

**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, JANUARY 11, 2011 – 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		Shirley Harmon, HR Director	
Russell Truell, ACA Finance & Administration		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 Director	P
Rocky Garzarek, Fire Chief	P	Joe York, Streets Director	P
Jackie Moore, Police Chief		Brad Wilson, Facilities Project Manager	
Fred Banner, MIT Director		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, January 11, 2011, 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 Burger moved to approve the December 14, 2010 Work Session, December 14, 2010 BOMA, and December 14, 2010 Executive Session minutes. Seconded by Alderman Moore. Motion carried unanimously.

7. **Recognitions by Mayor Schroer**

- Crystal Bishop, Stormwater Management Coordinator, became the 35th person in the United States and the first in Tennessee to become a Certified Municipal Separate Storm Sewer Systems Specialist (CMS4S). A CMS4S is a specialist who is technically and ethically qualified to manage or coordinate stormwater management programs. A CMS4S must document proficiencies in the management and implementation of the National Pollutant Discharge Elimination System minimum control measures. Other areas include Public Education and Outreach, Public Involvement and Participation, Illicit Discharge Detection and Elimination, Construction Site Stormwater Runoff Control, Pollution Prevention, Good Housekeeping Practices, as well as overall program management and documentation, program funding, and program audit and evaluation. Knowledge and understanding of the NPDES MS4 is demonstrated through an application review process and successfully passing a four hour written exam.

Mayor Schroer congratulated Ms. Bishop and she received a round of applause.

8. **Miscellaneous Reports**

- Eric Stuckey noted he authorized an emergency purchase of road salt. Staff had already planned for an additional purchase of 500 tons. The contractor was not able to make a timely delivery. Another contractor can deliver the salt within a week.

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 13-23 be placed on the Consent Agenda.

Alderman Petersen pulled item 18.

Alderman Bransford moved to approve the Consent Agenda, Items 13-23, with the exception of Item 18. Seconded by Alderman Burger. Motion carried unanimously.

OLD BUSINESS

10. **PUBLIC HEARING: Consideration of ORDINANCE 2010-76; An Ordinance to Establish The Special Assessments for the Sanitary Sewer Improvements in the Boyd Mill Avenue Area [Second and Final Reading] David Parker, City Engineer/CIP Executive**

Public Hearing:

- ◆ David Potts, Boyd Mill area resident, thanked Mayor Schroer, the Board and staff for their support in working diligently on this project.
- ◆ Jay Wade, 123 Jefferson Drive, Monticello, spoke about the coming assessment for their subdivision and that the City is trying to have a uniform policy in dealing with the different assessment districts. As he understands it, all the assessment districts still have the sewer development fee and the effluent disposal fee as connection fees, which amounts to almost \$2,000. This would be an immediate cash expense for anybody who hooks on, and is in addition to plumbing contractor charges. Mr. Wade said that through all these assessment districts, people have said they didn't want them and couldn't see the value in them. They have been pushed on folks. Further, he knew at Monticello, which he worked on many years, they were always told that all the connection fees that could be waived would be waived. As it turns out, legally all connection fees can be waived. Therefore, if putting in these assessment districts to help out on failing septic systems is in the interest of public health, how does it serve public health if no one can afford to hook on. His recommendation was if the Board would have a policy for two years to waive the remaining connection fees that would be an incentive to people who didn't think they needed to hook on, and would allow those on restricted incomes a better opportunity to participate.

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

Alderman Martin moved to approve Ordinance 2010-76 on Second and Final Reading. Seconded by Alderman Moore. Motion carried unanimously.

11. PUBLIC HEARING: Consideration of ORDINANCE 2010-77; An Ordinance to Establish The Special Assessments for the Sanitary Sewer Improvements in The Country Road Estates Area [Second and Final Reading] David Parker, City Engineer/CIP Executive

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

Alderman Bransford moved to approve Ordinance 2010-77 on Second and Final Hearing. Seconded by Alderman Burger. Motion carried unanimously.

NEW BUSINESS

**12. Consideration of RESOLUTION ~~2010-94~~ 2011-03; Granting Certain Authority for the Administration of the City of Franklin Pension Program
Eric Stuckey, City Administrator**

The caption was incorrect. The correct resolution is 2011-03 and the correct resolution was in the packet.

Alderman Petersen moved to approve Resolution 2011-03. Seconded by Alderman Moore. Motion carried unanimously.

