

**MINUTES OF THE REGULAR MEETING  
BOARD OF MAYOR AND ALDERMEN  
FRANKLIN, TENNESSEE  
CITY HALL BOARDROOM  
TUESDAY, DECEMBER 14, 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	P
Vernon Gerth, ACA Community & Economic Development	P	Candace Connell for Shirley Harmon, HR Director	P
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	P
David Parker, City Engineer/CIP Executive		Gary Luffman, BNS Director	
Shauna Billingsley, City Attorney	P	Catherine Powers, Planning/Sustainability Director	P
Rocky Garzarek, Fire Chief		Joe York, Streets Director	P
Jackie Moore, Police Chief		Brad Wilson, Facilities Project Manager	
Fred Banner, MIT Director		Lanaii Benne, Assistant City Recorder	
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, December 14, 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 following meeting minutes as presented, November 1, 2010 Capital Investment Projects Work Session, November 9, 2010 Executive Session, November 23, 2010 Work Session, and November 23, 2010 Special BOMA. Seconded by Alderman Barnhill. Motion carried unanimously.*

7. **Recognitions by Mayor Schroer**

- Clean Air Partnership of Williamson County

Mayor Schroer displayed the award made of recycled glass and bamboo and provided a brief history of the Clean Air Partnership.

8. **Election of Vice-Mayor Pursuant to the City Charter, Article IV, Section 5**

**Mayor John Schroer**

Alderman/Vice Mayor Pearl Bransford stated it was a privilege and honor to serve as Vice Mayor for the last 12 months.

*Alderman Bransford nominated Dr. Ken Moore as Vice-Mayor for the coming year.*

*Alderman Skinner moved to cease nominations. Seconded by Alderman Martin. Motion carried unanimously.*

*Motion to elect Dr. Ken Moore Vice-Mayor carried with 7 ayes and Alderman Moore abstaining.*

9. **Mayor's Appointments to BOMA Committees**

**Mayor John Schroer**

Mayor Schroer stated he wished to continue with the same committee assignments.

10. **Miscellaneous Reports**

The Board will convene on Thursday, December 16, 2010 @ 5:00 p.m. for a special called meeting to take action on a request for sewer availability for 1664 Mallory Lane. The Budget & Finance Committee meets immediately after.

11. **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 25-32 be placed on the Consent Agenda.

Alderman Petersen pulled Item 27.

*Alderman Bransford moved to approve the Consent Agenda Items 25-32 with the exception of Item 27. Seconded by Alderman Moore. Motion carried unanimously.*

**OLD BUSINESS**

12. **PUBLIC HEARING: Consideration of RESOLUTION 2010-78, A Resolution Approving a Revised Concept Plan for Creekstone Commons PUD Subdivision, 124 Units on 51.09 Acres, Located Along Creekstone Boulevard by the City of Franklin, TN**

**Alderman Ann Petersen, FMPC Representative**

With no one coming forth to comment, Mayor Schroer declared the Public Hearing closed.

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*Alderman Skinner moved to approve Resolution 2010-78. Seconded by Alderman Petersen.*

Alderman Petersen advised revisions include a reduced density of 124 detached dwelling units. Alderman Martin mentioned front loading garages would be allowed.

*Motion to approve Resolution 2010-78 carried 7-1 with Alderman Martin voting no.*

### **NEW BUSINESS**

13. **Consideration of ORDINANCE 2010-76; An Ordinance to Establish the Special Assessments for the Sanitary Sewer Improvements in the Boyd Mill Avenue Area; Establishing a Public Hearing for January 11, 2011**

**[First of Two Readings] David Parker, City Engineer/CIP Executive**

*Alderman Petersen moved to approved Ordinance 2010-76 on First Reading with the request that at the January 11, 2011 Work Session staff present the Board with options for the items discussed during the 5:00 p.m. Work Session. Seconded by Alderman Bransford. Motion carried unanimously on First of Two Readings.*

