

MINUTES OF THE SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, MAY 22, 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	Vice Mayor Michael Skinner	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	
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	
Chris Bridgewater, Interim Director BNS	P	Linda Fulwider, Board Recording Secretary	P
Becky Caldwell, Solid Waste Director			

1. Call to Order

Mayor Ken Moore called the Special Meeting of the Board of Mayor and Aldermen to order on Tuesday, May 22, 2012, 7:10 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 April 24, 2012 Work Session minutes with the following

correction on page 8, paragraph 7, last sentence, “The other four ratios indicate to rating agencies that the City would have plenty of ~~reason~~ capacity to raise property taxes”, and to approve the April 24, 2012 BOMA, May 8, 2012 Work Session, and May 8, 2012 BOMA minutes as submitted. Seconded by Alderman McLendon. Motion carried unanimously.

7. Recognitions

- Preservation Photo Contest Winner Recognition

Over 175 photos submitted. Mayor Moore thanked the sponsors Battle of Franklin Trust, Franklin on Foot, Heritage Foundation of Franklin & Williamson County, Lotz House, Save the Franklin Battlefield, Inc. and Starbucks Downtown Franklin. He also thanked David Braud Photography who helped with the installation of the top 25 photos from the contest at Starbucks.

The winners were presented with City of Franklin “goody bags” and a gift from Starbucks.

- ★ Honorable Mention – Tamera Mustel, “Daddy-Daughter at Carnton Cemetery”
- ★ People’s Choice Award Winner with 189 likes on the City Facebook page – Carlene Matthews, “Church Steeple” (She presented a copy of her picture to Mayor Moore)
- ★ Second Place – Daryl Stone, “Franklin Square”
- ★ First Place – Bryan Stuart, “Sunset at Harlinsdale”

The First Place photo, “Sunset at Harlinsdale”, was framed and will hang in City Hall.

- Building Safety Month

Mayor Moore read a proclamation declaring the month of May 2012 as “Building Safety Month”. The Proclamation was presented to Chris Bridgewater, Interim Director of Building and Neighborhood Services.

8. Miscellaneous Reports

- Alderman Skinner announced the next Civil War Roundtable would be Sunday, June 10, 2012 @ 3:00 p.m. in the Community Room at Police Headquarters. The speaker will be a descendant of Sam Watkins, Company H of the Tennessee Confederacy.

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 ~~24-33~~ be placed on the Consent Agenda

Alderman Burger moved to pull Items 24 and 25 and approve the remainder of the Consent Agenda Items 26-33. Seconded by Alderman Bransford. Motion carried unanimously.

OLD BUSINESS

10. **Consideration of ORDINANCE 2012-16, An Ordinance to Amend Franklin Municipal Code Title 9, Chapter 10 to Regulate Carriages on City Streets**
[Second and Final Reading] Eric Stuckey, City Administrator
Alderman Burger moved to approve Ordinance 2012-16 on Second and Final Reading. Motion FAILED for lack of a Second.

11. **PUBLIC HEARING: Consideration of ORDINANCE 2012-17, An Ordinance to Rezone ± 2.85 Acres from Low Residential District (R-1) to High Residential District (R-3) for the Property Located at 3150 Boyd Mill Avenue**
[Second of Three Readings] Alderman Ann Petersen, FMPC Board Representative
With no one coming forward to speak, Mayor Moore declared the Public Hearing Closed

Alderman Barnhill moved to approve Ordinance 2012-17 on Second of Three Readings. Motion carried unanimously.

12. **PUBLIC HEARING: Consideration of ORDINANCE 2012-18, An Ordinance to Rezone ± 3.83 Acres from Heavy Industrial District (HI) to Light Industrial District (LI) for the Property Located at 104 Southeast Parkway**
[Second of Three Readings] Alderman Ann Petersen, FMPC Board Representative
With no one coming forward to speak, Mayor Moore declared the Public Hearing Closed

Alderman Skinner moved to approve Ordinance 2012-18 on Second of Three Readings. Seconded by Alderman Petersen. Motion carried unanimously.

NEW BUSINESS

13. **Consideration of ORDINANCE 2012-23, An Ordinance of the City of Franklin, Tennessee, Adopting a Budget for the Fiscal Year 2012-2013; Providing an Effective Date (Establishing a Public Hearing Date of June 12, 2012)**
[First of Three Readings] Eric Stuckey, City Administrator
Russ Truell, ACA Administration & Finance
Alderman Blanton moved to approve Ordinance 2012-23 on First of Three Readings. Seconded by Alderman Petersen.

