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| **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 | ***A*** |  |  |  |
| **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 |  |
| Jackie Moore, Police Chief |  |  | Brad Wilson, Facilities Project Manager |  |
| 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 |  |  |  |

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| **1.** | **Call to Order** | |
|  | The *Special* Meetingof the Board of Mayor and Aldermen of the City of Franklin, Tennessee, was called to order by Mayor John Schroer on Tuesday, March 23, 2010, 7:07 p.m. in the City Hall Boardroom. | |
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| **2.** | **Invocation** | |
|  | The Invocation was offered by Alderman Clyde Barnhill | |
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| **3.** | **Pledge of Allegiance** | |
|  | All present stood and pledged allegiance to the Flag of the United States of America | |
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| **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 | |
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| **5.** | **Communications from Williamson County Mayor and Williamson County Commission** | |
|  | County officials were not present | |
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| **6.** | **Approval of Minutes** | |
|  | *Alderman Moore moved to approve the following meeting minutes as presented, March 9, 2010 Work Session, March 9, 2010 Executive Session, and March 9, 2010 Regular BOMA meeting. Seconded by Alderman Barnhill. Motion carried unanimously.* | |
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| **7.** | **Recognitions by Mayor John Schroer** | |
|  | * Meredith Medlin, Distinguished Finalist of “The Prudential Spirit of Community Awards” | |
|  | Mayor Schroer presented Meredith Medlin with the following proclamation:  WHEREAS, the act of volunteering is to give of one’s time, talent and resources for a cause; and  WHEREAS, volunteers look beyond that which is comfortable and are lead by their passion for a cause to do what is right; and  WHEREAS, Franklin is home to an individual who has been recognized for following her passion through her work with “Feed Our Souls” where she leads a group of friends in a volunteer effort to feed the homeless; and  WHEREAS, Meredith Medlin, a senior at Centennial High School has been named as one of our state’s top honorees in The Prudential Spirit of Community Awards program, and exemplifies the value of volunteer community service, and serves as a role model to others in our community; and  WHEREAS, Meredith’s volunteer work also has earned her the President’s Community Service Award for which she received a letter from President Obama and was the subject of a Joint Resolution presented at the Tennessee General Assembly.  NOW THEREFORE, I, John C. Schroer, Mayor of Franklin do hereby recognize and commend Meredith Medlin for her volunteer work in feeding the homeless, for touching lives that are often ignored by providing them with care, compassion and a simple act of kindness. I hereby proclaim March 23, 2010 as Meredith Medlin Prudential Spirit of Community Recognition Day in the City of Franklin and urge all citizens to join me in congratulating and thanking Meredith for her work with the homeless and to also wish her great success in all her future endeavors. | |
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|  | Ms. Medlin thanked Mayor Schroer and said she never expected to receive such awards when she started Feed Our Souls. | |
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| **8.** | **Miscellaneous Reports** | |
|  | None | |
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| **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 **12-37** be placed on the Consent Agenda | |
|  | Alderman Skinner pulled items 26, 30, 34 and 35. Alderman Petersen pulled item 21. | |
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|  | *Alderman Burger moved to approve the Consent Agenda items 12-37, with the exception of items 21, 26, 30, 34 and 35. Seconded by Alderman Bransford. Motion carried unanimously.* | |
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| **OLD BUSINESS** | | |
