

**MINUTES OF THE REGULAR MEETING  
BOARD OF MAYOR AND ALDERMEN  
FRANKLIN, TENNESSEE  
CITY HALL BOARDROOM  
TUESDAY, AUGUST 10, 2010 – 7:00 P.M.**

**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	
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	P
Shauna Billingsley, City Attorney	P	Catherine Powers, Planning/Sustainability Dir	P
Rocky Garzarek, Fire Chief		Joe York, Streets Director	P
David Rahinsky, Assistant Police Chief	P	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		

**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, August 10, 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 Moore moved to approve the July 21, 2010 Pension Work Session, July 27, 2010 Work Session, and July 27, 2010 BOMA meeting minutes as presented. Seconded by Alderman Burger. Motion carried unanimously.*

**7. Recognitions by Mayor Schroer**

- Certificate for Excellence in Financial Reporting from the Government Finance Officers Association (GFOA)

Eric Stuckey announced the Finance Department earned this top award for the 19<sup>th</sup> year in a row.

**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 16-26 be placed on the Consent Agenda.

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*Alderman Moore moved to approve the Consent Agenda Items 16-26. Seconded by Alderman Bransford. Motion carried unanimously.*

**OLD BUSINESS**

- 10. PUBLIC HEARING: Consideration of RESOLUTION 2010-53, a Resolution Approving a Concept Plan for the Franklin Housing Authority (Granbury and Strahl Street Development) PUD Subdivision, 114 Dwelling Units and ±3,700 Square Feet of Nonresidential Space on 8.84 Acres, Located North of Granbury Street, at 145 Strahl Street and 1236 Columbia Avenue, by the City of Franklin, Tennessee**

**Alderman Ann Petersen, FMPC Representative**

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

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*Alderman Moore moved to approve Resolution 2010-53. Seconded by Alderman Bransford. Motion carried unanimously.*

- 11. PUBLIC HEARING: Consideration of RESOLUTION 2010-54, a Resolution Approving a Concept Plan for Through The Green PUD Subdivision (Shadow Green), 264 Dwelling Units and ±125,178 Square Feet of Nonresidential Space on 43.08 Acres, Located Along Columbia Avenue at Shadow Green Drive, by the City of Franklin, Tennessee**

**Alderman Ann Petersen, FMPC Representative**

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

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*Alderman Bransford moved to approve Resolution 2010-53. Seconded by Alderman Moore.*

Alderman Burger said this area should not be residential and she would vote against the resolution. Alderman Martin thought the development appropriate for residential and would vote in favor. Alderman Bransford was in favor of the workforce housing and supported the 7 deed restricted units. She had no problem with voucher rentals.

Vernon Gerth advised the Affordable and Workforce Housing Task Force recognizes the development is adjacent to an industrial area, but feel it is an opportunity for families to transition from public housing to being homeowners. HUD vouchers for rent offset of rental units are administered through the Franklin Housing Authority through a separate agreement; not a condition.

Alderman Skinner expressed concern on increased density with no traffic improvements in the area. Columbia Avenue already has traffic problems. He believes living there would be a quality of life issue making the residents second-class citizens. It would be saying it is okay for them to put up with the noise and environmental issues.

Alderman McLendon stated no one would be locating there involuntarily. It would be by choice. The quarry, solid waste, and firing range were there first. He said the Board does not exist to protect people from themselves. The bigger issue is affordable housing. If there is to be a solution to affordable housing, muster the political will to solve the problem. All this for seven units out of 300 is lip service, in his opinion. If workforce housing is to be provided, come up with 200 units at a price people can afford. Do not do it by committee with vouchers.

Alderman Moore agreed it is not an optimal location, but it does offer opportunities by creating a walkable neighborhood in which to shop and stimulate the economy. He would like to see a lot more affordable units and hopes for better connectivity with development and shopping. Alderman Bransford added that the people who choose to move there would know all the concerns through a disclosure process.

