

**MINUTES OF THE SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, JANUARY 28, 2014 – 7:00 P.M.**

Board Members

Mayor Ken Moore	P		
Vice Mayor Ann Petersen	P	Alderman Beverly Burger	P
Alderman Clyde Barnhill	P	Alderman Dana McLendon	P
Alderman Brandy Blanton	P	Alderman Margaret Martin	A
Alderman Pearl Bransford	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, Human Resources 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	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, IT Director		Lanaai Benne, Assistant City Recorder	P
Chris Bridgewater, Building & Neighborhood Services Director		Linda Fulwider, Board Recording Secretary	P
Becky Caldwell, Sanitation & Environmental Services Director			

1. Call to Order

Mayor Ken Moore called the January 28, 2014, 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

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)

- James D. Stucki, 221 Halberton Drive, Franklin, had a complaint about the lack of leaf removal service at his home in Fieldstone Farms. He raked 37 bags full of leaves recently. In every other place in Franklin he could have swept them to the curb and the Street Department would have come by with the vacuum truck to dispose of them. When he contacted the City he was told the policy is to not pick up leaves on private streets. Other community and federal services are provided on private streets. He said he didn't understand that as a taxpaying citizen. Leaves are picked up at homes a couple of streets over from his street. Can anything could be done about this problem?

- Dorie Bolze, HRWA, 201 Deerfield Lane, Franklin, talked about sewer and drinking water issues, five years of files reviewed that identified problems, and the HRWA's attempt to sue the City of Franklin. She mentioned working with the City on projects and obtaining grant funding for studies. She stated HRWA wants to work with the City on these issues.

5. Communications from Williamson County Mayor and Williamson County Commission
County officials were not present

6. Approval of Minutes

Vice Mayor Petersen moved to approve the January 14, 2014 Work Session and January 14, 2014 Board of Mayor and Aldermen minutes. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.

7. Recognitions

- Police Department Award
The Franklin Police Department received a Social Media Award from the International Association of Chiefs of Police for having a top twitter account. The account is managed by Charles Warner and has over 7,500 followers. Congratulations!
- Proclamation for National Wear Red Day
Mayor Moore read a Proclamation naming Friday, February 7, 2014 as National Wear Red Day. This is to increase awareness of women and heart disease. February 7th is the 10th anniversary of wear red day.

8. Miscellaneous Reports

- Alderman Skinner announced the Civil War Roundtable is scheduled on Sunday, February 9, 2014 @ 3:00 p.m. in the Community Room at Police Headquarters. The speaker will be Amy Taylor, UK Associate Professor. Civil War America, is from the perspective of soldiers' families.
- Eric Stuckey announced that on Wednesday, February 5, 2014, from 1:00-5:00 p.m., the Board of Mayor and Aldermen will have a Strategic Planning Work Session at the Police Department.

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 19-27 be placed on the Consent Agenda.

Alderman Bransford moved to approve the Consent Agenda Items 19-27. Seconded by Alderman Blanton. Motion carried unanimously 7-0.

NEW BUSINESS

10. Consideration of RESOLUTION 2014-10, A Resolution to Authorize the City of Franklin to Submit an Application to the Tennessee Historical Commission for the Federal Preservation Grant Program

Lisa Clayton, Parks Director

Catherine Powers, Planning & Sustainability Director

Alderman Skinner moved to approve Resolution 2014-10. Seconded by Alderman Bransford. Motion carried unanimously 7-0.

11. Consideration of RESOLUTION 2014-11, A Resolution to Amend and Restate the City of Franklin Employees' Pension Plan

Shirley Harmon, Human Resources Director

Alderman Barnhill moved to approve Resolution 2014-11. Seconded by Alderman Blanton. Motion carried unanimously 7-0.

