

**MINUTES OF THE REGULAR MEETING  
 BOARD OF MAYOR AND ALDERMEN  
 FRANKLIN, TENNESSEE  
 CITY HALL BOARDROOM  
 TUESDAY, SEPTEMBER 10, 2013 – 7:00 P.M.**

**Board Members**

Mayor Ken Moore

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		Lisa Clayton, Parks Director	
Vernon Gerth, ACA Community & Economic Dev.	P	Shirley Harmon, HR Director	P
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	P
David Parker, City Engineer/CIP Executive		Paul Holzen, Engineering Director	P
Shauna Billingsley, City Attorney	P	Catherine Powers, Planning/Sustainability Dir.	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		Linda Fulwider, Board Recording Secretary	P
Becky Caldwell, Sanitation Services Director			

**1. Call to Order**

Mayor Ken Moore called the September 10, 2013, meeting to order at 7:00 p.m.

- \* Mayor Moore asked for a Silent Moment of Reverence on this the anniversary of the attacks on the Twin Towers in New York City, the Pentagon in Washington DC, and the crash of Flight 93 in a Pennsylvania field on September 11, 2001.
- \* Vice Mayor Dana McLendon led the assembly in the Pledge of Allegiance.

**2. Invocation**

The invocation was given by Mary Bush, Chaplain, Old Glory Chapter, DAR

**3. Pledge of Allegiance**

(see above)

- 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**

There were no County representatives present.

**6. Approval of Minutes**

*The August 27, 2013 Work Session and August 27, 2013 Board of Mayor and Aldermen minutes were not available.*

**7. Recognitions**

- Constitution Week, September 17-23, 2013  
Mayor Moore presented a Proclamation for Constitution Week to the Old Glory Chapter of the Daughters of the American Revolution. Ginger Hoogesteger then thanked the mayor and said a few words about the Chapter and Constitution Week.
- Recognition by American Planning Association (APA for the Fifth Avenue North Floodplain Area Planning Project and the Community Planning Assistance Team (CPAT)
- Vernon Gerth noted a group from the American Planning Association would be in Franklin to study ideas for the future.

**8. Miscellaneous Reports**

No reports.

**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 25-34 be placed on the Consent Agenda.

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Item 26 is a duplication to be withdrawn. Alderman Burger pulled Item 29 and Alderman Petersen pulled Item 32.

*Alderman Burger moved to approve the Consent Agenda Items 25-32 with the exclusion of Items 26, 29, and 32. Seconded by Alderman Barnhill. Motion carried unanimously.*

**OLD BUSINESS**

- 10. PUBLIC HEARING: Consideration of ORDINANCE 2013-28, To Be Entitled: “An Ordinance to Amend Chapter 5, Section 5.3.7, Section 5.3.8, and Section 5.3.9 of the City of Franklin Zoning Ordinance Regulating Hamlets, Conservation Subdivisions, and Traditional Neighborhood Development”**  
**[Second of Three Readings]     Alderman Ann Petersen, FMPC Representative**

With no one coming forth to speak, Mayor Moore declared the Public Hearing closed

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*Alderman Petersen moved to approve Ordinance 2013-28 on Second of Three Readings. Seconded by Alderman Barnhill. Motion carried unanimously.*

11. **PUBLIC HEARING: Consideration of ORDINANCE 2013-35, An Ordinance to Rezone ±195.5 Acres (Water's Edge PUD Subdivision) From Agricultural District (AG) To Residential Variety (RX) for the Property Located at 4413 South Carothers Road**  
**[Second of Three Readings] Alderman Ann Petersen, FMPC Representative**

With no one coming forth to speak, Mayor Moore declared the Public Hearing closed

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*Alderman Skinner moved to approve Ordinance 2013-35 on Second of Three Readings. Seconded by Alderman Petersen. Motion carried unanimously.*

12. **PUBLIC HEARING: Consideration of RESOLUTION 2013-47, A Resolution Approving a Development Plan for Water's Edge PUD Subdivision, Located at 4413 South Carothers 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

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*Alderman Skinner moved to approve Resolution 2013-47. Seconded by Alderman Barnhill.*

Alderman Martin had questions and concerns regarding the front-loading garages, setbacks, and rear-loading garages. These were addressed by staff.