*Motion to approve Resolution 2010-54 carried 6-2 with Aldermen Skinner and Burger voting no.*

12. **PUBLIC HEARING: Consideration of ORDINANCE 2010-55, an Ordinance to be Entitled, "An Ordinance to Rezone 22.7 Acres from Low Residential (R-1) to Civic and Institutional (CI) for Property Located Along Clovercroft Road and West of Bayhill Circle"**

**[Second of Three Readings] Alderman Ann Petersen, FMPC Representative**

Prior to the Public Hearing Eric Stuckey noted staff is working with school officials regarding the conditions placed, and on defining the partnership agreement. Funds from Williamson County Schools will take care of traffic signalization at Wilson Pike & McEwen Drive and Wilson Pike & Clovercroft Road once TDOT gives approval. It is doable to have those signals in place prior to the 2011 opening of the school. A number of other improvements to increase stacking capacity, provide turn lanes, expand Wilson to Clovercroft, and enhance the school entrance area will take place. Williamson County Schools identified Breezeway entrance improvements as an important part of the

project budget that they will incorporate. There is significant monetary commitment to improve the area with the schools and for the surrounding area as the City continues to grow. Mr. Stuckey thanked WCS for working with the City.

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## Public Hearing

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- <sup>1</sup> Nicole Heur, 1127 Waverly Place, said she represented 412 other Trinity parents submitting a petition to BOMA to vote yes for rezoning. Trinity was originally designed for 600 students and with an additional wing of classrooms plus six portables it is over-crowded with a projected 960 students this year. That is 1½ times the capacity of the general common areas that include cafeteria, gym, library, music, computer, nursing, and art. This over-crowding affects quality of education as well as the health and safety of the children.
- <sup>2</sup> Jonathan Campbell, 1403 Flemings Court, McKay's Mill, also represented the 412 Trinity parents. He mentioned the draw to Williamson County and Franklin was the quality of education. Five years in a row Trinity has been over capacity and this affects classrooms and common areas; 960 students in 43 classrooms. Requested BOMA vote yes to rezoning. Mr. Campbell submitted information on overcrowding in other Williamson County schools.
- <sup>3</sup> Anthony Laura, 9205 Cline Court, spoke of the railroad at McEwen and the choke points of one-lane traffic. He mentioned impatient drivers who may make driving mistakes that could be detrimental to the safety of the children. Fix the roads before building the school. He related a 2004 traffic study for Breezeway revealed road improvements were needed, especially at choke points, and it was ignored. Protect the children.
- <sup>4</sup> John Scott, 9341 Clovercroft Road, submitted a petition to reject rezoning, and indicated there were seven people to speak against rezoning. Mr. Scott read a prepared statement indicating he is disenchanted with the way things have taken place. There are many things wrong with the school site and the whole process from the safety and traffic issues to a quote from an alderman stating, "No other proposal would have gotten this far", in reference to this zoning request. The infrastructure questions have not been answered. He considers the tactics used to ram this down BOMA's throats blackmail. The statute his neighbor read last time is clear, this site should not be rezoned, as it does not meet the criteria for rezoning set by the City. He will continue to fight the site through all legal means and make his vote count in coming years to assure this type behavior is not reelected. The 2010 Student Fact Book states Trinity is 84 over capacity; however, four schools in the surrounding area are under capacity. Instead of spending millions in this economy, bus students to these locations.
- <sup>5</sup> Laurian Scott, 9341 Clovercroft Road, said due diligence was not done by the school system. Numerous times the traffic hazards in this area were brought to the attention of the Board and ignored. They did not procure a safe and valid site that compliments the City and County's current infrastructure. She said the brash and egotistical behavior displayed by the Williamson County School Board constitutes a serious nature of fraud, collusion, and overall reckless abandon for taxpayer dollars. Safety - infrastructure first. Those in favor of rezoning only want a new school. Trinity complaints are due to poor planning (lunch hour complaints). She hopes there are no accidents or fatalities due to lack of due diligence.