12. Consideration of Approval of the Assignment of Contract Between City of Franklin and SouthernSun Financial Management (COF 2012-0027)

Russ Truell, ACA Finance & Administration

Alderman Blanton moved to approve the Assignment of Contract with SouthernSun Financial Management. Seconded by Alderman Burger. Motion carried unanimously 7-0.

13. Consideration of Lease Extension with Banc of America to Include Kronos HR Software (COF Contract No. 2014-0022)

Russ Truell, ACA Finance & Administration

Alderman Barnhill moved to approve Lease Extension to include Kronos HR Software. Seconded by Alderman Bransford. Motion carried unanimously 7-0.

14. Consideration of Jordan Road Traffic Calming Request

David Parker, City Engineer/CIP Executive

Alderman Burger moved to approve Jordan Road Traffic Calming Request with comment. Seconded by Alderman Bransford.

Alderman Burger said she had been working the Jordan Road residents for over a year, and there were at least two neighborhood meetings held. The speed limit is posted at 30 MPH, but many speed through at 40 MPH. A petition was presented to eight residents with all but one responding. They are in favor of installing the flashing signs that reflect the speed of the cars. Residents that could not be here tonight had asked her to speak for them.

Alderman Blanton related she had voted against these driver feedback signs at the Capital Investment Committee meeting, as they are a placebo without consequences. That stretch of Jordan Road starting near Fire Station 2 on Highway 96 is problematic and has a hill. Her concern is after a week or so when the police are no longer monitoring the area, that people will disregard the signs. These feedback signs will be installed in concrete making them permanent when it is just a temporary fix. Safety is important but she can't support a placebo. Her opinion is based on her experience of living there.

Alderman Bransford supported installing the signs as an initial attempt to resolve the problem.

Alderman Burger disagreed that the signs are permanent and cited an example where such a sign was removed. Residents there have replaced mailboxes, a dog was killed, and it is not safe for children. It will still be monitored by the police, but not continuously.

Motion to approve Jordan Road Traffic Calming Request carried 5-2 with Vice Mayor Petersen and Alderman Blanton voting no.

15. Consideration of Mayor's Appointments to the Battlefield Preservation Commission
Dr. Ken Moore, Mayor

Mayor Moore submitted the following for reappointment: Pam Lewis, Tennessee Preservation Trust; Thomas Flagel, Education Liaison; Jim Roberts, Battle-Related Property Owner; and, Jay Sheridan, Member-at-Large.

Alderman Barnhill moved to approve the reappointment of the above named to the Battlefield Preservation Commission. Seconded by Alderman Skinner. Motion carried unanimously 7-0.

16. Consideration of Mayor's Appointment to the Board of Zoning Appeals
Dr. Ken Moore, Mayor

Mayor Moore recommended the reappointment of Greg Caesar.

Alderman Barnhill moved to approve the reappointment of Greg Caesar to the Board of Zoning Appeals. Seconded by Alderman Burger. Motion carried unanimously 7-0.

17. Consideration of Mayor's Appointment to the Public Building Authority
Dr. Ken Moore, Mayor

Mayor Moore related there is no nomination to consider at this time.

18. Consideration of Mayor's Appointments to the Stormwater Appeals Board
Dr. Ken Moore, Mayor

Mayor Moore appointed Bob Martin to assume the slot on the Board as a member of an organized neighborhood organization or environmental group.

Alderman Burger moved to approve the appointment of Bob Martin to the Stormwater Appeals Board as a member of an organized neighborhood organization or environmental group. Seconded by Alderman Barnhill.

Alderman Skinner stated that Dorie Bolze had sent an e-mail to BOMA members and he would like it entered into the record. He said that her knowledge and expertise are invaluable and that she also works with the Williamson County Stormwater Appeals Board. He was sorry to see that she is being replaced.

