

The Franklin City Commission convened in **regular session** at 6:00 p.m., Monday, **February 9, 2009**, in the Simpson County School Board meeting room, 430 S. College Street, Franklin, Kentucky. In the chair presiding was the Honorable Mayor Jim Brown, with the following City Commissioners present: Bill Austin, Wendell Stewart, Henry Stone and Herbert Williams. Also present were City Manager, Hal W. Toomey; City Attorney, Scott Crabtree; Assistant Police Chief, Dallas Whiles; City Clerk, Kathy Stradtner; Jamie Powell, and members of the public. F-S High student Will Wade was present to video tape the meeting. A member of the media, Keith Pyles, from Franklin Favorite/WFKN was present.

Mayor Brown called the meeting to order, and Commissioner Herbert Williams offered an opening prayer.

APPROVAL OF MINUTES

Motion was made by Commissioner Stone and seconded by Commissioner Williams, to approve the minutes from the January 26, 2009 regular Commission meeting. Ayes: All. Motion carried.

HEAR THE PUBLIC

Jeff Goodnight, CEO of the Boys & Girls Club of Franklin-Simpson, was present to share with the Commission the activity that took place in the center last year and also the expanded hours and classes presently available. Programs made available to the members include tutoring programs, art appreciation, cooking and etiquette classes, and various sport leagues. Annual membership at the local Boys & Girls Club is only twelve dollars and the facility is available to all Simpson County residents ages six to eighteen. Family memberships and other forms of support are welcome. During the school year snacks are furnished to the members, and lunch is provided during the summer months. Attendance at the center during 2008 totaled 29,000 plus. Mr. Goodnight wished to extend his thanks to the City Commission for their past and continued future support of the programs at the Boys & Girls Club.

REGULAR BUSINESS

Simpson County Disaster and Emergency Management director Robert Palmer was present to answer any questions and report on the recent winter storm damage that took place in parts of Kentucky. Thankfully damage in Simpson County was minimal; damage in western and northern parts of Kentucky was severe. The one positive to the recent winter storm was to highlight the services needed when such a disaster takes place and has prompted City staff to review their needs to maintain essential services during a crisis situation; later this month staff from the Army Corp of Engineers will be surveying the emergency needs in Kentucky communities, including Simpson County. Mayor Brown briefly reviewed some of the items the City has in place and those still needed for continued services under adverse conditions.

GENERAL GOVERNMENT

- **Discussion and/or Possible Action Regarding the Swimming Pool**

City Manager Hal Toomey discussed the City owned public pool which is located on Iris Drive and operated the last few years by F-S Park staff. New regulations were implemented in December, 2008 for the operation of pools of our size (approximately 288,000 gallons) which includes new drain covers, at least fifteen feet between side drains and returns, and water turnover scheduled for every six hours. Currently the water in the public pool is designed to turn over every 16.5 hours, which is nearly a third as fast as required. The pipes at the pool are six inches, and if the filters are modified to increase the flow as required, the piping must be increased to at least an eight inch line. Also the side drains and returns, in most instances, exceed the spacing constraints. City Manager Toomey, Public Works Director Clif Beecher, Public Works Superintendent Derick Minnicks and F-S Parks Manager Terry Joiner met with Porter W Bailey from the State Health Department to view the community pool and to discuss what was needed to bring the structure into conformity. Mr. Bailey stated we had a fine pool that has outlived its time; all regulations for safety have changed and a significant overhaul to the pool would be required to make it compliant with the current operation requirements. Mr. Bailey felt the City would have to literally build a pool within a pool in order to open for the upcoming season. In a memo included in this meeting's agenda, City Manager Toomey noted the major items out of compliance had to do with the filtering and drainage systems and cost to bring the facility up to code is estimated in excess of \$100,000. The Health Department will not allow the City to open the public pool until the structure meets all regulations, and City Manager Toomey does not feel he can recommend making the improvements at this time due to the number of other projects that have already been approved and the lack of excess City finances; his recommendation at the present time is to close the pool for the upcoming season, and within the next year make a decision whether to replace the structure or return the site to the School Board (under the present agreement the property reverts to the ownership of the School Board if the City fails to operate for three consecutive years a public pool at the site). Following further discussion, motion was made by Commissioner Stone and seconded by Commissioner Austin to not open the public pool for the 2009 season due to the condition of the structure and lack of funds within the City budget for replacement of the structure, and authorize the Mayor to sign any documents necessary per this motion. Ayes: All. Motion carried. It was noted the Park Director and Public Works would be notified of the decision so action can be taken to preserve the pool structure while idle; it was recommended staff place NO TRESPASSING signs around the structure and secure against any unauthorized entry.

