


The only purpose of the special called meeting being to conduct a tour of City facilities, a motion was made by Commissioner Powell and seconded by Commissioner Stewart to dismiss the meeting members to view various City facilities including the Water Treatment Plant, 1350 Scottsville Road; Waste Water Treatment Plant, 1010 Blackjack Road; and the Public Works Facility, 706 Claire Avenue. No other official action was taken. The tour ended at approximately 4:15 p.m.

  
Jim Brown, Mayor

  
Kathy Stradtner, City Clerk  
Recorded by Finance Director Dodd

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The Franklin City Commission convened in **regular session** at 6:00 p.m., Monday, **April 13, 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: Jamie Powell, Wendell Stewart, Henry Stone and Herbert Williams. Also present were City Manager, Hal W. Toomey; Police Chief, Todd Holder; Assistant Police Chief, Dallas Whiles; City Finance Director, Cendy Dodd; City Clerk, Kathy Stradtner; and several members of the public. F-S High student Adam Wilshire was present to video tape the meeting and a member of from the Franklin Favorite/WFKN media, Keith Pyles, was present. City Attorney Scott Crabtree was absent.

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

#### APPROVAL OF MINUTES

**Motion** was made by Commissioner Powell and seconded by Commissioner Stewart to approve the minutes from the March 23, 2009 regular Commission meeting and the March 30, 2009 special called Commission meeting. Ayes: All. Motion carried.

#### HEAR THE PUBLIC

- **Hunter Williams, Relay for Life**

Ms. Hunter Williams addressed the Commission to present an award received by Simpson County Relay for Life; our county has been recognized as one of the top American Cancer Society fundraisers in Kentucky. Franklin-Simpson ranked sixth in the state in Relay funds raised per capita last year, and eighth among the 500 relay events held in our five state mid-south regions. The framed award will be on display in the lobby at City Hall.

In a related matter, Ms. Williams requested street closings for this year's Relay for Life event to begin Friday, June 12 through Saturday morning, June 13. Teams participating will be setting up campsites on and around the courthouse square the afternoon of June 13, with event activities beginning at 6:00 p.m. Along with the regular portions of College and Kentucky Streets, event

coordinators are also requesting portions of Cedar and Main Streets be closed this year to allow more pedestrian participation. **Motion** was made by Commissioner Stewart and seconded by Commissioner Williams to approve, subject to final approval from the State Highway Department, the closing of portions of College Street (from Cedar Street to Kentucky Street), Kentucky Street (from College Street to Main Street), Main Street (from Kentucky to Cedar Street), and Cedar Street (from Main Street to College Street), closings to begin at 5:00 p.m. on Friday, June 12 until 7:00 a.m. on Saturday, June 13. Ayes: All. Motion carried.

## REGULAR BUSINESS

### GENERAL GOVERNMENT

- **Presentation of Audit for Fiscal Year Ending June 30, 2008**

Kim Kirby representing Kirby & Kirby CPA's addressed the Commission to present the FY07-08 audit. Once again the City received an unqualified or clean opinion of the financial records. Mr. Kirby briefly reviewed the major points of the document and stressed his availability should any of the Commission members have further questions. During discussion Mr. Kirby stated how fortunate the City of Franklin is to have two CPA's on staff with the experience levels of Finance Director Cendy Dodd and City Manager Hal Toomey; whereas most municipal audits have a number of year end adjustments to correct financial entries made throughout the year, this year the City had no such adjustments which Mr. Kirby attributes directly to the quality of our staff and especially the Finance Director and City Manager.

- **Discussion and/or Possible Action Regarding Police Department Grant Application and Resolution**

The City has received notification of our eligibility for funding in amounts up to \$18,764 from the Edward Byrne Memorial Justice Assistance Grant (JAG). Community Development Director Tammie Carey has met with Police Chief Holder and Lieutenant McFadden and identified a need to supply all officers with back up weapons. This would allow the Franklin police officers to have a back up weapon with them, even when off duty. The cost for twenty-five officers of hand guns (\$448 each), sidearm holsters (\$46.99 each), and ankle holsters (\$59.99 each) would total \$13,874.50. Police staff is requesting the remaining funds be used to purchase five tasers and cartridges. An application for the total of \$18,764 is being requested; no matching funds are required. **Motion** was made by Commissioner Powell and seconded by Commissioner Stone to approve Resolution D-2009 authorizing the filing of an application to the Edward Byrne Memorial Justice Assistance Grant as discussed. Ayes: All. Motion carried.

