

**MINUTES OF THE SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, JUNE 28, 2011 – 7:00 P.M.**

Board Members

Mayor Ken Moore	P	Alderman Margaret Martin	P
Vice Mayor Clyde Barnhill	P	Alderman Dana McLendon	P
Alderman Pearl Bransford	P	Alderman Ann Petersen	P
Alderman Beverly Burger	P	Alderman Michael Skinner	P

Department Directors/Staff

Eric Stuckey, City Administrator	P	Eric Gardner, Engineering Director	
Vernon Gerth, ACA Community & Economic Development	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	Tom Marsh, Zoning & Development Coordinator	P
Rocky Garzarek, Fire Chief	P	Catherine Powers, Planning/Sustainability Dir.	P
David Rahinsky, Police Chief	P	Joe York, Streets Director	P
Fred Banner, MIT Director		Brad Wilson, Facilities Project Manager	P
Becky Caldwell, Solid Waste Director		Lanaii Benne, Assistant City Recorder	P
Lisa Clayton, Parks Director		Linda Fulwider, Board Recording Secretary	P

1. Call to Order

Mayor Ken Moore called the Special Meeting of the Board of Mayor and Aldermen to order on Tuesday, June 28, 2011, 7:00 p.m. in the City Hall Boardroom.

2. Invocation

The Invocation was given 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 approve the June 14, 2011 Work Session and June 14, 2011 BOMA meeting minutes as presented. Seconded by Alderman Burger. Motion carried unanimously 6-0 (Alderman McLendon was not present).

7. Recognitions

- **The Excellence in Development Award Issued to The City of Franklin Police Headquarters by The Urban Land Institute (ULI), Nashville District**
Mayor Moore, Brad Wilson, and Police Chief David Rahinsky received the award from James Kennon.
- **LEED® Gold Award Issued to The City of Franklin Police Headquarters by The Green Building Certification Institute, U.S. Green Building Council (USGBC)**
Eric McKinney presented the award saying it is the first public safety Gold rated building in the State of Tennessee.

8. Miscellaneous Reports

- Alderman Skinner announced the next Roundtable event on Sunday July 10, 2011 @ 3:00 p.m., Williamson County Library. Speaker: Kent Masterson Brown. Topic: General Lee and the Retreat from Gettysburg.

9. CONSENT AGENDA

All items under the Consent Agenda are deemed 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 **16-32** be placed on the Consent Agenda

Alderman Burger moved to approve the Consent Agenda, Items 16-32. Seconded by Alderman Bransford. Motion carried unanimously 6-0 (Alderman McLendon was not present).

NEW BUSINESS

- 10. Consideration of ORDINANCE 2011-16, An Ordinance to Amend Title 10 of The Franklin Municipal Code to Clarify Applicability of Chapter 1 and to Adopt by Reference The Rules and Regulations Pertaining to Regulation of Dogs and Cats in Williamson County, Tennessee as Adopted by The County Commission of Williamson County**
[First of Two Readings] Becky Caldwell, Solid Waste Director
Alderman Barnhill moved to approve Ordinance 2011-16 on First of Two Readings. Seconded by Alderman Petersen. Motion carried unanimously 6-0 (Alderman McLendon was not present).

11. **Consideration of RESOLUTION 2011-30, A Resolution to Apply for Phase II Hazard Mitigation Grant Program (HMGP) Funds Available Due to the May 2010 Presidential Disaster Declaration (FEMA-1909-DR-TN)**

Tom Marsh, Zoning & Development Coordinator

Alderman Bransford moved to approve Resolution 2011-30 with amendment to include property located in the floodway experiencing repetitive loss due to flooding. Seconded by Alderman Petersen

(Alderman McLendon rejoined the meeting)

Discussion ensued on the general guidelines, BOMA guidelines for local property owners, and properties without substantial damage from the 2010 flood, but with losses from repetitive flooding. Property acquisitions by the City touched on as well.

Motion to approve amended Resolution 2011-30 carried unanimously.

12. **Consideration of RESOLUTION 2011-31, A Resolution Requesting Additional Funding for the Intersection Improvements Project at McEwen Drive and Wilson Pike**

David Parker, City Engineer/CIP Executive

Alderman Burger moved to approve Resolution 2011-31. Seconded by Alderman Barnhill. Motion carried unanimously.

13. **Consideration of The Tennessee Historical Commission Grant for the Design Restoration Assistance of the Main Barn at The Park at Harlinsdale Farm Project in the Sum of \$25,000.00 from The National Park Service**

Lisa Clayton, Parks Director

Catherine Powers, Planning & Sustainability Director

Alderman Skinner moved to approve acceptance of grant funds for the design restoration assistance of the Main Barn. Seconded by Alderman Bransford. Motion carried unanimously.

14. **Consideration of Pension Investment Agreement with Polen Capital Management (COF Contract No. 2011-0082)**

Russ Truell, ACA Finance & Administration

Alderman Barnhill moved to approve Pension Investment Agreement with Polen Capital Management. Seconded by Alderman Burger. Motion carried unanimously.

15. **Consideration of Authorization to The City Administrator to Enter Into an Interlocal Agreement Between The City of Brentwood and The City of Franklin for the Purchase, Installation, and Maintenance of a Weather Warning Siren, Contract No. 2011-0015**

Rocky Garzarek, Fire Chief

Alderman Bransford moved to approve authorization to the City Administrator. Seconded by Alderman Martin. Motion carried unanimously.

