

**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, AUGUST 12, 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	
David Parker, City Engineer/CIP Executive	P	Paul Holzen, Engineering Director	P
Shauna Billingsley, City Attorney	P	Catherine Powers, Planning/Sustainability Dir.	
Rocky Garzarek, Fire Chief		Joe York, Streets Director	P
Deb Faulkner, Interim Police Chief		Brad Wilson, Facilities Project Manager	
Fred Banner, IT Director		Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, BNS Director		Linda Fulwider, Board Recording Secretary	P
Becky Caldwell, SES Director			

1. **Call to Order**
Mayor Ken Moore called the August 12, 2014, meeting to order at 7:16 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**
 - Steve Smith, 12th District County Commissioner and Chairman of the Williamson County Convention and Visitors Bureau, thanked the Board for their support of their efforts in tourism and City officials who serve on the WCCVB Board, Mayor Moore, Alderman Pearl Bransford, and Eric Stuckey, for their support and leadership.

He then introduced Ellie Westman Chin, the new President and CEO of WCCVB. Ms. Chin said she is thrilled to be here and also thanked the Boar for supporting hospitality and tourism in Williamson County.

- Mayor Moore recognized County Commissioner Doug Langston who was in attendance.

6. Approval of Minutes

Alderman Blanton moved to approve the following meeting minutes as presented: June 24, 2014 Work Session, June 24, 2014 Special Board of Mayor and Aldermen, July 2, 2014 Board of Mayor and Aldermen Executive Session, July 2, 2014 Special Work Session, July 8, 2014 Work Session, and July 8, 2014 Board of Mayor and Aldermen. Seconded by Alderman Barnhill. Motion carried unanimously.

7. Recognitions

- Sister Cities Students Traveling to Bad Soden, Germany

Six high school students acting as cultural ambassadors recently returned from a 10 day visit to Bad Soden, Germany. Julie Linton, Centennial High School teacher and chaperone, thanked the parents and Sister Cities for allowing them to make the trip. Ms. Linton introduced the four students who were present: Matthew Minor, Battle Ground Academy; Grace Anderson, Centennial High; John Newman, Centennial High; and, Leta Yi, Centennial High. Each student thanked Sister Cities and said a few words about the experience. Corbin Lynn, Overton High, and Connor Pratt, Independence High were unable to attend the meeting.

8. Miscellaneous Reports

None

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 19-24 be placed on the Consent Agenda.

Alderman Burger requested Items 19 and 20 be pulled, and moved to approve Consent Agenda Items 21-24. Seconded by Alderman Bransford. Motion carried unanimously.

OLD BUSINESS

- 10. PUBLIC HEARING: 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. [Second of Three Readings] Vice Mayor Ann Petersen, FMPC Representative**
Public Hearing:

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

Alderman Barnhill moved to approve Ordinance 2014-10. Seconded by Alderman Burger. Motion carried unanimously on Second of Three Readings.

- 11. PUBLIC HEARING: Consideration of RESOLUTION 2014-51, a Resolution Approving a Development Plan for the Williamson County Performing Arts and Enrichment Centers PUD Subdivision, Located at 1236 Columbia Avenue. Vice Mayor Ann Petersen, FMPC Representative**

Public Hearing:

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

Alderman Bransford moved to approve Resolution 2014-51. Seconded by Alderman Barnhill. Motion carried unanimously.

12. **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).**

[Third and Final Reading]

Vice Mayor Ann Petersen, FMPC Representative

Mayor Moore asked for a deferral to August 26 with a public hearing and final vote at that time, and return to the Planning Commission. There is a minor revision to the legal description.

Vice Mayor Petersen moved to amend, based on a new exhibit, and defer Ordinance 2014-18 to August 26, 2014 for a Public Hearing on the amendment and for Third and Final Reading, as well as refer the amendment back to the Planning Commission. Seconded by Alderman Burger.

Alderman Barnhill asked why it would be returned to the Planning Commission after BOMA approval on August 26. It was explained the amendment is a minor revision to the boundary line. If approved by the Planning Commission it will go forward. If not, the process will start again. Alderman Burger said the adjustments are City requirements to allow a building and loading dock.

Motion to defer Ordinance 2014-18 carried unanimously.

