

**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, SEPTEMBER 14, 2010 – 7:00 P.M.**

Board Members

Mayor John Schroer	P	Alderman Dana McLendon	A
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	
David Parker, City Engineer/CIP Executive	P	Gary Luffman, BNS Director	P
Shauna Billingsley, City Attorney	P	Catherine Powers, Planning/Sustainability Dir	P
Rocky Garzarek, Fire Chief		Joe York, Streets Director	P
Jackie Moore, Police Chief		Brad Wilson, Facilities Project Manager	
Fred Banner, MIT Director	P	Lanaii Benne, Assistant City Recorder	P
Becky Caldwell, Solid Waste Director		Linda Fulwider, Board Recording Secretary	P
Lisa Clayton, Parks Director			

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, September 14, 2010, 7:06 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 Moore moved to approve the minutes of the following meetings: August 10, 2010 Work Session, August 10, 2010 Executive Session, August 10, 2010 Board of Mayor and Aldermen, August 24, 2010 Work Session and August 24, 2010 Board of Mayor and Aldermen. Seconded by Alderman Bransford. Motion carried unanimously.

7. Recognitions by Mayor Schroer

- Fire Prevention Month – October
Proclamation stating such presented by the Mayor

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 15-25 be placed on the Consent Agenda.

Alderman Petersen requested item 21 be pulled.

Alderman Moore moved to approve the Consent Agenda Items 15-25 minus Item 21. Seconded by Alderman Bransford. Motion carried unanimously.

NEW BUSINESS

10. Consideration of RESOLUTION 2010-68, a Resolution Authorizing the Issuance of General Obligation Refunding Bonds, in an Aggregate Principal Amount of Not to Exceed Seventeen Million Seven Hundred Twenty-Five Thousand Dollars (\$17,725,000) of The City of Franklin, Tennessee, to Refund a Portion of its Outstanding General Obligation Public Improvement Bonds

Russ Truell, ACA Finance & Administration

Alderman Barnhill moved to approve Resolution 2010-68. Seconded by Alderman Bransford.

Alderman Moore moved to amend the motion to read approval contingent on review by Bond Counsel, Legal Counsel, Chief Financial Officer and City Administrator. Seconded by Alderman Skinner.

Motion to Amend carried unanimously. Main Motion as Amended carried unanimously.

11. Consideration of Subscription Agreement with Bailard REIT, Inc. for Management of Certain Assets of Franklin Pension Plan

Russ Truell, ACA Finance & Administration

Ordinance 2010-46 approved unanimously on Second and Final Reading

16. **Consideration of ORDINANCE 2010-49, an Ordinance to Amend Sections 3.3.4 [Table 3-8] and 5.3.4 of The Franklin Zoning Ordinance, which Establish the Site Development Standards for Residential Detached Units in Traditional Areas and Requirements for the Use of Transitional Features**
[Third and Final Reading] Alderman Ann Petersen, FMPC Board Representative
Ordinance 2010-49 approved unanimously on Third and Final Reading
17. **Consideration of ORDINANCE 2010-56, an Ordinance to Amend Various Sections of The City of Franklin Municipal Code, Title 16 – Streets and Sidewalks, etc. Relating to the Codifying of Various Fees and Penalties**
[Second and Final Reading] Vernon Gerth, ACA Community & Economic Development
Ordinance 2010-56 approved unanimously on Second and Final Reading
18. **Consideration of ORDINANCE 2010-57, an Ordinance Amending The City of Franklin Municipal Code, Modifying Title 22 – Comprehensive Fees and Penalties for the Purpose of Codifying the Fees and Penalties Found in Title 16**
[Second and Final Reading] Vernon Gerth, ACA Community & Economic Development
Ordinance 2010-57 approved unanimously on Second and Final Reading
19. **Consideration of ORDINANCE 2010-58, an Ordinance to Amend Various Sections of The City of Franklin Municipal Code, Title 17, Refuse and Trash Disposal Relating to the Codifying of Various Fees and Penalties**
[First of Two Readings] Vernon Gerth, ACA Community & Economic Development
Ordinance 2010-58 approved unanimously on First of Two Readings
20. **Consideration of ORDINANCE 2010-59, an Ordinance Amending The City of Franklin Municipal Code, Title 22 – Comprehensive Fees and Penalties for the Purpose of Codifying the Fees and Penalties Found in Title 17**
[First of Two Readings] Vernon Gerth, ACA Community & Economic Development
Ordinance 2010-59 approved unanimously on First of Two Readings
21. **Consideration of ORDINANCE 2010-60, an Ordinance to Amend Title 18, Chapter 2, Section 18-204(5) of The Franklin Municipal Code to Revise the Requirements for Connection to the Public Sanitary Sewer System**
[Second and Final Reading] Vernon Gerth, ACA Community & Economic Development
Alderman Burger moved to approve Ordinance 2010-60 on Second and Final Reading. Seconded by Alderman Barnhill.

