

**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, JUNE 14, 2011 – 7:00 P.M.**

Board Members

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

Department Directors/Staff

Eric Stuckey, City Administrator		Eric Gardner, Engineering Director	
Vernon Gerth, ACA Community & Economic Development	P	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	P	Joe York, Streets Director	P
David Rahinsky, Interim Police Chief	P	Brad Wilson, Facilities Project Manager	P
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			

1. Call to Order

Mayor Moore called the June 14, 2011, Regular BOMA meeting to order at 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

None

6. Approval of Minutes

Alderman Skinner moved to approve the following minutes, May 24, 2011 Work Session, May 24, 2011 Executive Session, and May 24, 2011 BOMA meeting. Seconded by Alderman Barnhill. Motion carried unanimously.

7. Recognitions

- Heritage Foundation Preservation Award

The City of Franklin was awarded the Heritage Foundation’s Preservation Award for “New Institutional Construction” for the Columbia Avenue Streetscape Project. The awards were presented last night at the newly renovated Franklin Cinema.

- The Tennessee City Management Association (TCMA)

The Brentwood and Franklin Fire Departments jointly received the “Award for Excellence in Municipal Government” at the annual TCMA conference in Murfreesboro. The award was given for the exemplary cooperation and innovation through an Automatic Aid Agreement that resulted in added resources and greater security for the residents of both communities.

In the 22 months since the agreement was authorized, Brentwood responded into Franklin on automatic aid calls 19 times. Franklin responded into Brentwood on automatic aid calls 10 times. Traditional mutual aid response: Franklin into Brentwood 12 times, and Brentwood into Franklin 5 times.

- Proclamation - Dump the Pump Day

June 16, 2011 proclaimed as Dump the Pump Day in Franklin, Tennessee. This is a day that encourages people to ride public transportation to save money, protect the environment, reduce dependence on foreign oil, and improve the quality of life for all Americans. Franklin residents urged to join with the Franklin Transit Authority and transit agencies across the country in participating in this special day to encourage transit ridership. All rides on Franklin Transit’s Fixed Route Service free on Dump the Pump Day in Franklin.

8. Miscellaneous Reports

- None

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 21-28 be placed on the Consent Agenda.

Alderman pulled item 28.

Alderman Bransford moved to approve the Consent Agenda items 21-27, item 28 excluded. Seconded by Alderman Burger. Motion carried unanimously.

OLD BUSINESS

10. **PUBLIC HEARING: Consideration of ORDINANCE 2011-17, An Ordinance of The City of Franklin, Tennessee, Adopting a Budget for the Fiscal Year 2011-2012 (Second of Three Readings) Alderman Ann Petersen, Budget & Finance Chair**
With no one coming forward to speak, Mayor Moore declared the Public Hearing closed
-

Alderman Petersen moved to approve Ordinance 2011-17 with an amendment to reduce Stormwater expenditures, a \$1,295,000 reduction, and a payroll increase of \$59,838. Seconded by Alderman Bransford. Motion carried unanimously on Second of Three Readings.

11. **PUBLIC HEARING: Consideration of ORDINANCE 2011-18, An Ordinance of The City of Franklin, Tennessee, Establishing The Municipal Property Tax Levy for the Fiscal Year 2011-2012 (Second of Three Readings) Alderman Ann Petersen, Budget & Finance Chair**
With no one coming forward to speak, Mayor Moore declared the Public Hearing closed
-

Alderman Petersen moved to approve Ordinance 2011-18 with an amendment to the General Fund 21.08 cents (\$0.2108) or percentage approximate to 56% based on certified tax rate, and to Debt Service Fund 16.57 cents (\$0.1657) or percentage approximate to 44% based on certified tax rate for a total of 37.65 cents (\$.3765) Property Tax Rate. Seconded by Alderman Barnhill. Motion carried unanimously on Second of Three Readings.

12. **PUBLIC HEARING: Consideration of ORDINANCE 2011-26 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 (Second of Three Readings) Alderman Ann Petersen, Budget & Finance Chair**
With no one coming forward to speak, Mayor Moore declared the Public Hearing closed
-

Alderman Skinner moved to approve Ordinance 2011-26 on Second of Three Readings. Seconded by Alderman Bransford. Motion carried unanimously.

13. **PUBLIC HEARING: 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 [Second of Three Readings] Alderman Ann Petersen, Budget & Finance Chair**
With no one coming forward to speak, Mayor Moore declared the Public Hearing closed
-

Alderman Petersen moved to approve Ordinance 2011-19 with an amendment to correct a typographical error on page 2, Tipping Fees at Transfer Station Commercial,"diesel fuel is above \$3 per gallon ~~at~~ retail service stations....." Seconded by Alderman Barnhill. Motion carried unanimously.

14. **Consideration of ORDINANCE 2011-11, to be Entitled "An Ordinance to Rezone ± 4.24 Acres from Civic and Institutional (CI) to Regional Mixed-Use (MX) for the Property Located at 109 Third Avenue South**

(Third and Final Reading) Alderman Ann Petersen, Budget & Finance Chair

Alderman Barnhill related that due to many unanswered questions and financial concerns, he wanted to defer this item back to staff to bring back at a later time.

Alderman Barnhill moved to defer Ordinance 2011-11 to staff for an indefinite time, to be brought back to BOMA when more information is available and questions have been answered. Seconded by Alderman Martin. Motion carried unanimously.

NEW BUSINESS

15. **Consideration of the Professional Services Agreement (COF Contract No. 2011-0086) with Wiser Company, LLC for the Design of the Traffic Signal at the Intersection of Del Rio Pike and Magnolia Drive in the Amount Not to Exceed \$15,700**

Eric Gardner, Engineering Director

Alderman Burger moved to approve Professional Services Agreement with Wiser Company, LLC. Seconded by Alderman Bransford. Motion carried unanimously.