*Motion to approve Resolution 2013-47 carried unanimously.*

13. **PUBLIC HEARING: Consideration of ORDINANCE 2013-36, An Ordinance to Rezone ±3.75 Acres (Ralston Row PUD Subdivision) From Medium Residential District (R-2) To Residential Variety District (RX) for the Properties Located at 121 and 123 Ralston Lane**  
**[Second of Three Readings] Alderman Ann Petersen, FMPC Representative**

With no one coming forth to speak, Mayor Moore declared the Public Hearing closed

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*Alderman Bransford moved to approve Ordinance 2013-36 on Second of Three Readings. Seconded by Alderman Blanton. Motion carried unanimously.*

14. **PUBLIC HEARING: Consideration of RESOLUTION 2013-46, A Resolution Approving a Development Plan for Ralston Row PUD Subdivision, Located at 121 and 123 Ralston Lane, 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

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*Alderman Petersen moved to approve Resolution 2013-46, including Modification I: Request to permit garage doors exceeding 9 feet in width on side and rear loaded garages with staff condition that MOS only apply to garages that are not street facing. Seconded by Alderman Bransford.*

Alderman Martin wanted something more specific and an explanation was given.

*Motion to approve Resolution 2013-46 carried unanimously.*

15. **PUBLIC HEARING: Consideration of ORDINANCE 2013-39, To Be Entitled: “An Ordinance to Amend Chapter 5, Section 5.3.5 (2) of the City of Franklin Zoning Ordinance Regulating Garage Door Width for Residential Detached Housing**  
**[Second of Three Readings] Alderman Ann Petersen, FMPC Representative**

With no one coming forth to speak, Mayor Moore declared the Public Hearing closed

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*Alderman Barnhill moved to approve Ordinance 2013-39 on Second of Three Readings. Seconded by Alderman Blanton.*

Alderman Martin initiated discussion on the stipulation that individual street facing garage doors located on the front, side or corner façade shall be a maximum of nine feet in width and garages not street facing may have garage doors up to 18 feet in width, but in no case may a 2-car garage door be less than 16 feet in width. Concerns included not being able to get two vehicles into a garage with a 16 ft. door. Alderman Martin said she thought the design standards had been diluted allowing front loading garages.

*Alderman Bransford called the Question. Seconded by Vice Mayor McLendon. Passed unanimously.*

*Motion to approve Ordinance 2013-39 on Second of Three Readings carried 5-3 with Aldermen Petersen, Burger and Martin voting no.*

16. **PUBLIC HEARING: Consideration of ORDINANCE 2013-45, An Ordinance Approving Budget Amendments for End of FY 2013**  
**[Second and Final Reading] Alderman Ann Petersen, FMPC Representative**

With no one coming forth to speak, Mayor Moore declared the Public Hearing closed

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*Alderman Blanton moved to approve Ordinance 2013-45 on Second and Final Reading. Seconded by Alderman Petersen. Motion carried unanimously.*

### **NEW BUSINESS**

17. **Consideration of ORDINANCE 2013-38, An Ordinance to Rezone ±0.39 Acres from Central Commercial District (CC) To Residential Variety District (RX) for the Property Located at 1416 Columbia Avenue; Establishing a Public Hearing for October 8, 2013**  
**[First of Three Readings] Alderman Ann Petersen, FMPC Representative**

*Alderman Bransford moved to approve Ordinance 2013-38. Seconded by Vice Mayor McLendon.*

Alderman Skinner declared he had met with developer Daniel Woods, but that it would not affect his voting decision.

Vice Mayor McLendon said if this gets to the public hearing the Board may hear from people who oppose any kind of development on this property. The real options the Board has are not what some people would like.

