

**MINUTES OF THE SPECIAL MEETING  
BOARD OF MAYOR AND ALDERMEN  
FRANKLIN, TENNESSEE  
CITY HALL BOARDROOM  
TUESDAY, SEPTEMBER 23, 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	
Vernon Gerth, ACA Community & Economic Dev.		Shirley Harmon, Human Resources Director	
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	
David Parker, City Engineer/CIP Executive		Paul Holzen, Engineering Director	P
Shauna Billingsley, City Attorney	P	Catherine Powers, Planning/Sustainability Director	P
Rocky Garzarek, Fire Chief	P	Joe York, Streets Director	P
Deb Faulkner, Police Chief	P	Brad Wilson, Facilities Project Manager	
Fred Banner, IT Director		Lanaii Benne, Assistant City Recorder	P
Chris Bridgewater, BNS Director	P	Linda Fulwider, Board Recording Secretary	P
Becky Caldwell, SES Director			

**1. Call to Order**

Mayor Ken Moore called the September 23, 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)**

None

**5. Communications from Williamson County Mayor and Williamson County Commission**

There were no commissioners present.

**6. Approval of Minutes**

*Vice Mayor Petersen moved to approve the September 9, 2014 Work Session and September 9, 2014 Board of Mayor and Aldermen minutes as presented. Seconded by Alderman Burger. Motion carried unanimously.*

**7. Recognitions**

▶ Proclamation for Fire Prevention Month

Rocky Garzarek, Fire Chief, joined Mayor Moore at the podium as Mayor Moore proclaimed the month of October 2014 as Fire Prevention Month.

▶ Greater Nashville Regional Council

Eric Stuckey noted Mayor Moore is always recognizing different people for awards and accomplishments. Mr. Stuckey was pleased to announce that Mayor Moore received the R. J. "Hank" Thompson Award as an outstanding individual in the region with personal and political integrity. Congratulations, Mayor Moore!

The Marshall S Stuart Memorial Award for Intergovernmental Cooperation and Coordination was presented to Williamson County and the cities of Brentwood, Fairview, Franklin, Nolensville, Spring Hill and Thompsons Station.

▶ Sister Cities German Exchange Students

Students and chaperones from the Albert Einstein School in Bad Soden, Germany, wished to thank Sister Cities, the City, host families, and the citizens of Franklin for the warm welcome to America. Each said a few words about their experiences: impressed by the neat and tidy parks in Franklin, loving the music here, having a good time, seeing their first football game, want to see more of America, and they love Franklin.

All were proficient in speaking English, which prompted Alderman McLendon to ask them at what age they begin to learn English in school, and was told in elementary and middle school.

**8. Miscellaneous Reports**

▶ 8<sup>th</sup> Annual Family Day at the Park at Harlinsdale Farm

Mayor Moore announced Quintavious Johnson will perform at 12:45 p.m., on Saturday, October 4, 2014 at Family Day at the Park at Harlinsdale Farm. The Mayor will proclaim Saturday, October 4 as Quintavious Johnson Day in Franklin. Recently, Quintavious was one of the finalists performing on America's Got Talent. He has quite a fan base in Franklin, and was well received by the judges and audiences of the show. Congratulations, Quintavious!

**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 18-26 be placed on the Consent Agenda.**

*Alderman Burger moved to approve the Consent Agenda Items 18 through 26, with the exception of Item 26 that was pulled by Alderman Bransford. Seconded by Alderman Barnhill. Motion carried unanimously.*

**OLD BUSINESS**

**10. PUBLIC HEARING: Consideration of a Draft RESOLUTION and Plan of Services in Consideration of Annexing Approximately 11 Acres of Property Located South of Murfreesboro Road and West of Ridgeway Drive (Adams Property).**

**Catherine Powers, Planning & Sustainability Director**

Public Hearing

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

*Alderman Burger moved to approve going forward with the Draft Resolution and Plan of Services. Seconded by Alderman Bransford.*

Discussion:

- Alderman Martin attended the neighborhood meeting. The neighbors bordering the property are happy the way things are and do not want change.
- Alderman Burger attended the neighborhood meeting. She is pleased the developer wants to give the properties larger back yards. The property is near sewer as well.
- Vice Mayor Petersen attended the neighborhood meeting. When development is proposed in the middle of existing developments, there is concern about higher density and keeping the character of the surrounding neighborhoods.

