

**MINUTES OF THE REGULAR MEETING
 BOARD OF MAYOR AND ALDERMEN
 FRANKLIN, TENNESSEE
 CITY HALL BOARDROOM
 TUESDAY, NOVEMBER 13, 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	P
Vernon Gerth, ACA Community & Economic Development	P	Shirley Harmon, HR Director	
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	P
David Parker, City Engineer/CIP Executive	P	Paul Holzen, Engineering Director	
Shauna Billingsley, City Attorney	P	Dan Allen, Assistant Engineering Director	P
Rocky Garzarek, Fire Chief		Catherine Powers, Planning/Sustainability Director	P
David Rahinsky, Police Chief	P	Joe York, Streets Director	
Fred Banner, MIT Director		Brad Wilson, Facilities Project Manager	P
Chris Bridgewater, BNS Director	P	Lanaii Benne, Assistant City Recorder	P
Becky Caldwell, Solid Waste Director		Linda Fulwider, Board Recording Secretary	P

1. Call to Order

Mayor Ken Moore called the November 13, 2012, meeting to order at 7:00 p.m.

Mayor Moore again announced that Item 14, Simmons Ridge (Public Hearing) would not be addressed at this meeting. The applicant requested deferral due to a death in the family. It will be addressed at the December 11, 2012 BOMA meeting.

2. Invocation

The invocation was given by Alderman Clyde Barnhill

3. Pledge of Allegiance

Boy Scout Jacob Budge, Troop 82, led the pledge of allegiance to the Flag of the United States of America

Mayor Moore recognized Boy Scout Troop 82 in attendance as part of earning a merit badge.

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 Barnhill moved to approve the following minutes as presented: October 9, 2012 Work Session, October 9, 2012 BOMA, October 23, 2012 Work Session and October 23, 2012 BOMA. Seconded by Alderman Burger. Motion carried unanimously.

7. **Recognitions**

Happy Toes

Mayor Moore introduced a clip from the video featuring Eric Stuckey and his dancing partner, Christa Bacon, from last Thursday's Dancing With the Nashville Stars, a benefit for Feed America First. Last year the Mayor and his partner won Best Technique and the winner's trophy, a mirrored glass ball. This year Mr. Stuckey and Ms. Bacon dittoed the win with Best Technique and the coveted mirrored glass ball trophy. Congratulations! The clip of the Stuckey/Bacon dance garnered a round of applause!

8. **Miscellaneous Reports**

Illumination

Alderman Skinner announced the Civil War Illumination Ceremony would be held November 30, 2012 @ 4:45 at the Carter House.

Get Fit Franklin

Alderman Blanton invited families, businesses and individuals to sign up for the Get Fit Franklin program sponsored by Franklin Tomorrow and Blue Cross Blue Shield Tennessee. It is free to all. The event is Saturday morning (11/17/12) at 10:00 a.m.

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 ~~18-28~~ be placed on the Consent Agenda.

Mayor Moore asked that item 19 be pulled to clarify it is a request to reject bids. Alderman Martin requested item 18 be pulled.

Alderman Petersen moved to approve Consent Agenda Items 20-18, with Items 18 & 19 pulled. Seconded by Alderman Bransford. Motion carried unanimously.

OLD BUSINESS

10. **PUBLIC HEARING: Consideration of ORDINANCE 2012-53, an Ordinance to Rezone ±3.87 Acres From General Office District (GO) and High Residential District (R-3) to Residential Variety District (RX) for the Properties Located at 1720 West Main Street and 113 Rucker Avenue [Second of Three Readings]** Alderman Ann Petersen, FMPC Board Representative
With no one coming forth to speak, Mayor Moore declared the Public Hearing Closed

Alderman Bransford moved to approve Ordinance 2012-53 on Second of Three Readings. Seconded by Alderman Petersen. Motion carried unanimously.

