

**MINUTES OF THE REGULAR MEETING
BOARD OF MAYOR AND ALDERMEN
FRANKLIN, TENNESSEE
CITY HALL BOARDROOM
TUESDAY, OCTOBER 12, 2010 – 7:00 P.M.**

Board Members

Mayor John Schroer	P	Alderman Dana McLendon	P
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	P
Vernon Gerth, ACA Community & Economic Dev.	P	Shirley Harmon, HR Director	
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		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	
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, October 12, 2010, 7:05 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 September 28, 2010 Work Session and September 28, 2010 BOMA meeting minutes as presented. Seconded by Alderman Barnhill. Motion carried unanimously.

7. Recognitions by Mayor Schroer

- Crime Prevention Month

Mayor Schroer thanked City police officers and Chief Jackie Moore for their diligence in keeping Franklin’s crime rate low. He quipped that every month should be crime prevention month.

- Citizen’s Government Academy 2010 Graduates

Mayor Schroer commended the participants for attending the Academy to learn how the City operates. Eric Stuckey noted this is the sixth year for the Academy with classes that meet every Thursday evening for 8 weeks. Mr. Stuckey thanked Monique McCullough, whom he dubbed, Dean of the Academy. He thanked the leadership team for their presentations to the classes as well.

Mayor Schroer, Eric Stuckey, Monique McCullough and Joe York presented Graduation Certificates and gifts to:

- | | |
|-----------------|------------------------|
| ◆ John Besser | ◆ Lydia Miller |
| ◆ Pat Burns | ◆ Jennifer Porter Ross |
| ◆ Darci Caesar | ◆ Jon Stephens |
| ◆ Zach Daniel | ◆ Joe Storey |
| ◆ Miles Mennell | ◆ Christine White |

8. Miscellaneous Reports

- Alderman Skinner reminded everyone of the Battle of Franklin Re-enactment and Living History Event scheduled Saturday and Sunday, October 16 & 17 at Harlinsdale Park. This is a precursor for the national event in 2013.

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 12-25 be placed on the Consent Agenda.

Mayor Schroer noted items 18, 20 21, 22, and 23 should be pulled and deferred to October 26, 2010.

Alderman Bransford moved to approve the Consent Agenda Items 12 through 17, and Items 19, 24, and 25, deferring items 18, 20, 21, 22, and 23 to October 26, 2010. Seconded by Alderman Barnhill. Motion carried unanimously.

NEW BUSINESS

10. **Consideration of an Amended Lease Agreement with Battle Ground Brewery, LLC for Storage and Parking Space at Old Jail, 118 Bridge Street**
Vernon Gerth, ACA Community & Economic Development
Alderman Moore moved to approve Amended Lease Agreement. Seconded by Alderman Bransford. Motion carried unanimously.

11. **Consideration of ~~Franchise~~ Right-of-Way Usage Agreement with tw telecom, Inc.**
David Parker, City Engineer/CIP Executive
Shauna Billingsley, City Attorney
Alderman Bransford moved to approve the Right-of-Way Usage Agreement with tw telecom, Inc. Seconded by Alderman Moore. Motion carried unanimously.

CONSENT AGENDA

12. **Consideration of ORDINANCE 2010-38, to be Entitled “An Ordinance to Rezone 0.7 Acres from Medium Residential (R-2) To Residential Variety (RX) for Property Located Along Eddy Lane Between Glencoe Court and Lucinda Court”**
[Third and Final Reading] Alderman Ann Petersen, FMPC Representative
Ordinance 2010-38 approved unanimously on Third and Final Reading

13. **Consideration of ORDINANCE 2010-45, As Amended, An Ordinance to Revise the Permitted Uses in the Scientific Research Overlay Zoning District**
[Third and Final Reading] Alderman Ann Petersen, FMPC Representative
Ordinance 2010-45, As Amended, approved unanimously on Third and Final Reading

14. **Consideration of ORDINANCE 2010-47, As Amended, to be Entitled, “An Ordinance to Amend Chapter 3, Sections 3.4.4 and 3.4.5, and Chapter 4, Section 4.3.2 of the City of Franklin Zoning Ordinance Regulating Development Within the Floodway Overlay District and the Floodway Fringe Overlay District”**
[Third and Final Reading] Alderman Ann Petersen, FMPC Representative
Ordinance 2010-47, As Amended, approved unanimously on Third and Final Reading

