

**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, NOVEMBER 8, 2011 – 7:00 P.M.**

Board Members

Mayor Ken Moore	P		
Alderman Clyde Barnhill	P	Alderman Margaret Martin	P
Alderman Brandy Blanton	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	Shirley Harmon, HR Director	
Vernon Gerth, ACA Community & Economic Development	P	Mark Hilty, Water Management Director	P
Russell Truell, ACA Finance & Administration	P	Paul Holzen, Interim Engineering Director	P
David Parker, City Engineer/CIP Executive	P	Dan Allen, Interim Assistant Engineering Director	P
Shauna Billingsley, City Attorney	P	Gary Luffman, BNS Director	P
Mike Culbertson for Rocky Garzarek, Fire Chief	P	Catherine Powers, Planning/Sustainability Director	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		Kevin Comstock, ITS Project Manager	P
Lisa Clayton, Parks Director		Lanaii Benne, Assistant City Recorder	P
		Linda Fulwider, Board Recording Secretary	P

1. **Call to Order**
Mayor Moore called the November 8, 2011, Regular BOMA meeting to order at 7:00 p.m. in the City Hall Boardroom.
2. **Invocation**
The invocation was offered by Dr. Lynn Hill, Senior Pastor, Franklin First United Methodist Church
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 minutes of the October 11, 2011 Work Session and October 11, 2011 BOMA meeting. Seconded by Alderman Burger. Motion carried unanimously.

7. Recognitions

Dancing With The Nashville Stars

Eric Stuckey displayed the Disco Ball Award that Mayor Moore and his dancing partner, country singer Mandy Torkelson, won at the Dancing With The Nashville Stars charity event for Franklin based Feed America First. They won in the technical category and as well as being the Grand Champions! Congratulations Mayor Moore.

8. Miscellaneous Reports

Veterans Day Parade

Citizens were reminded of the Veterans Day Parade on Friday 11/11/11. Current Vice Mayor Clyde Barnhill is one of the Grand Marshalls. There will be a reception at 9:00 a.m. at the County Archives.

Franklin Civil War Roundtable

Alderman Skinner announced the next Roundtable is scheduled on Sunday, November 13, 2011 at 3:00 p.m. in the Community Room at Franklin Police Headquarters. Randy Bishop will speak on Regiments of the Civil War.

9. Acknowledge Receipt of Williamson County Elections Commission Report, 2011 City of Franklin Municipal Election

Eric Stuckey, City Administrator

Eric Stuckey presented the certified election results from the Franklin Municipal Election. The Charter amendment was approved by majority and the following mayor and aldermen-at-large were elected by majority: Dr. Ken Moore, Mayor, and Clyde Barnhill, Brandy Blanton, Pearl Bransford, and Ann Petersen, Aldermen-at-Large.

10. Administration of Oath of Office to Newly Elected Mayor and Aldermen At-Large in Accordance with the City Charter, Article IV, Section 4

Tennessee Supreme Court Chief Justice Cornelia Clark

The following persons were sworn in individually:

Ken Moore, Mayor

Clyde Barnhill, Alderman

Brandy Blanton, Alderman

Pearl Bransford, Alderman

Ann Petersen, Alderman

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

Mayor Ken Moore

Alderman Burger nominated Alderman Skinner for Vice Mayor. Seconded by Alderman Bransford.

Alderman Martin moved to close nominations. Seconded by Alderman McLendon. Motion carried unanimously.

Motion to elect Alderman Michael Skinner Vice Mayor carried unanimously.

12. Mayor's Appointments to Board of Alderman Committees

Mayor Ken Moore

Mayor Moore appointed the aldermen to the following committees:

CAPITAL INVESTMENT COMMITTEE

Dana McLendon

Clyde Barnhill

Margaret Martin

Pearl Bransford

BUDGET & FINANCE COMMITTEE

Beverly Burger

Ann Petersen

Brandy Blanton

Michael Skinner

13. Nomination by Board of Aldermen for a Representative to Franklin Municipal Planning Commission

Mayor Ken Moore

Alderman Bransford nominated Ann Petersen as BOMA representative to the FMPC. Seconded by Alderman McLendon.

Alderman McLendon moved that the nominations be closed. Seconded by Alderman Skinner. Motion carried unanimously.

