

**MINUTES OF THE REGULAR MEETING**  
**BOARD OF MAYOR AND ALDERMEN**  
**FRANKLIN, TENNESSEE**  
**CITY HALL BOARDROOM**  
**TUESDAY, JULY 13, 2010 – 7:00 P.M.**

**Board Members**

Mayor John Schroer	P	Alderman Dana McLendon	E
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	
Vernon Gerth, ACA Community & Economic Dev.	P	Shirley Harmon, HR Director	P
Russell Truell, ACA Finance & Administration	P	Mark Hilty, Water Management Director	
David Parker, City Engineer/CIP Executive	P	Gary Luffman, BNS Director	P
Shauna Billingsley, City Attorney	P	Catherine Powers, Planning/Sustainability Dir	P
Rocky Garzarek, Fire Chief		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		Linda Fulwider, Board Recording Secretary	P
Lisa Clayton, Parks Director			

**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, July 13, 2010, 7:15 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 Moore moved to approve the June 22, 2010 Work Session and June 22, 2010 Special BOMA meeting minutes as presented. Seconded by Alderman Barnhill. Motion carried unanimously.*

**7. Recognitions by Mayor Schroer**

Eric Stuckey reported 6.7 tons of recycling was picked up curbside on the first day of the Blue Bag Program. Today's collection was just over 8 tons. Some retailers sold out of blue bags and are in the process of restocking. The City is pleased with the response to this new recycling program. Mr. Stuckey also thanked staff for their efforts to get the program started.

**8. Miscellaneous Reports**

None

**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 15-29 be placed on the Consent Agenda.

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Mayor Schroer pulled item 24 for deferral. He clarified items 19 and 20 were to deny requests for sanitary sewer.

*Alderman Martin moved to approve the Consent Agenda, items 15-29, with the exception of item 24. Seconded by Alderman Barnhill. Motion carried unanimously.*

**NEW BUSINESS**

**10. Consideration of RESOLUTION 2010-51, a Resolution to Authorize the Construction of the Nichol Mill Lane Improvement Project from Mallory Lane to Just West of the Cool Springs Life Science Center**

**David Parker, City Engineer/CIP Executive**

*Alderman Burger moved to approve Resolution 2010-51. Seconded by Alderman Bransford.*

Alderman Petersen noted items 10, 11, and 12 are about the small project priorities. She requested numbers as this is looking at committing money for three years, and they exceed the \$500,000 per year allocation. She stated she would support these projects as long as there would not be another \$500,000 expenditure next fiscal year 2010.

Eric Stuckey explained just one of the three projects taps into the year.

- Funding for Nichol Mill Lane is through cost savings realized on the Murfreesboro Road/Royal Oaks intersection improvements and the McEwen Drive widening and signal improvements at Cool Springs Boulevard that total in excess of \$1,400,000. Estimated cost for improvements on

Nichol Mill Lane \$985,000. Approximately \$50,000 of the project is eligible for funding from the Stormwater Reserve Fund.

- General George Patton Drive/Duke Drive intersections with Mallory Station Road signalization project taps into the \$500,000 set aside. The developer of the Verizon building provided \$140,000 for the project. Estimated cost of the project \$385,000. Funding: \$385,000 from the small project fund set-aside plus \$140,000 from the developer = \$525,000.
- Design and Construction of the Eastern Flank Battlefield Park Roadway project funding comes from tax revenues from the collected Hotel/Motel Taxes at a cost of \$300,000.

Thus, \$115,000 from the year one allocation of \$500,000 is not used.

Alderman Petersen asked what would happen when there were no savings on projects, rather additional costs. Mr. Stuckey stated that was covered when the funding model was brought forward along with a financial statement. It will continue to show the positive with the negative. Alderman Petersen countered the information from PFM and Budget & Finance did not include the percentage of debt in the General Fund to expend. It did not project further spending. Will have to borrow more money, so it is projected above what the Board approved and does not include money to finish other projects.

*Alderman Martin called the question. Seconded by Alderman Burger and passed unanimously.*

*Motion to approve Resolution 2010-51 approved unanimously.*

**11. Consideration of RESOLUTION 2010-52, a Resolution to Authorize the Construction of the General George Patton Drive and Duke Drive Intersections with Mallory Station Road Signalization Project**

**David Parker, City Engineer/CIP Executive**

*Alderman Burger moved to approve Resolution 2010-52. Seconded by Alderman Bransford. Motion carried unanimously.*

**12. Consideration of RESOLUTION 2010-56, a Resolution to Authorize the Design and Construction of the Eastern Flank Battlefield Park Roadway Project**

**David Parker, City Engineer/CIP Executive**

*Alderman Skinner moved to approve Resolution 2010-56. Seconded by Alderman Bransford.*

*Alderman Skinner moved to amend by eliminating the fourth whereas, ~~“WHEREAS, six (6) options for providing the access roadway to the Eastern Flank Battlefield Park have been discussed and BOMA has indicated that the City will fund the cost of Option IV at \$300,00”~~ And, amend by changing the amount in the last sentence of resolution, “.....that the Eastern Flank Battlefield Park Roadway Project be authorized for design and construction at a cost of ~~\$300,000~~ \$369,000 with the funding to be an allocation from Hotel/Motel Tax revenues”. Seconded by Alderman Bransford.*

Mayor Schroer clarified this allows BOMA to look at all the options on funding, design/build, and completion of the entire roadway.

