

MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, JULY 8, 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	P
Alderman Pearl Bransford	P	Alderman Michael Skinner	P

Department Directors/Staff

Eric Stuckey, City Administrator	P	Lisa Clayton, Parks Director	P
Vernon Gerth, ACA Community & Economic Dev.	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	
Kristen Corn, Staff Attorney	P	Catherine Powers, Planning/Sustainability Dir.	P
Rocky Garzarek, Fire Chief		Joe York, Streets Director	P
Deb Faulkner, Interim Police Chief		Brad Wilson, Facilities Project Manager	
Fred Banner, IT Director		Jonathan Marston, Engineering	
Chris Bridgewater, BNS Director		Lanaii Benne, Assistant City Recorder	P
Becky Caldwell, SES Director	P	Linda Fulwider, Board Recording Secretary	P

1. **Call to Order**
Mayor Ken Moore called the July 8, 2014, meeting to order at 7:06 p.m.
2. **Invocation**
The invocation was offered by Alderman Clyde Barnhill.
3. **Pledge of Allegiance**
All present 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**
There were no County representatives present.
6. **Approval of Minutes**
The June 24, 2014 Work Session and June 24, 2014 Board of Mayor and Aldermen minutes were not available.
7. **Recognitions**
None

8. **Miscellaneous Reports**
Civil War Roundtable
Alderman Skinner announced that the next Civil War Roundtable would be July 13, 2014 @ 3:00 p.m. in the Community Room at Police Headquarters. The Carter House's Alan Corry will present "The Funeral of General Leonidas Polk."

Happy 25th Anniversary

Eric Stuckey mentioned that here he was spending his 25th wedding anniversary at City Hall, and not with his lovely wife Lisa. His statement generated an "aw" Happy Anniversary and round of applause!

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 16-28 be placed on the Consent Agenda.

Alderman Bransford withdrew Item 25 and moved to approve the Consent Agenda Items 16-24 and 26-28. Seconded by Alderman Blanton. Motion carried unanimously.

OLD BUSINESS

10. **PUBLIC HEARING:** Consideration of ORDINANCE 2014-09, An Ordinance to Amend Various Sections of Chapter 4 of Title 16 of the Franklin Municipal Code Concerning Road Impact Fees.
[Second and Final Reading] David Parker, City Engineer/CIP Executive
With no one coming forth to speak, Mayor Moore declared the Public Hearing Closed

Vice Mayor Petersen moved to approve Ordinance 2014-09 As Amended with minor pictorial improvements. Seconded by Alderman Martin. Motion carried unanimously on Second and Final Reading.

11. **PUBLIC HEARING:** Consideration of ORDINANCE 2014-18, To Be Entitled, "An Ordinance to Rezone 77.7 Acres From General Commercial (GC) To Specific Development-Variety District (SD-X 12.23/480,000/450) for the Property Located at the Southeast Corner of East McEwen Drive and Carothers Parkway." (Ovation Subdivision)
[Second of Three Readings] Vice Mayor Ann Petersen, FMPC Representative
With no one coming forth to speak, Mayor Moore declared the Public Hearing Closed

Alderman Burger moved to approve Ordinance 2014-18. Seconded by Vice Mayor Petersen. Motion carried unanimously on Second of Three Readings.

12. **PUBLIC HEARING:** Consideration of RESOLUTION 2014-42, To Be Entitled, "A Resolution Approving a Development Plan for the Ovation Subdivision, Including Two Modifications of Standards, Located on a Portion of the Property at the Southeast Corner of East McEwen Drive and Carothers Parkway, by The City of Franklin, Tennessee."

Vice Mayor Ann Petersen, FMPC Representative
With no one coming forth to speak, Mayor Moore declared the Public Hearing Closed

MOS 1: Parking - Request to decrease the minimum parking requirements for one and two bedroom attached residential units from 1.5 spaces per unit to 1.25 spaces per unit for 1-bedroom attached units and from 2.5 spaces per unit to 1.75 spaces per unit (rental) or 2.0 spaces per unit (owned) for 2-bedroom attached units. Staff recommended disapproval.

