

**MINUTES OF THE REGULAR MEETING  
BOARD OF MAYOR AND ALDERMEN  
FRANKLIN, TENNESSEE  
CITY HALL BOARDROOM  
TUESDAY, MARCH 9, 2010 – 7:00 P.M.**

**Board Members**

Mayor John Schroer	P	Alderman Margaret Martin	P
Alderman Clyde Barnhill	P	Alderman Ken Moore	P
Alderman Pearl Bransford	P	Alderman Ann Petersen	P
Alderman Beverly Burger	P	Alderman Michael Skinner	P
Alderman Dana McLendon	<b>A</b>		

**Department Directors/Staff**

Eric Stuckey, City Administrator	P	Eric Gardner, Engineering Director	P
Vernon Gerth, ACA Community & Economic Development	P	Shirley Harmon, HR Director	P
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	
David Parker, City Engineer/CIP Executive	P	Gary Luffman, BNS Director	
Shauna Billingsley, City Attorney	P	Catherine Powers, Planning/Sustainability Director	P
Rocky Garzarek, Fire Chief		Joe York, Streets Director	P
Jackie Moore, Police Chief	P	Brad Wilson, Facilities Project Manager	P
Fred Banner, MIT Director		Lanaii Benne, Assistant City Recorder	P
Becky Caldwell, Solid Waste Director		Linda Fulwider, Board Recording Secretary	P
Lisa Clayton, Parks Director	P		

**1. Call to Order**

Mayor John Schroer called to order the Regular Meeting of the Board of Mayor and Aldermen of the City of Franklin, Tennessee, on Tuesday, March 9, 2010, 7:04 p.m. in the City Hall Boardroom.

**2. Invocation**

The Invocation was offered 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)

Alderman Skinner announced The Franklin Civil War Round Table will present a lecture by award winning author Peter Cozzens, who will discuss the importance of the Western Theater to the outcome of the Civil War at 3:00 p.m., Sunday, March 14 at the Williamson County Library in Franklin.

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

County officials were not present

**6. Approval of Minutes**

*Alderman Bransford moved to approve the February 23, 2010 Work Session and February 23, 2010 Regular Board meeting minutes as presented. Seconded by Alderman Barnhill. Motion carried unanimously.*

**7. Recognitions by Mayor Schroer**

None

**8. Miscellaneous Reports**

None

**9. CONSENT AGENDA**

All items under the Consent Agenda are deemed to be 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 20-30 be placed on the Consent Agenda.

*Alderman Moore moved to approve the Consent Agenda, Items 20-30. Seconded by Alderman Bransford. Motion carried unanimously.*

**OLD BUSINESS**

**10. PUBLIC HEARING: Consideration of ORDINANCE 2010-01, FY 2009-2010 Budget Amendment – Adjustment of Beginning Balances Based on FY 2009 Audit Report  
[Second of Three Readings] Russ Truell, ACA Finance & Administration**

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

---

*Alderman Petersen moved to approve Ordinance 2010-01 on Second of Three Readings. Seconded by Alderman Barnhill. Motion carried unanimously.*

**11. PUBLIC HEARING: Consideration of ORDINANCE 2010-06, FY 2009-2010 Budget Amendment – Adjustment of Appropriation to Animal Control  
[Second of Three Readings] Russ Truell, ACA Finance & Administration**

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

---

*Alderman Burger moved to approve Ordinance 2010-06 on Second of Three Readings. Seconded by Alderman Skinner. Motion carried unanimously.*

**12. PUBLIC HEARING: Consideration of ORDINANCE 2010-07, FY 2009-2010 Budget Amendment – Transfer of Fleet Maintenance Operations from Solid Waste Fund to General Fund  
[Second of Three Readings] Russ Truell, ACA Finance & Administration**

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

---

*Alderman Moore moved to approve Ordinance 2010-07 on Second of Three Readings. Seconded by Alderman Petersen. Motion carried unanimously.*