15. **Consideration of ORDINANCE 2010-64, “An Ordinance to Amend Title 21, Chapter 1, Section 21-102 of the Franklin Municipal Code for the Purposes of Establishing an Affordable/Workforce Housing Advisory Commission”**
[Second and Final Reading] Vernon Gerth, ACA Community & Economic Development
Kathleen Sauseda, Interim Housing Development Coordinator
Ordinance 2010-64 approved unanimously on Second and Final Reading

16. **Consideration of RESOLUTION 2010-74, a Resolution Acknowledging the Franklin Fire Department's Participation in the "Cares Enough to Wear Pink" National Campaign for Cancer Awareness**

Rocky Garzarek, Fire Chief

Sarah Glenn, EMS Officer

Resolution 2010-74 approved unanimously

17. **Consideration of RESOLUTION 2010-75, a Resolution Approving a 2% Cost of Living Increase for All Full Time City of Franklin Employees Employed as of July 1, 2010**

Eric Stuckey, City Administrator

Resolution 2010-75 approved unanimously

18. **Review and Approval of a Communication Tower Agreement Between Clearwire Wireless, LLC and the City of Franklin for Fieldstone Park**

Lisa Clayton, Parks Director

Deferred to October 26, 2010 BOMA meeting

19. **Consideration of Contract 2010-0135 to Support the Purchase of a Lot Located at 911 A & B Glass Street for \$59,000 with CDBG-R Stimulus Funds**

Vernon Gerth, ACA Community & Economic Development

Kathleen Sauseda, Interim Housing Development Coordinator

Approved unanimously

20. **Consideration of Bid Award to National Data & Surveying Services, Inc. of Beverly Hills, CA, in the Amount of \$14,650.00 for Purchase of Vehicular Traffic Data Collection Contract Services for the Traffic Operations Center Division of the Engineering Department (Purchasing Office Procurement Solicitation No. 2011-003; \$20,000.00 Budgeted in 110-82560-41610 for Fiscal Year 2011)**

Eric Gardner, Engineering Director

Deferred to October 26, 2010 BOMA meeting

21. **Consideration of Master Services Agreement (COF Contract No. 2010-0154) with AMEC for Stream Restoration Projects**

David Parker, City Engineer/CIP Executive

Deferred to October 26, 2010 BOMA meeting

22. **Consideration of Master Services Agreement (COF Contract No. 2010-0155) with CEC for Stream Restoration Projects**

David Parker, City Engineer/CIP Executive

Deferred to October 26, 2010 BOMA meeting

23. **Consideration of Master Services Agreement (COF Contract No. 2010-0156) with URS for Stream Restoration Projects**

David Parker, City Engineer/CIP Executive

Deferred to October 26, 2010 BOMA meeting

24. **Consideration of Event Permit for Pumpkinfest (Sponsored by Heritage Foundation/Downtown Franklin Association) in Downtown Franklin on October 30, 2010**

Approved unanimously

Jackie Moore, Police Chief

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

- a) Approval of a Professional Services Agreement with Environmental Resources Management (ERM) in the Maximum Amount of \$6,000 for the Purpose of Conducting a Phase I Study of the "Hill" property where the Water Department Offices, Equipment and Material Storage Area, and Fleet Division are presently located

Approved unanimously

EXECUTIVE SESSION

Consideration of Motion to Enter Executive Session for the Purpose of Reviewing Various Matters of Pending Litigation

Shauna Billingsley, City Attorney

Alderman McLendon moved to enter Executive Session at 7:18 p.m. Seconded by Alderman Barnhill. Motion carried unanimously.

RETURN FROM EXECUTIVE SESSION

Alderman Barnhill moved to adjourn Executive Session at 7:42 p.m. Seconded by Alderman Moore. Motion carried unanimously.

Consideration of Matters from Executive Session

Mayor John Schroer

There were no matters to consider.

ADJOURN

Alderman Bransford moved to adjourn.

Meeting adjourned @ 7:43 p.m.

Mayor John C. Schroer

Minutes prepared by: Linda Fulwider, Board Recording Secretary, City Administrator's Office - 11/22/2010 9:48 AM