



MEMORANDUM

June 24, 2014

TO: Board of Mayor and Aldermen

FROM: Eric Stuckey, City Administrator
Vernon Gerth, Assistant City Administrator for Community and Economic Development
Catherine Powers, Planning and Sustainability Director
Donald Anthony, Planning Supervisor
Amanda Hall, Preservation Planner

SUBJECT: Ordinance 2014-11, "An Ordinance to Amend Title 2, Chapter 5 Of The City Of Franklin Municipal Code Regulating The Battlefield Preservation Commission."

Purpose

The purpose of this memorandum is to provide the Board of Mayor and Aldermen (BOMA) with information regarding a request to amend Title 2, Chapter 5 of the City of Franklin Municipal Code, as pertaining to the regulation of the Battlefield Preservation Commission's membership and term limits.

Background

The Battlefield Preservation Commission consists of eighteen (18) members, ten (10) of which are preservation and heritage-related organizational representatives nominated by the organization's respective governing bodies. One member is represented by a City of Franklin Alderman, and the other seven (7) members serve as at-large members (4), an education community liaison (1), a re-enactment community liaison (1), or a battlefield property owner (1).

Ordinance 2014-11 seeks to amend the existing organizational representation by removing one of the organizational representatives—Franklin on Foot, which resigned in February 2014—with the African-American Heritage Society. Further, the ordinance proposes the removal of term limits from the ten (1) organizational representatives. Many of the organizations represented by the Battlefield Preservation Commission maintain few staff members who are able to attend the commission meetings. The removal of term limits for the organizational representatives may help avoid any potential future issues with vacant seating. The organizations' respective governing bodies will still nominate representatives to the Mayor for consideration, and the BOMA will still confirm each appointment.

This ordinance amendment request was recommended (14-0) by the Battlefield Preservation Commission at its February 13, 2014 meeting.

Financial Impact

Not applicable to this item.

Options

BOMA may approve, reject, or modify the proposed changes to the Municipal Code pertaining to the Battlefield Preservation Commission.

Recommendation

Approval of the ordinance as proposed is recommended.

ORDINANCE 2014-11

TO BE ENTITLED: "AN ORDINANCE TO AMEND TITLE 2, CHAPTER 5 OF THE CITY OF FRANKLIN MUNICIPAL CODE REGULATING THE BATTLEFIELD PRESERVATION COMMISSION."

WHEREAS, Title 2, Chapter 5 of the Franklin Municipal Code provides that the Battlefield Preservation Commission exists to be an advisory body to the Board of Mayor and Aldermen and City Administrator in the identification, preservation, maintenance, and recognition of sites related to civil war battles, skirmishes, encampments, troop movements, and other war-related sites located within the City limits of Franklin in order to protect and maintain the City's irreplaceable historical wealth for this and future generations; and

WHEREAS, one of the entities, Franklin on Foot, that provides a representative to serve as a member on the Commission wishes to terminate its membership; and

WHEREAS, the African American Heritage Society has expressed interest in replacing Franklin on Foot as one of the entities that provides a representative to serve as a member of the Commission; and

WHEREAS, the Franklin Municipal Code currently provides for term limits of the members representing the entities on the Commission; and

WHEREAS, the removal of term limits for the members representing the ten entities identified in section 2-503 would provide more consistency and stability to the Battlefield Preservation Commission; and

WHEREAS, the Board of Mayor and Aldermen believe it is within the best interests of the citizens of the City of Franklin to amend Title 2, Chapter 5 of the Municipal Code to address the concerns identified.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF FRANKLIN, TENNESSEE, AS FOLLOWS:

SECTION I. That Title 2, Chapter 5, Section 2-503, of the City of Franklin Municipal Code is hereby amended to delete the following text noted with a ~~striketrough~~; to add the following text noted in **bold**, and is approved to read as follows:

Sec. 2-503. Membership.

The commission shall consist of 18 members, with representation as follows:

One (1) member from each of the following ten (10) entities (or their successors) to be nominated by their respective ~~Board of Directors~~ governing bodies:

- Battle of Franklin Trust
- Franklin's Charge
- ~~Franklin on Foot~~ **African American Heritage Society**
- Heritage Foundation of Franklin and Williamson County
- Lotz House
- Save the Franklin Battlefield
- Sons of Confederate Veterans
- Sons of Union Veterans
- Tennessee Preservation Trust
- Williamson County Convention and Visitors Bureau

The remaining eight members shall be as follows:

- One (1) City of Franklin Alderman
- One (1) Battlefield property owner
- One (1) Education liaison
- One (1) Re-enactment community liaison
- Four (4) at-large members

SECTION II. That Title 2, Chapter 5, Section 2-504, of the City of Franklin Municipal Code is hereby amended to delete the following text noted with a ~~strike through~~; to add the following text noted in **bold**, and is approved to read as follows:

Sec. 2-504. Appointment and term of office.

Members of the commission shall be appointed by the mayor and confirmed by the Board of Mayor and Aldermen. **There shall be no term limit for the members representing the ten entities listed in Section 2-503. If the member of any of these organizations should resign from the Battlefield Preservation Commission, the said organization shall provide another member from the organization as a representative.** The term of the alderman shall be co-terminus with their term on the Board of Mayor and Aldermen. The term of the remaining **seven** members shall be three years. All members **with term limits** shall be limited to two consecutive full terms and may be reappointed after a three-year absence from serving on the commission. Except for the term of the alderman, the initial terms of **all members shall be were** staggered as follows: five (5) members shall serve for one year, six (6) members shall serve for two years, and six (6) members shall serve for three years. The four at-large members shall have their terms staggered as follows: One (1) shall serve for one year, one (1) shall serve for two years, and two (2) shall serve for three years.

Appointees who fill an unexpired term shall hold office for the remainder of said unexpired term.

SECTION III. BE IT FINALLY ORDAINED by the Board of Mayor and Aldermen of the City of Franklin, Tennessee, that this Ordinance shall take effect from and after its passage on third and final reading, the health, safety, and welfare of the citizens requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE:

By: _____

By: _____

Eric Stuckey

City Administrator/Recorder

PASSED FIRST READING:

PASSED SECOND READING:

Approved as to form:

Kristen L. Corn, Staff Attorney

Dr. Ken Moore

Mayor