HRWA letter on stormwater expertise re proposal to replace me on the appeals board that is before BOMA tonight

Dorie Bolze [DorieBolze@harpethriver.org]

Sent: Tuesday, January 28, 2014 9:33 AM

To: Eric Stuckey; Paul Holzen; Jeff Willoughby; Shauna Billingsley; Kristen Corn; Lisa Clayton; Kevin Lindsey; Becky Caldwell; Mark Hilty; Susan Besser [sasb@sbcglobal.net]; Tom Jones [tjones@trjones.com]; Roger D. Lindsey [rdlindsey@comcast.net]; Mike Haarbauer [haarb@comcast.net]; Elbert (Al) Cox [elcox@aol.com]; Vernon Gerth; Catherine Powers; Ann Peterson (annpetersen@comcast.net); Beverly Burger; Brandy B. Blanton (brandy@southernexposuremagazine.com); Clyde Barnhill (cbs1407@bellsouth.net); Dana McLendon (danamclendon@mac.com); Ken Moore; Margaret Martin; Michael Skinner; Pearl Bransford

Attachments: HRWA statement to BOMA re ~1.pdf (564 KB)

TO: Franklin Board of Mayor and Aldermen,
Eric Stuckey
Stormwater Appeals Board members
Various city department senior staff

FROM: Dorie Bolze, Harpeth River Watershed Association, Executive Director

RE: Mayor's proposal to replace me on the Stormwater Appeals Board this evening at BOMA

Mayor Ken Moore called on Monday to inform me that he will be proposing to replace me on the Stormwater Appeals Board at the Board of Mayor and Aldermen meeting tonight. Please find attached a letter that I prepared for BOMA to inform its deliberations tonight. In this letter I provide some background on the expertise that I have been able to provide regarding stormwater and other related issues during HRWA's work over 14 years with the city of Franklin and other jurisdictions in the Harpeth River watershed. The mayor has offered to give me a few minutes at the Work Session tonight to briefly review this background tonight.

Under the Ethics Chapter of the Franklin Municipal Code, HRWA's work on issues involving the city that do not pertain to stormwater regulation would not constitute any ethics issue that would affect my serving on the Stormwater Appeals Board. Based on our conversation, concerns over my service on the city's Stormwater Appeals Board over the past 4 years is not the issue in proposing to replace me on stormwater appeals board.

It is my understanding from our conversation that the proposal to replace me has been spurred by HRWA's recent 60-day notice of intent to sue the city of Franklin and the two other small sewer plants that discharge into the Harpeth River. This "notice of intent" is based on HRWA's review of state files for the past five years. For over 12 years HRWA has worked with the city and provided expert engineering and economic analysis on sewer and drinking water options and issues that affect the river's water quality. HRWA has provided significant information on options and approaches to restore the Harpeth's water quality to state standards, all of which was provided most recently in our comments on the various draft state sewer permits. These documents have been circulated widely to city staff, BOMA, city consultants and the many other entities involved, and HRWA experts have presented aspects of our work to BOMA over the years. Our analyses, concerns, and recommendations for solutions are not new.

We are very interested in working with the city and the other two sewage treatment facilities to find resolutions that can avoid litigation. HRWA is ready and willing to meet with city officials and discuss resolutions to the problems identified in the 60-day notice whenever we are contacted by the city to set that up.

HRWA's goal is for the Harpeth River to meet state water quality standards that have been established to protect public health and wildlife. Regardless of the outcome of tonight's vote on my continuing service on the city's Stormwater Appeals Board, HRWA looks forward to continuing to work with the various city departments and leadership on stormwater management and the many other efforts we are engaged in with the city.

<https://webmail.franklin-gov.com/owa/?ac=Item&t=IPM.Note&id=RgAAAADJRtI2fG30...> 1/28/2014

Dorie

Dorie Bolze
Executive Director
Harpeth River Watershed Association
P.O. Box 1127
Franklin, TN 37065
615-479-0181 (mobile)
615-790-9767
615-373-8512

Street address:
215 Jamestown Park
Brentwood, TN 37027

Protecting and Restoring the State Scenic Harpeth River and Clean Water in TN since 1999.

