

# FRANKLIN BOARD OF MAYOR AND ALDERMEN

REGULAR BOARD MEETING  
TUESDAY, FEBRUARY 10, 2009, 7:00 P.M.  
CITY HALL BOARD ROOM  
109 THIRD AVENUE SOUTH  
FRANKLIN, TENNESSEE 37064

*Meetings Of The Board Of Mayor And Aldermen Are Broadcast Live On Cable Television Channel 10*

01. Call to Order
02. Invocation
03. Pledge of Allegiance
04. 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.)
05. Communications from Williamson County Mayor and Williamson County Commission.
06. Approval of Minutes.  
January 27, 2009            Work Session  
January 27, 2009            Regular Board Meeting
07. Employee Recognitions  
David L. Wilber, Fire Department            5 Years of Service  
Russell B. Truell, Finance Department            5 Years of Service
08. Recognition of Mr. Wayne Howell, Franktown Open Hearts.  
Mayor John Schroer
09. **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 24 -31 be placed on the consent agenda.

**OLD BUSINESS**

10. Consideration Of Ordinance 2008-55, An Ordinance To Amend Section 105 Of Title 8 Of The Franklin Municipal Code Relative To Restrictions As To Locations Of Retailers Of Alcoholic Beverages. (Second and Final Reading deferred on 12-09-08B; 01/27/09ws)

Second and Final Reading

Vernon Gerth

ACA Community and Economic Development

11. Consideration Of Ordinance 2008-57, An Ordinance To Amend Chapter 4, Section 4 Of The Franklin Zoning Ordinance To Create Section 4.4 That Establishes A Process That Authorizes The Board Of Mayor And Aldermen To Consider Special Permits For Permitted Uses That Are Restricted To Planned Unit Developments (PUD) But With Special Conditions And Term Limitations Assigned To The Operation May Be Located On A Non-PUD Parcel. (1-27-09B; Passed Unanimously).

Third and Final Reading

Vernon Gerth

ACA Community and Economic Development

12. Consideration Of Ordinance 2008-59, An Ordinance To Amend Chapter 5, Section 5.3, Of The Franklin Zoning Ordinance To Create Section 5.3.11 That Authorizes Planning Commission To Approve Design Modifications Under Certain Conditions. (1-27-09B; Passed Unanimously).

Third and Final Reading

Vernon Gerth

ACA Community and Economic Development

13. **PUBLIC HEARING**: Consideration Of Ordinance 2008-65, An Ordinance To Amend Chapter 5, Section 5.11.2 And Table 5-13, Of The Franklin Zoning Ordinance To Clarify The Exterior Lighting Standards; (FMPC 12/18/08 vote: 7-0) [1/27/09B; Passed Unanimously]

Second Reading

Gary Luffman, Interim Planning Director

14. Consideration Of Ordinance 2009-03 To Be Entitled: "An Ordinance To Amend Various Sections Of The City Of Franklin Municipal Code, Title 1 – General Administration Relating To The Codifying Of Various Fees And Penalties." [1/27/09B; Passed Unanimously]

Second and Final Reading

Vernon Gerth

ACA Community And Economic Development

15. Consideration Of Ordinance 2009-04 To Be Entitled: "An Ordinance To Amend Various Sections Of The City Of Franklin Municipal Code, Title 2 – Boards And Commissions, Etc. Relating To The Codifying Of Various Fees And Penalties." [1/27/09B; Passed Unanimously]

Second and Final Reading

Vernon Gerth

ACA Community And Economic Development

16. Consideration Of Ordinance 2009-05 To Be Entitled: "An Ordinance To Amend Various Sections Of The City Of Franklin Municipal Code, Title 3 – Municipal Court To The Codifying Of Various Fees And Penalties." [1/27/09B; Passed Unanimously]

Second and Final Reading

Vernon Gerth

ACA Community And Economic Development

17. Consideration Of Ordinance 2009-06 To Be Entitled: "An Ordinance Amending The City Of Franklin Municipal Code, Title 22 – Comprehensive Fees And Penalties For The Purpose Of Codifying The Fees And Penalties Found In Titles 1, 2, And 3." [1/27/09B; Passed Unanimously]  
Second and Final Reading  
Vernon Gerth  
ACA Community And Economic Development