CONSENT AGENDA

16. **Consideration of ORDINANCE 2011-14, To Be Entitled: "An Ordinance to Amend Chapter 5, Section 5.11.4 of The City of Franklin Zoning Ordinance, Which Establishes the Exterior Lighting Standards"; Establishing a Public Hearing July 26, 2011**
[First of Three Readings] Alderman Ann Petersen, FMPC Representative
Ordinance 2011-14 approved unanimously on First of Three Readings
17. **Consideration of ORDINANCE 2011-17, As Amended, An Ordinance of The City of Franklin, Tennessee, Adopting a Budget for the Fiscal Year 2011-2012**
[Third and Final Reading] Alderman Ann Petersen, Budget & Finance Chair
Ordinance 2011-17 approved unanimously on Third and Final Reading
18. **Consideration of ORDINANCE 2011-18, As Amended, An Ordinance of The City of Franklin, Tennessee, Establishing The Municipal Property Tax Levy for the Fiscal Year 2011-2012**
[Third and Final Reading] Alderman Ann Petersen, Budget & Finance Chair
Ordinance 2011-18 approved unanimously on Third and Final Reading
19. **Consideration of ORDINANCE 2011-19, An Ordinance to Amend Title 22, Chapter 17, of The Franklin Municipal Code to Increase the Fees for Collection of Garbage and Refuse**
[Third and Final Reading] Alderman Ann Petersen, Budget & Finance Chair
Ordinance 2011-19 approved unanimously on Third and Final Reading
20. **Consideration of ORDINANCE 2011-26, An Ordinance to Amend Title 17 of The Municipal Code to Include Tipping Fees at the Municipal Transfer Station for Solid Waste Disposal Use by Private Haulers and Municipal Vehicles, and to Establish the Creation of a Fuel Surcharge**
[Third and Final Reading] Alderman Ann Petersen, Budget & Finance Chair
Ordinance 2011-26 approved unanimously on Third and Final Reading
21. **Consideration of ORDINANCE 2011-20, To be Entitled: "An Ordinance to Rezone 5.25 Acres From Residential Variety (RX) to General Office (GO) for Property Located at 222 Mallory Station Road; Establishing a Public Hearing for July 26, 2011**
[First of Three Readings] Alderman Ann Petersen, FMPC Representative
Ordinance 2011-20 approved unanimously on First of Three Readings
22. **Consideration of ORDINANCE 2011-23, To Be Entitled: "An Ordinance to Amend Chapter 5, Section 5.3.5 of The City of Franklin Zoning Ordinance to Revise Standards Relative to Residential Garages"; Establishing a Public Hearing for July 26, 2011**
[First of Two Readings] Alderman Ann Petersen, FMPC Representative
Ordinance 2011-23 approved unanimously on First of Two Readings

23. **Consideration of RESOLUTION 2011-27, A Resolution to Reapprove a Concept Plan for Franklin First United Methodist Church, Totaling 106.15 Acres, Located at 111 Daniel McMahan Lane, by The City of Franklin, Tennessee**
Alderman Ann Petersen, FMPC Representative
Resolution 2011-27 approved unanimously

24. **Consideration of Change Order No. 2 with W. L. Hailey & Company, Inc. for The Downs Boulevard 24 Inch Water Line (COF Contract No. 2009-0099) for an INCREASE of \$11,993.36, and a Contract Time Extension of 33 Calendar Days**
Approved unanimously **Eric Gardner, Engineering Director**

25. **Consideration of Change Order No. 2 with W. L. Hailey & Company, Inc. for the Downs Boulevard 12 Inch Reclaimed Water Line and West Reclaimed Water Line (ARRA Project – COF Contract No. 2009-0099) for an INCREASE of \$49,718.14 and a Contract Time Extension of 33 Calendar Days**
Approved unanimously **Eric Gardner, Engineering Director**

26. **Consideration of the Award of the Construction Contract (COF Contract No. 2010-0164) for the Liberty Creek Water Quality Improvements Project to Civil Constructors, Inc. in the Amount of \$234,996.08**
Approved unanimously **Eric Gardner, Engineering Director**

27. **Consideration of the Professional Services Agreement (COF Contract No. 2011-0083) With CDM For Construction Administration for the Liberty Creek Water Quality Improvements Project in the Not-to-Exceed Amount of \$10,000.00**
Approved unanimously **Eric Gardner, Engineering Director**

28. **Consideration of Event Permit for YWCA Viva La Diva Run to be Held on November 19, 2011**
Approved unanimously **David Rahinsky, Police Chief**

29. **Consideration of Event Permit for Franklin Classic to be Held on September 5, 2011 in Downtown Franklin**
Approved unanimously **David Rahinsky, Police Chief**

30. **Consideration of Event Permit for Best Buddies 5K to be Held on August 27, 2011**
Approved unanimously **David Rahinsky, Police Chief**

31. **Consideration of Event Permit Application for the Franklin Jazz Festival in Downtown Franklin on September 3-4, 2011**
Approved unanimously **David Rahinsky, Police Chief**

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

- Authorization to Purchase Services from Miovision Technologies in the Amount of \$9,940 for the Transcription 2011 Traffic Data (Budgeted in the FY 2011 Budget)

Approved unanimously

ADJOURN

Alderman Barnhill moved to adjourn with a second from Alderman Burger. Motion carried unanimously

Meeting adjourned 7:22 PM

Mayor Ken Moore

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 6/29/2011 10:03 AM