

**MINUTES OF THE SPECIAL MEETING  
 BOARD OF MAYOR AND ALDERMEN  
 FRANKLIN, TENNESSEE  
 CITY HALL BOARDROOM  
 TUESDAY, MAY 28, 2013 – 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, 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 Dir.	P
Rocky Garzarek, Fire Chief		Joe York, Streets Director	P
David Rahinsky, Police Chief		Brad Wilson, Facilities Project Manager	
Fred Banner, IT Director		Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, BNS Director	P	Linda Fulwider, Board Recording Secretary	P
Becky Caldwell, Sanitation & Environmental Services Dir.			

1. **Call to Order**  
Mayor Ken Moore called the May 28, 2013, meeting to order at 7:10 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
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 Blanton moved to approve the May 14, 2013 Work Session and May 14, 2013 Board of Mayor and Aldermen minutes as presented. Seconded by Alderman Petersen. Motion carried unanimously.*

7. **Recognitions**

None

8. **Miscellaneous Reports**

Alderman Skinner announced the next Civil War Roundtable will be on Sunday, June 9, 2013 @ 3:00 p.m. in the Community Room at Police Headquarters. Kent Wright of Huntsville will speak on the Confederate and Union Navy.

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 21-29 be placed on the Consent Agenda.

*Alderman Bransford moved to approve the Consent Agenda Items 21-29. Seconded by Alderman Barnhill. Motion carried unanimously.*

**NEW BUSINESS**

★ *Alderman Petersen moved to defer items 15, 16, and 19 to June 11, 2013. Seconded by Alderman Burger. Motion carried unanimously.*

10. **Consideration of ORDINANCE 2012-38, Zoning Text Amendment to Amend Chapter 3, Section 3.2 and Chapter 8, Section 8.3 of the Zoning Ordinance (Relative to Hotels); Establishing a Public Hearing for June 25, 2013**

**[First of Three Readings]**

**Alderman Ann Petersen, FMPC Representative**

*Alderman Petersen moved to approve Ordinance 2012-38 on First of Three Readings. Seconded by Alderman Blanton. Motion carried unanimously.*

11. **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**

*Alderman Bransford moved to approve Ordinance 2013-18 on First of Two Readings. Seconded by Alderman Burger.*

*Alderman Burger moved to amend to increase the compensation for the Mayor from the proposed \$19,500 per year to \$24,000 per year. Seconded by Alderman Martin. Motion to amend carried 6-2 with Aldermen Barnhill and Vice Mayor McLendon voting no.*

*Alderman Skinner moved to delay initiating the increase until November 2015 to allow for another election of at-large aldermen; and, to make the increases for at-large and ward aldermen effective at the same time. Seconded by Alderman Barnhill.*

Discussion ensued on aldermen approving an increase for themselves; if the delayed effective date is approved, there will have been two elections one for ward aldermen and one for at-large aldermen (2013 and 2015), the make-up of the Board could change; if increases are approved there should not be a two-year delay; members of the current Board did not seek office because of the money.

Eric Stuckey noted that per City Charter, Article IV, Section 7, BOMA has the authority to set the level of compensation for itself: No ordinance increasing compensation shall take effect until the second Tuesday in

November following a regular city election.

*Motion to delay effective date of increased compensation until November 2015 FAILED 2-5 with Aldermen Skinner and Barnhill voting yes and Aldermen Martin, Burger, Blanton, Bransford and Petersen voting no. Vice Mayor McLendon abstained.*

*Main Motion as amended carried 5-3 with Aldermen Petersen, Bransford, Burger, Martin, and Blanton voting yes, and Aldermen Skinner, Barnhill and Vice Mayor McLendon voting no.*

