

**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, MAY 8, 2012 – 7:00 P.M.**

Board Members

Mayor Ken Moore	P		
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, Vice Mayor	P

Department Directors/Staff

Eric Stuckey, City Administrator	P	Lisa Clayton, Parks Director	
Vernon Gerth, ACA Community & Economic Development	P	Shirley Harmon, HR Director	P
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	P
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	P
Fred Banner, MIT Director		Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, Interim BNS Director	P	Linda Fulwider, Board Recording Secretary	P
Becky Caldwell, Solid Waste Director	P		

1. Call to Order

Mayor Ken Moore called the May 8, 2012, meeting to order at 7:15 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. Special Recognition

• **Proclamation Fallen Service Member, SPC Jason Edens**

Whereas, the freedoms we enjoy as Americans have been purchased and maintained at a high price throughout our history; and

WHEREAS, Americans have been willing to fight and die to preserve their individual rights as guaranteed in the United States Constitution and the Bill of Rights; and

WHEREAS, we owe a great debt to those who have served in defense of this nation, including SPC Jason K. Edens, who honorably perished from the wounds sustained in Afghanistan on April 25, 2012; and

WHEREAS, SPC Jason K. Edens has served in the United States Army since enlisting in 2009 and is the recipient of the Purple Heart, Combat Action Badge, and numerous other awards and medals; and

WHEREAS, SPC Jason K. Edens was a life-long resident of Franklin and the Grassland

Community and was a graduate of Franklin High School and a great representative of the City of Franklin.

NOW, THEREFORE, I, Mayor Ken Moore, on behalf of the City of Franklin, wish to extend our sincerest condolences to the family of SPC Jason K. Edens and salute his heroism, courage, and patriotism and thank his family for Jason's ultimate sacrifice.

IN WITNESS WHEREOF, I have hereunto set my hand this 5th day of May, 2012.

Dr. Ken Moore
Mayor of Franklin, Tennessee

Mayor Moore thanked the citizens of Franklin for the show of respect and patriotism along the route of the funeral procession to SPC Edens final resting place.

- 5. 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

- 6. Communications from Williamson County Mayor and Williamson County Commission**
County officials were not present.

- 7. Approval of Minutes**
The April 24, 2012 Work Session and April 24, 2012 BOMA minutes were not ready for approval.

- 8. Recognitions**
- Preservation Month
 - Sustainability Month
 - Public Works Appreciation Week
 - Police Appreciation Month
 - Law Enforcement Officers Memorial Day
 - Public Service Recognition Week

Mayor Moore read a proclamation for each of the above recognitions.

- 9. Miscellaneous Reports**
- Alderman Skinner announced there would be no Civil War Roundtable in May.
 - Alderman Barnhill announced the Rodeo parade would be Saturday, May 12 @ Noon.

10. 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 28-29 be placed on the Consent Agenda.

Alderman Barnhill moved to approve the Consent Agenda Items 28-29. Seconded by Alderman Blanton. Motion carried unanimously.

OLD BUSINESS

11. **Review Results of Solicitation for Bids for Municipal Solid Waste Disposal Services, Either Including or Excluding Transport Services, for an Initial Term of Service of Two (2) Years, Effective July 1, 2012 and Through June 30, 2014, with Four (4) Options to Extend the Term of Service, Each Time for Up to Three (3) Additional Years, for a Maximum Possible Term of Service of Fourteen (14) Years Total, Not Beyond June 30, 2026, for the Disposal Division of the Solid Waste Department (Purchasing Office Procurement Solicitation No. 2012-011 Through 2012-012)**

Becky Caldwell, Solid Waste Director

Alderman Skinner moved to Reject All Bids for Municipal Solid Waste Disposal Services. Seconded by Alderman Martin. Motion carried 7-1 with Alderman Blanton voting no.

12. **Consideration of Inter-Local Agreement with Bi-County Solid Waste Management for Municipal Solid Waste Transport and Disposal Services for an Initial Term of Service of Two (2) Years, Effective July 1, 2012 and Through June 30, 2014, with Four (4) Options to Extend the Term of Service, Each Time for Up to Three (3) Additional Years, for a Maximum Possible Terms of Service of Fourteen (14) Years Total, Not Beyond June 30, 2026, for the Disposal Division of the Solid Waste Department (COF Contract #2012-0023)**

Eric Stuckey, City Administrator

Becky Caldwell, Solid Waste Director

Alderman McLendon moved to Approve the Updated Inter-Local Agreement, including the termination clause, with Bi-County Solid Waste Management. Seconded by Alderman Barnhill.

Alderman Bransford stated she supports the Agreement based on the fact the displaced, dedicated solid waste workers will have jobs with the City.

Motion to Approve the Updated Inter-Local Agreement carried 7-1 with Alderman Blanton voting no.

