

**MINUTES OF THE REGULAR MEETING
 BOARD OF MAYOR AND ALDERMEN
 FRANKLIN, TENNESSEE
 CITY HALL BOARDROOM
 TUESDAY, MAY 14, 2013 – 7:00 P.M.**

Board Members

Mayor Ken Moore	P		
Alderman Clyde Barnhill	P	Alderman Margaret Martin	A
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 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	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	
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 April 9, 2013, 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 led by Christian Taylor Whitaker, Eagle Scout, Boy Scouts of America Troop 137

Mayor Moore then read a letter congratulating Mr. Whitaker on his achievement of becoming an Eagle Scout.

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 Bransford moved to approve the April 23, 2013 Work Session and April 23, 2013 Special Board of Mayor and Aldermen minutes as presented. Seconded by Alderman Blanton. Motion carried unanimously (7-0).

7. **Recognitions**

◆ **International Institute of Municipal Clerks**

Eric Stuckey related Lanaii Benne, Assistant City Recorder, would attend the International Institute of Municipal Clerks Conference in Atlantic City, New Jersey, May 19 – May 23, 2013. He congratulated Ms. Benne as she will be sworn in as a member of the Board of Directors, representing Region V, which includes Indiana, Kentucky, Michigan, Ohio, and Tennessee.

◆ **National Public Works Week May 19-25, 2013**

Mayor Moore proclaimed the week of May 19-25, 2013 National Public Works Week

◆ **American Stroke Month**

Mayor Moore proclaimed May 2013 to be American Stroke Month

◆ **Sustainability Month**

Mayor Moore proclaimed May 2013 as Sustainability Month

◆ **Preservation Photo Contest Winner Recognition – My Historic Franklin**

A total of 192 photos were submitted and posted on the City’s Facebook and Pinterest social media sites and fans voted for their favorites as well.

Mayor Moore, Amanda Hall, Preservation Planner, and Jennifer Ivey, Starbucks, presented gifts to the winners. The Planning and Sustainability Department is partnering with local photographer David Braud and Starbucks to show the top 20 photos. The first place photo will hang in City Hall.

Honorable Mention Winner – Tom Thomson – “Main Street”

Third Place Winner – Walt Salyer – “Tree at Carnton”

Second Place Winner – Elliott Billings – “Carnton Plantation” and

The People’s Choice Award with 294 votes

First Place Winner - Michael Wessner – “Happy Harlinsdale”

8. **Miscellaneous Reports**

None

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 ~~24-34~~ be placed on the Consent Agenda.

Alderman Petersen moved to approve the Consent Agenda Items 24-34. Seconded by Alderman Burger. Motion carried unanimously (7-0).

OLD BUSINESS

10. **PUBLIC HEARING: Consideration of ORDINANCE 2013-12, An Ordinance to Rezone ±0.96 Acres From Low Residential (R-1) District To Residential Variety (RX) District for the Property Located at 711 Hillsboro Road**
[Second of Three Readings] Alderman Ann Petersen, FMPC Representative
With no one coming forth to speak, Mayor Moore declared the Public Hearing closed

Alderman Petersen moved to approve Ordinance 2013-12 on Second of Three Readings. Seconded by Alderman Bransford. Motion carried unanimously (7-0).

11. **PUBLIC HEARING: Consideration of RESOLUTION 2013-16, A Resolution Approving a Development Plan for 711 Hillsboro Road by The City of Franklin, Tennessee**
Alderman Ann Petersen, FMPC Representative
With no one coming forth to speak, Mayor Moore declared the Public Hearing closed

Alderman Blanton moved to approve Resolution 2013-16. Seconded by Alderman Burger. Motion carried unanimously (7-0).

NEW BUSINESS

12. **Consideration of ORDINANCE 2013-15, An Ordinance to Rezone ±80.88 Acres to the Height Overlay (HTO) District for the Property Located at the Southeast Quadrant of East McEwen Drive and South Carothers Parkway; Establishing a Public Hearing for June 11, 2013**
[First of Three Readings] Alderman Ann Petersen, FMPC Representative
Alderman Burger moved to approve Ordinance 2013-15 on First of Three Readings. Seconded by Alderman Petersen. Motion carried unanimously (7-0).

13. **Consideration of ORDINANCE 2013-16, An Ordinance to Rezone ±57.23 Acres From Agricultural (AG) District To Residential Variety (RX) District for the Properties Located South of South Carothers Road, North of the Harpeth River, and Along the Proposed South Carothers Parkway (4419 South Carothers Parkway); Establishing a Public Hearing for June 11, 2013**
[First of Three Readings] Alderman Ann Petersen, FMPC Representative
Alderman Petersen moved to approve Ordinance 2013-16 on First of Three Readings. Seconded by Alderman Bransford. Motion carried unanimously (7-0).