The Planning Commission voted unfavorable recommendation (5-3) on MOS 1. Subsequently, staff offered an option and referral to a Joint Planning Commission/BOMA Workshop.

Vice Mayor Petersen moved to disapprove MOS 1: Parking. Seconded by Alderman Burger. Motion carried unanimously.

MOS 3: Building Length - Request to increase the maximum building length of any attached residential building from 200 feet to a length of 766 feet. If MOS is granted, the architecture shall be designed with additional detailing and façade variations on the street-facing facades. Staff recommended approval.

Alderman Burger moved to approve MOS 3: Building Length. Seconded by Alderman Bransford. Motion carried unanimously.

Alderman Burger moved to approve Resolution 2014-42 with the inclusion of MOS 3: Building Length. Seconded by Alderman Blanton. Motion carried unanimously.

13. **PUBLIC HEARING:** Consideration of ORDINANCE 2014-19, An Ordinance of FY 2014 Fourth Quarter Budget Amendments.

[Second and Final Reading]

Mike Lowe, Comptroller

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

After reviewing preliminary June 30 cash balances, the Finance Department submitted adjustments for consideration on the Second Reading. (The initial estimates were prepared at the end of May based primarily on last year's ending balances).

Alderman Bransford moved to approve Ordinance 2014-19 as modified by the adjustments submitted. Seconded by Alderman Blanton.

Vice Mayor Petersen commented that the good news is the Road Impact Fees are almost paid now in light of the strong collections in the last quarter that reduced the fund's preliminary June 30 cash deficit to (\$60,933). The transfer will eliminate any deficit in the fund.

Motion to approve Ordinance 2014-19 on Second and Final Reading carried unanimously.

NEW BUSINESS

14. Consideration of RESOLUTION 2014-54, A Resolution to Authorize Staff to Enter Into Contract Negotiations with Barge, Waggoner, Sumner and Cannon (BWSC) for the Professional Services for Development of a Comprehensive Parks and Recreation 10-Year Master Plan.

Lisa Clayton, Parks Director

Alderman Skinner moved to approve Resolution 2014-54. Seconded by Alderman Blanton. Motion carried unanimously.

15. Consideration of Amendment No. 1 to the Professional Services Agreement with Smith Seckman Reid, Inc. (COF Contract No. 2012-0189) for Limited Construction Engineering and Inspection Services on the Hillsboro Road Improvements Project

David Parker, City Engineer/CIP Executive

Alderman Martin recused herself and left the room. She returned after the vote.

Alderman Barnhill moved to approve Amendment No. 1 to COF Contract 2012-0189 with Smith Seckman Reid, Inc. Seconded by Alderman Burger. Motion carried unanimously 7-0 with Alderman Martin recused.

CONSENT AGENDA

16. Consideration of ORDINANCE 2014-04, An Ordinance to Rezone +/- 7.64 Acres From Low Residential (R1) District to Agricultural (AG) District for the Property Located at 4114 Murfreesboro Road, by The City of Franklin, Tennessee.

[Third and Final Reading]

Vice Mayor Ann Petersen, FMPC Representative

Ordinance 2014-04 approved unanimously on Third and Final reading.

