

ORDINANCE 2010-34

**TO BE ENTITLED: "AN ORDINANCE TO CREATE TITLE 2, CHAPTER 4 OF
THE CITY OF FRANKLIN MUNICIPAL CODE RELATING TO THE
CREATION OF THE BATTLEFIELD PRESERVATION COMMISSION"**

WHEREAS, the City of Franklin Board of Mayor and Aldermen finds that the public welfare will be served by assuring that further development is consistent with the City's desire to maintain its historic character and integrity; and

WHEREAS, the Board of Mayor and Aldermen finds that a policy of battlefield preservation incorporates the fundamental philosophy that the built environment helps to reflect a community's identity and values; and

WHEREAS, the Board of Mayor and Aldermen encourages property owners, residents, and businesses to recognize the importance of historic structures and landscapes in the development of plans and standards for this community, and in the values expressed in the day-to-day lives of its residents; and

WHEREAS, the City of Franklin desires to continue to be recognized as a dynamic and historically distinctive; and

WHEREAS, there are a number of organizations within the city that desire historic preservation and would benefit from a city-wide collaborative approach;

NOW, THEREFORE,

SECTION I: BE IT ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that Title 2, Chapter 4 of the Franklin Municipal Code is hereby created and approved to read as follows:

TITLE 2

CHAPTER 4. BATTLEFIELD PRESERVATION COMMISSION

- Sec. 2-401. Battlefield Preservation Commission
- Sec. 2-402. Powers and Duties.
- Sec. 2-403. Membership.
- Sec. 2-404. Appointment and Term of Office.
- Sec. 2-405. Officers, Meetings and Rules of Procedure.
- Sec. 2-406. Compensation.
- Sec. 2-407. Staff Support, Committees, and Technical Assistance.

2-401. Battlefield Preservation Commission. The Battlefield Preservation Commission is hereby created to be an advisory body to the Board of Mayor and Aldermen and City Administrator in the identification, preservation, maintenance, and recognition of sites related to Civil War battles, skirmishes, encampments, troop movements, and other war-related sites located within the city limits of Franklin in order to protect and maintain the city's irreplaceable historical wealth for this and future generations.

2-402. Powers and Duties. The commission shall:

- (1) Act as the City's historic and cultural preservation brain trust, work collectively with the entities represented on this Commission to preserve and enhance all of the city's historic sites;

- (2) Make recommendations to the Board of Mayor and Aldermen and City Administrator for programs or actions designed to implement the recommendations contained in the Battlefield Preservation Action Plan;
- (3) Provide a descriptive presentation reporting the activities and goals annually to the Board of Mayor and Aldermen;
- (4) Facilitate forums for promoting Franklin's Civil War heritage and for educating the public about said heritage;
- (5) Assist the Board of Mayor and Aldermen and City Administrator in balancing community priorities and resources by offering advice on preservation issues.

2-403. Membership. The commission shall consist of a maximum of eighteen (18) members, with representation as follows:

One (1) member from each of the following ten (10) entities (or their successors) to be nominated by their respective Board of Directors:

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| • Battle of Franklin Trust | • Save the Franklin Battlefield |
| • Franklin's Charge | • Sons of Confederate Veterans |
| • Franklin on Foot | • Sons of Union Veterans |
| • Heritage Foundation of Franklin and Williamson County | • Tennessee Preservation Trust |
| • Lotz House | • Williamson County Convention and Visitors Bureau |

The remaining eight (8) members shall be as follows:

- One (1) City of Franklin Alderman
- One (1) Battlefield property owner
- One (1) Education liaison
- One (1) Re-enactment community liaison
- Four (4) at-large members

2-404. Appointment and Term of Office. Members of the commission shall be appointed by the Mayor and confirmed by the Board of Mayor and Aldermen. The term of the Alderman shall be co-terminus with their term on the Board of Mayor and Aldermen. The term of the remaining members shall be three (3) years. All members shall be limited to two consecutive full terms and may be reappointed after a three (3) year absence from serving on the commission. Except for the term of the Alderman, the initial terms shall be staggered as follows: five (5) members shall serve for one (1) year, six (6) members shall serve for two years, and six (6) members shall serve for three years. The four at-large members shall have their terms staggered as follows: one (1) shall serve for one (1) year, one (1) shall serve for two (2) years, and two (2) shall serve for three (3) years.