Aldermen Blanton, Bransford, and Burger supported approval on first reading to get the item to public hearing.

*Motion to approve Ordinance 2013-38 on First of Three Readings carried 5-3 with Aldermen Martin, Skinner, and Petersen voting no.*

18. **Consideration of ORDINANCE 2013-13, A Rezoning Request for 1034 and 1035 Windcross Court From General Commercial District (GC) To Residential Variety District (RX) on 11.21 Acres; Establishing a Public Hearing Date of October 8, 2013**  
**[First of Three Readings] Alderman Ann Petersen, FMPC Representative**  
*Alderman Petersen moved to approve Ordinance 2013-13 on First of Three Readings. Seconded by Alderman Bransford. Motion carried unanimously.*
19. **Consideration of ORDINANCE 2013-14, An Ordinance to Amend Section 5.10.4(3) of the City of Franklin Zoning Ordinance Relating to Cross Access Between Adjacent Uses; Establishing a Public Hearing Date of October 8, 2013**  
**[First of Three Readings] Alderman Ann Petersen, FMPC Representative**  
*Alderman Bransford moved to approve Ordinance 2013-14 on First of Three Readings. Seconded by Alderman Petersen. Motion carried unanimously.*
20. **Consideration of ORDINANCE 2013-44, A Rezoning Request for 3003 Del Rio Pike From Estate Residential District (ER) To High Residential District (R-3) on 9.04 Acres; Establishing a Public Hearing Date of October 8, 2013**  
**[First of Three Readings] Alderman Ann Petersen, FMPC Representative**  
*Alderman Martin moved to approve Ordinance 2013-44 on First of Three Readings. Seconded by Alderman Barnhill. Motion carried unanimously.*
21. **Consideration of RESOLUTION 2013-63, A Resolution to Amend the Table of Organization for the Police Department Relative to Master Patrol Officer**  
**David Rahinsky, Police Chief**  
*Alderman Bransford moved to approve Resolution 2013-63. Seconded by Alderman Petersen. Motion carried unanimously.*
22. **Consideration of Approval to an Amendment to the Agreement with ICMA-RC to Offer Payroll Deduction Roth Individual Retirement Accounts to Employees (COF Contract No. 2012-0087 AMDr ICMA-RC)**  
**Russ Truell, ACA Finance & Administration**  
**Shirley Harmon, Human Resources Director**  
*Alderman Martin moved to approve an Amendment to offer employees Payroll Deduction Roth IRA Retirement Accounts. Seconded by Alderman Petersen. Motion carried unanimously.*
23. **Consideration of Amendment to Business Associate Agreement with Sherill Morgan (COF Contract No. 2013-0124), to Amend Language for HIPAA**  
**Shirley Harmon, Human Resources Director**  
*Alderman Bransford moved to approve Amendment to Agreement with Sherill Morgan regarding HIPAA language. Seconded by Alderman Blanton. Motion carried unanimously.*
24. **Consideration of Mayor's Acceptance of the Resignation of David Johnston from the City of Franklin Housing Commission, and the Nomination of Lisa McIntyre to Fulfill the Term Expiring February, 2016**  
**Dr. Ken Moore, Mayor**

*Alderman Bransford moved to accept the resignation of David Johnston from the Franklin Housing Commission, and approve the appointment of Lisa McIntyre to fulfill the term expiring February 2016. Seconded by Alderman Barnhill. Motion carried unanimously.*

