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**MINUTES OF THE REGULAR MEETING  
BOARD OF MAYOR AND ALDERMEN  
FRANKLIN, TENNESSEE  
CITY HALL BOARDROOM  
TUESDAY, MAY 11, 2010 – 7:00 P.M.**

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**Board Members**

Mayor John Schroer	P	Alderman Dana McLendon	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 Margaret Martin	P		

**Department Directors/Staff**

Eric Stuckey, City Administrator	P	Eric Gardner, Engineering Director	P
Vernon Gerth, ACA Community & Economic Dev.	P	Shirley Harmon, HR Director	
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	P
David Parker, City Engineer/CIP Executive	P	Gary Luffman, BNS Director	
Shauna Billingsley, City Attorney	P	Catherine Powers, Planning/Sustainability Dir	P
Rocky Garzarek, Fire Chief		Joe York, Streets Director	P
Jackie Moore, Police Chief	P	Brad Wilson, Facilities Project Manager	
Fred Banner, MIT Director	P	Lanaii Benne, Assistant City Recorder	P
Becky Caldwell, Solid Waste Director	P	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, May 11, 2010, 7:00 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)
- None

5. **Communications from Williamson County Mayor and Williamson County Commission**  
County officials were not present

6. **Approval of Minutes**

*Alderman Petersen moved to defer approval of the April 27, 2010 Work Session, and April 27, 2010 Special Meeting minutes to May 25, 2010. Seconded by Alderman Bransford. Motion carried unanimously.*

7. **Recognitions by Mayor Schroer**

- National Public Service Week - May 3-May 9, 2010

Mayor Schroer presented the Proclamation to Eric Stuckey, City Administrator

- National Building Safety Awareness Week

Proclamation presented to Gary Luffman, Building & Neighborhood Services Director

- National Public Works Recognition Week

Mayor Schroer recognized public works department directors, especially in light of the flood as well as all the men and women from those departments working on the streets during and after the flood. He added that he had not heard anything negative during his visits to 100 homes or at a meeting held last night. He said he was pleased to be Mayor of a City that responds as Franklin has. He noted all city responders are well trained in their jobs. There were no lives lost nor were there any injuries: Not even when firefighters were in waist deep water fighting a fire. Mayor Schroer thanked the cities of Knoxville and Sevierville for the aid and use of equipment.

Alderman Burger related the head of the FEMA team said the City was well prepared and that City officials should be proud of the community and the people who work for the community.

Eric Stuckey praised the employee team and the many folks who responded to community needs. He stated that he is proud of them.

8. **Miscellaneous Reports**

- Police Headquarters Building

Mr. Stuckey noted the grand opening of the new building on Saturday, May 15 at 9:00 a.m. would end at noon to allow time for City staff and citizens to report to Pinkerton Park at 1:00 p.m. for a community cleanup of this area severely impacted by the flood. People are asked to bring donations of new or gently used linens to the opening. The donations will be given to flood victims.

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- Mayor Schroer asked for a motion to add four flood-related items to the agenda, items 31, 32, 33, 34.

*Alderman McLendon moved to add items 31, 32, 33, and 34 to the agenda. Seconded by Alderman Bransford. Motion carried unanimously.*

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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 13-30 be placed on the Consent Agenda.

Alderman Skinner pulled item 15.

*Alderman Moore moved to approve the Consent Agenda, items 13-30, with the exclusion of item 15. Seconded by Alderman Barnhill. Motion carried unanimously.*

### NEW BUSINESS

10. **Consideration of Status of The City of Franklin's Declaration of Water Shortage Emergency Status 2**

**Eric Stuckey, City Administrator**

Refer to Items 31-34.

11. **Consideration of the Proposed Lease for Fitness Equipment for Police Headquarters**

**Jackie Moore, Police Chief**

*Alderman Petersen moved to defer this item to June 22, 2010. Seconded by Alderman Skinner. Motion carried unanimously.*

12. **Consideration of Mayor's Reappointment of Owen Reese as Franklin Representative to the County Board of Equalization for a Two Year Term**

**Mayor John Schroer**

*Alderman Burger moved to approve the appointment. Seconded by Alderman Barnhill. Motion carried unanimously.*

### CONSENT AGENDA

13. **Consideration of ORDINANCE 2010-23, An Ordinance to Amend Title 12, Chapter 4 of The Franklin Municipal Code to Adopt the International Fuel Gas Code, 2009 Edition**

**[First of Two Readings]**

**Gary Luffman, Building & Neighborhood Services Director**

**Allen Lewis, Building Official**

*Ordinance 2010-23 approved unanimously on First of Two Readings*

14. **Consideration of ORDINANCE 2010-24, An Ordinance to Amend Title 12, Chapter 1 of The Franklin Municipal Code to Adopt The International Building Code, 2009 Edition**