- <sup>6</sup> Kate Gallagher, 521 Federal Street, Breezeway, spoke of education in a safe environment, while protecting the rights of the surrounding neighborhood. The proposed site does not meet those criteria. They felt safe that their subdivision was platted residential. If the rezoning to Civic Institutional is passed, what precedent is set for future development in Franklin? Why would a prospective resident take a chance on purchasing property in a new residential development when there are no assurances that their development will remain zoned residential? What message would BOMA send to companies who are considering relocating their business and employees to Franklin if their employees don't have the assurance of the City's zoning ordinance protecting their investment in a home? Will Franklin be on next year's list of ideal places to live? She stated the Breezeway neighborhood would no longer be the peaceful, rural residential area they expected. Traffic will be snarled and emergency vehicle response time will be compromised due to inadequate infrastructure.
- <sup>7</sup> Amber Zielinski, 9018 Chardonnay Trace, said the FMPC recommended no to rezoning, City staff recommended waiting on more development before building more roads, the city engineer recommended waiting until roads are improved, and the fire department had concerns about traveling McEwen. She submitted pictures of broken fences, propped up City signs, and battered mailboxes. There will be an overlap of traffic during high commute times. The driveway in front of the school is too small and the larger driveway behind goes through Breezeway. That is unacceptable.
- <sup>8</sup> Jessie S. Myhre, 1123 Hudson Lane, McKay's Mill, said she is with the 412 from Trinity. There is but one nurse at Trinity. The nurse attends to the specialized medical needs of students during mid-day hours such as providing them with insulin shots prior to their lunch periods. That means the nurse is generally unavailable from 10:30 a.m. until 1:30 p.m. Sick children must then be cared for by office staff in the reception area. Ms. Myhre understands teachers avoid sending students to the clinic during this time. Parents are disturbed that their healthy children must remain in the classroom with children who are not feeling well and exposing their children as well as teachers to a wide variety of illnesses. As a nurse, she is concerned about the risk of one nurse administering the insulin to so many students. It is a potentially lethal drug. Vote yes to rezone.
- <sup>9</sup> Maureen Menko, 1401 Harve Court, has two children at Trinity and is one of the 412. Last year there was a medical emergency at Trinity late in the day. With parents in double stacked lines to pick up children in a single-entry driveway, EMS had to drive through the lawn to get to the school. Double stacking is a threat to safety with children walking between cars. If the safety officer is absent, chaos ensues. There are overcrowded hallways, six portables with no electronic lockdown and the septic system is at capacity. Please vote yes to rezoning.
- <sup>10</sup> Chad Handshy, 2003 Brewster Drive, McKay's Mill, representing the 412 submitted a statement with the reasons to vote yes to rezone. A Yes vote: keeps the City in control-code, and aesthetic requirements can be enforced with proper rezoning. Encourages cooperation to minimize spending-all levels of government must plan together to manage the areas growth. Puts a priority on education-families are attracted to Franklin & Williamson County because of the excellent school system, not because we have nice roads. Maintains property values-our excellent school reputation is at risk and that directly affects property values, which in turn affects property tax income. Solves traffic problems-a school zone with traffic light along Clovercroft will discourage through traffic

from outside the County. Improves traffic safety-use the \$1 million joint WCS/COF adequate utility fund to install traffic lights along Wilson Pike. Earns income-significant impact fees can be collected. Gains a customer-a school buys city utility service during off-peak hours, paying for the use of existing infrastructure. Adds leverage-the presence of a school will add urgency to the State's project to redesign Wilson Pike and its tunnels.