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| **10.** | **PUBLIC HEARING: Consideration of ORDINANCE 2010-03, An Ordinance to Amend the City of Franklin Zoning Ordinance to Revise Provisions Relating to the Powers, Duties, and Membership of the Franklin Board of Zoning Appeals.** | |
|  | **[Second of Three Readings]** | **Alderman Ann Petersen, FMPC Board Representative** |
|  | With no one coming forward to speak, Mayor Schroer declared the Public Hearing closed | |
|  | *Alderman Petersen moved to approve Ordinance 2010-03 on Second of Three Readings. Seconded by Alderman Bransford. Motion carried unanimously.* | |
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| **NEW BUSINESS** | | |
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| **11.** | **Consideration of Investment Contract with Landmark Partners (for Pension Plan)** | |
|  |  | **Russ Truell, ACA Finance & Administration** |
|  | *Alderman Bransford moved to approve the Investment Contract with Landmark Partners. Seconded by Alderman Moore. Motion carried unanimously.* | |
|  |  | |
|  | Eric Stuckey advised that an amendment to the Pension Plan document would be brought to the April meeting. Talks between SunTrust, the trustee, and our attorneys brought about a clarification in the term “investment manager” and investment. SunTrust asked for a clarification. | |
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| **CONSENT AGENDA** | | |
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| **12.** | **Consideration of ORDINANCE 2010-01, FY 2009-2010 Budget Amendment – Adjustment of Beginning Balances Based on FY 2009 Audit Report** | |
|  | **[Third and Final Reading]** | **Russ Truell, ACA Finance & Administration** |
|  | *Approved unanimously* | |
|  |  | |
| **13.** | **Consideration of ORDINANCE 2010-06, FY 2009-2010 Budget Amendment – Adjustment of Appropriation to Animal Control** | |
|  | **[Third and Final Reading]** | **Russ Truell, ACA Finance & Administration** |
|  | *Approved unanimously* | |
|  |  | |
| **14.** | **Consideration of ORDINANCE 2010-07, FY 2009-2010 Budget Amendment – Transfer of Fleet Maintenance Operations from Solid Waste Fund to General Fund** | |
|  | **[Third and Final Reading]** | **Russ Truell, ACA Finance & Administration** |
|  | *Approved unanimously* | |
|  |  | |
| **15.** | **Consideration of ORDINANCE 2010-08, FY 2009-2010 Budget Amendment – Compost Screener for Street Department** | |
|  |  | **Russ Truell, ACA Finance & Administration** |
|  | *Approved unanimously* | |
|  |  | |
| **16.** | **Consideration of ORDINANCE 2010-09, FY 2009-2010 Budget Amendment – Solid Waste Landfill Fees** | |
|  | **[Third and Final Reading]** | **Russ Truell, ACA Finance & Administration** |
|  | *Approved unanimously* | |
|  |  | |
| **17.** | **Consideration of ORDINANCE 2010-10, FY 2009-1020 Budget Amendment – Clovercroft Improvements** | |
|  | **[Third and Final Reading]** | **Russ Truell, ACA Finance & Administration** |
|  | *Approved unanimously* | |
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| **18.** | **Consideration of ORDINANCE 2010-11, FY 2009-2010 Budget Amendment – South Carothers Right of Way** | |
|  | **[Third and Final Reading]** | **Russ Truell, ACA Finance & Administration** |
|  | *Approved unanimously* | |
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| **19.** | **Consideration of ORDINANCE 2010-18, An Ordinance to be Entitled: “An Ordinance to Amend Various Sections of the City of Franklin Municipal Code, Title 13 – Property Maintenance Regulations, Relating to Codifying of Various Fees and Penalties.”** | |
|  | **[First of Two Readings]** | **Vernon Gerth, ACA Community & Economic Development** |
|  | *Approved unanimously* | |
|  |  | |
| **20.** | **Consideration of ORDINANCE 2010-19, An Ordinance to be Entitled: “An Ordinance Amending the City of Franklin Municipal Code, Title 22 – Comprehensive Fees and Penalties for the Purpose of Codifying the Various Fees and Penalties Found in Title 13.”** | |
|  | **[First of Two Readings]** | **Vernon Gerth, ACA Community & Economic Development** |
|  | *Approved unanimously* | |
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| **21.** | **Consideration of ORDINANCE 2010-21, An Ordinance to be Entitled: “An Ordinance Amending the City of Franklin Municipal Code, Creating Chapter 7 of Title 21 and Hereafter Referred to as The Inclusionary Housing Ordinance for Previously Approved Planned Developments.”** | |