CONSENT AGENDA

13. **Consideration of Renewal of Liquor License Retailer's Certificate for Bard Quillman, Jr., Red Dog Wine and Spirits, 1031 Riverside Drive, Franklin, Tennessee**
Approved unanimously Lanaii Benne, Assistant City Recorder

14. **Consideration of Proposed ORDINANCE 2010-78, An Ordinance to Amend Various Chapters and Sections of the City of Franklin Zoning Ordinance to Clarify Requirements and Correct Minor Textual Errors; Establishing a Public Hearing Date of February 8, 2011**
[First of Three Readings] Alderman Ann Petersen, FMPC Representative
Ordinance 2010-78 approved unanimously on First of Three Readings.

15. **Consideration of Proposed ORDINANCE 2010-81, An Ordinance Amending the City of Franklin Municipal Code, Amending Title 22 – Comprehensive Fees and Penalties for the Purpose of Deleting Certain Fees in Title 16 – Streets and Sidewalks, Etc. Ordinance**
[First of Two Readings] Vernon Gerth, ACA Community & Economic Development
Ordinance 2010-81 approved unanimously on First of Two Readings

16. **Consideration of Proposed ORDINANCE 2010-82, An Ordinance Amending The City of Franklin Municipal Code, Amending Title 22 – Comprehensive Fees and Penalties for the Purpose of Codifying the Fees and Penalties Found in Title 23 – Stormwater Management Ordinance**
[First of Two Readings] Vernon Gerth, ACA Community & Economic Development
Ordinance 2010-82 approved unanimously on First of Two Readings

17. **Consideration of Proposed ORDINANCE 2010-84, An Ordinance Amending the City of Franklin Municipal Code, Amending Title 22 – Comprehensive Fees and Penalties, Chapter 18 – Water & Sewers for the Purpose of Updating Water User Rates**
[First of Two Readings] Vernon Gerth, ACA Community & Economic Development
Ordinance 2010-84 approved unanimously on First of Two Readings

18. **Consideration of ORDINANCE 2011-02, An Ordinance to Amend the City of Franklin Municipal Code, Title 22 – Comprehensive Fees and Penalties, Chapter 12 Relating to Building Permit Fees for Detached, Single-Family Dwellings**
[First of Two Readings] Vernon Gerth, ACA Community & Economic Development
Alderman Petersen moved to defer Ordinance 2011-02 to the January 25 Work Session and BOMA meeting to obtain further information. Seconded by Alderman Skinner. Motion carried unanimously.

19. **Consideration of RESOLUTION 2010-85, A Resolution Authorizing Expenditure for Drainage Culvert Rehabilitation on Sugartree Lane in the Amount of \$75,000 (Amount to be Obtained Through the Stormwater Reserve Fund)**
Resolution 2010-85 approved unanimously Eric Gardner, Engineering Director

20. **Consideration of Extension of Sanitary Landfill Tipping Services of Biosolid Waste-Activated and/or Digested Sludge for up to Three (3) Months (Effective January 1, 2011). Services Currently Provided by Waste Management, Inc. of Tennessee, Pursuant to City of Franklin Procurement Solicitation No. 2008-027**

Approved unanimously

Alderman Ann Petersen, Budget & Finance Chair
Brian Wilcox, Purchasing Manager
Mark Hilty, Water/Wastewater Director

21. **Consideration of Request for Reclassification of Certain Positions in the Water Department**
Approved unanimously

Alderman Ann Petersen, Budget & Finance Chair
Mark Hilty, Water Management Director

22. **Consideration of Request for Reclassification of Certain Positions in the Solid Waste Department**
Approved unanimously

Alderman Ann Petersen, Budget & Finance Chair
Becky Caldwell, Solid Waste Director

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

- ◆ Professional Services Agreement with Studio Eight Design for the Third Avenue Extension
- ◆ Professional Services Agreement with Ronnie Brown Surveying for 200 Downs Boulevard Survey
- ◆ Water Main Easement on County Ag Center Property
- ◆ Permanent Easement and Right-of-Way for Warning Siren

Approved unanimously

ADJOURN

Alderman Bransford moved to adjourn, seconded by Alderman Barnhill, and unanimously approved.

Meeting adjourned 7:17 p.m.

Mayor John C. Schroer

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 1/26/2011 2:39 PM