NEW BUSINESS

13. **Consideration of ORDINANCE 2012-19, An Ordinance to Amend Franklin Municipal Code Title 18, to Standardize and Define Customer Classification**

[First of Two Readings]

Steve Sims, Assistant City Recorder

Alderman Petersen moved to defer Ordinance 2012-19 to the June 12, 2012 Work Session. Seconded by Alderman Bransford. Motion carried unanimously.

14. **Consideration of RESOLUTION 2012-18, A Resolution to Adopt the Integrated Water Resources Plan's (IWRP) Priority Projects and Associated Funding Plan**

Eric Stuckey, City Administrator

David Parker, City Engineer/CIP Executive

Mark Hilty, Water Management Director

Alderman Blanton moved to approve Resolution 2012-18. Seconded by Alderman Martin.

Projects included in the Resolution:

- ◆ Project 1A – UV Disinfection
- ◆ Project 1B – Repairs/Upgrades to Existing 2.1 MGD WTP
- ◆ Project 1C – Preliminary Design for Upgrade to 4.0 MGD WTP
- ◆ Project 1D – Preliminary Design for Advanced Oxidation (AOP) Addition
- ◆ Project 2 -Various modifications to the distribution system to reduce water age and improve overall water quality
- ◆ Project 4 –Existing WWTP Expansion to 16 MGD
- ◆ Project 5 –SCADA Water and Wastewater
 - ◆ 5A – Water Treatment and Distribution
 - ◆ 5B – Wastewater Collection and Treatment

Capital projects designated as Projects 1A, 1B, Preliminary Design for Project 1C, and 1D, as well as Projects 2, 4, and 5 will be considered for funding and completion as funds and time allows.

Lengthy discussion ensued when Alderman Burger questioned why 1B and 1C should be done because, in her opinion, the Harpeth River won't support the volume to be withdrawn. Mark Hilty explained the study that was done shows adequate capacity within the river. It was pointed out the Resolution does not irrevocably commit to any of the projects. Talk of awarding contracts or bids is premature. Some projects are essential due to regulatory requirements.

Motion to approve Resolution 2012-18 carried unanimously.

15. Consideration of RESOLUTION 2012-25, A Resolution Approving 2012 Private Act, Chapter Number 40

Shauna Billingsley, City Attorney

Alderman Bransford moved to approve Resolution 2012-25. Seconded by Alderman Burger. Motion carried unanimously.

16. Consideration of RESOLUTION 2012-26, A Resolution Approving 2012 Private Act, Chapter Number 41

Shauna Billingsley, City Attorney

Alderman Barnhill moved to approve Resolution 2012-26. Seconded by Alderman Bransford. Motion carried unanimously.

17. Consideration of RESOLUTION 2012-27, A Resolution Approving 2012 Private Act, Chapter Number 39

Shauna Billingsley, City Attorney

Alderman Burger moved to approve Resolution 2012-27. Seconded by Alderman Barnhill. Motion carried unanimously.

18. Consideration of RESOLUTION 2012-28, A Resolution to Approve the Standard Agreement for Sanitary Sewer Service Line Backwater Valve Installation and to Authorize the Water Management Department Director to Enter into Such Agreements with Sanitary Sewer Customers and/or Property Owners

David Parker, City Engineer/CIP Executive

Mark Hilty, Water Management Director

Alderman Martin moved to approve Resolution 2012-28. Seconded by Alderman Bransford. Motion carried unanimously.

19. **Consideration of Professional Services Agreement (COF Contract No. 2012-0068) with Wiser Company for the Third Avenue North Roadway Construction Administration and Inspection Services at a Cost Not to Exceed \$649,255.00**

David Parker, City Engineer/CIP Executive

Paul Holzen, Interim Engineering Director

Alderman Martin moved to approve the PSA with Wiser Company. Seconded by Alderman Blanton.

Alderman Petersen said she thought too much money was being spent for a quarter of a mile of roadway.

Motion to approve PSA with Wiser Company carried 7-1 with Alderman Petersen voting no.

20. **Consideration of Professional Services Agreement (COF Contract No. 2012-0069) with Wiser Company for the Third Avenue North Trail/Greenway Design at a Cost Not to Exceed \$99,925.00**

David Parker, City Engineer/CIP Executive

Paul Holzen, Interim Engineering Director

Alderman McLendon moved to approve PSA with Wiser Company. Seconded by Alderman Burger. Motion carried unanimously.

21. **Consideration of Professional Services Agreement (COF Contract No. 2012-0076 with Sullivan Engineering, Inc. (SEI) for the Design of the McEwen Drive Temporary Connector Project at a Cost Not to Exceed \$185,830.00**

David Parker, City Engineer/CIP Executive

Paul Holzen, Interim Engineering Director

Alderman Burger moved to approve PSA with Sullivan Engineering. Seconded by Alderman Bransford. Motion carried unanimously.

