

**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, FEBRUARY 14, 2012 – 7:00 P.M.**

Board Members

Mayor Ken Moore	P		
Alderman Clyde Barnhill	P	Alderman Margaret Martin	A
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	Lisa Clayton, Parks Director	P
Vernon Gerth, ACA Community & Economic Development	P	Shirley Harmon, HR Director	
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	
David Parker, City Engineer/CIP Executive	P	Paul Holzen, Interim Engineering Director	P
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
Chris Bridgewater, Interim BNS Director		Linda Fulwider, Board Recording Secretary	P
Becky Caldwell, Solid Waste Director	P		

1. Call to Order

Mayor Moore called the January 10, 2012, meeting to order at 7:00 p.m.

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 January 24, 2012 Work Session and January 24, 2012 BOMA meeting minutes as presented. Seconded by Alderman Bransford. Motion carried unanimously.

7. Recognitions

None

8. Miscellaneous Reports

- Alderman Skinner reported the Civil War Roundtable tour of the old courthouse conducted by Rick Warwick was a huge success with 125 people in attendance. The March Roundtable will be another off-site meeting at St. John's Chapel in Columbia.
- Alderman Burger reminded people of the ribbon cutting at Franklin Tomorrow's new offices in the Cadence Bank building.
- Eric Stuckey announced the Lewisburg Pike water main break was fixed and the water would be turned on within a half hour. Time needed for the paving was unknown.

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 **13-26** be placed on the Consent Agenda.

Alderman Burger moved to approve the Consent Agenda 13-26, with the exception of Item 16 pulled by Alderman Skinner. Seconded by Alderman Barnhill. Motion carried unanimously.

OLD BUSINESS

- 10. PUBLIC HEARING: Consideration of ORDINANCE 2012-09, To Be Entitled: "An Ordinance To Rezone 21.32 Acres From Heavy Industrial (HI) To Light Industrial (LI) for Multiple Properties Located on Alpha Drive and Beta Drive. {*Note Revision: The wrong ordinance number was inadvertently assigned to this agenda item. The ordinance number was corrected and is correctly stated in the distribution of supporting documents}**
[Second of Three Readings] Alderman Ann Petersen, Budget & Finance Chair

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

Alderman Skinner moved to approve Ordinance 2012-09 on Second of Three Readings. Seconded by Alderman Petersen. Motion carried unanimously.

NEW BUSINESS

- 11. Consideration of Request for Property Tax Exemption on Franklin Theatre**
Eric Stuckey, City Administrator

Alderman Bransford moved to approve Resolution 2012-12 supporting the request for property tax exemption for the Franklin Theatre. Seconded by Alderman Skinner.

Alderman Burger commented that input from residents in her ward supported the tax exemption. Alderman McLendon said he supported the exemption and the approximate \$2,200.00 was worth getting direct and indirect benefits from the exemption.

Motion to approve Resolution 2012-12 carried unanimously

12. **Consideration of ORDINANCE 2012-06, An Ordinance to Amend Section 15-405 of the Franklin Municipal Code Relative to U-Turns (Revised)**
[First of Two Readings] **David Rahinsky, Police Chief**
Alderman Burger moved to approve Ordinance 2012-06 on First of Two Readings. Seconded by Alderman Blanton. Motion carried unanimously.

Alderman Burger commented it is a preliminary list that staff will continue to evaluate. Mr. Stuckey pointed out that the list is not a part of the ordinance. It is a list to indicate where the exceptions may be. The ordinance becomes effective May 1, 2012 to provide time to complete evaluations and erect signs.

CONSENT AGENDA

13. **Consideration of ORDINANCE 2011-37, To Be Entitled: “An Ordinance to Amend TITLE 14-202 of the Franklin Municipal Code Relative to the Applications, Permits, Inspections and Fees for Inspection and Re-inspections for the Planning Review Process”**
[First of Three Readings] **Alderman Ann Petersen, FMPC Representative**
Ordinance 2011-37 approved First of Three Readings
14. **Consideration of Ordinance 2012-01, An Ordinance to Amend Title 1, Section 102 of the Franklin Municipal Code Relative to the Order of Business Meetings of the Board of Mayor and Aldermen**
[Second and Final Reading] **Shauna Billingsley, City Attorney**
Ordinance 2012-01 approved Second and Final Reading
15. **Consideration of ORDINANCE 2012-02, An Ordinance to Amend Title 3, Chapter 2, Section 3-208 of the Franklin Municipal Code Relative to the Collection of Court Costs**
[Second and Final Reading] **Steve Sims, Assistant City Recorder**
Ordinance 2012-02 approved Second and Final Reading
16. **Consideration of RESOLUTION No. 2012-05, A Resolution to Repeal Resolution No. 2009-25 and to Authorize the City Administrator to Execute Contracts and Agreements on Behalf of the City for Amounts of \$25,000.00 or Less Without First Seeking Approval from the Board of Mayor and Aldermen, Effective July 1, 2012**
Eric Stuckey, City Administrator
Alderman Barnhill moved to approve Resolution 2012-05. Seconded by Alderman Blanton.

