

**MINUTES OF THE SPECIAL MEETING
 BOARD OF MAYOR AND ALDERMEN
 FRANKLIN, TENNESSEE
 CITY HALL BOARDROOM
 TUESDAY, OCTOBER 23, 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	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	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, Engineering Director	P
Shauna Billingsley, City Attorney	P	Catherine Powers, Planning/Sustainability Director	P
Rocky Garzarek, Fire Chief	P	Joe York, Streets Director	P
David Rahinsky, Police Chief		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	P
Becky Caldwell, Solid Waste Director			

1. Call to Order

Mayor Ken Moore called the October 23, 2012, meeting to order at 7:00 p.m.

2. Invocation

The invocation was given by Naomi Drake, a member of the 2012 Citizen’s Government Academy graduating class.

3. Pledge of Allegiance

All present stood and pledged allegiance to the Flag of the United States of America led by Boy Scout Hayden Ritchie.

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**

Minutes from the October 9, 2012 Work Session and BOMA meeting were not available.

- ★ Mayor Moore welcomed Scoutmaster Greg Poston and Troop 13 of Christ Community Church who were present as part of earning their Communications Merit Badge.

7. **Recognitions**

- Citizen's Government Academy 2012 Graduates

Mayor Moore, Eric Stuckey, and Monique McCullough recognized the 2012 graduates of the Citizen's Government Academy:

Mike Alexander	Steven Kimmel
Jason Arrington	Jane Long
Brenda Campbell	Jerin Renfro
Yolanda Chapa	Chad Story
Naomi Theresa Drake	Jacquelyn Walters
Carla Kelly	Christine White
Gary Kelly	

- Water Department Award from Tennessee Water and Wastewater Energy Efficiency Partnership
The EPA and TDEC recognized the City for saving 1,699,440 kWh and \$194,000. Those involved in the effort were Mark Hilty, Wayne Davenport, Juan Davis and Andrew Orr.
- Parks Department Award from Tennessee Recreation and Parks Association for the Franklin Historic Parks Cell Phone Tour Program
This award is for Best in State. Lisa Clayton accepted the award. Vice Mayor Skinner recognized Deanna Scheffel, Parks Department, for her participation as well. He added that calls come in from all across the nation to listen to the information about the Battle of Franklin.
- Police Department Award from the International Chiefs of Police Association for the "Best in the U.S." National Child Passenger Safety Program
This is the second consecutive year for this honor. Officer Eric Johnson came forward to accept congratulations on behalf of the Police Department.

8. **Miscellaneous Reports**

- Vice Mayor Skinner announced the next Civil War Roundtable is scheduled on Sunday, November 11, 2012, 3:00 p.m. in the Community Room at Police Headquarters. Peter Cousin, renowned historian will be the speaker.

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 20-34 be placed on the Consent Agenda.

Eric Stuckey referred to Item 34, actions taken on behalf of the Board, and pointed out that C, D, E,

and F represent closeout of the Hayes House restoration at Harlinsdale. Half of the owners contingency was used to more fully restore the front porch (\$12,000 of \$25,000)

Alderman Bransford moved to approve the Consent Agenda, Items 20-34. Seconded by Alderman Martin. Motion carried unanimously.

OLD BUSINESS

10. **PUBLIC HEARING: Consideration of ORDINANCE 2012-50, FY 2012 Fourth Quarter Budget Amendments**

[Second and Final Reading]

Mike Lowe, Comptroller

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

Alderman Petersen moved to approved Ordinance 2012-50 on Second and Final Reading. Seconded by Alderman Barnhill. Motion carried unanimously.

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

Shauna Billingsley, City Attorney

Vice Mayor Skinner moved to approve this revised version of the Phasing Agreement with Stream Valley Franklin, LLC. Seconded by Alderman Bransford. Motion carried unanimously.

NEW BUSINESS

12. **Consideration of ORDINANCE 2012-57, An Ordinance to Amend Water and Sewer Rates for 2013 and 2014; Establishing a Public Hearing Date of November 27, 2012**

[First of Three Readings]

Mark Hilty, Water Management Director

Alderman Bransford moved to approve Ordinance 2012-57 on First of Three Readings. Seconded by Alderman Barnhill.

Alderman Bransford noted there would be a public hearing at the second reading. There will be a 4% increase in water rates and a 7% increase in sewer rates in 2013 and 2014.

Alderman McLendon said it is important for the constituency to understand that by law the water and sewer revenue funds must break even. The City is not setting the rates to make money. There are costs incurred and projects to be done, and costs are spread appropriately.

Motion to approve Ordinance 2012-57 on First of Three Readings carried unanimously.