#### **RESOLUTION NO. D-2009**

*RESOLUTION OF THE CITY OF FRANKLIN, KENTUCKY AUTHORIZING THE FILING OF A 2009 RECOVERY ACT: EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT APPLICATION TO THE UNITED STATES BUREAU OF JUSTICE ASSISTANCE, OFFICE OF JUSTICE PROGRAMS*

*WHEREAS, it is necessary and in the public interest that the City avail itself of the financial assistance provided by the United States Department of Justice; and,*

*WHEREAS, the City of Franklin endeavors to support all efforts to improve the social and physical environment of the City; and,*

*WHEREAS, the City of Franklin wishes to support the efforts of the law enforcement agency to more effectively and efficiently enforce the community laws.*

*NOW, THEREFORE, BE IT RESOLVED that the City of Franklin authorizes the submittal of an application with the United States Bureau of Justice Assistance, Office of Justice Programs through*

*the Recovery Act: Edward Byrne Memorial Justice Assistance Grant to provide assistance for the purchase of Glock 27 handguns, holsters and tasers for city law enforcement officers; and authorizes the Mayor of the City of Franklin to sign any and all documents related to the grant application and/or grant.*

- **Discussion and/or Possible Adoption of Resolution to Designate an Agent for the City of Franklin on FEMA Reimbursement**

In a memo City Manager Toomey is requesting approval of a resolution designating an agent to provide assurance and agreements on behalf of the City to the Federal Emergency Management Agency (FEMA). The City is eligible to receive reimbursement costs incurred during removal of debris from the ice storm earlier this year; the City expects to receive from \$10,000 to \$15,000. **Motion** was made by Commissioner Stone and seconded by Commissioner Williams to adopt Resolution E-2009 and authorize the Mayor to sign. Ayes: All. Motion carried.

**RESOLUTION E-2009**

*RESOLUTION OF THE CITY OF FRANKLIN, KENTUCKY AUTHORIZING AND APPOINTING THE  
MAYOR AS THE DESIGNATED AGENT TO THE STATE AND FEDERAL EMERGENCY  
MANAGEMENT AGENCY*

*BE IT RESOLVED by the City Commission of the City of Franklin, Kentucky that Jim Brown, City of Franklin, Kentucky Mayor, is hereby authorized to execute for and in behalf of the City of Franklin, Kentucky, a public entity established under the laws of the Commonwealth of Kentucky, this application and to file it in the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93rd Congress) or otherwise available from the President's Disaster Relief Fund.*

*THAT, the City of Franklin, KY, a public entity established under the laws of the Commonwealth of Kentucky, hereby authorizes its agent to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance the assurances and agreements printed on the reverse side hereof.*

- **Discussion and/or Possible Action Regarding Millennium Energy Contract**

Subsequent to recent annexation, the City has received a request to execute a franchise agreement with Millennium Energy, Inc., a division of Warren Rural Electric Cooperative Corporation (WRECC) regarding providing natural gas utility to City citizens. City Attorney Crabtree explained the City already has such an agreement with Atmos Energy pursuant to City Ordinance F-2(91). The agreement must be ratified by Millenniums' Board which will meet next week. **Motion** was made by Commissioner Powell and seconded by Commissioner Stone to adopt an agreement with Millennium Energy for a non-exclusive natural gas franchise subject to final negotiations by City Attorney Scott Crabtree and to authorize the Mayor to sign any documents needed per this motion. Ayes: All. Motion carried.

- **Discussion and/or Possible Action Regarding Ex-Officio Board Members Voting Rights**

Several times a question has been made whether ex-officio board members can be voting members. In a memo, City Attorney Crabtree addressed this issue referring to a Kentucky Attorney General's opinion and case law on the subject, and unless specifically prohibited in the by-laws of the organization or board, ex-officio (or person's holding another statutory elected or appointed position) member has the same rights and privileges as any other member of the board, including voting rights.