- <sup>11</sup> Chris Solimine, 3018 Westerly Drive, spoke about the need for a new school and the fact the property has been purchased and paid for with taxpayer money. He said this is a classic example of difference entities in a community not communicating with each other. He was glad to hear Mr. Stuckey's remarks that communication is taking place and the project could be moving forward. There is culpability on both sides. The ordinance requiring zoning approval passed two years ago. The School Board knew about it and chose to either ignore it or disregard it. Recently, in the newspaper he read the School Board is going through the process as a courtesy. The County approved and appropriated funds without City involvement. It's time to move forward and deal with what we have. He does not want a legal battle. He is counting on the City to vote yes and then enforce the rules to make the new site safe.
- <sup>12</sup> Kerry Schrader, 9072 Chardonay Trace. She supports the Trinity families but not at the cost of jeopardizing other families or children's safety. Make a fact-based decision, not an emotional one. There is no infrastructure, and there is a safety issue for the children and anyone else in that area. There is no plan to address the entire issue, just patches. If they could turn back the clock, would they have made an honest data analysis and a fact-based decision? She talked with Chardonay and Breezeway residents and they are perhaps willing to buy back the school land.
- <sup>13</sup> Richard Laura, Chardonay community adjacent to entranceway of proposed school, said he is totally against "this rush job of a school." The roadways surrounding this site can in no way handle the traffic congestion. He is amazed at how anyone with common sense could vote to build a school on the proposed site prior to expansion of the roadways. He understands the over-crowding of schools must be addressed, but not at this site. The education of the children is important but at what expense. He listed the problems traffic encounters on McEwen during peak morning hours, and the blind spot on Clovercroft Road at the crest of the hill where the school entranceway is proposed with children crossing the road to school. A single police officer and a crosswalk will not alleviate that problem. He also mentioned the inability of emergency vehicles to get to homes or accidents in the area fast enough in life-threatening situations.
- <sup>14</sup> Kathy Walsh, 111 Bayhill Circle, Breezeway, said her home lies directly on the school boundaries located on the south side and the southeast portion of the proposed school property. What does it take to keep the back access drive closed, graveled only, and accessible only to emergency vehicles? The reason for not paving is to ensure it would not be opened to car traffic in the future. What about the detention pond and water issues caused by the runoff from above and below the ground from County property to the Breezeway property that is in the City limits of Franklin? A comment made earlier was if the detention pond on school ground were not adequate, it would flow into the Bayhill addition. How is it going to get there? Is it going to go overland and flood her yard as always or will it go underground and flood her foundation? How does overflow get from the up pond to the lower pond and what affect will this have on current water flow? There are 147 parking spaces designated for school use; where are parents and other family members going to park during special events? She believes they will park at Chardonay and cross the street, park at Breezeway, and along Clovercroft

Road because that is the closest point. Please consider this and vote no.

- 15 Brian Seeliger, 9395 Clovercroft Road, submitted pictures of the roads in the area and said there have been traffic issues there for years. He is against the school being located there because of child safety issues. There are serious traffic problems. Turn lanes and sidewalks needed, but once away from the school the traffic goes back into a funnel with no shoulders and emergency vehicles unable to get through. The School Board purchased the land without due diligence. The FMPC said in 2004 that McEwen should be built out from Oxford Glen to Wilson Pike before the first phase of Breezeway was completed. Find the right location.
- 16 Lona Heins, 1200 Firth Court, McKay's Mill, requested a yes vote for rezoning and then work with the schools and use school facility money for turn lanes and traffic lights. See the big picture and vote to do the right thing in mitigating the traffic through in the morning and afternoon when school begins and ends.
- 17 John Walsh, 111 Bayhill Circle, concerned about traffic studies as part of the problem is they are quantitative and sterile in analysis. Signalization, signage, and turn lanes will not take care of the problems with transportation infrastructure. Need to consider the area outside the school property itself, and look at the road construction, the design, the topography, and the lack of a number of things that affect traffic: human factors are not seen in traffic studies, little or no shoulders that allow little or no recovery time. He showed pictures of 16 accidents over a four-year period, three with injuries, two were out of control, five were sideswipes, two were head-on, one was a bridge strike, two were T-bone, and one was a rollover. Consider other factors when looking a traffic studies. Do good planning to correct mistakes of the past.
- 18 Kathy Webber, 1900 Springcroft Drive, asked that the comments she submitted be attached to the ordinance for public record. People have voiced comments about the unsatisfactory conditions relative to the new school site. BOMA's vote will either facilitate or deter a less than optimal solution. A no vote would show BOMA recognizes the dangerous conditions and is not willing to put students in harm's way. Overcrowding at Trinity could be alleviated by repositioning some students to nearby schools. A No vote will bring the process needed for cooperation between the School Board and all the Municipalities of Williamson County. Only with a true comprehensive land use planning approach for schools, will the City and County together be able to sustain their excellent systems.
- 19 Michelle Kitchings, 7116 Tullamore Lane, said everyone called the site selection a rush job. However, the School Board has been looking for land for quite awhile. Some sites that appear to be ideal are not due to many factors. They choose from what is for sale that is adequate, not perfect, because nothing is perfect. The roads to Trinity are not perfect either. If citizens want roads with wide shoulders, dig in your pockets. That is the only way it will happen. As to repositioning students, they cannot just move children around. The entire area is over-capacity.
- 20 Joey Zarnesky, 2221 Wolford Circle, McKay's Mill, said sending children to other schools would be using the same roads that already have bus travel. Just three more buses added for Breezeway. It is a good location for the school. It just isn't a good location for the infrastructure. The infrastructure needs to be fixed anyway. It will be 2013 before money is available for McEwen Drive. How overcrowded with Trinity be then? If growth is east then build schools east. Fix the infrastructure. They are already using the same roads; make a commitment to fix the roads. Overcrowding affects the quality of education. Vote yes. A new school is needed.