Eric Stuckey gave a brief overview of the Proposed FY 2012-2013 Budget:

- General Fund Budget of \$55.1 million, an increase of 3.1%
- Total Operating Budget of \$81.6 million, an increase of 1.8%
- The Budget is structurally balanced with no planned draw on reserves
- In compliance with BOMA's debt and reserve policies
- All service levels maintained
- No staff layoffs
- New software for Human Resources and Development/Permitting
- Some vacant positions in public safety will be funded
- 2.5% cost of living increase for employees effective December 21, 2012
- New component \$125,000 to reward employees for performance
- Property Tax rate maintained
- Incorporated sustainability measures

- Revenues: Local Sales Tax 45.8%, Property Tax 12.2%, Other Local Taxes 6.6%, Licenses & Permits 7.7%, Intergovernmental 24.5%, Charges for Services 0.1%, Fines & Forfeitures 1.9%, Use of Money & Property 1.0%, and Other Revenue 0.2%
- Expenditures by Function: Public Safety 47%, Streets 10%, Parks 6%, Solid Waste 2%, Transit 1%, Other 34%
- 69% of the Budget goes to Personnel costs (including benefits) for approximately 700 employees
- Continue to deliver a high level of services to the citizens

Mr. Stuckey thanked the teams from every department, and especially the Finance team for their extra effort. The Budget is posted on the City website and a hard copy is in Administration. The second reading and Public Hearing will June 12, 2012

Alderman Petersen recognized Eric Stuckey and Russ Truell and expressed thanks to them and all City employees for a well turned-out, workable budget with nothing coming out of reserve funds.

Motion to approve Ordinance 2012-23 on First of Three Readings carried unanimously.

14. **Consideration of ORDINANCE 2012-24, An Ordinance of the City of Franklin, Tennessee, Establishing the Municipal Property Tax Levy for the Fiscal Year 2012-2013; Providing an Effective Date (Establishing a Public Hearing Date of June 12, 2012)**
[First of Three Readings] Eric Stuckey, City Administrator
Russ Truell, ACA Administration & Finance

Alderman Petersen moved to approve Ordinance 2012-24 on First of Three Readings. Seconded by Alderman Burger. Motion carried unanimously.

15. **Consideration of ORDINANCE 2012-31, An Ordinance to Establish a Two-Way Stop Sign Control at the Intersection of McEwen Drive and Oxford Glen Drive**
[First of Two Readings] David Parker, City Engineer/CIP Executive

Alderman Burger moved to approve Ordinance 2012-31 on First of Two Readings. Seconded by Alderman Bransford.

Alderman Burger asked Paul Holzen if the placement of the stop signs did not work out as planned to move traffic, would they consider putting the stop sign back on the street going downhill.

Motion to approve Ordinance 2012-31 on First of Two Readings carried unanimously.

16. **Consideration of ORDINANCE 2012-32, An Ordinance to Increase the Speed Limit on East McEwen Drive from West of Turning Wheel Lane to the Roundabout at Cool Springs Boulevard and Oxford Glen Drive to be Forty Miles Per Hour (40 MPH) in Both Directions**
[First of Two Readings] David Parker, City Engineer/CIP Executive

Alderman Burger moved to approve Ordinance 2012-32. Seconded by Alderman Blanton.

Alderman Skinner said he thought it set a dangerous precedent to set the speed limit higher than the recommendation of staff engineers. Alderman Burger commented that speed limits are changed all the time.

Motion to approve Ordinance 2012-32 carried 7-1 with Alderman Skinner voting no.

17. **Consideration of ORDINANCE 2012-34, An Ordinance Adopting FY 2012 Third Quarter Budget Amendments; Establishing a Public Hearing for June 26, 2012**
[First of Two Readings] Mike Lowe, Comptroller

Alderman Petersen moved to approve Ordinance 2012-34 on First of Two Readings. Motion carried unanimously.

18. **Consideration of RESOLUTION 2012-29, A Resolution to Authorize the City Administrator to Execute COF Contract No. 2012-0080, for the ARRA 2009 Clean Water Projects, Department of Environment and Conservation Number CGA 2009-250 to the Lowest Bidder on Behalf of the City Without First Seeking Approval from The Board of Mayor and Aldermen**

Paul Holzen, Interim Engineering Director

Alderman Martin moved to approve Resolution 2012-29. Seconded by Alderman Bransford. Motion carried unanimously.

It was noted the “so resolved” date would be changed from May 8, 2012 to May 22, 2012 in the final document.

19. **Consideration of RESOLUTION 2012-30, A Resolution Declaring the Intent of the City of Franklin to Reimburse Itself for Certain Expenditures Relating to Public Works Projects with the Proceeds of Bonds or Other Debt Obligations to be Issued by the City of Franklin in an Approximate Amount of \$20,000,000**

Russ Truell, ACA Finance & Administration

Alderman Barnhill moved to approve Resolution 2012-30. Seconded by Alderman McLendon. Motion carried unanimously.

20. **Consideration of RESOLUTION 2012-31, An Initial Resolution Authorizing the City of Franklin, Tennessee to Issue Its General Obligation Bonds in the Aggregate Principal Amount of Not to Exceed Ten Million Six Hundred Thousand Dollars (\$10,600,000)**

Russ Truell, ACA Finance & Administration

Alderman Bransford moved to approve Resolution 2012-31. Seconded by Alderman Martin. Motion carried unanimously.

21. **Consideration of 2012 Pension Cost-of-Living Adjustment (COLA)**

Russ Truell, ACA Finance & Administration

Alderman Martin recused herself from this item and the next item and left the meeting.