14. **Consideration of ORDINANCE 2010-77; An Ordinance to Establish the Special Assessments for the Sanitary Sewer Improvements in the Country Road Estates Area; Establishing a Public Hearing for January 11, 2011**

**[First of Two Readings] David Parker, City Engineer/CIP Executive**

*Alderman Barnhill moved to approve Ordinance 2010-77 on First Reading. Seconded by Alderman Moore. Motion carried unanimously on First of Two Readings.*

15. **Consideration of ORDINANCE 2010-83; An Ordinance to Establish Three-Way Stop Sign Controls at the Intersection of McEwen Drive and Wilson Pike**

**[First of Two Readings] Eric Gardner, Engineering Director**

*Alderman Burger moved to defer Ordinance 2010-83 to January 25, 2011. Seconded by Alderman Petersen. Motion carried unanimously.*

16. **Consideration of RESOLUTION 2010-83, A Resolution to Adopt the 2010 Defined Contribution 457 Plan**

**Russ Truell, ACA Finance & Administration**

**Shirley Harmon, Human Resources Director**

**Candace Connell, Assistant Director Human Resources**

*Alderman Moore moved to approve Resolution 2010-83. Seconded by Alderman Barnhill. Motion carried unanimously.*

**17. Consideration of RESOLUTION 2010-84, A Resolution to Adopt the 2010 Defined Contribution 401 Plan**

**Russ Truell, ACA Finance & Administration  
Shirley Harmon, Human Resources Director  
Candace Connell, Assistant Director Human Resources**

*Alderman Bransford moved to approve Resolution 2010-84. Seconded by Alderman Moore. Motion carried unanimously.*

**18. Consideration of Amendment Number 3 to City of Franklin Employee Pension Plan Document**

**Russ Truell, ACA Finance & Administration**

*Alderman Barnhill moved to approve Amendment Number 3 to City of Franklin Employee Pension Plan. Seconded by Alderman Bransford. Motion carried unanimously.*

**19. Consideration of RESOLUTION 2010-91; Granting Certain Authority for the Administration of the City of Franklin Pension Program**

**Eric Stuckey, City Administrator**

*Alderman Moore moved to defer Resolution 2010-91 to January 11, 2011. Seconded by Alderman Barnhill. Motion carried unanimously.*

**20. Consideration of RESOLUTION 2010-86; A Resolution to Extend the Temporary Assignments for Housing Development Coordinator Clay Matthews, Planning Associate Kathleen Sauseda, and Permit Tech Pat Springer Through June 30, 2011**

**Candace Connell, Assistant Director Human Resources**

*Alderman Burger moved to approve Resolution 2010-86. Seconded by Alderman Skinner. Motion carried unanimously.*

**21. Consideration of the Road Impact Fee Offset Agreement (COF Contract No. 2010-0191) with Boyle 1175 Meridian Joint Venture for the Carothers Parkway at Cool Springs Boulevard Intersection Improvements**

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

*Alderman Petersen moved to approve the Road Impact Fee Offset Agreement pursuant to amendment indicating completion of road improvement prior to Certificate of Occupancy being issued for Meridian Development – Phase 7, Office building. Seconded by Alderman Moore. Motion carried unanimously.*

**22. Consideration of the Contract Award (COF Contract 2010-0182) to Stansell Electric in the Amount of \$257,998.30 for the Mallory Station Road at General George Patton and Duke Drive Signal Installation Project**

**Eric Gardner, Engineering Director**

*A jubilant Alderman Burger moved to approve the contract award for the signalization installation project for Mallory Station Road at General George Patton and Duke Drive. Seconded by Alderman McLendon. Motion carried unanimously.*

**23. Consideration of Finding of Default of Contract #2010-0018 for the Sale of Structure at 1009 Hillsboro Road**

**Shauna Billingsley, City Attorney**

*Alderman Martin moved to find Contract #2010-0018 in default, and that the City reclaim ownership of the structure at 1009 Hillsboro Road as well as retaining the \$575.00 deposit received. Seconded by Alderman Skinner. Motion carried unanimously.*