<https://webmail.franklin-gov.com/owa/?ae=Item&t=IPM.Note&id=RgAAAADJRtI2fG30...> 1/28/2014

Alderman McLendon voiced that Ms. Bolze is being replaced for the right reason. When someone associated with a Board/Commission of the City and the person's day job as a private entity threatens to sue or does sue the City and seeking fines, fees, court costs, etc. from the City, wouldn't the taxpayers protest. He commended the Mayor for effecting the appropriate remedy.

Motion to approve the appointment of Bob Martin to the Stormwater Appeals Board as a member of an organized neighborhood organization or environmental group carried 6-1 with Alderman Skinner voting no.

CONSENT AGENDA

19. Consideration of RESOLUTION 2014-01, A Resolution to Affirm Compliance with Federal Title VI Regulations

Eric Stuckey, City Administrator

Resolution 2014-01 approved unanimously 7-0

20. Consideration of RESOLUTION 2014-03, A Resolution to Authorize Staff to Enter Into Contract Negotiations with Gresham Smith & Partners (GSP) for the Engineering Services for an Adaptive Signal Control Technology Implementation (COF Contract No. 2013-0184)

David Parker, City Engineer/CIP Executive

Resolution 2014-03 approved unanimously 7-0

21. Consideration of RESOLUTION 2014-04, A Resolution to Authorize Staff to Enter Into Contract Negotiations with Atkins North America (ANA) for the Franklin ITS Extension Project (COF Contract 2013-0185)

David Parker, City Engineer/CIP Executive

Resolution 2014-04 approved unanimously 7-0

22. Consideration of Professional Services Agreement (COF Contract 2013-0235) with AMEC Environmental & Infrastructure, Inc. to Assist the City in the Development of Green Street Typical Design Standards in the Amount of \$20,800.00

Approved unanimously 7-0 **David Parker, City Engineer/CIP Executive**

23. Consideration of Professional Services Agreement (COF Contract No. 2014-0001) with Cannon and Cannon for the Final Design and Bidding Services for the Century Beasley Connector Project in the Amount of \$19,557.00

Approved unanimously 7-0 **David Parker, City Engineer/CIP Executive**

24. Consideration of Amendment 1 to Agreement Between the City of Franklin, Tennessee, and Stream Valley Franklin, LLC Relative to Phasing of the Stream Valley Development (COF Contract 2012-0143)

Approved unanimously 7-0 **Catherine Powers, Planning & Sustainability Director**

25. Consideration of Professional Services Agreement with Jackson Thornton (COF Contract 2014-0027) for Cost of Service Study in an Amount of \$94,000

Approved unanimously 7-0 **Mark Hilty, Water Management Director**

26. Consideration of Event Permit Application for the P.I.G. Race at Harlinsdale Farm on November 8, 2014

Approved unanimously 7-0 **Lisa Clayton, Parks Director**

27. Consideration of RESOLUTION to Amend the Table of Organization for the Planning and Sustainability Department and the Engineering Department

Approved unanimously 7-0 **Paul Holzen, Engineering Director**
Catherine Powers, Planning & Sustainability Director

EXECUTIVE SESSION

28. Consideration of Motion to Enter Executive Session for the 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. (7:27 p.m.)

RETURN FROM EXECUTIVE SESSION

29. Consideration of Matters from Executive Session

(Returned 7:55 p.m.)

Dr. Ken Moore, Mayor

Alderman McLendon moved that the City of Franklin reject Rock City's latest demand. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.

Alderman McLendon moved that the City of Franklin approve a settlement of \$14,750 for the Moore's condemnation case. Seconded by Alderman Barnhill. Motion carried unanimously 7-0.

ADJOURN

Alderman Bransford moved to adjourn. Seconded by Alderman Burger. Motion carried unanimously 7-0.

Meeting adjourned @ 8:00 p.m.

Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 2/12/2014 10:25 AM