**13. PUBLIC HEARING: Consideration of ORDINANCE 2010-08, FY 2009-2010 Budget Amendment – Compost Screener for Streets Department**

**[Second of Three Readings]**

**Russ Truell, ACA Finance & Administration**

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

---

*Alderman Bransford moved to approve Ordinance 2010-08 on Second of Three Readings. Seconded by Alderman Barnhill. Motion carried unanimously.*

**14. PUBLIC HEARING: Consideration of ORDINANCE 2010-09, FY 2009-2010 Budget Amendment – Solid Waste Landfill Fees**

**[Second of Three Readings]**

**Russ Truell, ACA Finance & Administration**

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

---

*Alderman Moore moved to approve Ordinance 2010-09 on Second of Three Readings. Seconded by Alderman Petersen. Motion carried unanimously.*

**15. PUBLIC HEARING: Consideration of ORDINANCE 2010-10, FY 2009-2010 Budget Amendment – Clovercroft Improvements**

**[Second of Three Readings]**

**Russ Truell, ACA Finance & Administration**

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

---

*Alderman Moore moved to approve Ordinance 2010-10 on Second of Three Readings. Seconded by Alderman Petersen.*

Alderman Burger related some of her constituents are concerned because they heard the County had decided to go ahead and install signalization at the intersection of Clovercroft and Oxford Glen after the road is leveled even though the City did not approve the signalization. The citizens want the Ordinance deferred to give them time to speak to the County about the signal and to see if there is a better way to improve the road.

*Alderman Burger moved to defer Ordinance 2010-10 to April 27, 2010. Seconded by Alderman Bransford to allow discussion.*

David Parker related only one-quarter of the grading is being funded by the City. The County Road Commission approved the roadwork and the signalization prior to BOMA electing to do just the roadwork. The City did not approve the signalization and will not fund it. The agreement is for the road improvement without the signal. Eric Stuckey said this Ordinance is the amendment to fund what the City agreed to do. This is the second reading, not the final action.

*Alderman Burger withdrew her motion to defer; Alderman Bransford withdrew her second.*

Mr. Stuckey said staff would look into the matter.

*Motion to approve Ordinance 2010-10 on Second of Three Readings carried unanimously.*

16. **PUBLIC HEARING: Consideration of ORDINANCE 2010-11, FY 2009-2010 Budget Amendment – South Carothers Right-of-Way**  
**[Second of Three Readings]** Russ Truell, ACA Finance & Administration  
With no one coming forth to speak, Mayor Schroer declared the Public Hearing closed
- 

*Alderman Bransford moved to approve Ordinance 2010-11 on Second of Three Readings. Seconded by Alderman Moore. Motion carried unanimously.*

**NEW BUSINESS**

17. **Consideration of Investment Contract with Landmark Partners (for Pension Plan)**  
Russ Truell, ACA Finance and Administration  
Eric Stuckey asked for deferral of this item.

*Alderman Skinner moved to defer consideration of investment contract with Landmark Partners to March 23, 2010. Seconded by Alderman Moore. Motion carried unanimously.*

18. **Consideration of the Professional Services Agreement, COF Contract No. 2010-0021, with Duncan Associates for the 2010 Road Impact Fee Study/Update in the Amount of \$24,800.00 and Fixed-Fee Cost of \$2,000.00 per Person per Day for Additional Meeting Attendance (Funded in Road Impact Fund by Ordinance 2010-16 Budget Amendment)**

David Parker, City Engineer/CIP Executive

*Alderman Moore moved to approve the Agreement with Duncan Associates. Seconded by Alderman Martin. Motion carried unanimously.*

19. **Consideration of Deferral to April 27, 2010 of ORDINANCE 2010-17 (Budget Amendment to Fund Condemnation of Boyd Mill & Carlisle Right-of-Way Purchase) to Coincide with Resolution 2010-15 Authorizing Condemnation**

Russ Truell, ACA Finance and Administration

Mayor Schroer asked for deferral so the Ordinance and Resolution could be heard at the same time.