13. **Consideration of Professional Services Agreement (Contract 2012-0168) with Smith Seckman Reid, Inc. for Construction, Engineering and Inspection (CEI) Services for the Eastern Flank Battlefield Park Roadway Project in an Amount Not to Exceed \$165,920.33**

David Parker, City Engineer/CIP Executive

Alderman Martin recused herself and exited the meeting.

Alderman Skinner moved to approve the PSA for CEI Services for Eastern Flank Battlefield Park Roadway Project. Seconded by Alderman Burger.

Alderman Skinner expressed his disappointment that the road was costing this much. There are extra conditions to be met when federal money is accepted for a project. He sees a lesson in that. He commented that it is really just a driveway.

Eric Stuckey noted there was a \$500,000 grant through State Enhancement Funds and it is a CIP project. Alderman Skinner mentioned \$240,000 in interpretive signage grants.

Motion to approve the PSA for CEI Services for Eastern Flank Battlefield Park Roadway Project carried unanimously 6-0 with Alderman Martin recused.

Alderman Martin returned to the meeting.

14. **Consideration of Liquor License Retailer's Certificate (Relocation) for Harpeth Liquors, 503 Alexander Plaza, Franklin, Tennessee 37064 (Satish Patel)**
Lanaii Y. Benne, Assistant City Recorder
Alderman Bransford moved to approve Liquor License. Seconded by Alderman Barnhill. Motion carried unanimously.
15. **Consideration of Bid Award (COF Contract 2012-0151) to The Parkes Companies, Inc., for the McEwen Drive Temporary Connector Project in an Amount Not to Exceed \$1,982,491.61**
Paul Holzen, Engineering Director
Alderman Burger moved to approve Bid Award to the Parkes Companies. Seconded by Alderman Bransford. Motion carried unanimously.
16. **Consideration of Bid Award (COF 2012-0145) to Brown Builders for the SR 252 (Wilson Pike) & McEwen Drive Intersection Improvements Project in an Amount Not to Exceed \$1,991,572.82**
Paul Holzen, Engineering Director
Alderman Burger moved to approve Bid Award to Brown Builders. Seconded by Alderman Petersen. Motion carried unanimously.
17. **Consideration of a Professional Services Agreement, COF Contract No. 2012-0169, with Gresham Smith and Partners (GS&P) for the Construction Administration, Engineering, and Inspection (CEI) Services for the Hillsboro Road Improvements Project, SR 96W to Independence Square in an Amount Not to Exceed \$822,902**
Paul Holzen, Engineering Director
Alderman Bransford moved to defer this item to November 13, 2012. Seconded by Alderman Barnhill. Motion carried unanimously.
18. **Consideration of Amendment No. 2 (COF 2012-0097) with Kimley-Horn and Associates in an Amount Not to Exceed \$52,500 for the Carothers and McEwen Corridor Traffic Impact Study**
Paul Holzen, Engineering Director

Alderman Burger moved to approve Amendment No. 2 with Kimley-Horn. Seconded by Alderman Skinner. Motion carried unanimously.

19. **Consideration of Annual Agreement with USGS for Harpeth River Gauging Stations Operation and Maintenance in an Amount of \$14,460 (COF Contract No. 2012-0173)**
David Parker, City Engineer/CIP Executive
Alderman Bransford moved to approve Annual Agreement with USGS. Seconded by Alderman Skinner. Motion carried unanimously.

CONSENT AGENDA

20. **Consideration of ORDINANCE 2012-45, As Amended, An Ordinance to Amend Chapter 6, Section 6.3, Subsection 2 and Section 6.4, Subsection 1 of the Franklin Zoning Ordinance, which Establishes Regulations for Reduction or Release of Performance Agreement and Surety [Third and Final Reading]** **Alderman Ann Petersen, FMPC Board Representative**
Ordinance 2012-45 approved unanimously on Third and Final Reading
21. **Consideration of Facility Encroachment Agreement (COF 2012-0165) with CSX for the Mack Hatcher Parkway NE Widening Project for the Installation of Fiber Optics Across CSX ROW at a Cost of \$1,000.00**
Approved unanimously **David Parker, City Engineer/CIP Executive**
22. **Consideration of Professional Services Agreement (COF Contract No. 2012-0157) with CDM Smith for the Hatcher Springs Watershed Stormwater Master Planning Project in the Amount of \$110,000**
Approved unanimously **David Parker, City Engineer/CIP Executive**
23. **Consideration of Amendment 1 (COF 2011-0107) with Bristol Development Group, LLC to the Waterline Cost Reimbursement Agreement**
Approved unanimously **David Parker, City Engineer/CIP Executive**
24. **Consideration of Professional Services Agreement (COF Contract 2012-0156) with Gresham Smith & Partners for the Design of the North Petway Sanitary Sewer Improvements Project in the Amount of \$23,600.00**
Approved unanimously **David Parker, City Engineer/CIP Executive**
25. **Consideration of Amendment No. 1 (COF Contract 2012-0076) to the Professional Services Agreement with Sullivan Engineering, Inc. (SEI) for the Construction Administration and Inspection Services for the McEwen Drive Temporary Connector Project in an Amount Not to Exceed \$95,000**
Approved unanimously **David Parker, City Engineer/CIP Executive**
26. **Consideration of Amendment No. 5 (COF 2010-0152) to the Professional Services Agreement (PSA) with Alfred Benesch & Company (Benesch) for Construction Administration and Inspection Services for the SR 252 (Wilson Pike) & McEwen Drive Intersection Improvements Project in an Amount Not to Exceed \$207,000.00**

