franklin's Charge Representative
- ♦ Mary Pearce Heritage Foundation of Franklin & Williamson County Representative

### CONSENT AGENDA

- 21. Consideration of ORDINANCE 2011-38, An Ordinance Approving FY 2012 First Quarter Budget Amendments; Establishing a Public Hearing for January 10, 2012**

**[First of Two Readings]**

**Ann Petersen, Chair, Budget & Finance Committee**

*Ordinance 2011-38 approved unanimously on First of Two Readings*

- 22. Consideration of ORDINANCE 2011-39, An Ordinance to Remove Stop Control for the Junction of Attebury Drive and Bedford Way**

**[First of Two Readings]**

**David Parker, City Engineer/CIP Executive**

*Ordinance 2011-39 approved unanimously on First of Two Readings.*

23. **Consideration of Discretionary Investment Advisory Services for Certain Non-Pension Assets of the City at the Fee Rate of \$25,000 per Year for Three (3) Years, with Two (2) Options to Extend the Term of Service at the Same Fee Rate per Year, Each Time for Up to One (1) Additional Year, for a Maximum Possible Term of Service of Five (5) Years Total, for the Finance Department (Purchasing Office Procurement Solicitation No. 2012-004; Outsourcing of Services Not Separately Budgeted for Fiscal Year 2012; Contract No. 2011-0172)**  
*Approved unanimously* **Russ Truell, ACA Finance & Administration**
24. **Consideration of Minor Text Changes to City of Franklin Investment Policy**  
*Approved unanimously* **Russ Truell, ACA Finance & Administration**
25. **Acknowledge Receipt of Fiscal Year 2011 Comprehensive Annual Financial Report for the City of Franklin**  
**Russ Truell, ACA Finance & Administration**  
*Alderman McLendon moved to acknowledge receipt of FY 2011 Financial Report. Seconded by Alderman Burger.*
- Alderman Burger asked Russ Truell to say a few words about the annual report.
- Mr. Truell related the Audit Report was reviewed at the last Budget & Finance Committee meeting. There were a couple of minor findings that management has addressed or is in the process of addressing. The Budget & Finance Committee will review the audit more thoroughly at their January meeting.
- Motion to acknowledge receipt of Audit carried unanimously.*
26. **Acknowledge Receipt of Financial Statement for Fiscal Year 2011 for the Conference Center**  
**Russ Truell, ACA Finance & Administration**  
*Alderman Petersen moved to acknowledge receipt of the FY 2011 Financial Statement for the Conference Center. Seconded by Alderman Burger.*
- Mr. Truell remarked this was a clean audit as well. The Conference Center had a profitable year. Anticipate the bonded debt to be paid by the end of FY 2013.
- Motion to acknowledge receipt of the FY 2011 Audit carried unanimously.*
27. **Consideration of Franklin Battlefield Access Road Local Agency Project Agreement for Eastern Flank Battlefield Access Improvements; PIN 114978.00, TDOT Contract 2011-0323, COF Contract No. 2011-0174**  
*Approved unanimously* **David Parker, City Engineer/CIP Executive**
28. **Consideration of Agreement Between the City of Franklin and the Tennessee Department of Environment and Conservation for the Removal of Low-Head Dam at City of Franklin Water Intake Facility on Lewisburg Pike, Franklin, TN (COF Contract 2011-0164)**  
*Approved unanimously* **David Parker, City Engineer/CIP Executive**
29. **Consideration of Amendment No. 2 to the Professional Services Agreement with TVG Environmental, Inc. for the Harpeth River Greenway Project, COF Contract No. 2011-0073**  
*Approved unanimously* **David Parker, City Engineer/CIP Executive**