Motion to approve nomination of Ann Petersen as BOMA representative to the FMPC carried unanimously.

14. Consideration of Appointment by Mayor for a Representative to Franklin Municipal Planning Commission

Mayor Ken Moore

Mayor Moore appointed Jimmy Franks as his designated representative to the FMPC.

15. Consideration of Mayor's Appointments to the City of Franklin Beer Board

Mayor Ken Moore

Mayor Moore asked the Board to approve his appointments to the Beer Board: Alderman Burger, Alderman Barnhill and Alderman Bransford.

Alderman McLendon moved to approve the Mayor's appointments to the Beer Board: Aldermen Burger, Barnhill and Bransford. Seconded by Vice Mayor Skinner. Motion carried unanimously.

16. Consideration of Mayor's Nomination(s) to the City of Franklin Housing Commission

Mayor Ken Moore

Mayor Moore reappointed Pearl Bransford as BOMA representative, and nominated the following At-Large members: Dan Klatt (term ending 2/2012), David Johnston (term ending 2/2012), Mary Anne Dotson (term ending 2/2013), and Paul Lebovitz (term ending 2/2013).

Alderman Barnhill moved to approve the Mayor's nominations to the Housing Commission: Reappointment of BOMA representative Pearl Bransford and At-Large Members, Dan Klatt (term to expire 2/2012), David Johnston (term to expire 2/2012), Mary Anne Dotson (term to expire 2/2013), and Paul Lebovitz (term to expire 2/2013). Seconded by Vice Mayor Skinner. Motion carried unanimously.

17. Consideration of Mayor's Nomination to the City of Franklin Pension Committee

Mayor Ken Moore

Mayor Moore reappointed Alderman Clyde Barnhill and himself to the Pension Committee.

18. Consideration of Mayor’s Appointment to the Williamson County Solid Waste Board

Mayor Ken Moore

Mayor Moore stated that without objection he would reappoint Alderman Skinner to the Williamson County Solid Waste Board.

Alderman Petersen moved to approve the reappointment of Alderman Skinner to the Williamson County Solid Waste Board. Seconded by Alderman Barnhill. Motion carried unanimously.

19. Consideration of Mayor’s Appointment (s) to the Franklin Transit Authority Board

Mayor Ken Moore

Mayor Moore named the following for reappointment to FTA: Alderman Bransford, Nancy Williams, Hays Waldrop, and Dale Thomas.

Alderman Martin moved to approve reappointments to the Franklin Transit Authority: Alderman Pearl Bransford, Nancy Williams, Hays Waldrop, and Dale Thomas. Seconded by Alderman Petersen. Motion carried unanimously.

20. 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 26-33 be placed on the Consent Agenda.

Alderman Skinner moved to pull Item 27 and approve the Consent Agenda Items 26, and 28 through 33. Seconded by Alderman Petersen. Motion carried unanimously.

OLD BUSINESS

21. PUBLIC HEARING: Consideration of ORDINANCE 2010-48, To Be Entitled: “An Ordinance to Add Section 5.8.5 to Chapter 5, Section 5.8 of the City of Franklin Zoning Ordinance to Regulate Development Within the Corporate Limits of Franklin, Tennessee, to Minimize Danger to Life and Property Due to Flooding, and to Maintain Eligibility for Participation in The National Flood Insurance Program”

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

With no one coming forth to speak, Mayor Moore declared the Public Hearing Closed

Alderman Petersen moved to approve Ordinance 2010-48 on Second of Three Readings. Seconded by Alderman Burger. Motion carried unanimously.

22. PUBLIC HEARING: Consideration of ORDINANCE 2010-50, To Be Entitled: “An Ordinance to Add or Revise Certain Definitions in Section 8.3 of the Franklin Zoning Ordinance”

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

With no one coming forth to speak, Mayor Moore declared the Public Hearing Closed

Alderman Bransford moved to approve Ordinance 2010-50 on Second of Three Readings. Seconded by Alderman Petersen. Motion carried unanimously.

23. **PUBLIC HEARING: Consideration of ORDINANCE 2011-27, To Be Entitled: "An Ordinance to Amend Chapter 3, Section 3.4.5, and Chapter 4, Section 4.3.2 of the City of Franklin Zoning Ordinance Regulating Development Within the Floodway Fringe Overlay District"**
[Second of Three Readings] Alderman Ann Petersen, FMPC Representative
With no one coming forth to speak, Mayor Moore declared the Public Hearing Closed

Alderman Petersen moved to approve Ordinance 2011-27 on Second of Three Readings. Seconded by Alderman Martin. Motion carried unanimously.