**24. Consideration of RESOLUTION 2010-90; A Resolution to Implement the Fiscal Year 2011 Cost of Living Pay for Employees Who have Reached the Maximum of Their Pay Grade**

**Candace Connell, Assistant Director Human Resources**

*Alderman Moore moved to approve Resolution 2010-90. Seconded by Alderman Skinner. Motion carried unanimously.*

**CONSENT AGENDA**

**25. Consideration of New Liquor License Retailer's Certificate for Mallory Lane Wine and Spirits (Ms. Alka Patel), 3070 Mallory Lane, Suite 100, Franklin, TN 37067**

*Approved unanimously* **Lanaii Benne, Assistant City Recorder**

**26. Consideration of ORDINANCE 2010-66, An Ordinance to Rezone 88.67 Acres From Medium Residential (R-2) To Residential Variety (RX) and From Seward Hall Character Area Overlay-3 (Swco-3) To McEwen Character Area Overlay-6 (Meco-6) for Property Located at 4408 South Carothers Road**

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

*Ordinance 2010-66 approved unanimously on Third and Final Reading*

**27. Consideration of ORDINANCE 2010-61, An Ordinance of the City of Franklin for Amending, or Transferring Funds Within a Budget for the Fiscal Year 2010-2011 and Subsequent Years; Providing an Effective Date**

**[Second and Final Reading]** **Russ Truell, ACA Finance & Administration**

*Alderman Moore moved to approve Ordinance 2010-61 providing an effective date of December 14, 2010. Seconded by Alderman Barnhill.*

*Alderman Petersen moved to amend Section 2, last paragraph, "Any such transfers made by Administrative action shall be less than \$25,000 per item and shall be reported at least ~~quarterly~~ monthly to the Board of Mayor & Aldermen or an appropriate committee with budget oversight." Seconded by Alderman Skinner. Motion to amend carried unanimously.*

*Main Motion as Amended to approve Ordinance 2010-61 on Second and Final Reading carried unanimously.*

28. **Consideration of ORDINANCE 2010-74; An Ordinance to Establish Two-Way Stop Control at the End of Century Court and at 426 Century Court**  
[Second and Final Reading]      **David Parker, City Engineer/CIP Executive**  
*Ordinance 2010-74 approved unanimously on Second and Final Reading*
29. **Consideration of Designating Williamson County Facilities Tax to Capital Projects Fund**  
*Approved unanimously*      **Russ Truell, ACA Finance & Engineering**
30. **Consideration of Bid Award to Happy Tree, Inc. of Franklin, TN in the Amount of \$19,956.00 for Tree Supply, Planting and Related Contract Services for the Parks Department (Purchasing Office Procurement Solicitation No. 2011-009; up to \$30,000.00 Authorized by Tree Commission to be Transferred from Tree Bank to 110-84620-44700 for Fiscal Year 2011)**  
*Approved unanimously*      **Lisa Clayton, Parks Director**
31. **Consideration of Bid Award to Golden Circle Ford of Jackson, TN, in the Amount of \$44,264.00 for One (1) Landscape Truck with Dump Body for the Stormwater Division of the Streets Department (Purchasing Office Procurement Solicitation No. 2011-010; \$40,000.00 Budgeted in 135-89520-43120 for Fiscal Year 2011)**  
*Approved unanimously*      **Joe York, Streets Director**
32. **Items Approved by the City Administrator on Behalf of the Board of Mayor and Aldermen**
- ◆ United States Department of Agriculture Cropland Reduction Acknowledgement
  - ◆ Amendment to MOU Between the Franklin Fire Department and Williamson County EMS First Responder Program
  - ◆ Grant Contract for Planting 80 Trees in Harlinsdale Park
  - ◆ Professional Services Agreement with the Mercer Group for executive search for Chief of Police
- Approved unanimously*

## ADJOURN

*Alderman Bransford moved to adjourn, seconded by Alderman Burger, and carried unanimously.*

Meeting adjourned 7:20 p.m.

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Mayor John C. Schroer

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 1/12/2011 9:48 AM