Alderman Skinner moved to approve the 2012 Pension Cost-of-Living Adjustment. Seconded by Alderman Barnhill. Motion carried unanimously 7-0 with Alderman Martin recused.

22. **Consideration of Professional Services Agreement (PSA) with Smith Seckman Reid, Inc. (SSR) for the Andover/Centennial Business Park Area Drainage Study in an Amount Not to Exceed \$29,400 (COF Contract 2012-0082)**

David Parker, City Engineer/CIP Executive

Alderman Burger moved to approve the PSA with SSR. Seconded by Alderman Barnhill. Motion carried unanimously 7-0 with Alderman Martin recused.

Alderman Martin rejoined the meeting.

23. **Consideration of Event Permit Application for Harpeth River Bike Ride to be Held on June 2, 2012**

David Rahinsky, Police Chief

Alderman Bransford moved to approve Event Permit for Harpeth River Bike Ride. Seconded by Alderman Burger. Motion carried unanimously.

CONSENT AGENDA

24. **Consideration of ORDINANCE 2012-07, To Be Entitled: “An Ordinance to Amend the Character Area and Development Standard Overlays of the City of Franklin Zoning Map”; Establishing a Public Hearing Date of June 26, 2012**

[First of Three Readings] Alderman Ann Petersen, FMPC Board Representative

Alderman Burger moved to approve Ordinance 2012-07 on First of Three Readings. Seconded by Alderman Petersen.

Alderman Burger wanted to point out that items 24 and 25 will have Public Hearings at the June 26, 2012 meeting.

Motion to approve Ordinance 2012-07 on First of Three Readings carried unanimously.

25. **Consideration of ORDINANCE 2012-08, To Be Entitled: “An Ordinance to Amend Chapter 3, Section 3.5, Subsections 4, 6, and 10 of the Franklin Zoning Ordinance, Which Establishes Regulations for Character Area Overlay Districts and the Special Areas Therein”; Establishing a Public Hearing Date of June 26, 2012**

[First of Three Readings] Alderman Ann Petersen, FMPC Board Representative

Alderman Petersen moved to approve Ordinance 2012-08 on First of Three Readings. Seconded by Alderman Skinner.

Motion to approve Ordinance 2012-08 on First of Three Readings carried unanimously.

26. **Consideration of ORDINANCE 2012-21, To Be Entitled: “An Ordinance to Rezone ±15.81 Acres From General Commercial District (GC) To Civic and Institutional District (CI) for the Property Located at 124 Lumber Drive” Establishing a Public Hearing Date of June 25, 2012**

[First of Three Readings] Alderman Ann Petersen, FMPC Board Representative

Ordinance 2012-21 approved unanimously on First of Three Readings

27. **Consideration of Event Permit for Boot Run 5K in Cool Springs on September 8, 2012**

Approved unanimously David Rahinsky, Police Chief

28. **Consideration of Professional Services Agreement (COF Contract No. 2012-0077) with Sullivan Engineering, Inc. (SEI) for the Design of the McEwen Drive Extension East of Wilson Pike Project at a Cost Not to Exceed \$345,400**

Approved unanimously David Parker, City Engineer/CIP Executive
Paul Holzen, Interim Engineering Director

29. **Consideration of Contract Award to Automated Collection Services, Inc. of Nashville, TN for Bad Debt Collection Services, for the Revenue Management Division of the Administration Department (Purchasing Office Procurement Solicitation No. 2012-021; \$4,000 Budgeted in 110-82599-41200 (Court) and \$4,000 Budgeted in 110-82599-41310 (Revenue Management) for Fiscal Year 2012; COF Contract No. 2012-0071**

Approved unanimously Steve Sims, Assistant City Recorder & City Court Clerk
Clay Matthews, Interim Assistant City Recorder

30. **Consideration of Amendment No. 1 to the Professional Services Agreement (COF Contract No. 2010-0098) with Littlejohn Engineering Associates (LEA) for the Eastern Flank Battlefield in an Amount Not to Exceed Cost of \$5,800.00**

Approved unanimously David Parker, City Engineer/CIP Executive

31. **Consideration of Sanitary Sewer Availability Request for Susan Smith, Map 79, Parcel 57.03**

Approved unanimously David Parker, City Engineer/CIP Executive

32. **Consideration of Change Order No. 2 to the Jackson Lake Dredging Improvements Project (COF Contract No. 2011-0003) for an Increase in the Contract Amount of \$10,001.73 and an Additional 21 Days**

Approved unanimously David Parker, City Engineer/CIP Executive

33. **Consideration of Amendment No. 2 to Master Services Agreement for Stream Restoration Projects with AMEC (COF Contract 2010-0154) in an Amount Not to Exceed \$44,255 for the Victoria Court Detention Facility Design**

Approved unanimously David Parker, City Engineer/CIP Executive

ADJOURN

Alderman Bransford moved to adjourn, Seconded by Alderman Burger. Motion carried unanimously.

Meeting adjourned @ 7:35 p.m.

Dr. Ken Moore, Mayor