- **Discussion and/or Possible Action Regarding Proposal to Suspend Cleaning Contract at Police Department**

Police Chief Todd Holder is requesting the cleaning contract for the Police Station be suspended. The current contract expired on April 1, 2009 and Chief Holder would like to utilize the savings from suspending the cleaning contract in completing uniformity of the Department. The Chief's proposal includes utilizing labor from the Simpson County Class D Facility should the necessity of waxing or buffing the floors be required with Police Department personnel maintaining their own duty stations on a daily basis as needed. Finance Director Cendy Dodd asked that the same basic plan be utilized at City Hall in order to eliminate expense. **Motion** was made by Commissioner Stone and seconded by Commissioner Stewart to give proper notice and suspend the cleaning services at the Police Department and City Hall as discussed and authorize the Mayor Sign any and all documents necessary. Ayes: All. Motion carried.

### PUBLIC SERVICES

No business

### PUBLIC SAFETY

No business

### COMMUNITY SERVICES

No business

### UTILITIES

No business

### ORDINANCES

No business

### EXECUTIVE SESSION

**Motion** was made by Commissioner Stewart and seconded by Commissioner Stone to enter in to executive session for the purpose of deliberations on acquisition, or sale, of real property where publicity would be likely to affect the value {KRS 61.810(b)}, 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 6:42 p.m. Entering executive session were Mayor Brown and the four Commissioners, and City Manager Hal W. Toomey.

At 6:54 p.m., **Motion** was made by Commissioner Williams and seconded by Commissioner Powell to exit executive session and return to open session. Ayes: All. Motion carried.

City Manager Toomey requested approval to hire a part-time employee at City Hall. **Motion** was made by Commissioner Stone and seconded by Commissioner Stewart to authorize the hiring of Jennifer Stone on a part-time basis at City Hall. Ayes: All. Motion carried. *Note: Mrs. Stone is not related to Commissioner Henry Stone.*

**Motion** was made by Commissioner Powell and seconded by Commissioner Williams to authorize the City to deed the Williams School property on Madison Street to the African American Heritage

Center in exchange for a promissory note to be structured to repay the City for our original investment when purchasing the property. Ayes: All. Motion carried.

**CITY ATTORNEY REPORTS**

None

**CITY MANAGER REPORTS**

None

**OTHER COMMISSION BUSINESS**

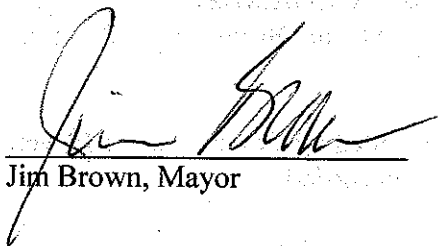
During the facility tours held earlier today, the Commission viewed the work being completed at the Waste Water Treatment Plant; the new structure will hold the final chemical process for treated water before being discharged back into Drakes Creek. The Mayor hopes to have a video presentation of the project aired on the public cable channels at the completion of the project.


The Mayor and Commission congratulated Kenny Perry on his recent success at the PGA Master's tournament; Mr. Perry was just short of winning the tournament. Mr. Perry once again represented Franklin and Simpson County in fine fashion; always shows by his demeanor to be a true humble and honest gentlemen and sportsman.

Also noted is the need to make roof repairs at the Water Treatment Plant when the lime silo is removed this month. The roof at the City Dam pump house is also in need of repair; an extreme safety hazard exists should water be allowed to enter the structure where several electric pumps are housed. Total material and labor costs for both repairs are estimated at \$2,900 and can be taken from the sale of the silo (\$6,000). **Motion** was made by Commissioner Powell and seconded by Commissioner Stone to declare an emergency exists and authorize Mayor Brown to oversee both projects using City staff to complete the repairs on the Water Treatment Plant roof and the Pump House roof and further authorize the estimated material procurement of \$900 for both projects. Ayes: All. Motion carried.

**ADJOURNMENT**

**Motion** was made by Commissioner Williams and seconded by Commissioner Stewart to adjourn the City Commission meeting. Ayes: All. Motion carried at 7:09 p.m.

  
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Jim Brown, Mayor

  
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Kathy Stratner, City Clerk

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