- <sup>21</sup> Jason Golden, 1320 West Main Street, Williamson County Schools Operations Director, stated the buses drive on those roads and on similar roads throughout the County. There are improvements that will be done upon construction, sidewalks, additional auto stacking, landscaping and trees, and moving school start times. Clovercroft and McEwen are areas of growth. The Schools are offering funding to get the project moving.

Mayor Schroer closed the Public Hearing at 8:20 p.m.

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*Alderman Burger moved to approve with comment and contingent on Williamson County Board of Education entering into an Interlocal Agreement with The City summarizing their Agreement with the City as entered into their memo to Eric Stuckey, City Administrator, dated August 6, 2010. Seconded by Alderman Barnhill.*

Alderman Burger commented there were valid points about the purchase of the property. The school will be built. It would be foolish to not partner with the Board of Education and put in the infrastructure. The City is ready to improve McEwen and BOMA will soon reprioritize projects. She said she would vote yes to partner with the Board of Education and do the right thing.

Alderman Bransford advised she would vote yes based on the Interlocal agreement.

Alderman McLendon said he was grateful school administration was here and interested in working with the City. He looks forward to creating more opportunities to work with them. The reality of the situation is the School Board committed to the site. If the City says no, they will spend a million dollars to create a wastewater treatment facility. That is redundant. The Board can say yes and the school can reallocate the funds to do more good. They are not engaged in mere negotiating tactics. A lawsuit would be between two entities paid by the same people. Both should cooperate and not find out if the City could stop WCS. He agreed with Alderman Burger that it is not an ideal site, but play the hand dealt because another school is needed. All the City can do is make the roads better. It is the best decision given a bad set of circumstances. The concerns of note have merit. He will reluctantly vote to rezone.

Alderman Martin said she felt for the Trinity parents concerned about their children no matter how the Board votes. She knows the schools are overcrowded and wants the School Board to plan ahead in the future. She does not understand how it got to this point. Franklin and Williamson County have been experiencing growing pains for several years.

Alderman Barnhill complimented all who spoke. The Interlocal agreement is important if the City goes forward. Encourage the School Board to make sure the agreement is done. He has no intention of suing himself. He supported this on the first reading and will support it on this reading. He strongly encouraged having the Agreement spell out what is expected of both entities.



Alderman Moore said he appreciated the School Board's efforts and thanked Dr. Looney for making the calls to see which students take the bus and which students are driven to school by parents. The City does a good job trying to plan for the growth experienced in that area and has made efforts to offer land in developments. Going forward, make opportunities so kids can walk and ride bikes to school. He was not sure all the questions were answered but the mitigation of traffic and sewer issues have answers. Based on a well-documented Interlocal agreement making sure the issues are addressed, he supports rezoning.