11. **PUBLIC HEARING:** Consideration of RESOLUTION 2012-53, a Resolution Approving a Development Plan for the Rucker Park PUD Subdivision Located at 1720 West Main Street and 113 Rucker Avenue, by the City of Franklin Tennessee
Alderman Ann Petersen, FMPC Board Representative
With no one coming forth to speak, Mayor Moore declared the Public Hearing Closed

Alderman Petersen moved to approve Resolution 2012-53. Seconded by Alderman Burger. Motion carried unanimously.

12. **PUBLIC HEARING:** Consideration of ORDINANCE 2012-54, an Ordinance to Rezone ±17.40 Acres from Medium Residential District (R-2) To Residential Variety District (RX) for the Property Located at 567 Franklin Road
[Second of Three Readings] Alderman Ann Petersen, FMPC Board Representative
With no one coming forth to speak, Mayor Moore declared the Public Hearing Closed

Alderman Blanton moved to approve Ordinance 2012-54 on Second of Three Readings. Seconded by Alderman Burger.

Alderman Burger said parking issues had been discussed at some point for Residential Variety zoning. She asked if the parking for this property would be adequate. Catherine Powers related this is residential and there is sufficient parking for each unit. Nothing was cut back.

Motion to approve Ordinance 2012-54 on Second of Three Readings carried unanimously.

13. **PUBLIC HEARING:** Consideration of RESOLUTION 2012-51, a Resolution Approving a Development Plan for the Commons at Gateway Village PUD Subdivision, Located at 567 Franklin Road, by the City of Franklin, Tennessee
Alderman Ann Petersen, FMPC Board Representative
With no one coming forth to speak, Mayor Moore declared the Public Hearing Closed

Alderman Bransford moved to approve Resolution 2012-51. Seconded by Alderman Petersen. Motion carried unanimously.

14. **PUBLIC HEARING:** Consideration of RESOLUTION 2012-52, a Resolution Approving a Revision to the Development Plan for Simmons Ridge PUD Subdivision, Located at 4408 South Carothers Road, by the City of Franklin, Tennessee {9/27/12 FMPC Voted to Recommend Disapproval 4-3}
Alderman Ann Petersen, FMPC Board Representative
Alderman Barnhill moved to defer Resolution 2012-52 and Public Hearing to December 11, 2012 BOMA meeting. Seconded by Alderman Burger. Motion carried unanimously.

NEW BUSINESS

15. **Consideration of ORDINANCE 2012-55, an Ordinance to Annex the Clovercroft Road Right-of-Way Along the Breezeway Subdivision Frontage, Consisting of ±5.28 Acres; Establishing a Public Hearing for December 11, 2012**
[First of Three Readings] Alderman Ann Petersen, FMPC Board Representative
Alderman Petersen moved to approve Ordinance 2012-55 on First of Three Readings. Seconded by Alderman Bransford.

Alderman Burger asked if it had been determined a second access was needed. Catherine Powers replied in the affirmative that the second access is needed per the Streets and Fire Departments. It is a condition of the 2007 Plat.

Motion to approve Ordinance 2012-55 on First of Three Readings carried unanimously.

16. **Consideration of RESOLUTION 2012-61, a Resolution to Update the Community Revitalization Plan**
Alderman Ann Petersen, FMPC Board Representative
Alderman Bransford moved to approve Resolution 2012-61. Seconded by Alderman Blanton. Motion carried unanimously.

17. **Consideration of RESOLUTION 2012-58, a Resolution Authorizing Negotiations for Design Services Professional Services Agreements for the Wastewater System Improvements as Identified in the IWRP**
David Parker, City Engineer/CIP Executive
Alderman Blanton moved to approve Resolution 2012-58. Seconded by Alderman Burger. Motion carried unanimously.

CONSENT AGENDA

18. **Consideration of RESOLUTION 2012-59, a Resolution Establishing Non-Residential Building Plan Review Alternatives and Performance Standards by the City of Franklin, Tennessee**
Chris Bridgewater, Building/Neighborhood Services Director
Alderman Barnhill moved to approve Resolution 2012-59. Seconded by Alderman Bransford.