12. **Consideration of ORDINANCE 2013-22, An Ordinance of the City of Franklin, TN, Adopting a Budget for the Fiscal Year 2013-2014; Providing an Effective Date; Establishing a Public Hearing for June 11, 2013 [First of Three Readings]**  
Eric Stuckey, City Administrator  
Russ Truell, ACA Finance & Administration  
*Alderman Petersen moved to approve Ordinance 2013-22 on First of Three Readings. Seconded by Alderman Bransford. Motion carried unanimously.*
13. **Consideration of ORDINANCE 2013-23, An Ordinance of the City of Franklin, TN, Establishing the Municipal Property Tax Levy for the Fiscal Year 2013-2014; Providing an Effective Date; Establishing a Public Hearing for June 11, 2013 [First of Three Readings]**  
Eric Stuckey, City Administrator  
Russ Truell, ACA Finance & Administration  
*Alderman Petersen moved to approve Ordinance 2013-23. Seconded by Alderman Burger. Motion carried unanimously.*
14. **Consideration of RESOLUTION 2013-33, A Resolution of Amendment to Pension Plan**  
Shirley Harmon, Human Resources Director  
*Alderman Barnhill moved to approve Resolution 2013-33. Seconded by Alderman Petersen. Motion carried unanimously.*
15. **Consideration of Contract Award to Daktronics, Inc. of Brookings, SD in the Total Amount of \$27,489.00 for Supply and Delivery to Fieldstone Park (but not installation) of Four (4) New Multi-Sport Scoreboards for the Parks Department (\$40,000 Budgeted in FY2013 to Line Item 110-89310-44700 for Purchase, Including Installation; COF Contract No. 2013-0062)**  
Lisa Clayton, Parks Director  
✦ Deferred
16. **Consideration of Sole-Source Purchase from Physio-Control, Inc. of Redmond, WA in the Total Estimated Amount of \$46,470.00 for a Three-Year Term for Technical Service Support Services for the City's Inventory of Automated External Defibrillators and Cardiac Monitors, for the Fire Department (\$12,600 Budgeted for this purpose in FY2013 in Line Item 110-82620-42200; COF Contract No. 2013-0065)**  
Rocky Garzarek, Fire Chief  
✦ Deferred
17. **Consideration of Amendment No. 2 to TDOT Contract 070112, PIN 101454.01 (Contract No. 2009-051) for the Mack Hatcher Parkway Northwest Extension Project**  
David Parker, City Engineer/CIP Executive  
*Alderman Bransford moved to approve Amendment No. 2 to TDOT Contract for Mack Hatcher Northwest Extension Project. Seconded by Alderman Martin. Motion carried unanimously.*
18. **Consideration of Professional Services Agreement, COF Contract No. 2013-0074 with Renaissance Group for the Design and Engineering Services of a Prototypical Fire Station Design**  
Brad Wilson, Facility and Projects Manager

*Alderman Blanton moved to approve PSA with Renaissance Group for Prototypical Fire Station Design. Seconded by Alderman Bransford. Motion carried unanimously.*

19. **Consideration of Sole-Source Purchase from TekLinks of Knoxville, a Certified CISCO Installer for the Access Control System Located at Fire Station 2 (Approximate Cost for Services \$15,444.50) and at the Municipal Services Complex (Approximate Cost for Services \$24,819.24) at the COF Fire and Police Training Center (Approximate Cost for Services \$9,030.80) and COF Fire Station Number 6 (Approximate cost of \$7,671.20) Total Cost of Services \$56,965.74 (COF Contract No. 2013-0070)**  
Brad Wilson, Facilities and Project Manager

✦ Deferred

20. **Consideration of Liquor License Retailer's Certificate for Satish Kumar Patel, Harpeth Liquors, Inc., 1203 Murfreesboro Road, Suite 503, Alexander Plaza, Franklin, Tennessee**  
Lanaii Benne, Assistant City Recorder  
*Alderman Blanton moved to approve Liquor License Retailer's Certificate for Harpeth Liquors, Inc. Seconded by Alderman Burger. Motion carried unanimously.*