**NEW BUSINESS**

18. Consideration Of Ordinance 2008-66, An Ordinance to Amend the Permitted Use Status of Charitable, Fraternal, Or Social Organizations; Establishing a Public Hearing Date of February 24, 2009. (FMPC 12-18-08 vote: 7-0; 1/13/09WS)  
First Reading  
Gary Luffman, Interim Planning Director

19. Consideration of Budget and Finance Committee's Recommendation Regarding Utility Billing Appeal Process. [1/22/09FC]  
Alderman Ken Moore, Chairman  
Budget and Finance Committee

20. Consideration Of The Professional Services Agreement With CBA, Inc For Consulting Services With The Greenway And Open Space Plan In An Amount of \$99,945.00.  
Gary Luffman, Interim Planning Director

21. Consideration Of Ordinance 2009-07, An Ordinance For, "A Special Permit For CJ's Off The Square For The Purpose Of Operating A Private Recreational Facility On .39 Acres, In An OR (Office Residential) Zoned Area, Located At 218 Third Avenue North, Franklin, Tennessee. (FMPC 12/18/08 passed unanimously; 1-27-09WS); Establishing A Public Hearing Date of February 24, 2009.  
First Reading  
Vernon Gerth  
ACA Community and Economic Development

22. Consideration of Appointment to Franklin Transit Authority.  
Mayor John Schroer

23. Consideration of Stormwater Board Appointment.  
Mayor John Schroer

**CONSENT AGENDA**

24. Consideration of Revision to City Hall Mall Office Lease Agreement.  
Eric Stuckey, City Administrator

25. Consideration Of Easement Agreement With Atmos Energy. (01-27-09WS)  
Shauna R. Billingsley, Interim City Attorney

26. Consideration Of The Professional Services Agreement With Boozer & Company, P.C. For The Appraisals On The South Carothers Parkway Project In An Amount Of \$12,000. (01-27-09WS)  
Eric Gardner, Engineering Director

27. Consideration Of The Agreement With Columbia Gulf Transmission For The Crossing Of The Columbia Gulf Gas Transmission Lines Located In The Forrest Crossing Golf Course For The Construction Of The City's Goose Creek Area Interceptor Sewer And Fiber Optic Lines. (01-27-09WS)

David Parker, City Engineer

28. Consideration Of Change Order No. 1 For L&C Contractors, Inc. For The Goose Creek Area Water System Improvements Project For An Increase In The Contract Amount Of \$1,140.00 For A New Total Contract Value Of \$1,443,673.50. (01-27-09WS)

David Parker, City Engineer

29. Consideration Of The Professional Services Agreement With Civil & Environmental Consultants, Inc. (CEC) For The Design Of The Jim Warren Park Stormwater Pond Improvements In An Amount Not To Exceed \$48,000. (01-27-09WS)

Eric Gardner, Engineering Director

30. Consideration of Resolution 2009-07, A Resolution to Adopt City Logo and Endorsing the Wayfinding Projects.

Eric Stuckey, City Administrator

31. Consideration of Request Directing Staff to Begin RFQ Process For The Development Of An Integrated Regional Water Management Plan.

Eric Stuckey, City Administrator

#### ITEMS OF ACTION TAKEN ON BEHALF OF THE BOARD

32. To Notify Approval Was Given By The Mayor And City Administrator For A Contract To First Response Inc. In An Amount Not To Exceed \$5000.00 For Removal Of Underground Tank Located At The Corner Of Ninth Avenue And Hwy. 31.

Brad Wilson, Facilities Project Manager

#### OTHER BUSINESS

#### ADJOURN

Meetings of the Board of Mayor and Aldermen are open and public sessions in accordance with law. All interested persons are urged to attend.

Respectfully submitted,

Eric S. Stuckey  
City Administrator

*TO REQUEST ACCOMMODATIONS DUE TO DISABILITIES, PLEASE CONTACT THE HUMAN RESOURCES RISK MANAGER AT (615) 791-3277. THE CITY OF FRANKLIN DOES NOT DISCRIMINATE BASED ON RACE, COLOR, AGE, GENDER, DISABILITY OR NATIONAL ORIGIN IN FEDERAL OR STATE SPONSORED PROGRAMS, PURSUANT TO TITLE VI OF THE CIVIL RIGHTS ACT OF 1964 (42 U.S.C. 2000D)*