

**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, MAY 12, 2009 – 7:00 P.M.**

Board Members

Mayor John Schroer	P	Alderman Dana McLendon	A
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 Dan Klatt	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/Wastewater Director	P
David Parker, City Engineer		Gary Luffman, Interim Planning Director	P
Shauna Billingsley, Interim City Attorney	P	Tom Marsh, Interim Codes Director	
Rocky Garzarek, Fire Chief	P	Joe York, Streets Director	P
Jackie Moore, Police Chief	P	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, May 12, 2009, 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. Recognitions by Mayor John Schroer

• **County Laois, Ireland**

Dr. Hilliard, O'More College of Design, came forward along with two tutors (professors) and two students from a college in County Laois, Ireland (Franklin/Williamson County Sister City). Dr. Hilliard noted he takes students to the O'More's homeland every summer. This is the first year for their Irish counterparts to visit Franklin. They will spend two weeks taking classes and visiting sites of interest in Williamson County and Nashville. Dr. Hilliard said he plans to take a group of approximately 30 people from Williamson County to Ireland next year.

• **Public Works Week**

Mayor Schroer proclaimed May 17-23 National Public Works Week. Eric Stuckey related as part of the celebration "Touch A Truck" would be held Saturday at Pinkerton Park, and a video touching on every aspect of public works would begin running on Comcast Channel 10 as well.

• **Pay it Forward**

Mayor Schroer read a proclamation from the Mayor of Picayune, Mississippi. August 29, 2005 Hurricane Katrina devastated the entire gulf coast. The City of Franklin, Tennessee, sent firefighters and policemen to help the Picayune police department in a time of absolute need. The men and women of the Picayune Police Department, the citizens of the city, and the mayor and city council rendered a Pay It Forward Proclamation to Franklin, Tennessee, and the Franklin firefighters and police proclaiming their intent to return in kind to Franklin, Tennessee, whenever necessary should any devastation befall. They further want it known the City of Picayune is calling this the Pay It Forward Proclamation to advise that everyone in Picayune is indebted to Franklin, Tennessee,

• **Recognition of Fallen Soldiers**

The City of Franklin adopted Delta Company, 1/327th 101st Airborne Division (Air Assault) in November 2004. The men of Delta Company and their families have formed a special bond with the residents of Franklin. In September 2007 the men of Delta Company began serving their third tour of duty in Iraq as part of Operation Iraqi Freedom. The men of Delta Company are committed to peace and freedom in our world.

During this tour, five members of Delta Company gave the ultimate sacrifice by losing their lives in defense of freedom. The City of Franklin expresses its appreciation and sincere gratitude for their sacrifice.

Be it proclaimed that on this day May 12, 2009, the Board of Mayor and Aldermen of the City of Franklin hereby declare these five brave soldiers honorary citizens of the City of Franklin, Tennessee.

CPT Adam P. Snyder
SGT Steven J. Christofferson
SGT Eric J. Hernandez
SGT Adam J. Kohlhaas
PVT Dewayne L. White

On May 25 at Five Points, the County will unveil brick pavers for these young men.

7. Approval of Minutes

Alderman Burger moved to approve the minutes of the April 28, 2009 Work Session and the April 28, 2009 Special Board Meeting. Seconded by Alderman Barnhill. Motion carried unanimously.

8. 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 10-21 be placed on the Consent Agenda

Alderman Moore moved to approve the Consent Agenda Items 10-21. Seconded by Alderman Skinner. Motion carried unanimously.

NEW BUSINESS

9. Consideration of Approval of Fund Balance Policy

Russ Truell, ACA Finance & Administration

Alderman Moore moved to approve the Fund Balance Policy as presented. Seconded by Alderman Bransford.

Alderman Petersen moved to amend the Policy by replacing the 33% recommended for Reserve to 40% (Pages 1 and 3).

Alderman Petersen said information shows the two other cities in Tennessee rated AAA have 40% reserves, as do other peer cities. Four out of five had 40% or more.

Alderman Moore explained the Committee went through four different policy revisions on this subject. He thanked all who worked on the policy, including PFM representatives. He disagrees with 40% and the Committee voted to recommend the 33%; therefore, he will vote against the amendment.

Alderman Klatt agreed with Alderman Moore and indicated the implementation of a set policy is a positive step. The 33% is a floor; there can be more in the fund. He supports the proposal but not the amendment.

During discussion it was recommended the policy be reviewed every third or fourth year. The percentage can be changed if deemed necessary.

Alderman Petersen expressed difficulty going with the lower number because if the fund were spent down it would be extremely difficult to build it up again. Moody's information stated cities with populations of 50,000 to 100,000 had medians of 38%.