### CONSENT AGENDA

21. **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 [Third and Final Reading]**  
Alderman Ann Petersen, FMPC Representative  
*Ordinance 2013-12 approved unanimously on Third and Final Reading*
22. **Consideration of Water Availability Request for Hart's Landmark (Map 37, Parcel 01802)**  
*Approved unanimously*  
David Parker, City Engineer/CIP Executive
23. **Consideration of RESOLUTION 2013-31, A Resolution to Adopt the Tennessee Department of Transportation Local Version of the TDOT Consultant Selection Policy**  
David Parker, City Engineer/CIP Executive  
*Resolution 2013-31 approved unanimously*
24. **Consideration of Professional Services Agreement (COF Contract 2013-0052) with Civil & Environmental Consultants, Inc. (CEC) for the Ralston Creek at Cheswick Farms Stream Restoration**  
*Approved unanimously*  
David Parker, City Engineer/CIP Executive
25. **Consideration of Agreement with Westlaw, City of Franklin Contract No. 2013-0058**  
*Approved unanimously*  
Shauna Billingsley, City Attorney
26. **Consideration of Event Permit from Heritage Foundation for the Heritage Ball to be Held at Eastern Flank Battlefield Park on September 21, 2013**  
*Approved unanimously*  
Lisa Clayton, Parks Director
27. **Consideration of Agreement Between the City of Franklin and Bridges of Williamson County for Administration of Emergency Shelter Programs for the Homeless (COF Contract No. 2013-0042)**  
*Approved unanimously*  
Chris Bridgewater, BNS Director  
Kathleen Sauseda, Interim Housing Development Coordinator
28. **Consideration of Bid Award to ESC Lab Sciences of Mt. Juliet, TN, in the Total Estimated Amount Based Upon Specified Estimated Quantities of \$45,059 Per Year for Industrial Pretreatment Sampling and Testing**

and Water Reclamation Facility Influent and Effluent 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. 2013-017; \$150,000 Budgeted in 431-82280-52213 for All Outsourced Water Reclamation Lab Services for Fiscal Year 2013; Contract No. 2013-055)

*Approved unanimously*

**Mark Hilty, Water Management Director**

**29. Consideration of Third Quarter Budget Amendments**

*Approved unanimously*

**Mike Lowe, Comptroller**

**30. Items Approved by the City Administrator on Behalf of the Board of Mayor and Aldermen:**

A. Acknowledgement of Professional Services Agreement with Patriot Engineering and Environmental, Inc. for Site Borings for Fire Hall Station 8, Located in the Westhaven Community. Approximate Cost for Services \$2,900.00 {Brad Wilson, Facilities & Project Manager}

B. Acknowledgement of a Professional Services Agreement with H and H Land Surveying, Inc. for the Formal Layout of the Property Corners and Building Envelope Located at the Future Westhaven Site of the Franklin Fire Hall. Approximate Cost for Services \$700.00

{Brad Wilson, Facilities & Project Manager}

*Approved unanimously*

**EXECUTIVE SESSION**

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

**Shauna Billingsley, City Attorney**

*Alderman Bransford moved to enter Executive Session. Seconded by Alderman Burger. Motion carried unanimously. (7:29 p.m.)*

**RETURN FROM EXECUTIVE SESSION**

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

(Returned 7:50 p.m.)

**Dr. Ken Moore, Mayor**

*Vice Mayor McLendon recommended the Board accept the settlement proposal from the Robinsons regarding the condemnation case in the amount of \$7,000. Seconded by Alderman Barnhill. Motion carried unanimously.*

*Vice Mayor McLendon recommended the Board accept the settlement proposal from the Appletons regarding the condemnation case in the amount of \$7,000. Seconded by Alderman Barnhill. Motion carried unanimously.*

**ADJOURN**

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

Meeting adjourned @ 7:51 p.m.

---

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 6/12/2013 8:58 AM