**[First of Two Readings]**

**Gary Luffman, Building & Neighborhood Services Director**

**Allen Lewis, Building Official**

*Ordinance 2010-24 approved unanimously on First of Two Readings.*



21. **Consideration of ORDINANCE 2010-32, An Ordinance to Amend Title 7, Chapter 5 of The Franklin Municipal Code to Adopt The NFPA 101 Life Safety Code, 2009 Edition**  
**[First of Two Readings]** Rocky Garzarek, Fire Chief  
Andy King, Fire Marshall  
Gary Luffman, Building & Neighborhood Services Director  
*Ordinance 2010-32 approved unanimously on First of Two Readings*
22. **Consideration of RESOLUTION 2010-29, A Resolution Declaring the Intent of The City of Franklin to Act as a Governmental Pass-Through Entity for Certain Land Acquisition Projects as Requested by The Civil War Preservation Trust**  
*Approved unanimously* Shauna Billingsley, City Attorney
23. **Consideration of Tax Compliance Policies and Procedures for Direct Payment Build America Bonds**  
*Approved unanimously* Russ Truell, ACA Finance & Administration
24. **Consideration of Contract #2010-0045 with Infor/Hansen for Purchase of Utility Billing/Cashiering Software**  
*Approved unanimously* Russ Truell, ACA Finance & Administration
25. **Consideration of Mallory Valley Assignment of Easement**  
*Approved unanimously* David Parker, City Engineer/CIP Executive
26. **Consideration of Bid Award to Temple, Inc. of Decatur, AL in the Total Amount of \$58,801.00 for Supply and Delivery of Internally Illuminated Street Name Signs for Five (5) Specified Intersections for the Traffic Division of The Streets Department (Purchasing Office Procurement Solicitation No. 2010-029, \$80,000.00 Budgeted in 110-89470-43110 for Fiscal Year 2010)**  
*Approved unanimously* Joe York, Streets Director
27. **Consideration of Bid Award to Vermeer Heartland-Tennessee of Murfreesboro, TN in the Amount of \$112,550.00 for Supply and Delivery of One (1) Trommel Compost Screener with "Overs" Conveyor for the Maintenance Division of The Streets Department (Purchasing Office Procurement Solicitation No. 2010-034; An Intent-to-Amend The Streets 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) (Option 1, Lease Payments)**  
*Approved unanimously* Joe York, Streets Director
28. **Consideration of the First Amendment to The Middle Tennessee Electric Membership Corporation (MTEMC) Agreement – O.B.102-N, Attachment No. 1 (COF Contract No. 2009-0047) for the McEwen Drive, Phase III Improvements for an Increase in Cost of \$33,861 for the Relocation of Electric Lines**

*Approved unanimously*

**David Parker, City Engineer/CIP Executive**

29. **Consideration of COF Contract No. 2010-0047 with Mallory Valley Utility District for the Highgate Subdivision Road Resurfacing Project**

*Approved unanimously*

**David Parker, City Engineer/CIP Executive**

30. **Delegated Action Items**

- a) 112 & 118 Bridge Street-Asbestos and Lead Based Paint Inspection Services Contract and Payment

*Approved unanimously*

31. **RESOLUTION 2010-31: A Resolution Authorizing Free Building Permits for Structures Damaged by the May 2010 Flood**

*Alderman Bransford moved to approve Resolution 2010-31. Seconded by Alderman Skinner. Motion carried unanimously 7-0 (Alderman Martin was out of the room).*

32. **RESOLUTION 2010-32: A Resolution Terminating the Water Shortage Emergency Status 2 Related to the May 2010 Flood**

*Alderman Skinner moved to approve Resolution 2010-32. Seconded by Alderman Burger. Motion carried unanimously. (Alderman Martin was again present)*

33. **RESOLUTION 2010-33: A Resolution Authorizing the City Administrator to Use Discretion Regarding the Implementation of The Franklin Municipal Code as it Pertains to City Utility Customers Impacted by the May 2010 Flood**

*Alderman Bransford moved to approve Resolution 2010-33. Seconded by Alderman Moore. Motion carried unanimously.*

34. **RESOLUTION 2010-34: A Resolution Adopting a Plan of Action Regarding Residential Displacements for the Extension of State Route 397, Mack Hatcher Parkway, Impacted by the May 2010 Flood**

*Alderman McLendon moved to approve Resolution 2010-34. Seconded by Alderman Petersen. Motion carried unanimously.*

## **ADJOURN**

*Alderman Bransford moved to adjourn and motion carried unanimously.*

Meeting adjourned @ 7:24 p.m.

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Mayor John C. Schroer

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 6/8/2010 4:12 PM