17. Consideration of ORDINANCE 2014-10, An Ordinance to Amend Section 2.4.3(3) of the Franklin Zoning Ordinance which Regulates Exemption to Site Plan Review, Establishing a Public Hearing for August 12, 2014.
[First of Three Readings] Vice Mayor Ann Petersen, FMPC Representative
Ordinance 2014-10 approved unanimously on First of Three Readings.
18. Consideration of ORDINANCE 2014-11, An Ordinance to Amend Title 2, Chapter 5 of The City of Franklin Municipal Code Regulating The Battlefield Preservation Commission.
[First of Two Readings] Catherine Powers, Planning & Sustainability Director
Amanda Hall, Preservation Planner
Ordinance 2014-11 approved unanimously on First of Two Readings.
19. Consideration of Change Order No. 1 (Final Change Order) for the Seventh Avenue/Fair Street Intersection to Fifth Avenue North Sanitary Sewer Improvements Project (COF Contract No. 2012-0193).
Approved unanimously. David Parker, City Engineer/CIP Executive
20. Consideration of Change Order No. 1 (Time Extension Only) to the Contract with Brown Builders, Inc. for the Construction of Intersection Improvements at Wilson Pike (SR 252) and East McEwen Drive (COF Contract No. 2012-0145)
Approved unanimously David Parker, City Engineer/CIP Executive
21. Consideration of Change Order for INFOR, Utility Billing System Project, in an Amount of \$250,000.
Approved unanimously Fred Banner, IT Director
22. Consideration of Transfer of Conference Center Operating Agreement Due to Change in Ownership.
Approved unanimously Eric Stuckey, City Administrator
Russ Truell, ACA Finance & Administration
23. Consideration of Event Permit Application for Franklin Race 4 The Cure 5K Benefiting the Westhaven Foundation to be Held September 20, 2014 in Westhaven.
Approved unanimously Deb Faulkner, Interim Police Chief
24. Consideration of Event Permit Application for Turkey Trot Benefitting Graceworks Ministries to be Held on November 27, 2014 in Cool Springs.
Approved unanimously Deb Faulkner, Interim Police Chief
25. Consideration of Renewal of Liquor License Retailer's Certificate for Harpeth Liquors (Satish Patel, Managing Agent), 1203 Murfreesboro Road, Suite 503, Franklin, Tennessee 37064.
Lanaii Benne, Assistant City Recorder
Eric Stuckey related that as was said at the Work Session, the typical Police Department review was satisfactory; however, due to a State of Tennessee requirement regarding financial stability, an outstanding tax lien was revealed. Mr. Stuckey recommended the Board authorize the license renewal at the local level and forward the information on to the Tennessee Alcoholic Beverage Commission.
Alderman Bransford moved to approve Renewal of the Liquor License at the local level and forward information on to the Tennessee ABC. Seconded by Alderman Barnhill. Motion carried unanimously.
26. Consideration of Renewal of Liquor License Retailer's Certificate for The Bottle Shop at McEwen (Lisa Quillman and Nancy Quillman, Managing Agent), 1556 West McEwen Drive, Suite 102, Franklin, Tennessee
Approved unanimously Lanaii Benne, Assistant City Recorder

27. Consideration of Renewal of Liquor License Retailer's Certificate for Del Rio Package Store (Dahyabhai Vallabhbai Patel, Managing Agent), 111 Del Rio Pike, Franklin, Tennessee 37064.
Approved unanimously
Lanaii Benne, Assistant City Recorder

28. Items Approved by City Administrator on Behalf of the Board of Mayor & Aldermen:
• Acknowledge Report of Contract Award to Hays Landscaping, LLC of Thompson's Station, TN in the Total Lump-Sum Amount of \$330.00 per Service Date for Certain Specified Property Mowing and Related Contract Services for Nine (9) Specified jobsites for the Balance of the 2014 Mowing Season or Until December 31, 2014, Whichever Comes First, for the Parks Department (Purchasing Office Procurement Solicitation No. 2015-002; Contract 2014-0153) Lisa Clayton, Parks Director
Approved unanimously

• Mayor Moore recognized the new owners and managers of the Marriott who were in attendance.

EXECUTIVE SESSION

29. 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 Skinner. Motion carried unanimously. (7:23 p.m.)

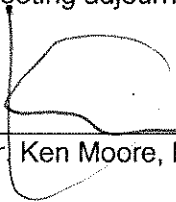
RETURN FROM EXECUTIVE SESSION

30. Consideration of Matters from Executive Session.
Dr. Ken Moore, Mayor
(Reconvened 7:39 p.m.) There were no matters for consideration.

ADJOURN

Alderman Bransford moved to adjourn. Seconded by Alderman Barnhill. Motion carried unanimously.

Meeting adjourned @ 7:40 p.m.



Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - updated 8/4/2014 1:23 PM

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