Alderman Petersen echoed Alderman McLendon's comments. With great reluctance, she supports the rezoning.

*The motion to approve with comment and contingent on Williamson County Board of Education entering into an Interlocal Agreement with The City of Franklin summarizing their Agreement with the City as entered into their memo to Eric Stuckey, City Administrator, dated August 6, 2010 carried 7-1 with Alderman Martin voting no.*

**13. PUBLIC HEARING: Consideration of RESOLUTION 2010-61, a Resolution Approving a Concept Plan for Breezeway Subdivision Elementary School, Totaling 22.7 Acres, Located Along Clovercroft Road and West of Bayhill Circle, by the City of Franklin, Tennessee**  
**Alderman Ann Petersen, FMPC Representative**

Public Hearing

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- <sup>1</sup> Kate Gallagher, 521 Federal Street, Breezeway, commented that the road behind the school accessing out to Herbert Drive would become a major thoroughfare if allowed to be built and would be the major access for people to drive through their neighborhood. Herbert Drive was never meant to support that kind of traffic and it would be a nightmare during special events and parent/teacher conferences. She is concerned about the Concept Plan as presented now. She stated Mr. Fortney had agreed to discuss a change from the opening onto Herbert Drive.
  - <sup>2</sup> Michelle Kitchings, 7116 Tullamore Lane, asked if the entryway could be one entry dividing into two behind without going into Breezeway.
  - <sup>3</sup> John Dillard indicated he is building a home in Breezeway on Federal Street. At the Federal and Herbert intersection there is nothing to slow traffic and he wants to protect the children. What can be done to prevent traffic coming through Breezeway?
  - <sup>4</sup> Timothy Walker, 1419 Hanson, said the school board put everyone in a tough situation. Need a Williamson County Planning Commission. Address the whole McEwen area for the residents and the thousands from outside the community that travel these roads to work in Cool Springs/Franklin.
  - <sup>5</sup> Amber Zielinski, 9018 Chardonnay Trace, the stacking in front of the school is too short and there is no place to park during special events. It is not safe to cross the road from Chardonnay to the school. There are not enough parking spaces on the Concept Plan.

Mayor Schroer declared the Public Hearing closed.

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*Alderman Bransford moved to approve Resolution 2010-61. Seconded by Alderman Barnhill.*

Catherine Powers advised many of the items in question are Site Plan issues and Planning will handle them at the appropriate time.

*Motion to approve Resolution 2010-61 carried unanimously.*

#### NEW BUSINESS

14. **Consideration of RESOLUTION 2010-63, a Resolution Authorizing Proration of Tax Assessments of Certain Real Property Damaged by the Flooding Disaster as Authorized by T.C.A. § 67-5-603**

**Russ Truell, ACA Finance & Administration**

*Alderman McLendon moved to approve Resolution 2010-63. Seconded by Alderman Skinner. Motion carried unanimously.*

15. **Consideration of Appointment to the Battlefield Preservation Commission**

**Mayor John Schroer**

*Alderman Bransford moved to approve the following appointments to the Battlefield Preservation Commission: At Large – Robin Hood, Jay Sheridan, Mike Plumley and Mike Grainger; Battlefield Property Owner – Jim Roberts; Education Liaison – Thomas Flagel; Reenactment – Joe Grosson; Alderman Representative – Mike Skinner. Seconded by Alderman Barnhill. Motion carried unanimously.*

#### CONSENT AGENDA

16. **Consideration of ORDINANCE 2010-39, an Ordinance to Rezone 106.15 Acres from Estate Residential (ER) to Civic and Institutional (CI) for Property Located at 111 Daniel McMahon Lane [Third and Final Reading]**