|  | **[First of Two Readings]** | **Alderman Pearl Bransford** |
|  | *Alderman Bransford moved to approve Ordinance 2010-21 on First of Two Readings. Seconded by Alderman Moore.* | |
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|  | Alderman Petersen said she has consistently been against this and would vote against it. | |
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|  | *Motion to approve Ordinance 2010-21 on First of Two Readings was carried 5-2 with Aldermen Barnhill and Petersen voting nay.* | |
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| **22.** | **Consideration of RESOLUTION 2010-16, A Resolution Authorizing Condemnation for the Acquisition of Property for the Construction of Boyd Mill Avenue Improvements** | |
|  | *Approved unanimously* | **David Parker, City Engineer/CIP Executive** |
|  |  | |
| **23.** | **Consideration of RESOLUTION 2010-18 to Reapprove a Concept Plan for Franklin Christian Academy for One Year, on Land Totaling 27.91 Acres, Located at 1720 New Highway 96 West** | |
|  | *Approved unanimously* | **Catherin Powers, Planning & Sustainability Director** |
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| **24.** | **Consideration of RESOLUTION 2010-20, Amendment to Bond Resolution for Recovery Zone Bonds** | |
|  | *Approved unanimously* | **Russ Truell, ACA Finance & Administration** |
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| **25.** | **Consideration of RESOLUTION 2010-21, A Resolution Authorizing the City of Franklin, Tennessee to Borrow Funds and Incur Indebtedness in the Aggregate Principal Amount of Not to Exceed Ten Million Dollars ($10,000,000) Through the Issuance of its General Obligation Bonds** | |
|  | *Approved unanimously* | **Russ Truell, ACA Finance & Administration** |
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| **26.** | **Consideration of Request for Authorization to Use a Septic System for a Six (6) Acre Lot at 4341 Carothers Road in Lieu a Sanitary Sewer System Extension** | |
|  |  | **David Parker, City Engineer/CIP Executive** |
|  | *Alderman Barnhill moved to approve to the request for a septic system at 4341 Carothers Road. Seconded by Alderman Bransford.* | |
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|  | Alderman Skinner had questions about the distance of the current sewer line. David Parker advised when Nichol Bend is finished the sewer line will be within 200 ft. of the property line. | |
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|  | *Motion to approve septic system carried unanimously.* | |
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| **27.** | **Consideration of the Agreement with Carothers Land Company for the Purchase of Rights-of-Way and Easements Necessary for the South Carothers Parkway Extension in the Amount of $146,000.00** | |
|  | *Approved unanimously* | **David Parker, City Engineer/CIP Executive** |
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| **28.** | **Consideration of the Final Change Order with Stansell Electric Co. for the Riverview Street Lighting Project for a Decrease to the Contract Price in the Amount of $21,653.51** | |
|  | *Approved unanimously* | **David Parker, City Engineer/CIP Executive** |
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| **29.** | **Consideration of the Dedication of Sanitary Sewer Pump Station Property Known as Tax Map 64, Parcel 20.01 by Southern Land Company, LLC** | |
|  | *Approved unanimously* | **David Parker, City Engineer/CIP Executive** |
|  |  | |
| **30.** | **Consideration of Contract Number 2009-0076, An Agreement for Ownership and Maintenance of the Pedestrian Tunnels in the Fieldstone Farms Subdivision** | |
|  |  | **David Parker, City Engineer/CIP Executive** |
|  | *Alderman Bransford moved to approve an Agreement for Ownership and Maintenance of the Pedestrian Tunnels in Fieldstone Farms Subdivision. Seconded by Alderman Barnhill.* | |
|  |  | |
|  | Alderman Skinner concerns:   * Bothered because the HOA doesn’t want to fool with it, there is a flaw in design, and the gates have to be manually closed and locked at night and during wet weather. * Would a City employee have to lock the gates every night? * It would be more cost effective to put crosswalks on Hillsboro Road than pay $7,000 a year maintenance * Pumps won’t be able to keep up during a flood event * Liability during a storm if someone is caught in the tunnels | |