*Motion to approve going forward with the Draft Resolution and Plan of Services carried 7-1 with Alderman Martin voting no.*

**11. PUBLIC HEARING: Consideration of ORDINANCE 2014-16, An Ordinance to Annex a Portion of the Ingraham Property, Consisting of 61.01 Acres, Located on the Property at 4101 Clovercroft Road (Tap Root Hills PUD Subdivision)**

**[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.

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*Alderman Blanton moved to approve Ordinance 2014-16. Seconded by Alderman Burger. Motion carried unanimously on Second of Three Readings.*

**12. PUBLIC HEARING: Consideration of ORDINANCE 2014-17, An Ordinance to Zone 61.01 Acres Specific Development-Residential (SD-R 2.28) for a Portion of the Property Located at 4101 Clovercroft Road (Tap Root Hills PUD Subdivision).**

**[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.

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*Alderman Burger moved to approve Ordinance 2014-17. Seconded by Alderman Bransford.*

Discussion:

- Vice Mayor Petersen commented this would be immediately adjacent to an already developed subdivision approximately the same density. Expressed concern about connecting to the road already there. The residents are concerned as well about additional traffic. A similar road is not a collector and it has speed bumps and stop signs.

*Motion to approve Ordinance 2014-17 carried 7-1, with Vice Mayor Petersen voting no, on Second of Three Readings.*

**13. PUBLIC HEARING: Consideration of RESOLUTION 2014-17, A Resolution, As Amended, Adopting a Plan of Services for the Annexation of Certain Areas (Ingraham Property/Tap Root Hills PUD Subdivision).**

**Vice Mayor Ann Petersen, FMPC Representative**

Public Hearing:

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

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*Alderman Burger moved to approve Resolution 2014-17. Seconded by Alderman Barnhill. Motion carried unanimously.*

**14. PUBLIC HEARING: Consideration of RESOLUTION 2014-41, A Resolution Approving a Development Plan for Tap Root Hills PUD Subdivision, Located on a Portion of the Property at 4101 Clovercroft Road.**

**Vice Mayor Ann Petersen, FMPC Representative**

Public Hearing:

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

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*Alderman Blanton moved to approve Resolution 2014-41. Seconded by Alderman Bransford. Motion carried unanimously.*

**15. Consideration 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.**

**[Third and Final Reading] Vice Mayor Ann Petersen, FMPC Representative**

*Alderman Burger moved to approve Ordinance 2014-22. Seconded by Alderman Bransford.*

**Discussion:**

- Alderman Martin: Received e-mails from citizens, heard their wishes, and will not support this rezoning.
- Alderman Skinner: Reminded the aldermen that he experiences the traffic in that area every day. He reiterated what was said last meeting about commercial/office vs. residential traffic being added. Requested the Board vote no on rezoning.
- Alderman Bransford: Anything built in Franklin will create additional traffic. If this is voted down, they may have to vote other things down that they like.
- Alderman Burger: Wasn't in favor of the first development in 2006. She has since changed her mind after visiting the completed development. If residential development is voted down, commercial development will be there sooner rather than later. Traffic studies show that commercial will create more traffic than residential. The improvements on Columbia Avenue are coming in the near future. The best and highest use is residential.
- Alderman Barnhill: Keeps hearing the argument of no more traffic. The option to be voted on is either keep the current commercial zoning or approve the residential rezoning. To vote for the least traffic impact on Columbia Avenue is to vote in favor of rezoning.
- Vice Mayor Petersen: Does not support rezoning.
- Alderman McLendon: Thanked all who made their concerns known as he gives that great weight. He disagrees with the argument that the apartments would allow new cars, and if you didn't live there, you wouldn't go there. People go purposely to Chick-fil-A and other businesses in the area. He supports this because of the credible engineering analysis that shows commercial traffic would be worse than residential traffic. The Board supports improvements of infrastructure and decisions that are right for the long term. This is a much needed housing option for people who want to live and work in this community. He will vote for what is best for the City.
- Alderman Skinner: Columbia is a State Road and construction won't start for five years. It hasn't been approved. He is not convinced the traffic study results are correct.
- Mayor Moore: Columbia Avenue project is in the 3-year plan. However, the transportation bill in the legislature could affect that.

*Motion to approve Ordinance 2014-22 carried 5-3 on Third and Final Reading, with Aldermen Martin and Skinner, and Vice Mayor Petersen voting no.*

**NEW BUSINESS**

**16. Consideration of RESOLUTION 2014-67, A Resolution Authorizing the City of Franklin, TN Mayor and City Administrator to Purchase Lot 4300 as Shown on the Westhaven Section 25 & Section 15 (lot 4001) Final Subdivision Plat of Record.**

**Eric Stuckey, City Administrator**

**Shauna Billingsley, City Attorney**

*Alderman Bransford moved to approve Resolution 2014-67 authorizing the Mayor and City Administrator to acquire this property at no cost to the City. Seconded by Alderman Burger. Motion carried unanimously.*

17. **Consideration of RESOLUTION 2014-62, A Resolution Awarding the Construction Contract (COF Contract 2014-0032) to Southeast Contractors, Inc., In the Amount of \$3,309,526.00 for the Construction of the Westhaven Fire Station 8.**