Alderman Martin acknowledged they had discussed this at length; however, she still was not comfortable with the involvement of a third party if BNS hasn't finished the review yet stamps the plan as released for construction. She asked if that would be prior to review by the third party. Other aldermen express concerns and asked questions as well.

Explanation/Discussion:

- ▲ This is the benchmark/standard currently in place and the department has consistently met the standard, often well below 20 days.
- ▲ This is review with the City not a third party. Even if released for construction, review can continue. It will be completed.
- ▲ The plans still go through the entire process of review. If there are deficiencies, there is plenty of time to look at them while under construction. The City will not delay projects.

- ▲ Eric Stuckey again related that review time standards are already in place. This is an opportunity for options for plan review for larger projects.
- ▲ Alderman Martin concerned a third party reviewer could have a conflict of interest. It is disturbing that it is out of the hands of the department and the reviewer won't be responsible to anyone.
- ▲ Chris Bridgewater related there is a tracking mechanism and it relates to nationally recognized construction codes. They must meet those codes.
- ▲ The third parties have proven they are capable. If problems arise the party can be removed from the list of certified reviewers.
- ▲ Large plans often require lengthy review. During that time the department could have done many smaller projects. They keep an eye on how that project goes through the process and what is happening in the field. There is no side-by-side review.

Motion to approve Resolution 2012-59 carried unanimously.

19. **Consideration of Bid Award to Sessions Paving, Inc. in the Amount of \$246,245.00 for the Maplewood/Green Branch Stream Restoration Project (COF Contract No. 2012-0081)**
David Parker, City Engineer/CIP Executive
 Staff recommended all bids for this project be rejected.

Alderman Skinner moved to reject all bids received for the Maplewood/Green Branch Stream Restoration Project. Seconded by Alderman Petersen. Motion carried unanimously.

20. **Consideration of Final Change Order (Change Order No. 8) for the McEwen Drive Phase 3 Project (COF Contract No. 2011-0003) for an Increase in the Contract Amount of \$29,161.09**
Approved unanimously **David Parker, City Engineer/CIP Executive**
21. **Consideration of a Professional Services Agreement, COF Contract No. 2012-0015, with Ragan Smith Associates, Inc. for Construction Administration and Inspection Services for the Public Works Facility Access Road Project in an Amount Not to Exceed \$55,359.00**
Approved unanimously **David Parker, City Engineer/CIP Executive**
22. **Consideration of Bid Award (COF Contract 2012-0148) to The Highways, Inc. for the Boyd Mill Avenue/Carlisle Lane & SR 96W Intersection Improvements Project in an Amount Not to Exceed \$2,166,454.75**
Approved unanimously **David Parker, City Engineer/CIP Executive**
23. **Consideration of Amendment No. 2 to the Professional Services Agreement with Ragan 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 \$17,297.68**
Approved unanimously **David Parker, City Engineer/CIP Executive**
24. **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~~ \$748,150**
Approved unanimously **Paul Holzen, Engineering Director**

25. **Consideration of Memorandum of Understanding (MOU) with Williamson Country for Access of Fiber Optic Network (COF Contract 2012-0149)**
Approved unanimously Fred Banner, MIT Director
26. **Consideration of Event Permit for Dickens of a Christmas (Sponsored by Heritage Foundation/Downtown Franklin Association) in Downtown Franklin on December 8 & 9, 2012**
Approved unanimously David Rahinsky, Police Chief
27. **Consideration of Event Permit for Christmas Parade Sponsored by Kiwanis Club on December 1, 2012**
Approved unanimously David Rahinsky, Police Chief
28. **Items Approved by the City Administrator on Behalf of the Board of Mayor and Aldermen**
 - a. **Agreement with Envision Advantage, LLC for Architectural Design Work Requested by the COF Building and Neighborhood Services for Additional City Server Room Relocation Work. Approximate Cost of Services \$1,500.00**
Approved unanimously

ADJOURN

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

Meeting adjourned @ 7:27 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 11/28/2012 11:52 AM