|  | David Parker counters:   * Tunnels designed by TDOT consultant and Fieldstone Farms paid * Gates closed at night because lights in tunnel are easy to vandalize. City will install lights more resistant to vandalism and the gates will not be closed at night. * Crosswalks a cheaper physical cost; however, pedestrians crossing multiple lanes of traffic on Hillsboro Road would be a significant safety issue. * Water in the tunnels would occur infrequently and only if a heavy rain and high water table. The gates would be closed in that situation. * The likelihood of a flash flood overcoming pedestrians in the tunnels is rare. | |
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|  | *Motion to approve an Agreement for Ownership and Maintenance of the Pedestrian Tunnels in Fieldstone Farms carried 6-1 with Alderman Skinner voting nay.* | |
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| **31.** | **Consideration of Final Change Order with Garney Companies, Inc. for the Five Mile Creek Interceptor Sewer Project for a DEDUCT of $119,549.60** | |
|  | *Approved unanimously* | **David Parker, City Engineer/CIP Executive** |
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| **32.** | **Consideration of Rejection of all Bids Received for One Trommel Screener for the Maintenance Division of the Streets Department (Purchasing Office Procurement Solicitation No. 2010-022; An Intent-to-Amend the Street Department General Fund Budget for the Current Fiscal Year to Provide Funding for Lease/Purchase of a Compost Screener was Approved by BOMA on December 8, 2009)** | |
|  | *Approved unanimously* | **Joe York, Streets Director** |
|  |  | |
| **33.** | **Acceptance of Inter-Planning Commission Review for Property Located at 3105 Boyd Mill Pike** | |
|  | *Approved unanimously* | **Catherine Powers, Planning & Sustainability Director** |
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| **34.** | **Consideration of the TDOT Proposal for the Widening of Mack Hatcher Parkway from South of SR 96 (Murfreesboro Road) to West of SR 6 (US 31, Franklin Road); Federal Project No. STP-397(7); State Project No. 94092-2223-14; COF Contract No. 2010-0009** | |
|  |  | **David Parker, City Engineer/CIP Executive** |
|  | *Alderman Moore moved to approve TDOT proposal for widening Mack Hatcher. Seconded by Alderman Barnhill.* | |
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|  | Alderman Skinner said the event with a leaky truck causing a portion of I-65 to be shutdown resulted in gridlock on Lewisburg Pike and other alternate routes. He received a number of complaints and comments. He asked the City to urge TDOT to complete the southeast portion of Mack Hatcher before widening I-65. | |
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|  | *Motion to approve TDOT proposal carried unanimously.* | |
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| **35.** | **Consideration of Lease of Fitness Equipment for Police Headquarters** | |
|  |  | **Jackie Moore, Police Chief** |
|  | *Alderman Burger moved to defer this item to April 13, 2010. Seconded by Alderman Barnhill. Motion carried unanimously.* | |
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| **36.** | **Consideration of Month-to-Month Lease Agreement with Battle Ground Brewery, LLC for Office and Parking Space at Old Jail, 118 Bridge Street** | |
|  | *Unanimously approved* | |
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| **37.** | **Delegated Action Items** | |
|  | a) Agreement with Beasley Overbey, Jr. for the Dedication of Easements for the Southeast Water Line Improvements Project in the Amount of $1,300.00 | |
|  | *Unanimously approved* | |
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| **ADJOURN** | | |
|  | *Aldermen Barnhill and Moore moved and seconded to adjourn. Unanimously approved.* | |
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|  | Meeting adjourned @ 7:27 p.m. | |
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|  | \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Mayor John C. Schroer | |
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|  | Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator’s Office - 4/15/2010 9:52 AM | |