### CONSENT AGENDA

25. **Consideration of ORDINANCE 2013-34, An Ordinance to Amend Section 5.3.4 of the City of Franklin Zoning Ordinance to Revise Standards Related to Transitional Features [Third and Final Reading]** Alderman Ann Petersen, FMPC Representative  
*Ordinance 2013-34 approved on Third and Final Reading.*
26. **Consideration of RESOLUTION 2013-57 (COF Contract No. 2013-0121), A Resolution Approving a Master Lease Agreement with Banc of America for the Lease of Capital Equipment and Authorizing the City Administrator to Execute Related Documents**  
Russ Truell, ACA Finance & Administration  
*Alderman Barnhill moved to withdraw this item as it is a duplication inadvertently placed on this agenda. Seconded by Alderman Burger. Motion carried unanimously.*
27. **Consideration of RESOLUTION 2013-59, A Resolution to Establish Intermediate Term Fund with State of Tennessee**  
Russ Truell, ACA Finance & Administration  
*Resolution 2013-59 approved unanimously.*
28. **Consideration of RESOLUTION 2013-60, A Resolution for Transactions Involving Treasury Securities**  
Russ Truell, ACA Finance & Administration  
*Resolution 2013-60 approved unanimously*
29. **Consideration of Contract Award to Browne, Bortz & Coddington, Inc. Doing Business As BBC Research & Consulting of Denver, Colorado, in the Total Amount of \$59,700 for Housing Needs Analysis and Plan Consulting Services (Purchasing Office Procurement Solicitation No. 2014-001; \$60,000 Budgeted in 110-82560-41900 for Fiscal Year 2014; Contract No. 2013-0099**  
Chris Bridgewater, Building & Neighborhood Services Director  
*Alderman Bransford moved to approve contract award for Housing Needs Analysis and Plan Consulting Services with BBC Research & Consulting. Seconded by Alderman Burger.*  

Alderman Burger related she asked for this study because of concerns about housing for purchase or rent and the impact on schools. It is a three-month study to give a clear picture of the housing market in Franklin.

*Motion to approve contract award for Housing Needs Analysis and Plan Consulting Services with BBC Research & Consulting carried unanimously.*
30. **Consideration of Contract Between the Regional Transportation Authority (RTA) (Contract No. 2011274-C) and the City of Franklin (COF Contract No. 2013-0129) for FY 2013-14 Franklin/Brentwood Express Service Bus Route (#91) in the Amount of \$29,537.00**  
*Approved unanimously* Eric Stuckey, City Administrator

31. **Consideration of Fifth Third Custodial Agreement (COF Contract 2013-0134)**  
*Approved unanimously* Russ Truell, ACA Finance & Administration

32. **Consideration of Sole-Source Purchase of Meter Reading Equipment from the C.I. Thornburg Co., Inc. of Nashville, Tennessee, in the Total Amount of \$42,000 for the Water Distribution Division of the Water Management Department (\$45,000 Budgeted in 421-89530-52102 for Fiscal Year 2014)**

**Mark Hilty, Water Management Director**

*Alderman Petersen moved to approve purchase of Meter Reading Equipment from C.I. Thornburg Company. Seconded by Alderman Bransford.*

Alderman Petersen said she pulled this item to clarify that the second of two memos in the packet is what is being approved. The response was that the second memo is what is being considered.

*Motion to approve purchase of Meter Reading Equipment from C.I. Thornburg Company carried unanimously.*

33. **Consideration of Event Permit for Pumpkinfest to be Held on October 26, 2013 in Downtown Franklin**

*Approved unanimously* David Rahinsky, Police Chief

34. **Consideration of Event Permit from Not Alone, Inc. for Boot Run in Cool Springs Area on November 10, 2013**

*Approved unanimously* David Rahinsky, Police Chief

- ◆ There was no Executive Session

EXECUTIVE SESSION

35. **Consideration of Motion to Enter Executive Session for Purpose of Reviewing Various Matters of Pending Litigation**  
Shauna Billingsley, City Attorney

RETURN FROM EXECUTIVE SESSION

36. **Consideration of Matters from Executive Session**  
Dr. Ken Moore, Mayor

**ADJOURN**

*Alderman Barnhill moved to adjourn. Seconded by Alderman Skinner. Motion carried unanimously.*

The meeting adjourned @ 7:44 p.m.

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Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 9/25/2013 2:27 PM