NEW BUSINESS

13. **Consideration of RESOLUTION 2014-59, a Resolution to Reclassify an Assistant Fire Chief to Deputy Fire Chief and Modify the Organizational Chart.**

Rocky Garzarek, Fire Chief

Alderman Blanton moved to approve Resolution 2014-59. Seconded by Alderman Skinner. Motion carried unanimously.

14. **Consideration of RESOLUTION 2014-60, a Resolution Authorizing Condemnation for the Acquisition of Property at 719 Murfreesboro Road.**

Paul Holzen, Engineering Director

Alderman Bransford moved to approve Resolution 2014-60. Seconded by Alderman Barnhill. Motion carried unanimously.

15. **Consideration of Professional Services Agreement with Barge, Waggoner, Sumner and Cannon, Inc. of Nashville, TN in the Total Amount of \$150,000 for comprehensive Master Planning Consulting Services for the Parks Department (Purchasing Office Procurement Solicitation No. 2014-019; Funds to be Budgeted in 150-82560-47100 of the Hotel/Motel Tax Fund for Fiscal Year 2015; Contract No. 2014-0140).**

Lisa Clayton, Parks Director

Alderman Blanton moved to approve Agreement with Barge, Waggoner, Sumner and Cannon, for total amount \$150,000. Seconded by Alderman Martin. Motion carried unanimously.

16. **Consideration of an Exclusive Easement Agreement (COF Contract No. 2014-0149) Between the City of Franklin and Mallory Valley Utility District.**
David Parker, City Engineer/CIP Executive
Alderman Bransford moved to approve Exclusive Easement Agreement with Mallory Valley Utility District. Seconded by Alderman Barnhill. Motion carried unanimously.
17. **Consideration of Renewal of Liquor License Retailer's Certificate for Holiday Wines & Liquors (Jigesha Patel, Managing Agent), 108 Royal Oaks Boulevard, Franklin, Tennessee 37064.**
Lanaii Benne, Assistant City Recorder
Alderman Barnhill moved to approve Renewal of Liquor License Retailer's Certificate for Holiday Wines & Liquors. Seconded by Alderman Blanton. Motion carried unanimously.
18. **Consideration of Renewal of Liquor License Retailer's Certificate for Cool Springs Wine & Spirits (James Woodard, Jr., Managing Agent), 1935 Mallory Lane, Franklin, Tennessee 37064**
Lanaii Benne, Assistant City Recorder
Alderman Blanton moved to approve Renewal of Liquor License Retailer's Certificate for Cool Springs Wine & Spirits. Seconded by Alderman Bransford. Motion carried unanimously 7-0 with Alderman McLendon recused.

CONSENT AGENDA

19. **Consideration of Recommendation for Denial of ORDINANCE 2014-22, An Ordinance to Rezone 33.25 Acres from Specific Development-Variety District (SD-X) 4/125,178 To Specific Development-Variety District (SD-X) 14/21,503, for the Through The Green PUD Subdivision.**
[First of Three Readings] Vice Mayor Ann Petersen, FMPC Representative
Alderman Burger moved to disregard recommendation to deny Ordinance 2014-22 and approve on first reading with second reading and public hearing scheduled on September 9, 2014. Seconded by Alderman Bransford. Motion carried 5-3 on First Reading, with Aldermen Skinner and Martin, and Vice Mayor Petersen voting no.
20. **Consideration of Recommendation for Denial of Resolution 2014-52, a Resolution Approving a Development Plan for Through The Green PUD Subdivision, Located at 1200 and 1300 Shadow Green Drive and 1201 and 1301 Isleworth Drive.**
Vice Mayor Ann Petersen, FMPC Representative
Alderman Blanton moved to disregard recommendation to deny Resolution 2014-52 and approve to move the Resolution forward to coincide with Ordinance 2014-22 on September 9, 2014. Seconded by Alderman Blanton.

Alderman Skinner commented there was no significant discussion on this at the Planning Commission meeting. He has heard complaints from people living in Polk Place subdivision that they can hear gunshots from the firing range behind the development. Citizens already complain about the volume of traffic on Columbia Avenue. Also, the developer didn't mention that this development is not part of the first phase and will be managed separately.

Alderman Burger responded that is why this deserves more discussion, and she would like to hear more from the developer as well.