- **Discussion and/or Possible Action Regarding Adding 509 Jefferson Street to Condemnation List**

City Manager Toomey received a quote of \$1,500 from Chad Jackson, the low bidder on the Morris Street condemnation demolition discussed at the last meeting, for removal of debris at 509 Jefferson Street. The structure on this property was destroyed by fire in

late summer 2008, and the City has had no success having the property owners clean up the lot. City Manager Toomey is seeking authorization to add 509 Jefferson Street to the condemnation list and have the debris removed; with the quoted cost the project will still be under the \$20,000 ceiling. It was also reported the Building Inspector has completed his inspections of the five properties discussed at the last meeting and stated two of the properties appear to be repairable and declared they were not eligible for condemnation (401 and 421 Morris Street). Later during discussion it was declared the City would proceed with having those particular lots cleaned and bill the owners for the work. Earlier today, the owner of 509 Jefferson Street notified the City Manager of plans to have the property cleaned up within the next few weeks. Due to the length of time 509 Jefferson has remained a nuisance, City Manager Toomey recommends he be authorized to proceed with the clean up of the property should the owner not fulfill his obligation. After discussion, motion was made by Commissioner Stewart and seconded by Commissioner Stone to authorize the City Manager to proceed with condemnation and/or clean up of the property at 509 Jefferson as discussed. Ayes: All. Motion carried.

PUBLIC SERVICES

No items.

PUBLIC SAFETY

- **Discussion and/or Possible Action Regarding Remodel at Police Department**

The Kentucky State Police have completed a security survey of the Franklin Police Department facilities at 100 S. Court Street; focusing on areas of evidence handling, procedures and processing. Several critical areas of deficiency were noted that need to be corrected to avoid violations of either statute or procedural acceptability. In a memo to City administration, the Department has outlined corrective action and improvements being made to the station and operations of the department. The proposed expenditures for the project total \$6,800 and address conforming to acceptable practices for police security as well as items to secure the cohesive operation of the Police Department. In the memo, the department is anticipating funding for the project to be allocated from the administrative salary section of the Police Department's FY 08-09 budget. With the Chief of Police position remaining vacant during January, 2009 and until at least February 23, 2009, due to Chief Powell's retirement and the delay in Chief Todd Holder assuming the office, it is anticipated to have an approximate surplus of \$9,304. Following discussion, motion was made by Commissioner Austin and seconded by Commissioner Stone to authorize the expenditure and re-allocation of funds in the Police Department as discussed. Ayes: All. Motion carried.

COMMUNITY SERVICES

No items.

UTILITIES

No items.

ORDINANCES

No items.

EXECUTIVE SESSION

Motion was made by Commissioner Williams and seconded by Commissioner Stewart to enter in to executive session for the purpose of discussion of proposed, or pending litigation {KRS 61.810(c)}, and discussions, or hearings, which might lead to the appointment, discipline, or dismissal of an individual {KRS 61.810(f)}. Ayes: All. Motion carried at 6:48 p.m. Entering executive session were Mayor Brown and the four Commissioners, City Attorney Scott Crabtree, and City Manager Hal W. Toomey.

At 8:01 p.m., motion was made by Commissioner Stewart and seconded by Commissioner Williams to exit executive session and return to open session. Ayes: All. Motion carried.

CITY ATTORNEY REPORTS

No items.

CITY MANAGER REPORTS

No items.

OTHER COMMISSION BUSINESS

No items.

ADJOURNMENT

Motion was made by Commissioner Stewart and seconded by Commissioner Austin to adjourn the City Commission meeting. Ayes: All. Motion carried at 8:02 p.m.


Jim Brown, Mayor


Kathy Stradner, City Clerk