30. **Consideration of SR 252 (Wilson Pike) & McEwen Drive Intersection Improvements, City of Franklin Contract No. COF 2010-0152, Amendment No. 1**  
*Approved unanimously* David Parker, City Engineer/CIP Executive
31. **Consideration of Professional Services Agreement with Jackson Thornton Utilities (COF Contract No. 2011-0179) for Cost of Service/Rate Study for Water, Sanitary Sewer & Reclaimed Water Systems in an Amount Not to Exceed \$53,450.00 for that Work as Described by Attachment A (Water and Sewer) and \$35,200.00 for that Work as Described by Attachment B (Reclaimed Water)**  
*Approved unanimously* David Parker, City Engineer/CIP Executive
32. **Consideration of a Contract 2011-0176 for \$24,999.00 Between the City of Franklin and BRIDGES Domestic Violence Center of Williamson County for Delivery of Services Related to the 2011-12 CDBG Homeless Prevention Program**  
*Approved unanimously* Vernon Gerth, ACA Community & Economic Development  
 Kathleen Sauseda, Interim Housing Development Coordinator
33. **Consideration of Change Order No. 1 (FINAL) for the Bakers Bridge Avenue/Carothers Parkway Pedestrian Traffic Signalization Project (COF Contract No. 2011-0006) for a Decrease in the Contract Amount of \$10,942.50**  
*Approved unanimously* David Parker, City Engineer/CIP Executive
34. **Consideration of Change Order No. 1 for the Harpeth River Greenway Project with BVC and Company (COF Contract 2011-0043)**  
*Approved unanimously* David Parker, City Engineer/CIP Executive
35. **Consideration of Change Order No. 1 (FINAL) for the Mallory Station Road and General George Patton/Duke Drive Traffic Signal Installation Project (COF Contract 2010-0182) for an Increase in the Contract Amount of \$13,815.87**  
*Approved unanimously* David Parker, City Engineer/CIP Executive
36. **Consideration of Change Order No. 3 (FINAL) for the American Recovery and Reinvestment Act of 2009 (ARRA) CLEAN WATER PROJECTS – Simmons Ridge Sanitary Sewer, Boyd Mill Low Pressure Sewer and Country Road Low Pressure Sewer (COF Contract No. 2009-0098) for a Decrease in the Contract Amount of \$56,784.50 and Approval for Charging the Contractor Liquidated Damages in the Amount of \$19,000.00**  
*Approved unanimously* David Parker, City Engineer/CIP Executive
37. **Consideration of Change Order No. 3 (FINAL) for the Southeast Corridor Water System Improvements and Booster Station Project (COF Contract No. 2009-0059) for a Decrease in the Contract Amount of \$49,853,67**  
*Approved unanimously* David Parker, City Engineer/CIP Executive
38. **Consideration of Change Order No. 4 for the Franklin ITS Phase 1 American Recovery and Reinvestment Act of 2009 (ARRA) Project (COF Contract No. 2010-0091) for an Increase in the Contract Amount of \$13,730.00 and an Additional 15 Days**  
*Approved unanimously* David Parker, City Engineer/CIP Executive
39. **Consideration of Change Order No. 2 for the Nichol Mill Lane Improvements Project (COF Contract No. 2010-0180) for a Contract Time Extension of 120 Calendar Days**  
*Approved unanimously* David Parker, City Engineer/CIP Executive

40. **Consideration of a Professional Services Agreement with Littlejohn Engineering Associates (LEA) for the Eastern Flank Battlefield Access Improvements Project (COF Contract No. 2010-0098)**  
*Approved unanimously* **David Parker, City Engineer/CIP Executive**
41. **Consideration of the Purchase and Installation of Video Management Software and Hardware for Use by Multiple City Departments (COF Contract 2011-0143)**  
*Approved unanimously* **David Parker, City Engineer/CIP Executive**

**ADJOURN**

*Alderman Burger moved to adjourn and with a second by Alderman Skinner motion carried unanimously.*

Meeting adjourned 7:19 p.m.

---

Mayor Ken Moore

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 2/14/2012 8:34 AM