Approved unanimously David Parker, City Engineer/CIP Executive

27. **Consideration of Amendment No. 3 (COF Contract 2010-0151) to the Professional Services Agreement with Neel-Shafer for the Construction Administration and Inspection of the Carlisle Lane @ Hwy 96 Signalization Project in the Amount of \$166,050**
Approved unanimously David Parker, City Engineer/CIP Executive
28. **Consideration of the Utility Relocation Contract with the Tennessee Department of Transportation (TDOT Contract No. 7914; PIN 106269.00) for the Franklin Water Main Relocations for the I-65, from North of SR 840 to North of SR 248, Widening (Includes SR 248-Goose Creek Interchange) Project (COF Contract No. 2012-0161)**
Approved unanimously David Parker, City Engineer/CIP Executive
29. **Consideration of the Utility Relocation Contract with the Tennessee Department of Transportation (TDOT Contract No. 7913; PIN 106269.00) for the Franklin Water Main Relocations Easements for the I-65 Widening Project, from North of SR 840 to North of SR 248 (Includes SR 248-Goose Creek Interchange) (COF Contract No. 2012-0162)**
Approved unanimously David Parker, City Engineer/CIP Executive
30. **Consideration of the Utility Relocation Contract with the Tennessee Department of Transportation (TDOT Contract No. 7911; PIN 106269.00) for the Franklin Sanitary Sewer and Reclaimed Water Main Relocations for the I-65 Widening Project, from North of SR 840 to North of SR 248 (Includes SR 248-Goose Creek Interchange) (COF Contract No. 2012-0166)**
Approved unanimously David Parker, City Engineer/CIP Executive
31. **Consideration of the Utility Relocation Contract with the Tennessee Department of Transportation (TDOT Contract No. 7912; PIN 106269.00) for the Franklin Sanitary Sewer and Reclaimed Water Main Relocation Easements for the I-65 Widening Project, from North of SR 840 to North of SR 248 (Includes SR 248-Goose Creek Interchange) (COF Contract No. 2012-0167)**
Approved unanimously David Parker, City Engineer/CIP Executive
32. **Consideration of Professional Technical Services Contract (COF Contract 2012-0129) with G-Squared, LLC for the GIS Impervious Surface Update for an Amount Not to Exceed \$25,125**
Approved unanimously David Parker, City Engineer/CIP Executive
33. **Consideration of Change Order No. 1 to the Construction Contract for the Third Avenue north Extension Project (Bicentennial Park Phase I) (COF Contract No. 2012-0089)**
Approved unanimously David Parker, City Engineer/CIP Executive
34. **Items Approved by the City Administrator on Behalf of the Board of Mayor & Aldermen:**
- A. Proposal to Create a Five Year Technological Services Plan from Info-Tech, LLC in an Amount of \$10,335.00 for One Year's Worth of Services; Budgeted Item (110.82510.41350) in the MIT Department Current Year Budget
 - B. Additional Design and Structural Work for Harlinsdale Barn Project with Oversight, LLC in an Amount of \$4,200

- C. Change Order Number Four (4) from Stone Crest Construction, LLC in an Amount of \$1,800 for Front Porch Weed Control and Esthetics at the Hayes House of Harlinsdale Farm
- D. Change Order Number Five (5) from Stone Crest Construction, LLC for Additional Stain Applied to Front Porch of Hayes House at Harlinsdale in an Amount of \$500
- E. Change Order Number Six (6) with Stone Crest Construction, LLC for Additional Paint and Repair at Hayes House at Harlinsdale in an Amount of \$5,500
- F. Change Order Number Seven (7) from Stone Crest Construction, LLC for Additional Siding and Painting on Hayes House at Harlinsdale Farm in an Amount of \$2,273.00
- G. Fourth Avenue Parking Garage Fence in an Amount Not to Exceed \$12,094.20-REVISED

Approved unanimously

EXECUTIVE SESSION

Executive Session was not convened

ADJOURN

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

Meeting adjourned @ 7:31

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 11/14/2012 3:39 PM