16. **Consideration of RESOLUTION 2011-28, a Resolution of the Board of Mayor and Aldermen for the City of Franklin Employees Pension Plan, Providing a Cost of Living Adjustment to the Monthly Benefit for Retired Recipients**

Shirley Harmon, Human Resources Director

Alderman Barnhill moved to approve Resolution 2011-28 with correction of the date in Section 1 from July 1, 2012 to July 1, 2011. Seconded by Alderman Bransford. Motion carried unanimously 6-0 with Alderman Martin recused.

17. **Consideration of Contract Award for Stop-Loss Insurance for Employee and Retiree Health and Pharmacy Programs for a One-Year Term Effective July 1, 2011; Contract to be Reviewed and Approved by City Administrator, City Attorney and Human Resources Director (Purchasing Office Procurement Solicitation No. 2011-033)**

Shirley Harmon, Human Resources Director

Alderman Barnhill moved to approve Contract Award. Seconded by Alderman Burger. Motion carried unanimously.

18. **Consideration of a Sole-Source Maintenance Agreement (COF Contract No. 2011-0062) with Physio-Control, Inc. of Redmond, WA for the Service and Repair of the Departments Automated Defibrillators and Cardiac Monitors for the Year Beginning June 1, 2011 in the Amount of \$12,549 (\$55,000 budgeted in 110-82620-42200 for FY2011)**

Rocky Garzarek, Fire Chief

Alderman Barnhill moved to approve Sole-Source Maintenance Agreement with Physio-Control, Inc. Seconded by Alderman Bransford. Motion carried unanimously.

19. **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 Barnhill moved to defer the item to June 28, 2011. Seconded by Alderman Burger. Motion carried unanimously.

20. **Consideration of Liquor License Retailer's Certificate for The Corner Wine & Spirits (Guru Dev of Franklin, LLC, Vrushank Ramesh Surati and Krishna M. Pal), 1110 Hillsboro Road, Franklin, Tennessee**

Lanaii Benne, Assistant City Recorder

Alderman Barnhill moved to approve Liquor License. Seconded by Alderman Skinner. Motion carried unanimously.

CONSENT AGENDA

21. **Consideration of ORDINANCE 2011-09, To BE Entitled: "An Ordinance to Amend Chapter 1, Sections 1.7 and 1.8 of The City of Franklin Zoning Ordinance to Clarify Requirements; Establishing a Public Hearing for July 12, 2011**

(First of Three Readings)

Alderman Ann Petersen, FMPC Representative

Ordinance 2011-09 approved unanimously on First of Three Readings

22. **Consideration of ORDINANCE 2011-10, An Ordinance to Rezone 0.94 Acres from Civic and Institutional (CI) to Central Commercial (CC) for the Property located at 112 and 118 Bridge Street (Third and Final Reading)**

Alderman Ann Petersen, FMPC Representative

Ordinance 2011-10 approved unanimously on Third and Final Reading

23. **Consideration of ORDINANCE 2011-15, To Be Entitled: "An Ordinance to Amend Various Chapters and Sections of The City of Franklin Zoning Ordinance to Clarify Requirements and Correct Minor Textual Errors Relative to Canopies, Off-Street-Parking Standards, and Daycare Centers; Establishing a Public Hearing Date of July 12, 2011"**

(First of Three Readings)

Alderman Ann Petersen, FMPC Representative

Ordinance 2011-15 approved unanimously on First of Three Readings.

24. **Consideration of ORDINANCE 2011-25, An Ordinance to Amend Section 16-507 of The Franklin Municipal Code to Adopt by Reference the Special Events Grant Policy**

(Second and Final Reading)

Eric Stuckey, City Administrator

Monique McCullough, Public Outreach Specialist

Ordinance 2011-25 approved unanimously on Second and Final Reading

25. **Consideration of COF Contract No. 2011-77 Between The Housing Fund, Inc. and The City of Franklin for the Purpose of Providing Technical Assistance Relating to Annual Updating of the U.S. Department of Housing Urban Development Consolidated Plan, Action Plan, and CAPER in the Amount of \$20,000 as Approved in the 2011-12 CDBG Program Year (Consultant Fees are Paid with CDBG Funds)**

Approved unanimously

Vernon Gerth, ACA Community & Economic Development
Kathleen Sauseda, Interim Housing Development Coordinator

26. **Consideration of Event Permit Application from The Boys and Girls Club for the Wine Down Main Street in Downtown Franklin on November 4, 1022**

Approved unanimously

David Rahinsky, Interim Police Chief

27. **Consideration of Event Permit for Bluegrass Along the Harpeth Festival to be Held July 22-23, 2011 in Downtown Franklin**

Approved unanimously

David Rahinsky, Interim Police Chief

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

- Payment of \$9,900 to Corporate Centre Owners Association, Inc. in consideration of taking over the future maintenance, irrigation, and related expenses of the landscaping located within the Carothers Parkway right-of-way south of Cool Springs Boulevard in the vicinity of the One Greenway Centre and Nissan Properties

Alderman Burger asked for clarification. Vernon Gerth explained that several years ago when these properties were just being developed, water and irrigation meters were put in the City's name until such time there was more development. The City's responsibility was terminated and the Association is to take over; however, the association requested the City pay through the end of the fiscal year. Thus, the \$9,900.

Alderman Burger moved to approve, seconded by Alderman Barnhill. Motion carried unanimously.

ADJOURN

Alderman Barnhill moved to adjourn, seconded by Alderman Skinner, carried unanimously.

Meeting adjourned 7:19 p.m.

Mayor Ken Moore

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 7/20/2011 2:26 PM