

**MINUTES OF THE SPECIAL MEETING  
 BOARD OF MAYOR AND ALDERMEN  
 FRANKLIN, TENNESSEE  
 CITY HALL BOARDROOM  
 TUESDAY, SEPTEMBER 25, 2012 – 7:00 P.M.**

**Board Members**

Mayor Ken Moore	P		
Alderman Clyde Barnhill	P	Alderman Margaret Martin	P
Alderman Brandy Blanton	A	Alderman Dana McLendon	A
Alderman Pearl Bransford	A	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	
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	
David Parker, City Engineer/CIP Executive	P	Paul Holzen, Engineering Director	
Shauna Billingsley, City Attorney	P	Catherine Powers, Planning/Sustainability Director	
Rocky Garzarek, Fire Chief		Joe York, Streets Director	
David Rahinsky, Police Chief	P	Brad Wilson, Facilities Project Manager	
Fred Banner, MIT Director		Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, BNS Director	P	Linda Fulwider, Board Recording Secretary	
Becky Caldwell, Solid Waste Director			

**1. Call to Order**

Mayor Ken Moore called the September 25, 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

∩ Mayor Moore asked that Item 7 be taken before Item 4

**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)

- ◆ Mary Pearce, Heritage Foundation, advised 180 people from across the state representing Main Street Communities will be entertained and educated tomorrow at the Franklin Theatre. She said that it's fun to have people come to learn about the magic of Franklin
- ◆ Greg Flittner, 212 Emily Court in downtown Franklin, and current president of the Downtown Neighborhood Association (DNA). Mr. Flittner distributed a letter to the

Board, and for the record, that addresses the property at 510 Columbia Avenue. The letter expressed concerns of the DNA regarding the future of the property. They ask that the current proposal for use of the building be rejected and a different use solicited.

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

6. **Approval of Minutes**

*Alderman Burger moved to approve the following minutes as presented: August 28, 2012 Executive Session, September 11, 2012 Work Session, September 11, 2012 Executive Session, and September 11, 2012 BOMA meeting. Seconded by Alderman Martin. Motion carried unanimously (5-0).*

7. **Recognitions (Item addressed after Item 3)**

✓ Mayor Moore read the Fire Prevention Month Proclamation and presented it to Fire Chief Rocky Garzarek. The theme for the month of October is *Two Ways Out*

✓ Eric Stuckey then recognized Chief Garzarek for receiving the professional designation of “Chief Fire Officer” awarded by the Commission on Professional Credentialing. He is one of only six Chief Fire Officers in Tennessee and 880 with the certification worldwide. Mr. Stuckey congratulated the Chief on this significant achievement.

8. **Miscellaneous Reports**

✓ Vice Mayor Skinner announced the next Civil War Roundtable would be Sunday, October 14, 2012 @ 3:00 p.m., Police Headquarters Community Room. Dr. John F. Kvach of the University of Alabama will speak about J.D.B. DeBow, the antebellum South’s most influential editor.

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 16-22 be placed on the Consent Agenda.

*Alderman Burger moved to approve the Consent Agenda Items 16-22. Seconded by Alderman Barnhill. Motion carried unanimously (5-0).*

**OLD BUSINESS**

10. **PUBLIC HEARING: Consideration of ORDINANCE 2012-38, To Be Entitled: “An Ordinance to Amend Chapter 3, Section 3.2 and Chapter 8, Section 8.3 of The City of Franklin Zoning Ordinance to Revise Requirements and Definitions Related to Hotels**  
**[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 Petersen moved to refer Ordinance 2012-38 back to the Planning Commission for further discussion. Seconded by Alderman Skinner.*

Eric Stuckey explained this was written with feedback from certain hoteliers and using hotel standards. Feedback recently received from other hoteliers might be helpful and could modify the Ordinance. The Ordinance was modified to reflect the real world of how hoteliers tend to operate and to be reflective of a high quality property. However, it should not inadvertently inhibit getting high quality property by being too prescriptive in certain areas.

*Motion to refer Ordinance 2012-38 back to the Planning Commission carried unanimously (5-0).*

### **NEW BUSINESS**

11. **Consideration of Bid Award to Rock City Construction Co., Inc. in the Amount of Not to Exceed \$670,000.00 for the Harlinsdale Equestrian Barn Structural Stabilization and Weatherization Project for The City of Franklin Parks Department Located at 331 Franklin Road (COF 2012-0086)**  
**Brad Wilson, Facilities Project Manager**

*Alderman Barnhill moved to approve Bid Award to Rock City Construction in an amount not to exceed \$670,000.00 for structural stabilization and weatherization of the Harlinsdale Barn. Seconded by Alderman Skinner.*

Alderman Petersen said when this much money is spent; she wants it to go through other processes. Aldermen Barnhill, Burger and Skinner agreed; Alderman Skinner, however, said if the barn were left to deteriorate too much longer it might not be savable. Mr. Stuckey explained that typically these high dollar items are taken through the CIP process. This project is unique in that dollars from FEMA flood mitigation are involved so it ends up \$63,000 in a larger project and timelines have to be met.

