
**MINUTES OF THE WORK SESSION
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, FEBRUARY 26 , 2013 - 5:00 P.M.**

Board Members

Mayor Ken Moore	P		
Alderman Clyde Barnhill	P	Alderman Margaret Martin	P
Alderman Brandy Blanton	P	Alderman Dana McLendon, Vice Mayor	P
Alderman Pearl Bransford	P	Alderman Ann Petersen	P
Alderman Beverly Burger	P	Alderman Michael Skinner	P

Department Directors/Staff

Eric Stuckey, City Administrator	P	Lisa Clayton, Parks Director	
Vernon Gerth, ACA Community & Economic Dev.		Shirley Harmon, HR Director	P
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	
David Parker, CIP Executive/City Engineer		Paul Holzen, 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		Brad Wilson, Facilities Project Manager	P
Fred Banner, MIT Director	P	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 Work Session to order at 5:00 p.m.

2. Citizen Comments

None

WORK SESSION DISCUSSION ITEMS

**3. Discussion with Heritage Foundation Request Regarding Property at 112 Bridge Street (Old, Old Jail)
Eric Stuckey, City Administrator**

Eric Stuckey referred to the letter he received from the attorney representing the Heritage Foundation regarding the Foundation's desire to purchase the "Old, Old Jail" to renovate for their offices when displaced from their current space.

Mary Pearce and Cyril Stewart gave reasons for the request:

- It is a threatened building they could turn into another jewel for the City as they have done with other buildings (Franklin Theatre). The building needs a new roof, restoration or removal of windows, doors and other elements. Removal of lead paint, mold and asbestos throughout the building.
- Value of the property is unknown and much of it is in the Flood Fringe Overlay and flood plain. The cost to dispose of the aforementioned hazards and bring the building up to standards is estimated to be \$300,000 to \$500,000. The property is in the Historic Overlay District as well.
- The property is an eyesore and degrades the environment for nearby commercial properties. It is located on a major traffic artery. The City declared this surplus property. If nothing is done to the building it could result in "demolition by neglect". They want to save the building and would strive to make it LEED certified.
- The Foundation could renovate the building using the basement for storage and the upper floors for

offices and a community room for people to come and meet. It would be a great asset to the City. They would make it available to other non-profits.

- They hope to see redevelopment in that area.

Discussion:

- Alderman Barnhill said from a Board standpoint that is just a building sitting there that was traded for other properties. It is a great opportunity for the Board and the City to see development in that area, and buildings being used. He encouraged staff to continue dialogue with the Foundation.
- Alderman Petersen mentioned that the property belongs to the Enterprise Fund; thus, the ratepayers. Eric Stuckey assured that during the process ownership, assets, etc. would be clarified.
- Alderman Blanton thought having the Heritage Foundation in the renovated building would be another good anchor in that part of the City.
- Aldermen Martin, Bransford, and Skinner expressed approval of further dialogue as well.

4. **Consideration of Event Permit for Franklin First's Fiddlin' Fish 5K/1 Mile Run to be Held May 11, 2013 in Downtown Franklin**

David Rahinsky, Police Chief

No questions or comments

5. **Consideration of Bid Award to Sherwin-Williams Paint Co. of Franklin, TN in the Total Amount of \$48,672.78 for Purchase of One (1) Trailered Roadway Paint Marking System for the Traffic Division of the Streets Department (Purchasing Office Procurement Solicitation No. 2013-009; \$45,000 Budgeted in 110-89530-43110 for Fiscal Year 2013; Purchase to be Allocation to 110-89520-43110; Contract No. 2013-0017**

Joe York, Streets Director

Lowest, best bidder \$3,600 over budget. Replacing a 14 year old unit.

6. **Consideration of Bid Award to Southeast Contractors, Inc. in an Amount Not to Exceed \$114,733.00 for the City of Franklin Data Center Expansion for the City of Franklin Police Department Headquarters Building Located at 900 Columbia Avenue (COF 2012-0195)**

Brad Wilson, Facilities Project Manager

The Server Room for the entire City is now in City Hall in a substandard room, and is to be moved to Police Headquarters. Brad Wilson noted five contractors bid on the job. He met with them to review the project and has worked with the Police Department regarding security for the Server Room. Eric Stuckey mentioned the lowest bidder was not chosen; one reason was the bidder did not return the bid book with the documents, which is a requirement.

7.* **Consideration of City Administrator's Performance Evaluation and Employment Contract (COF Contract 2013-0014**

Dr. Ken Moore, Mayor

Mayor Moore noted the BOMA evaluations were of good report and the contract has been finished. The new contract begins January 2014 for three years with two additional one-year options. Compensation is comparable to City Administrators in other cities.

Alderman Skinner commented he thought hiring Mr. Stuckey was the smartest thing BOMA ever did.

Mr. Stuckey expressed it is a fair contract and that compensation was not increased. He said he is honored and privileged to serve a City that has been so good to him and his family.

8. **Discussion of Permitting Weapons in City Facilities**

Vice Mayor Dana McLendon

RESOLUTION 2009-23: A RESOLUTION TO PROHIBIT HANDGUNS IN PUBLIC MUNICIPAL PARKS, NATURAL AREAS, HISTORIC PARKS, NATURE TRAILS, FORESTS, GREENWAYS, WATERWAYS, OR OTHER SIMILAR PUBLIC PLACES.