*Motion to amend as stated carried unanimously.*

*Main Motion to approve Resolution 2010-56, as amended, carried unanimously.*

**13. Consideration of Pension Trust Agreement Amendment (COF Contract No. 2010-0087)**

**Alderman Clyde Barnhill, Pension Committee Chair**

*Alderman Moore moved to approve the Pension Trust Agreement Amendment. Seconded by Alderman Barnhill. Motion carried unanimously.*

**14. Consideration of Contract with Stansell Electric Company, Inc. in the Amount Not to Exceed \$1,048,520.70 for Franklin ITS (Intelligent Transportation System) Phase 1 ARRA (American Recovery and Reinvestment Act of 2009) Project**

**David Parker, City Engineer/CIP Executive**

Mayor Schroer noted 95% of the costs are covered by stimulus money.

*Alderman Bransford moved to approve the Contract with Stansell Electric for Franklin ITS Phase 1 ARRA Project. Seconded by Alderman Burger. Motion carried unanimously.*

**CONSENT AGENDA**

**15. Consideration of ORDINANCE 2010-40, an Ordinance to Amend Section 14-202 of The Franklin Municipal Code Relative to the Applications, Permits, Inspections and Fees for Inspection and Reinspections for the Planning Review Process**

**[Second and Final Reading]**

**Alderman Ann Petersen, FMPC Board Representative**

*Ordinance 2010-40 approved Second and Final Reading*

**16. Consideration of RESOLUTION 2010-58, a Resolution Declaring the Intent of The City of Franklin to Reimburse Itself for Certain Expenditures Relating to Public Works Projects With the Proceeds of Bonds or Other Debt Obligations to be Issued by The City of Franklin in an Approximate Amount of \$30,000,000**

**Russ Truell, ACA Finance & Administration**

*Resolution 2010-58 approved unanimously*

**17. Consideration of RESOLUTION 2010-59, a Resolution to Authorize the Emergency Expenditure of \$45,395.17 for the Peytonsville Road Drainage Repair to be Paid from the Stormwater Reserve Fund**

**David Parker, City Engineer/CIP Executive**

*Resolution 2010-59 approved unanimously*

**18. Consideration of a Memorandum of Understanding 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 and Urban Development Consolidated Plan, Action Plan, and**

**Consolidated Annual Performance Evaluation Report (CAPER) in the Amount of \$20,000 as Approved in the 2010-11 CDBG Program Year (Consultant Fees are Paid with CDBG Funds) (Contract Number 2010-0085)**

*Approved unanimously*

**Vernon Gerth, ACA Community & Economic Development**

**19. Consideration of the Request for Sanitary Sewer Availability for 114 Spencer Creek Road**

**Eric Gardner, Engineering Director**

*Recommendation to DENY request approved unanimously*

**20. Consideration of the Request for Sanitary Sewer Availability for 2021 Old South Berry Chapel Road**

**Eric Gardner, Engineering Director**

*Recommendation to DENY request approved unanimously*

**21. Consideration of the Final Change Order for the SR 96 at Royal Oaks Boulevard Intersection Construction Project with Civil Constructors, Inc.; a DEDUCT in the Amount of \$109,217.73 for the Final Close Out of the Project (Total Cost of Construction \$2,086,004.82)**

*Approved unanimously*

**David Parker, City Engineer/CIP Executive**

**22. Consideration of the Final Change Order for the McEwen Drive Intersection Construction Project from Jordan Road to Cool Springs Boulevard with Civil Constructors, Inc.; a DEDUCT in the Amount of \$399,969.63 for the Final Close Out of the Project (Total Cost of Construction \$1,241,001.02)**

*Approved unanimously*

**David Parker, City Engineer/CIP Executive**

**23. Consideration of Change Order No. 1 for the Carter Street Area Water and Sewer Upgrade Project with L & C Contractors for an Additional Sixty (60) Days to the Contract**

*Approved unanimously*

**David Parker, City Engineer/CIP Executive**

**24. Consideration of the Final Change Order for the Franklin Corridor and Connector Streets Economic Development Project, Segment One – Third Avenue North and Fifth Avenue North Construction Project with Civil Constructors, Inc. in the Amount of \$107,577.50 for the Final Close Out of the Project**

**David Parker, City Engineer/CIP Executive**

*Alderman Moore moved to defer to July 27, 2010. Seconded by Alderman Skinner. Motion carried unanimously.*

**25. Report of Emergency Purchase of a Reconditioned Comminutor to Replace a Failed Unit for the Water Reclamation Facility Division of The Water Management Department**

*Approved unanimously*

**Mark Hilty, Water Management Director**

26. **Consideration of Liquor License Retailer's Certificate Renewal for Harpeth Liquors, Inc. (Satish Kumar Patel), 405 Alexander Plaza, Franklin, Tennessee**  
*Approved unanimously*                      **Lanaii Benne, Assistant City Recorder**
27. **Consideration of Event Permit for Jingle Bell Run to be Held in Downtown Franklin on December 4, 2010**  
*Approved unanimously*                      **Jackie Moore, Police Chief**
28. **Consideration of Event Permit for Best Buddies 5K to be Held on August 28, 2010**  
*Approved unanimously*                      **Jackie Moore, Police Chief**
27. **Items Approved by the City Administrator on Behalf of the Board of Mayor and Aldermen**  
    • TML Risk Management Pool, "Safety Partners" Loss Control Matching Grant (\$2,000)  
*Approved unanimously*

**ADJOURN**

*Alderman Skinner moved to adjourn, seconded by Alderman Moore, carried unanimously.*

Meeting adjourned @ 7:36 p.m.

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Mayor John C. Schroer

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 7/28/2010 1:59 PM