Alderman Barnhill said he thought the number should not go below Moody's 38%. If the money is spent, it won't come back.

Alderman Burger asked about the positives of a 33% floor. Mr. Truell explained they were trying to find a harmonic balance, yet have the capacity to make decisions on projects. The higher the threshold, the less latitude. Mr. Stuckey added that they looked at the amount of infrastructure to be built and growth factors, and the prudent use of funds to meet the needs of and to invest in the community.

Alderman Burger stated she would support the 33% because of hearing the discussions between the consultants and committee at the meetings. Alderman Bransford recommended the 33% because it provides the capacity to get projects done.

Alderman Petersen again voiced opposition mentioning the two cities in Tennessee with 40% and the City of Franklin being more reliant on sales tax.

Motion to amend failed 2-5 with Aldermen Petersen and Barnhill voting yes and Aldermen Klatt, Skinner, Bransford and Moore voting against.

Main Motion to approve Fund Balance Policy as presented carried 6-1 with Alderman Petersen voting no.

CONSENT AGENDA

- 10. Consideration of ORDINANCE 2009-09 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**

(Third and Final Reading)

Gary Luffman, Interim Planning Director

Approved unanimously on Third and Final Reading

- 11. Consideration of ORDINANCE 2009-10 To Be Entitled: "An Ordinance to Amend Chapter 2, Section 2.4.7, and Chapter 6, Sections 6.1, 6.2, 6.3, and 6.4 of The Franklin Zoning Ordinance to Revise Requirements Relating to Performance Agreements."**

(Third and Final Reading)

Gary Luffman, Interim Planning Director

Approved unanimously on Third and Final Reading

- 12. Consideration of ORDINANCE 2009-22 To Be Entitled: "An Ordinance to Incorporate Specific Barrier-Free/Adaptable Design Features in New Affordable, Workforce, and Moderately-Priced Housing Built With Financial Assistance from The City of Franklin."**

(Second and Final Reading)

Vernon Gerth, ACA Community & Economic Development

Approved unanimously on Second and Final Reading

- 13. Consideration of RESOLUTION 2009-12, A Resolution Approving The 2007-2010 Consolidated Plan and Annual Action Plan for 2009-10 and Authorizing a Request for Housing and Urban Development CDBG Program Funds**

Approved unanimously

Vernon Gerth, ACA Community & Economic Development

- 14. Consideration of Termination of Contract with Studio Eight Design for Professional Services for Jim Warren Park Facilities (Concessions Building, Announcers' Tower, and Pavilion)**

Approved unanimously

Lisa Clayton, Parks Director

15. **Consideration of Agreements to Award Two Community Based Development Organizations Community Development Block Grants in the Amount of \$50,000 to Hard Bargain/Mt. Hope and \$75,000 to United Community Resource Foundation for the Purpose of Supporting the Construction and Sale of Four Single-Family Dwellings to Low or Moderate-Income Families**
Approved unanimously **Vernon Gerth, ACA Community & Economic Development**

16. **Consideration of Approval Of Contingency Modification for Gas and Plumbing Revisions to the New Franklin Police Headquarters. Request is for \$12,828.00 To be Funded from the Project Contingency**
Approved unanimously **Brad Wilson, Facilities Project Manager**

17. **Consideration of Approval of Contingency Modification for Revisions to the Office Floor Plan at the New Franklin Police Headquarters. Request is for \$4,332.28 to be Funded from the Project Contingency**
Approved unanimously **Brad Wilson, Facilities Project Manager**

18. **Consideration of Approval of Contingency Modification for the New Franklin Police Headquarters North Parking Deck Bridge Light Fixtures. Request is for \$1,868.00 to be Funded from the Project Contingency**
Approved unanimously **Brad Wilson, Facilities Project Manager**

19. **Consideration of Approval of Contingency Modification for the New Franklin Police Headquarters Community Room Regarding Additional Data and Power Connections. Request is for \$5,435.00 to be Funded from the Project Contingency**
Approved unanimously **Brad Wilson, Facilities Project Manager**

20. **Consideration of a \$36,245.95 Savings Through Additional Value Engineering for the New Franklin Police Headquarters**
Approved unanimously **Brad Wilson, Facilities Project Manager**

21. **Consideration of Reallocation of Budget in the Amount of \$64,637.10 for the Purchase of One (1) Swath Mower for the Parks Department (Competitive Selection of Vendor Handled by Metro Nashville Contract No. 18448; To be Allocated to 110-89530-44700)**
Approved unanimously **Lisa Clayton, Parks Director**

ADJOURN

Alderman Moore moved to adjourn. Meeting adjourned 7:27 p.m.

Mayor John C. Schroer

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - ~~5/27/2009 3:09 PM~~~~5/27/2009 3:08 PM~~