*Alderman Barnhill moved to defer this item to April 27, 2010. Seconded by Alderman Bransford. Motion carried unanimously.*

**CONSENT AGENDA**

20. **Consideration of ORDINANCE 2010-12, An Ordinance to Amend Title 9, Chapter 4, Relative to the Regulation of Taxicabs in the City of Franklin**  
**[Second and Final Reading]** Shauna Billingsley, City Attorney  
*Ordinance 2010-12 approved unanimously on Second and Final Reading.*

21. **Consideration of ORDINANCE 2010-15, FY 2009-2010 Budget Amendment to Drug Fund to Account for Purchase of Audio Visual Equipment at Police Headquarters; Establishing a Public Hearing on April 13, 2010**  
**[First of Three Readings]** Brad Wilson, Facilities Project Manager  
*Ordinance 2010-15 approved unanimously on First of Three Readings.*

22. **Consideration of ORDINANCE 2010-16, FY 2009-2010 Budget Amendment for Road Impact Study; Establishing a Public Hearing on April 13, 2010**  
**[First of Three Readings]** Russ Truell, ACA Finance and Administration  
*Ordinance 2010-16 approved unanimously on First of Three Readings.*
23. **Consideration of Event Permit Application from Battleground Academy for an Event on April 22, 2010**  
*Approved unanimously* Jackie Moore, Police Chief
24. **Consideration of Event Permit Application from Franklin First United Methodist Church for Franklin's Fiddlin' Fish 5K on May 15, 2010**  
*Approved unanimously* Jackie Moore, Police Chief
25. **Consideration of Event Permit Application from Mellow Mushroom for Downtown Franklin on May 8, 2010 (Quadrant of Square)**  
*Approved unanimously* Jackie Moore, Police Chief
26. **Consideration of Event Permit Application from Heritage Foundation for Heritage Ball on October 2, 2010**  
*Approved unanimously* Lisa Clayton, Parks Director
27. **Consideration of Event Permit Application from Heritage Foundation for Main Street Festival on April 24-25, 2010**  
*Approved unanimously* Jackie Moore, Police Chief
28. **Consideration of Liquor License Retailer's Certificate Renewal for Brinkmann's Wine & Spirits (Timothy and Ann Brinkmann), 103 International Drive, Suite 100, Franklin, Tennessee**  
*Approved unanimously* Mayor John Schroer
29. **Consideration of Amendment to HR Manual, Article XI, Section F, Clarifying Overtime and Compensatory Time**  
*Approved unanimously* Eric Stuckey, City Administrator
30. **Delegated Action Items**
- a) Purchase hardware to be installed by Streets Staff as a safety improvement at Franklin Road and Mack Hatcher Memorial Parkway - \$9,563.00
  - b) Agreement with Crescent Resources, LLC for the Dedication of Right-of-Way and Easements for the McEwen Drive Phase III Project – NO COST
  - c) Agreement with Avalon Squared, LLC for the Dedication of Right-of-Way and Easements for the McEwen Drive Phase III Project – NO COST
  - d) Agreement with Avalon Squared, LLC for the Dedication of Right-of-Way of Cool Springs Boulevard – NO COST
  - e) Agreement with Avalon Squared, LLC for the Dedication of Right-of-Way of Highbury Rise – NO COST
  - f) Agreement with Avalon Squared, LLC for the Dedication of Property for Fire Station 6 – NO COST
  - g) Agreement Between The City of Franklin and the Landrum Family for the Burial and use of Name Recognition in The Park at Harlinsdale Farm – NO COST
- Approved unanimously*

**ADJOURN**

*Alderman Bransford's motion to adjourn approved unanimously.*

Meeting adjourned @ 7:20 p.m.

---

Mayor John C. Schroer

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 3/25/2010 3:45 PM