**Rocky Garzarek, Fire Chief**

*Vice Mayor Petersen moved to approve Resolution 2014-62 contingent on the acquisition of the property. Seconded by Alderman Martin. Motion carried unanimously.*

**CONSENT AGENDA**

18. **Consideration of ORDINANCE 2014-25, An Ordinance to Amend the City of Franklin Municipal Code, Appendix A-Comprehensive Fees and Penalties, Chapter 12 Relating to Construction Permit Fees.**

**[Second and Final Reading] Chris Bridgewater, Building/Neighborhood Services Dir.**

*Ordinance 2014-25 approved unanimously on Second and Final Reading.*

19. **Consideration of ORDINANCE 2014-26, An Ordinance to Amend the 2014-2015 Budget by Amending the Table of Organization for the Information Technology Department.**

**[Third and Final Reading] Fred Banner, IT Director**

*Ordinance 2014-26 approved unanimously on Third and Final Reading.*

20. **Consideration of ORDINANCE 2014-30, First Quarter 2015 Budget Amendments; Establishing a Public Hearing for October 14, 2014.**

**[First of Two Readings] Mike Lowe, Comptroller**

*Ordinance 2014-30 approved unanimously on First of Two Readings.*

21. **Consideration of RESOLUTION 2014-64, Fund Balance Policy Update for the General Fund.**

**Mike Lowe, Comptroller**

*Resolution 2014-64 approved unanimously.*

22. **Consideration of Event Permit Application for Pumpkinfest to be Held in Downtown Franklin on October 25, 2014.**

*Approved unanimously.*

**Deb Faulkner, Police Chief**

23. **Consideration of Amendment No. 1 to Professional Services Agreement (COF Contract 2013-0135) with Clough, Harbour & Associates (CHA) Consulting, Inc. for the Major Thoroughfare Plan – A Comprehensive Transportation Network Approach Project for an Additional Not to Exceed Fee of \$124,900.**

*Approved unanimously*

**Catherine Powers, Planning & Sustainability Director**

**Paul Holzen, Engineering Director**

**Emily Hunter, Planning & Sustainability Supervisor**

24. **Consideration of RESOLUTION 2014-38, A Resolution to Adopt a Sponsorship Policy to Encourage Contributions and In-Kind Support for Specific City Properties and City Sponsored Events.**

**Lisa Clayton, Parks Director**

**Monique McCullough, Public Outreach Specialist**

*Resolution 2014-38 approved unanimously.*

25. **Consideration of RESOLUTION 2014-69, A Resolution Regarding Declared Official Holidays for City of Franklin Employees (Article XVIII, Section A. Holidays of The Human Resources Manual).**

**Eric Stuckey, City Administrator**

*Resolution 2014-69 approved unanimously.*

**26. Items Approved by the City Administrator on Behalf of the Board of Mayor and Aldermen:**

- Acknowledge Report of Contract Award to Medsafe Waste of Hendersonville, TN in the Amount of \$16.00 Per Container Per Month for a Term of Month-to-Month for the Collection and Disposal of Regulated Medical Waste for the Police Department (Contract No. 2014-0165).  
Deb Faulkner, Police Chief
- Acknowledge Report of Contract Award to Tristar Energy of Nashville, TN in the Total Amount of \$0.00 Per Month for a Term of Renewable 60-Day Periods for Rental of Above-Ground Fuel Dispensation Tank Equipment Sited at Franklin Fire Station No. 7 Temporarily Located at the Williamson County Ag Expo Facility, 4215 Long Lane, Franklin, for the Fire Department (COF Contract 2014-0223).  
Rocky Garzarek, Fire Chief
- Consideration of a Professional Services Agreement (COF 2014-0218) with Tetra Tech, Inc. for Escherichia Coli Stream Sampling Assistance for an Amount Not to Exceed \$9,100.  
Paul Holzen, Engineering Director

Alderman Bransford questioned why the amount was \$0.00 for the Tristar Energy item. Eric Stuckey advised there was no cost to the City for this item.

*Approved unanimously.*

**EXECUTIVE SESSION**

**27. Consideration of Motion to Enter Executive Session for the Purpose of Reviewing Various Matters of Pending Litigation**

**Shauna Billingsley, City Attorney**

Executive Session not convened as there were no matters for discussion.

**RETURN FROM EXECUTIVE SESSION**

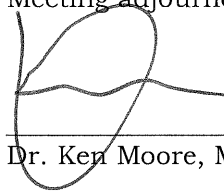
**28. Consideration of Matters from Executive Session**

**Dr. Ken Moore, Mayor**

**ADJOURN**

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

Meeting adjourned @ 7:49 p.m.



Dr. Ken Moore, Mayor