Vice Mayor McLendon spoke about past and current laws in Tennessee regarding handgun carry permits. He mentioned that more than 40 states have handgun carry laws and most are shall issue states. His permit allows him to carry in many states.

Prior to 2009 State law made carrying weapons in municipally owned parks, playgrounds, civic centers, or other building facilities a Class A misdemeanor. State law was amended in May 2009 removing the prohibitions in public parks for persons authorized to carry handguns, and permitting municipal and county governments to prohibit, by resolution, the carrying of handguns while within a public park that is owned or operated by a county or municipality.

In 2009 when the State Legislature changed the law allowing carry permit handguns in local parks, the City of Franklin opted out and banned handguns by Resolution 2009-23 which states, "Any person authorized to carry a handgun under Tennessee Code Annotated § 39-17-1351, is prohibited from possessing any handgun while within a public park, natural area, historic park, nature trail, forest, greenway, waterway, **or similar public place, including facilities**, that is owned or operated by the City of Franklin, Tennessee or any of its Instrumentalities." He contended somehow, unintentionally the words "**or similar public place; including facilities**" were added to the park prohibitions. He said clearly they didn't intend it to do this, and only wanted to prohibit carrying in parks. Reading from the Resolution, Vice Mayor McLendon said the Resolution did not authorize posting weapon ban signs in City Hall. In his opinion, the posted signs are unlawful and should be removed. Mr. Stuckey related there were signs posted when the 2009 resolution was passed.

Per Vice Mayor McLendon, today a municipality can permit if they don't formally deny it, then it is permitted. Why would the City penalize an otherwise mundane act of entering City Hall to pay a bill or attend a BOMA meeting? The Courtroom within City Hall is an exception and should be posted as firearms are not permitted at judiciary hearings. Those with handgun carry permits have been tested fingerprinted, etc. Permits can be pulled for DUI, domestic violence, and other crimes. There are over 10,000 permitted carriers in Williamson County.

His main reason for wanting to allow handgun permit carriers in City Hall is for the convenience of those carriers going about their daily business. Otherwise, they must leave the weapon at home or in the car. It would even be illegal to park in the Second Avenue Garage. Vice Mayor McLendon wants an up or down vote on whether to allow guns in City Hall (with the exception of the City Courtroom). If it is voted down, he challenged the City to provide security measures via magnetometers, otherwise it won't be enforced. There is no real security day to day in this building.

Alderman Skinner suggested the Board discuss this when Chief Rahinsky could be present. He could answer questions such as if any permit holders had been arrested for gun violations.

Mayor Moore said a resolution could be brought back to vote up or down to allow handguns in City Hall. Differentiate between employees and citizens at large. Per the City of Franklin Employee Handbook, employees are prohibited from carrying handguns at work.

Alderman Martin said, having been threatened, she knows if someone walked through the Board Room doors now and shot someone, the perpetrator would not have a permit. What could be done to prevent that? Just because guns are not permitted doesn't mean someone won't come in and shoot everybody.

Alderman Burger agreed with Vice Mayor McLendon that this should be looked at as to whether the signs should be removed or something else done. Those committing mass shootings tend to pick gun-free venues.

9. Discussion of Temporary Signs

Chris Bridgewater, BNS Director
Steve Haynes, Sign & Design Standards Administrator

Ordinance 2013-03, to clarify requirements and correct minor textual errors in the Zoning Ordinance, was discussed at the February 12, 2013 Work Session, and the aldermen asked for further discussion on temporary Signs. Examples of temporary signs in several places around the City were displayed and included banners on stone fences, at subdivision entrances, sandwich boards, etc.

Section 5.12.11 Signs Allowed in All Nonresidential Districts (the proposed changes in **bold** print)

(8) Temporary Signs

- (c) Minimum setback at the right-of-way line per applicable district regulations;
- (d) No more than two such signs allowed per lot;
- (e) No temporary sign shall remain for more than 30 days; and**
- (f) No business shall have more than one temporary sign per calendar year.**

Discussion:

- Issue needs to be addressed to present better appearance
- How will this be regulated?
- The 30 days starts at the time BNS knows the sign is there
- Records are kept. When a violation is noted the business is notified to correct the infraction. If no improvement is seen in two weeks a time limit is set. Then, if no corrective action a notice of violation is sent. If not corrected after it goes to the Judge, the City can cite the business day by day for each sign over the 30 days.
- Alderman Blanton thought once a year was not enough and suggested making it twice per year
- Alderman Burger suggested twice a year for two weeks
- Some signs are not really temporary
- Sandwich board put out in the morning and taken in at night; is that a temporary sign?
- Alderman Barnhill noted these signs are made of temporary material and are put up permanently. He suggested staff do what is appropriate and make sure it is enforceable. None of the signs in the pictures were legal under the previous ordinance.
- Vice Mayor McLendon thought perhaps staff should consider banning anything affixed to a building that is not permanent. Otherwise, counting the days on every "temporary" banner, sandwich board, etc. will become unmanageable.
- What's the difference between 30, 60 or 90 days? If it's ugly on day one it's always ugly.
- Alderman Petersen said the regulation of signage has been important to the City for a long time. Temporary signs are probably not acceptable because they don't meet regulations. Something that comes out every day and stays out a long time is not a temporary sign. The idea of the ordinance was to regulate signs and now it looks as if anything goes.
- Alderman Martin thought signs permanently attached to a monument or building appropriate, period.

ADJOURN

Work Session adjourned 6:34 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 3/13/2013 9:35 AM