Alderman Skinner said he wanted the Board to consider a few things. Mr. Stuckey has established a certain trust with the Board. This amount is 2½ times the amount the City Administrator can now approve. In future there may be a time someone else is in that position. There should be a way to revert to the \$10,000 if the City Administrator leaves or there is an Interim City Administrator appointed. A change should also include that official reports on these expenditures are reported to the Board.

Alderman Skinner moved to defer this item to the March 13, 2012 Work Session. Seconded by Alderman Petersen.

Discussion:

- Alderman Petersen said point well taken and that most entities have the \$10,000 limit, and it might need to be considered to revert to \$10,000 for an interim or new City Administrator

- Alderman Burger indicated she would not support deferral and thought an amendment to revert to \$10,000 appropriate
- Alderman McLendon said he would like to think the Board would trust the next City Administrator as much as Mr. Stuckey. The City Administrator thinks carefully about spending that much money and then reporting to BOMA. The Board either trusts the City Administrator and the authority of that position or does not. It should not be about the individual. It should be about the office. He would not support a sunset provision.
- Alderman Barnhill and Alderman Bransford noted the Budget & Finance Committee passed the resolution unanimously.
- This Resolution is to align the City Administrator's authority with the formal sealed bids amendment in the purchasing policy.
- Mr. Stuckey does provide reports to BOMA; however, a statement to this effect was incorporated in the resolution to support the unwritten policy. Mr. Stuckey uses his discretion to bring items of interest or that need more discussion to the Board.
- Alderman Skinner emphasized his request was not in any way a reflection on Mr. Stuckey, his concern is trust with an interim.

Motion to defer Resolution 2012-05 to Work Session FAILED 2-5 with Aldermen Petersen and Skinner voting to defer and Aldermen Bransford, Blanton, Barnhill, Burger, and McLendon voting against deferral.

Main Motion to approve Resolution 2012-05 carried unanimously.

17. **Consideration of Event Permit Application from Heritage Foundation for Franklin Brewfest to be Held in Downtown Franklin on March 17, 2012**
Approved unanimously **David Rahinsky, Police Chief**
18. **Consideration of Event Permit Request from the Pediatric Brain Tumor Foundation for Ride For Kids Event to be Held at Jim Warren Park on May 20, 2012**
Approved unanimously **Lisa Clayton, Parks Director**
19. **Consideration of Bid Award to CMI Equipment Sales, Inc. of Nashville, TN in the Total Amount of \$26,250.00 for a Minimum of One (1) Tractor-Trailer Truckload of 500 New Ameri-Kart Bosskart Wheeled (Rollout) Refuse Containers, at a Price Per Container of \$52.50 Each, for the Collection Division of the Solid Waste Department (Purchasing Office Procurement Solicitation No. 2012-015; \$60,000 Budgeted in 124-83290-46110 for Fiscal Year 2012)**
Approved unanimously **Becky Caldwell, Solid Waste Director**
20. **Consideration of Amendment No. 1 to the Professional Services Agreement with Regan Smith Associates, Inc. (COF Contract No. 2011-0149) for Additional Design Services for the Public Works Facility Access Road Project in an Amount Not to Exceed \$12,450.00 and Discussions Concerning the Public Works Facility Access Road Design**
Approved unanimously **David Parker, City Engineer/CIP Executive**
21. **Consideration of Final Change Order (Change Order No. 1) for the Liberty Creek Water Quality Improvements Project (COF Contract No. 2010-0164) for a Decrease in the Contract Amount of \$19,855.21**
Approved unanimously **David Parker, City Engineer/CIP Executive**

22. **Consideration of the Professional Services Agreement (COF Contract No. 2012-0012) with B.G. Jones and Company for Appraisal Services for the Hillsboro Road Improvements Project in an Amount Not to Exceed \$31,500.00**
Approved unanimously **David Parker, City Engineer/CIP Executive**
23. **Consideration of Change Order No. 6 with the Parkes Companies, Inc. for the McEwen Drive Phase III Project (COF Contract No. 2011-0003) for a Time Only Extension**
Approved unanimously **David Parker, City Engineer/CIP Executive**
24. **Consideration of Change Order No. 1 with Civil Constructors, Inc. for the Jackson National Life Dual Power & Voice/Data Feed Project (COF Contract No. 2011-0023) for a Time Only Extension**
Approved unanimously **David Parker, City Engineer/CIP Executive**
25. **Consideration of RESOLUTION 2012-11, A Resolution Authorizing Condemnation for the Acquisition of Property for the McEwen Drive and Wilson Pike Intersection Improvement Project**
Approved unanimously **David Parker, City Engineer/CIP Executive**
26. **Consideration of Amendment No. 2 (COF Contract No. 2012-0014) to the Professional Services Agreement with Smith Seckman Reid, Inc. (SSR) for Additional Design Services for the Hillsboro Road Improvements Project in an Amount Not to Exceed \$19,800.00**
Approved unanimously **David Parker, City Engineer/CIP Executive**

ADJOURN

Aldermen Bransford and Barnhill moved and seconded to adjourn and motion carried unanimously.

Meeting adjourned 7:24 PM

Mayor Ken Moore

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 4/23/2012 1:16 PM