14. **Consideration of ORDINANCE 2013-18, To Be Entitled, An Ordinance to Amend Title 22, Chapter 1 of the Franklin Municipal Code Relative to Compensation for the Mayor and Aldermen of the City of Franklin**
[First of Two Readings] Eric Stuckey, City Administrator

Mayor Moore read a letter from Alderman Margaret Martin regarding her absence from the meeting, and her request to defer the vote on this item to May 28, 2013 for a full Board consideration.

Alderman Burger moved to defer Ordinance 2013-18 to the May 28, 2013 BOMA meeting. Seconded by Alderman Bransford. Motion carried unanimously (7-0).

15. **Consideration of Bid Award to R.G. Anderson Company, Inc. in the Amount of \$3,828,500.00 (Three Million Eight Hundred Twenty Eight Thousand Five Hundred Dollars and No Cents) for the Construction Program of the City of Franklin Public Works Complex Located at 124 Lumber Drive (COF Contract 2012-0185)**

Brad Wilson, Project Facilities Manager

Alderman Skinner moved to approve bid award to R.G. Anderson, construction of Franklin Public Works Complex, amount \$3,828,500. Seconded by Alderman Burger. Motion carried unanimously (7-0).

16. **Consideration of Request from Pearl Street Partners for Limiting Sanitary Sewer Fees to Being Based on a ¾" Water Meter Instead of a 1" Water Meter due to Requirements of Fire Sprinklers at Lockwood Glen (aka Nichols Bend)**

David Parker, City Engineer/CIP Executive

Alderman Bransford moved to approve Pearl Street Partners request for sewer fees based on a ¾" water meter. Seconded by Alderman Petersen. Motion carried unanimously (7-0).

17. **Consideration of Liquor License Retailer's Certificate for Wine and Liquor Depot, Wine and Liquor Depot, LLC (Owned jointly by Harold McCormick, Managing Agent, and Sarah McCormick), 327 Independence Square, Franklin, Tennessee**

Lanai Benne, Assistant City Recorder

Alderman Burger moved to approve Liquor License Retailer's Certificate for Wine and Liquor Depot. Seconded by Alderman Blanton. Motion carried unanimously (7-0).

18. **Consideration of TDOT Special Litter Reduction Grant Contract 2013-0031 in the Amount of \$55,000 to Further Promote the City's Blue Bag Program and to Remove Litter and Large Debris from the Harpeth River**

Becky Caldwell, Solid Waste Director

Andrew Orr, Sustainability & Grants Coordinator

Alderman Skinner moved to approve TDOT Special Litter Reduction Grant. Seconded by Alderman Blanton. Motion carried unanimously (7-0).

19. **Consideration of Contract Addendum to Conference Center Management Contract (COF Contract 2013-0041)**

Eric Stuckey, City Administrator

Russ Truell, ACA Finance & Administration

Alderman Petersen moved to approve Contract Addendum to Conference Center Management Contract. Seconded by Alderman Bransford. Motion carried unanimously (7-0).

Eric Stuckey noted the Williamson County Commission approved the contract May 13, 2013.

20. **Consideration of Change Order No. 1 for the Eastern Flank Battlefield Access Roadway Project (COF Contract No. 2012-0112) in the Amount of \$180,910.00**
David Parker, City Engineer/CIP Executive
Alderman Skinner moved to approve Change Order No. 1 for Eastern Flank Access Roadway. Seconded by Alderman Blanton. Motion carried unanimously (7-0).
21. **Acknowledge Report of Emergency Purchase from Southern Sales Co., Inc. of Nashville, TN, in the Total Amount of \$25,663.44 for Replacement of High Service Pump No. 2 at the City's Water Treatment Facility, 838 Lewisburg Pike**
Mark Hilty, Water Management Director
Alderman Blanton moved to approve emergency purchase from Southern Sales Co. Seconded by Alderman Bransford. Motion carried unanimously (7-0).
22. **Consideration of Mayor's Nomination of Pam Lewis to the City of Franklin Housing Commission**
Dr. Ken Moore, Mayor
Alderman Bransford moved to approve the appointment of Pam Lewis to the Housing Commission. Seconded by Alderman Petersen. Motion carried unanimously (7-0).
23. **Acknowledge Appointment of Jen Porter Ross to the Franklin Housing Authority**
Dr. Ken Moore, Mayor
Alderman Skinner moved to acknowledge the appointment of Jen Porter Ross to the Franklin Housing Authority. Motion carried unanimously (7-0).