Alderman Petersen noted changes require a \$35 pump fee for the Septic System Certification Program. Eric Stuckey added the fee applies to the initial inspection pump and tank inspection and thereafter at the time of the pump and inspection on a 5-year cycle.

Motion to approve Ordinance 2010-60 on Second and Final Reading carried unanimously.

22. **Consideration of Interlocal Agreement and Amendment with Williamson County Government for the Transfer of Received Funds from the Justice Assistance Grant Program (JAG) in the Amount of \$5,336.00 to Williamson County Government (COF 2010-0113)**
Approved unanimously Jackie Moore, Police Chief
23. **Consideration of Program Year 2010-11 Emergency Shelter Grant Sub-Recipient Agreements for Bridges of Williamson County and My Friends House (Contract #2010-0114 & #2010-0115)**
Approved unanimously Vernon Gerth, ACA Community & Economic Development
24. **Consideration of COF Contract 2010-0137, a Grant Agreement from National Park Service for Battlefield Acquisition – Holt Tract**
Approved unanimously Shauna Billingsley, City Attorney
25. **Items Approved by the City Administrator on Behalf of the Board of Mayor and Aldermen**
- a) Professional Service Agreement between the City of Franklin and RPM Transportation Consultants, LLC for Development of a Project Manual and Project Coordination not to Exceed \$3,000 (COF Contract No. 2010-0139)
 - b) Agreement of Sale for the Mack Hatcher Parkway project, the purchase of Tract 28, 919 Victoria Drive
 - c) Agreement of Sale for the Mack Hatcher Parkway project, the purchase of Tract 19, 921 Rebel Circle
 - d) Agreement of Sale for the Mack Hatcher Parkway project, the purchase of Tract 25, 920 Rebel Circle
 - e) Agreement of Sale for the Mack Hatcher Parkway project, the purchase of Tract 21, 925 Rebel Circle
 - f) Agreement of Sale for the Mack Hatcher Parkway project, the purchase of Tract 13, 917 Rebel Circle
 - g) Consideration of COF Contract No. 2010-0093, a Professional Services Agreement with Quirk Designs for the Design of the Architectural Plans for the Southeast Corridor Water Booster Station for a Lump Sum Fee of \$1,000.00
 - h) Additional work requested by the COF Police Headquarters for assistance with the installation and construction of bulk shelving material purchased by the COF Police Headquarters for the records office, quarter master area, evidence and criminal investigation division \$2,100.00
 - i) Additional work requested by the COF Police Headquarters for installation of a K-9 bathing station that was originally removed from the budget during value engineering to keep the project under budget \$3,847.00
 - j) Additional work requested by the City of Franklin Facilities and Project Department for civil engineering review and design comparison drawings related to the City of Franklin Police Headquarters regarding as built drawings and finish conditions. Not to Exceed \$2,500.00 total was \$2,200.00

- k) Equipment requested by the City of Franklin Police Department to be installed into the new facility for the safety of staff and visitors for a possible response to a health or cardiac problem with funds derived from the project contingency \$5,085.00
- l) Installation of panic alarm equipment requested by the City of Franklin Police Department and installed into the new facility for the safety of staff \$13,844.36
- m) Installation of wireless handheld microphone equipment, hand held microphone and wireless lapel microphone requested by the City of Franklin Police Department and installed into the new facilities community meeting room \$8,200.37
- n) Installation of hardware and software to allow communication between the multiple processing sliding doors located within the secure area and processing area of the Police Headquarters \$4,500.00
- o) Estoppel Certificate Agreement for Conference Center/Marriott
- p) Event Permit Application for Hope on Wheels Bike Ride on September 11, 2010

Approved unanimously

EXECUTIVE SESSION

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

Shauna Billingsley, City Attorney

Alderman Barnhill moved to enter Executive Session. Motion carried unanimously.

Entered Executive Session @ 7:17 p.m.

RETURN FROM EXECUTIVE SESSION

Consideration of Matters from Executive Session

Mayor John Schroer

Alderman Barnhill moved that the City of Franklin settle with CHHM Properties for an amount of \$78,716 for the property taken at Seventh Avenue and Columbia Avenue as a part of the Columbia Avenue Corridors and Connectors (Streetscape) improvement project. Alderman More seconded the motion. Motion carried 7-0

ADJOURN

Alderman Barnhill moved to adjourn. Motion carried unanimously.

Meeting adjourned @ 8:22 p.m.

Mayor John C. Schroer

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 9/29/2010 4:20 PM