Appointees who fill an unexpired term shall hold office for the remainder of said unexpired term.

2-405. Officers, Meetings and Rules of Procedure. The officers of the commission shall be a chair and vice-chair, elected by majority vote of the commission. The chair shall preside at meetings of the commission and shall have the right to vote. The vice-chair shall, in case of absence or disability of the chair, perform the duties of the chair. Officers shall serve for terms of one (1) year or until their successors are regularly elected and take office. The commission shall hold meetings at such times, as it deems necessary, and shall meet upon the call of the chair. The commission shall meet not less than four (4) times each calendar year. Ten (10) members of the commission shall constitute a quorum. The concurring vote of a majority of members present shall be required for approval or disapproval of any motion or other action of the commission. All meetings shall be open to the public.

2-406. Compensation. Members of the Battlefield Preservation Commission, technical advisors, and citizens at-large shall serve without compensation.

2-407. Staff Support, Committees, and Technical Assistance. The Director of the Planning and Sustainability Department, or his/her designee, shall serve as staff liaison to the Battlefield Preservation Commission.

SECTION II: BE IT FINALLY ORDAINED BY THE BOARD OF MAYOR AND ALDERMEN OF THE CITY OF FRANKLIN, Tennessee, that this Ordinance shall take effect from and after its passage on second and final reading, the public health, safety and welfare requiring it.

ATTEST:

CITY OF FRANKLIN, TENNESSEE

BY: _____
ERIC S. STUCKEY
City Recorder/Administrator

BY: _____
JOHN C. SCHROER
Mayor

PASSED FIRST READING:

May 25, 2010

PASSED SECOND READING:



HISTORIC
FRANKLIN
TENNESSEE

MEMORANDUM

April 30, 2010

TO: City of Franklin Board of Mayor and Alderman

FROM: Eric Stuckey, City Administrator
Vernon Gerth, ACA-Community and Economic Development
Catherine Powers, Planning and Sustainability Director
Erin Reinders, Long-Range Planning Supervisor
Steve Valley, Interim Preservation Planner
Amanda Hall, Historic Preservation Intern

SUBJECT: Ordinance 2010-34 creating the Battlefield Preservation Commission

Purpose

The purpose of this memorandum is to provide information to the Board of Mayor and Aldermen (BOMA) to consider an ordinance to create a Battlefield Preservation Commission.

Background

The Battlefield Task Force was originally appointed as a steering committee charged with implementing the City's Battlefield Preservation Action Plan. The Task Force, which consists of representatives from the preservation and heritage-minded entities of our community, has carried out many of the items on the priority list and should continue to recommend programs or actions designed to execute the Plan. The role of the Task Force has expanded, however, to include the responsibility of serving as the City's historic and cultural preservation brain trust, working to preserve and enhance all of the City's historic sites. The Task Force has functioned as an advisory committee for City projects such as the Wayfinding Signage Implementation Program and the 2009 Tomb of the Unknown Soldier ceremony. The committee also coordinates and implements the City's annual Battle of Franklin Commemorative Illumination event. The Task Force anticipates additional roles moving forward, including advisement of the comprehensive interpretation related to public Battle of Franklin sites. All of these duties promote the realization of the intent of the Battlefield Preservation Action Plan.

In drafting this ordinance, the Department of Planning and Sustainability researched the scope and format of similar historic preservation and battle-related commissions throughout the United States. Throughout the 3-month process of establishing this proposed ordinance, input has been provided by City staff and the current Battlefield Task Force membership. These comments have been considered and implemented into the final version presented here.

Financial Impact

There are no additional financial implications expected at this time.

Recommendation

The Battlefield Task Force and City staff recommend approval of the proposed ordinance formally establishing and recognizing the Battlefield Preservation Commission.