CONSENT AGENDA

24. **Consideration of ORDINANCE 2013-08, An Ordinance to Rezone ±10.03 Acres from Agricultural District (AG) To Estate Residential District (ER) for the Property Located at 252 Spencer Creek Road**
[Third and Final Reading] Alderman Ann Petersen, FMPC Representative
Ordinance 2013-08 approved unanimously (7-0) on Third and Final Reading
25. **Consideration of RESOLUTION 2013-26, Conference Center Budget**
Jim Keller, Conference Center Director
Resolution 2013-26 approved unanimously (7-0)
26. **Consideration of RESOLUTION 2013-27, A Resolution of Support for Tax Exemption on Municipal Bonds**
Approved unanimously (7-0) **Russ Truell, ACA Finance & Administration**
27. **Consideration of Contract Award to Pinnacle Bank of Nashville, TN, for Banking Services for the Fiscal Year Beginning July 1, 2013, with Three (3) Options to Extend for One (1) Year Each, Not To Exceed a Total of Four (4) Years as Mutually Agreed by Both Parties (Purchasing Office Procurement Solicitation No. 2013-015; To Be Reflected in the Proposed Budget for Fiscal Year 2014; Contract No. 2013-0044)**
Approved unanimously (7-0) **Russ Truell, ACA Finance & Administration**

28. **Consideration of E.Discovery Software Proposal in an Amount Not to Exceed \$137,376 (COF Contract 2013-0000)**
Approved unanimously (7-0) Russ Truell, ACA Finance & Administration
Fred Banner, IT Director
29. **Consideration of Event Permit Application from Start2Finish for Josh Byers Memorial Day 5K to be Held on May 27, 2013 in the Cool Springs Area**
Approved unanimously (7-0) David Rahinsky, Police Chief
30. **Consideration of Event Permit Application for Harpeth Bike Ride to be Held on June 1, 2013**
Approved unanimously (7-0) David Rahinsky, Police Chief
31. **Consideration of Event Permit Application from Friends of Franklin Parks/Franklin Tomorrow for Raise the Roofs at Harlinsdale to be Held on June 15, 2013**
Approved unanimously (7-0) Lisa Clayton, Parks Director
32. **Consideration of Professional Services Agreement, COF Contract 2013-0051, with AMEC Environment & Infrastructure, Inc. for the Stormwater Best Practices (BMP) Manual Update, Web Calculation Tool and Training for an Amount Not to Exceed \$87,540.00 (Budgeted in the FY 2013 Engineering Stormwater Budget at \$100,000)**
Approved unanimously (7-0) David Parker, City Engineer/CIP Executive
33. **Consideration of Amendment No. 2 to the Professional Services Agreement (COF Contract No. 2012-0050) with Hethcoat & Davis, Inc. for the I-65 Widening/Goose Creek Interchange Water Line Relocations Project in an Amount Not to Exceed \$9,670.57 (This cost is to be a reimbursement from TDOT)**
Approved unanimously (7-0) David Parker, City Engineer/CIP Executive
34. **Items Approved by City Administrator on Behalf of the Board of Mayor and Aldermen**
- A. Acknowledgement of Bid Award to Fasttek Electrocoating of Trufant, Michigan in the Total Lump Sum Amount of \$18,076.90 for Electrostatic Painting of Certain Downtown Traffic Signal and Street Light Components at a Total of Eleven (11) Job Sites for the Traffic Division of the Streets Department (Purchasing Office Procurement Solicitation No. 2013-007; \$25,000 Budgeted in 110-89470-43110 for Fiscal Year 2013; Contract No. 2013-0054)
Joe York, Streets Director
- B. Acknowledgement of Bid Award to ESC Lab Sciences of Mt. Juliet, TN, in the Total Estimated Amount Based Upon Specified Estimated Quantities of \$3,200 Per Year for Aquatic Toxicity (Biomonitoring) Testing Contract Services for a Minimum of Twelve (12) Months Effective July 1, 2013, with Two Options to Extend the Term of Award for Up to Twelve (12) Additional Months Each Option, for the Water Reclamation Division of the Water Management Department (Purchasing Office Procurement Solicitation No. 2013-018; \$150,000 Budgeted in 431-82280-52213 for All Outsourced Water Reclamation Lab Services for Fiscal Year 2013; Contract No. 2013-0056)
Mark Hilty, Water Management Director
Approved unanimously (7-0)

EXECUTIVE SESSION

35. **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 (7-0). (7:25 p.m.)

RETURN FROM EXECUTIVE SESSION

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

Dr. Ken Moore, Mayor

(Returned 7:38 p.m.)

Vice Mayor McLendon moved to accept Harpeth Enterprises settlement offer regarding the City's condemnation of property. Seconded by Alderman Barnhill. Motion carried unanimously (7-0).

ADJOURN

Alderman Bransford moved to adjourn. Seconded by Vice Mayor McLendon. Motion carried unanimously (7-0).

The meeting adjourned @ 7:39 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 5/29/2013 11:16 AM