*Motion to approve Bid Award to Rock City Construction in an amount not to exceed \$670,000.00 for structural stabilization and weatherization of the Harlinsdale Barn carried unanimously (5-0).*

12. **Consideration of Agreement Between The City of Franklin, Tennessee, and Stream Valley Franklin Partners, LLC, Relative to Phasing of the Stream Valley Development (COF Contract No. 2012-0143)**

**Shauna Billingsley, City Attorney**

*Alderman Petersen moved to defer this item to October 9, 2012. Seconded by Alderman Burger. Motion carried unanimously (5-0).*

13. **Consideration of Good Moral Character Certificate for Roy F. Alley VFW Post 4893 (David Pratt, Managing Agent), 101 Eddy Lane, For On Premises Consumption**  
**Steve Sims, Assistant City Recorder/Court Clerk**

*Alderman Barnhill moved to approve Certificate for On Premises Consumption. Seconded by Alderman Burger. Motion carried unanimously 4-0 with Alderman Petersen recused.*

14. **Consideration of Event Permit for Centennial High School Homecoming Parade to be Held October 5, 2012**

**David Rahinsky, Police Chief**

*Alderman Skinner moved to approve Event Permit Centennial High School. Seconded by Alderman Burger. Motion carried unanimously (5-0).*

15. **Consideration of Mayor's Appointment(s) to the Sustainability Commission**  
**Dr. Ken Moore, Mayor**

Mayor Moore made the following appointments:

- ▲ Brian Miller Reappointment  
Mechanical Engineer
- ▲ Karina Young Appointment  
Licensed Architect & Professor at TSU
- ▲ Matthew Bryant Appointment  
Professional Engineer

The Mayor stated that a motion was not required to accept these appointments.

He thanked Lisa Smith and Adam Ballash, two members going off the commission, saying he appreciated the time they served on the commission.

**CONSENT AGENDA**

16. **Consideration of ORDINANCE 2012-33, An Ordinance to Amend Title 1, Chapter 5 of the Franklin Municipal Code Concerning Emergency Management**  
**[Second and Final Reading] Rodney Escobar, Risk Manager**  
*Ordinance 2012-33 approved unanimously (5-0) on Second and Final Reading*
17. **Consideration of ORDINANCE 2012-41, An Ordinance to Rezone ±14.07 Acres From General Commercial District (GC) To Residential Variety District (RX) for the Property Located Along Carothers Parkway and Northwest of East McEwen Drive**  
**[Third and Final Reading] Alderman Ann Petersen, FMPC Board Representative**  
*Ordinance 2012-41 approved unanimously (5-0) on Third and Final Reading*
18. **Consideration of ORDINANCE 2012-42, An Ordinance to Rezone ±13.81 Acres From General Commercial District (GC) To Residential Variety District (RX) for the Property Located East of Carothers Parkway Along Resource Parkway**  
**[Third and Final Reading] Alderman Ann Petersen, FMPC Board Representative**  
*Ordinance 2012-42 approved unanimously (5-0) on Third and Final Reading*
19. **Consideration of ORDINANCE 2012-46, An Ordinance to Amend Various Chapters and Sections of the City of Franklin Zoning Ordinance to Clarify Requirements and Correct Minor Textual Errors**  
**[Third and Final Reading] Alderman Ann Petersen, FMPC Board Representative**  
*Ordinance 2012-46 approved unanimously (5-0) on Third and Final Reading*
20. **Consideration of Agreement Establishing Deed Restrictions on the Property Adjacent to Rolling Hills Community Church to Establish a Public Yard for an Unlimited Area Building (COF Contract 2012-0107)**  
*Approved unanimously (5-0)* **Chris Bridgewater, Building/Neighborhood Services Director**
21. **Consideration of Contract Number 2012-0137 Between The City of Franklin and Community Housing Partnership (CHP) for CDBG Emergency Repair Program Administration Services**  
*Approved unanimously (5-0)* **Vernon Gerth, ACA Community & Economic Development**  
**Kathleen Sauseda, Interim Housing & Development Coordinator**

22. **Consideration of Event Permit Application for Verizon Wireless 5K on October 7, 2012 in Cool Springs Area**

*Approved unanimously (5-0)*

**David Rahinsky, Police Chief**

**EXECUTIVE SESSION**

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

**Shauna Billingsley, City Attorney**

*Alderman Burger moved to enter Executive Session. Seconded by Alderman Barnhill. Motion carried unanimously (5-0).*

Entered Executive Session @ 7:18 p.m.

**RETURN FROM EXECUTIVE SESSION**

24. **Consideration of Matters from Executive Session**

**Dr. Ken Moore, Mayor**

There were no matters for consideration.

**ADJOURN**

*Alderman Burger moved to adjourn Executive Session and BOMA meeting. Motion carried unanimously (5-0).*

Meeting adjourned @ 7:40 p.m.

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Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 10/10/2012 9:52 AM