**Alderman Ann Petersen, FMPC Board Representative**

*Ordinance 2010-39 approved on Third and Final Reading*

17. **Consideration of ORDINANCE 2010-41, an Ordinance to Approve a Special Permit for Gallery 202, for the Purpose of Operating an Art Gallery, Used as a Private Recreational Facility, on .39 Acres, Located at 202 Second Avenue South, by the City of Franklin, Tennessee**

**[Third and Final Reading] Alderman Ann Petersen, FMPC Board Representative**

*Ordinance 2010-41 approved on Third and Final Reading*

18. **Consideration of ORDINANCE 2010-51, "An Ordinance Amending Section 12-108 of The City of Franklin Municipal Code, Title 12 – Building, Utility, etc. Codes, for the Purpose of Creating a Refund Policy for Building/Construction Related Permits"**

**[Second and Final Reading] Lawrence Washington, Student Intern**

**Kristen Corn, Staff Attorney**

*Ordinance 2010-51 approved on Second and Final Reading*

19. **Consideration of ORDINANCE 2010-52, "An Ordinance Amending the City of Franklin Municipal Code Title 22 – Comprehensive Fees and Penalties, Chapter 12, Building, Utility, etc. Codes to Include a Processing Fee for Refunding Building Permits"**  
**[Second and Final Reading]**                **Lawrence Washington, Student Intern**  
   **Kristen Corn, Staff Attorney**  
*Ordinance 2010-52 approved on Second and Final Reading*
  
20. **Consideration of ORDINANCE 2010-54, an Ordinance Amending the City of Franklin Municipal Code, Title 9, Chapter 8, Relative to the Registration Antique, Used and Scrap Jewelry and Precious Stone and Metal Dealers**  
**[Second and Final Reading]**                **Eric Stuckey, City Administrator**  
   **Shauna Billingsley, City Attorney**  
*Ordinance 2010-54 approved on Second and Final Reading*
  
21. **Consideration of RESOLUTION 2010-62, a Resolution to Authorize the Mayor to Submit an Application to the Tennessee Department of Environment and Conservation for Tennessee Local Parks and Recreation Grant Funds**  
*Approved unanimously*                        **Lisa Clayton, Parks Director**
  
22. **Approval of City Administrator's Performance Evaluation**  
*Approved unanimously*                        **Mayor John Schroer**
  
23. **Consideration of Bid Award to SportsTurf Solutions, LLC of Gallatin, TN, in the Anticipated Amount of \$59,576.00 for Restoration of the Infields of the Four Adult Softball Fields at Fieldstone Park for the Parks Department (Purchasing Office Procurement Solicitation No. 2011-002; Unbudgeted Proposed Expenditure Made Necessary by May 1-2 Rain Event; May be Eligible for FEMA Public Assistance)**  
*Approved unanimously*                        **Lisa Clayton, Parks Director**
  
24. **Consideration of Bid Award to Revere Control Systems of Birmingham, AL in the Amount of \$14,950.00 for Supply, Delivery and Installation of Program Logic Controllers and Software for the Water Reclamation Facility Division of the Water Management Department (Purchasing Office Procurement Solicitation No. 2010-033; \$10,000.00 Budgeted in 431-89530-52213 for Both Fiscal Year 2010 and Fiscal Year 2011)**  
*Approved unanimously*                        **Mark Hilty, Water Management Director**
  
25. **Consider Rejecting all Bids for Wi-Fi Fiber Access Points Cabinet Connectivity Project to Complete the Southern Loop of the City's Wireless Network for the MIT Department (Purchasing Office Procurement Solicitation No. 2010-039)**  
*Approved unanimously*                        **Fred Banner, MIT Director**

**26. Items Approved by the City Administrator on Behalf of the Board of Mayor and Aldermen**

- Letter of Commitment to partner with MTSU WaterWorks! And ProjectWet, and Sponsor the 'Discover the Waters of Tennessee' Project (\$5,000)

*Approved unanimously*

**ADJOURN**

*Alderman Barnhill moved to adjourn with a second by Alderman Bransford. Approved unanimously.*

Meeting adjourned @ 8:49 p.m.

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Mayor John C. Schroer

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 11/22/2010 9:46 AM