22. **Consideration of Professional Services Agreement (COF Contract No. 2012-0078) with Sullivan Engineering, Inc. (SEI) for the Design of the South Carothers Parkway 2-Lane Project with Design Option as Directed by the Board**

David Parker, City Engineer/CIP Executive

Paul Holzen, Interim Engineering Director

Alderman Martin moved to approve the PSA with Sullivan Engineering for the design of Option One. Seconded by Alderman Bransford.

Alderman Petersen moved to amend to design the full length of the road as well as breakdown for the northern section and for the southern section. Seconded by Alderman Bransford. Motion to amend carried unanimously.

Main motion as amended carried unanimously.

23. **Consideration of Contract Award to BlueCross BlueShield of Tennessee of Chattanooga, TN for Health Benefit Management and Pharmacy Benefit Management Products and Services, for an Initial Term of Service of Twelve (12) Months, Effective July 1, 2012 and Through June 30, 2013, with Options at the City's Sole Discretion to Renew for Like Terms, for the Human Resources Department (Purchasing Office Procurement Solicitation No. 2012-022A-B; COF Contract #2012-0064)**

Shirley Harmon, Human Resources Director

Alderman Barnhill moved to approve Contract Award to BlueCross BlueShield of Tennessee. Seconded by Alderman Burger. Motion carried unanimously.

24. **Consideration of Contract Award to Aetna Life Insurance Company of Hartford, CT for Life, Accidental Death and Dismemberment, Supplemental Life and Long-Term Disability Group Employee Insurance Benefits, for an Initial Term of Service of Twelve (12) Months, Effective July 1, 2012 and Through June 30, 2013, with Options at the City's Sole Discretion to Renew for Like Terms, for the Human Resources Department (Purchasing Office Procurement Solicitation No. 2012-022D-E; COF Contract #2012-0063**

Shirley Harmon, Human Resources Director

Alderman Bransford moved to approve Contract Award to Aetna Life Insurance Company. Seconded by Alderman Blanton. Motion carried unanimously.

25. **Consideration of Contract Award to Delta Dental of Tennessee of Nashville, TN for Dental and Associated Group Employee Insurance Benefits, for an Initial Term of Service of Twelve (12) Months, Effective July 1, 2012 and Through June 30, 2013, with Options at the City's Sole Discretion to Renew for Like Terms, for the Human Resources Department (Purchasing Office Procurement Solicitation No. 2012-022C; COF Contract #2012-0065**

Shirley Harmon, Human Resources Director

Alderman Burger moved to approve Contract Award to Delta Dental of Tennessee. Seconded by Alderman Skinner. Motion carried unanimously.

26. **Consideration of Liquor License Retailer's Certificate (Renewal) for the Corner Wine & Spirits (Guru Dev of Franklin, LLC, Vrushank Ramesh Surati), 1110 Hillsboro Road, Franklin, Tennessee**

Lanaii Y. Benne, Assistant City Recorder

Alderman McLendon moved to approve Retailer's Certificate Renewal. Seconded by Alderman Bransford. Motion carried unanimously.

27. **Consideration of Liquor License Retailer's Certificate (Renewal) for Brinkmann's Wine & Spirits (Timothy Brinkmann and Ann Brinkmann), 103 International Drive, Suite 100, Franklin, Tennessee**

Lanaii Y. Benne, Assistant City Recorder

Alderman Burger moved to approve Retailer's Certificate Renewal. Seconded by Alderman Blanton. Motion carried unanimously.

CONSENT

28. **Consideration of Event Permit Request for Vanderbilt/NCAA Golf Tourney Banquet to be Held on May 20, 2012 at Fourth Avenue South**

Approved unanimously

David Rahinsky, Police Chief

29. **Consideration of Event Permit for Franklin Tomorrow Shrimp Boil to be Held July 14, 2012, at the Eastern Flank Battlefield Park**

Approved unanimously

Anna Shuford, Parks & Recreation Superintendent

EXECUTIVE SESSION

30. Consideration of Motion to Enter Executive Session for Purpose of Reviewing Various Matters of Pending Litigation

Shauna Billingsley, City Attorney

Alderman Barnhill moved to enter Executive Session. Seconded by Alderman Skinner. Motion carried unanimously. Entered Executive Session @ 7:53 p.m.

RETURN FROM EXECUTIVE SESSION

31. Consideration of Matters from Executive Session

Returned @ 7:58 p.m.

Mayor Ken Moore

Alderman McLendon moved to forward to the Tennessee Department of Transportation for settlement for appeal mediation Mr. Livingfield More, \$1.45 million plus mediation costs. Seconded by Alderman Barnhill. Motion carried unanimously.

ADJOURN

Alderman McLendon moved to adjourn. Seconded by Alderman Burger. Motion carried unanimously.

Meeting adjourned @ 8:00 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 6/1/2012 11:15 AM