Motion to move Resolution 2014-52 to the September 9, 2014 meeting carried 5-3 with Aldermen Skinner and Martin, and Vice Mayor Petersen voting no.

21. 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.
 [Second and Final Reading] Catherine Powers, Planning & Sustainability Director
 Amanda Hall, Preservation Planner
Ordinance 2014-11 approved unanimously on Second and Final Reading.
22. Consideration of an Interlocal Agreement Between Williamson County, Tennessee, The City of Brentwood, and The City of Franklin for the Creation and Empowerment of a Joint Multi-Jurisdictional Communication Network Authority (COF Contract No. 2014-0081)
Approved unanimously Eric Stuckey, City Administrator
23. Consideration of ORDINANCE 2014-20, an Ordinance Directing Nonresident Property Owner Voters to Cast Ballots in City of Franklin Elections by Mail as Absentee Voters.
 [First of Two Readings] Shauna Billingsley, City Attorney
Ordinance 2014-20 approved unanimously on First of Two Readings.
24. **Items Approved by City Administrator on Behalf of the Board of Mayor & Aldermen:**
- Acknowledge Agreement with Save The Franklin Battlefield, Inc. for the Procurement of Historic Gun Carriage Replacements to be Located on the Public Square in Downtown Franklin (COF 2014-0169) in an Amount of \$31,000.
 - Acknowledge Report of Change Order Number 7 to the contract with R.G. Anderson, Inc. for the Public Works Facility to include the deduction of 2 hose reels, relocation of a fire line, miscellaneous electrical changes, additional drywall work and work on fire alarm systems, approximate additional cost of services \$10,513.00.
 - Acknowledge Report of Change Order Number 8 to the Contract with R.G. Anderson, Inc. for the Public Works Facility to include additions and deletions regarding replacement of 4 hollow metal frames and doors, drywall bulkheads in stairwells, change of electrical feeds, additional 2 electrified locks and finish of drywall in room 1-114, approximate deductible cost of services (\$9,507.00).
 - Acknowledge Report of Change Order Number 9 to the Contract with R.G. Anderson, Inc. for the Public Works Facility for additions and deletions, including adding an air line per Fleet Division, adding of additional stainless steel backsplashes in work areas, painting of external sprinkler lines, install two wash station spray handles, changing out for emergency lighting, approximate additional cost of services \$4,182.00.
 - Acknowledge Report of Change Order Number 10 to the Contract with R.G. Anderson, Inc. for the Public Works Facility for additions and deletions including caulking at area between metal and block, adding a Knox box device at gate for the fire department, additional work to fire alarm system per codes, adding bollard guards at gutter downspout areas, approximate additional cost of services \$8,837.00.
 - Acknowledge Report of Change Order Number 11 to the Contract with R.G. Anderson, Inc. for the Public Works Facility that included addition of a steel guard around the gas lines entering building one and two, deletion of parking lot striping for approximate deductible cost of services (\$1,888.00).
 - Acknowledge Report of Change Order Number 12 to the Contract with R.G. Anderson, Inc. for the Public Works Facility that included testing and balancing during the project and the additional electrified hardware at man gates with an additional cost of services \$9,759.65.

Approved unanimously

EXECUTIVE SESSION

25. Consideration of Motion to Enter Executive Session for Purpose of Reviewing Various Matters of Pending Litigation.
 Shauna Billingsley, City Attorney
Alderman Barnhill moved to enter Executive Session. Seconded by Alderman Burger. Motion carried unanimously. (7:43 p.m.)

RETURN FROM EXECUTIVE SESSION

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

(Returned 8:02 p.m.)

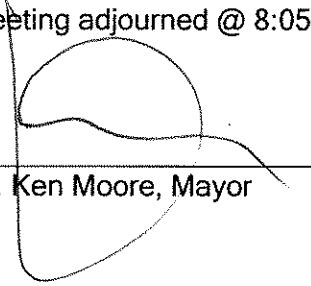
Dr. Ken Moore, Mayor

Alderman McLendon moved to enter settlement regarding the Small Family/Curd Lane partnership for \$350,000 to resolve the eminent domain claim. Seconded by Alderman Barnhill. Motion carried unanimously.

ADJOURN

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

Meeting adjourned @ 8:05 p.m.



Dr. Ken Moore, Mayor

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - updated 8/25/2014 12:05 PM

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