NEW BUSINESS

24. **Consideration of RESOLUTION 2010-15, A Resolution Authorizing Condemnation for the Acquisition of Property for the Intersection Improvements SR 96 at Boyd Mill Avenue and Carlisle Lane Project**

Paul Holzen, Interim Engineering Director

Alderman Martin moved to approve Resolution 2010-15. Seconded by Alderman Blanton. Motion carried unanimously.

25. **Consideration of Change Order No. 1 with Civil Constructors, Inc. for the Jackson National Life Dual Power & Voice/Data Feed Project (COF Contract No. 2011-0023) for an INCREASE in the Contract Amount of \$22,795.00**

Paul Holzen, Interim Engineering Director

Alderman Burger moved to defer this item to the November 22, 2011 meeting. Seconded by Alderman Barnhill. Motion carried unanimously.

CONSENT AGENDA

26. **Consideration of ORDINANCE 2011-30, An Ordinance of the City of Franklin for Amending or Transferring Funds Within a Budget for the Fiscal Year 2010-2011; Providing an Effective Date [Third and Final Reading]**
Russ Truell, ACA Finance and Administration

Ordinance 2011-30 approved unanimously on Third and Final Reading

27. **Consideration of General Maintenance Agreement (COF Contract No. 2011-0142) with the Tennessee Department of Transportation (TDOT); Agreement No. 110275; PIN 101202.00; for Mack Hatcher Parkway from South of Murfreesboro Road (SR 96) to West of Franklin Road (SR 6, US 31)**

David Parker, City Engineer/CIP Executive

David Parker requested this item be pulled and that the item be approved contingent on revised language in the Agreement by the City Attorney, City Administrator, and City Engineer.

Alderman Skinner moved to approve the General Maintenance Agreement contingent on revised language by the City Attorney, City Administrator, and City Engineer. Seconded by Alderman Burger. Motion carried unanimously.

28. **Consideration of Change Order Number 003 for Time Only for the Franklin ITS Phase 1 ARRA Project; Contract 2010-0091**

Approved unanimously

David Parker, City Engineer/CIP Executive

29. **Consideration of Property Acquisition/Right-of-Way Abandonment per the Agreement with Alan D. Revelette and Candace Revelette for the Nichol Mill Lane Project**
Approved unanimously David Parker, City Engineer/CIP Executive
30. **Consideration of Change Order No. 5 with The Parkes Companies, Inc. for the McEwen Drive Phase III Project (COF Contract No. 2011-0003) for an Increase in the Contract Amount of \$5,800.00**
Approved unanimously David Parker, City Engineer/CIP Executive
31. **Consideration of the Request for Water Availability for 1122 Warrior Drive**
Approved unanimously David Parker, City Engineer/CIP Executive
32. **Consideration of Events Permit for Turkey Trot 5K Run on November 24, 2011**
Approved unanimously David Rahinsky, Police Chief
33. **Items Approved By The City Administrator On Behalf Of The Board Of Mayor & Aldermen:**
- A. Acknowledgement of Approval for Annual Master and Synchronization Agreement (Three Year License) with Killer Tracks (COF Contract No. 2011-0155) for Use of Certain Musical Compositions and Sound Recordings in an Amount Not to Exceed \$1,755.00 Ray Foglia, Cable Channel 10
 - B. Consideration of Amendment No. 1 to the Professional Services Agreement for the Carothers Parkway & Cool Springs Boulevard Additional Right Turn Lane Project (COF Contract No. 2011-0167)
Paul Holzen, Interim Engineering Director
 - C. Consideration of Amendment No. 2 to the Professional Services Agreement for the Harpeth River Greenway Project COF Contract No. 2011-0073 Paul Holzen, Interim Engineering Director
- Approved unanimously*

ADJOURN

Alderman Burger moved to adjourn. Seconded by Alderman Bransford. Motion carried unanimously.

Meeting adjourned 7:27 PM. A reception followed.

Mayor Ken Moore

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 11/29/2011 9:12 AM