

The Franklin City Commission convened in **regular session** at 6:00 p.m., Monday, **JULY 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 Attorney, Scott Crabtree; Police Sergeant, Scott Wade; and City Clerk, Kathy Stradtner. F-S teacher Brigitte Kilburn was present to video tape the meeting. A member of the media, Brian Davis, from Franklin Favorite/WFKN was present.

Mayor Brown called the meeting to order, and Commissioner Wendell Stewart offered an opening prayer.

APPROVAL OF MINUTES

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to approve the minutes from the June 22, 2009 regular Commission meeting. Ayes: All. Motion carried.

HEAR THE PUBLIC

None

REGULAR BUSINESS

GENERAL GOVERNMENT

- **Discussion and/or Possible Action Regarding Resolution Number H-2009 – Amendment to Agreement for Streetscape Project**

Mayor Brown discussed this agenda item. The City executed an agreement with the Kentucky Transportation Cabinet (KTC) in October, 2006 for funding through the SAFETEA-LU grant program for Phase II of the Downtown Streetscape Project. This project is administered by Franklin-Simpson Renaissance in conjunction with the City of Franklin; a requirement of the grant is all money go through the City. Community Development Director Tammie Carey recently received notification from KTC that the time period allowed to complete the project has ended. An amendment to the original document is required to allow the agreement period to be extended; the project is mostly complete and KTC sent a copy of the document required to extend the period until June 30, 2010 which will allow Renaissance and the City time to complete the close out documents required by the State. Adoption of a resolution authorizing the amendment to the agreement is needed. **Motion** was made and amended by Commissioner Stewart and seconded by Commissioner Williams to approve Resolution No. H-2009 and motion amended to authorize the Mayor to sign any and all documents necessary to effectuate the intent of this Resolution. Following reading of the resolution by the Mayor and discussion, question was called. Ayes: All. Motion carried.

RESOLUTION NO. H-2009

RESOLUTION OF THE CITY OF FRANKLIN, KENTUCKY APPROVING AN AMENDMENT TO A SAFETEA-LU FEDERAL REIMBURSEMENT AGREEMENT

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Act: A Legacy of Users (hereinafter "SAFETEA-LU") Federal Reimbursement Agreement is in the amount of

\$200,000 for the Downtown Streetscape Phase II Project, PO2-628-0600003271, consisting of installing certain street/sidewalk renovations/repairs; and,

WHEREAS, an agreement was entered into by and between the Kentucky Transportation Cabinet (KYTC) and the City of Franklin on May 30, 2007; and

WHEREAS, the parties desire to amend said agreement;

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Franklin, Kentucky as follows:

1. The agreement numbered PO2-628-0600003271 made and entered into by and between the Kentucky Transportation Cabinet (KYTC) and the City of Franklin is hereby succeeded by agreement numbered PO2-628-0900024225 allowing for an extension of the duration of the agreement.
2. The City Commission approves the attached amendment to the SAFETEA-LU Federal Reimbursement Agreement.

- **Discussion and/or Possible Action Regarding TEA21 Streetscape Project**

Mayor Brown addressed this agenda item. On September 11, 2008, the Commission approved payment up to \$309,728 for the Streetscape Sidewalk Improvement project with \$200,000 of that being eligible for reimbursement by the State via a TEA21 grant. This portion of the project is complete and the final invoices have been received totaling \$315,879.67 which leaves a difference of \$6,151.67 over what was approved by the Commission; F-S Renaissance has indicated they will pay the City the difference. In a memo addressing this matter, Finance Director/Interim City Manager Cendy Dodd requests the Commission's approval of this plan since the payment approval has crossed into a new fiscal year. Following discussion, **motion** was made by Commissioner Stone and seconded by Commissioner Powell authorizing total payments of \$315,879.67 for the TEA21 Streetscape Project with revenues from the state in the amount of \$200,000 and from F-S Renaissance in the amount of \$6,151.67 to be paid to the City for the additional expenses and authorize the Mayor to sign any documents necessary. Ayes: All. Motion carried.

- **Discussion and/or Possible Action Regarding Resolution Number I-2009 – Exempting Enforcement of Collection of Delinquent Tax Bills Less than \$10.00 in the City of Franklin**

Per request made during the June 22, 2009 meeting, City Attorney Crabtree presented a resolution exempting enforcement of collection of delinquent tax bills with base tax of less than \$10.00. This legislation attempts to relieve City staff from pursuing collection of small amount billings where collection costs possibly exceed recovery cost. During discussion it was noted this does not exonerate any tax bill, only gives City staff authority to save unnecessary outlay in pursuit of miniscule revenue. **Motion** was made by Commissioner Powell and seconded by Commissioner Stone to adopt Resolution # I-2009 and authorize the Mayor to sign any and all documents necessary to effectuate the intent of this Resolution. Ayes: All. Motion carried.

RESOLUTION NO. I-2009
RESOLUTION EXEMPTING ENFORCEMENT OF COLLECTION OF DELINQUENT
TAX BILLS LESS THAN \$10.00 IN THE CITY OF FRANKLIN, KENTUCKY

WHEREAS, the Kentucky Constitution mandates that cities assess taxes against all property that is subject to be taxed, whether tangible, intangible or ad valorem taxes; and,

WHEREAS, the City of Franklin has several delinquent tax bills assessed annually in amounts less than \$10.00, and the City Commission has determined that the cost to collect these delinquent tax bills under \$10.00 exceeds the recovery amount, if any; and,

WHEREAS, the City of Franklin, by and through the City Commission, has determined it to be in the best interest of the City to allow staff members to forego the enforcement procedures for the collection of delinquent tax bills in amounts less than \$10.00; and,

WHEREAS, the City Commission has determined that it is in the best interest of the citizens and residents of the City of Franklin to approve this resolution.

NOW, THEREFORE, BE IT RESOLVED by the City of Franklin, Kentucky, by and through its City Commission as follows:

- 1. The statements set forth in the preamble to this resolution are hereby incorporated into this resolution by reference the same as if set forth at length herein.*
- 2. The City Commission hereby approves allowing staff members to forego enforcement procedures for the collection of delinquent tax bills in amounts less than \$10.00; provided, however, that these tax bills are still assessed and maintained for collection in the City's tax rolls until deemed uncollectible.*
- 3. This resolution shall become effective on the date of its passage.*

- **Discussion and/or Possible Action Regarding Revision of Personnel Policies and Procedures Manual**

Recently City Personnel Director, Rita Vaughn and City Attorney, Scott Crabtree reviewed the City of Franklin Personnel Policies and Procedures, Position Classification Plan and Employee Compensation Plan, and City Attorney Crabtree discussed the updates which include updating the Employee Compensation Plan to reflect budgeted increases up to and through fiscal year ending June 30, 2009. A copy of the complete document with recommended updates was included in this meetings' packet and Mayor Brown explained that updating this document as a basic housekeeping action is anticipated to be done yearly in the future. **Motion** was made by Commissioner Williams and seconded by Commissioner Stewart to approve the amendment to the Personnel Policies and documents as presented and recommended by staff. Ayes: All. Motion carried. Mayor Brown noted a Department Meeting is scheduled for in the morning at City Hall and the updated policies will be given to department supervisors for distribution to City employees.

- **Discussion and/or Possible Action Regarding City of Franklin Credit Card**

In a memo dated July 10, 2009, Finance Director/Interim City Manager Cendy Dodd made a request for the City of Franklin to procure a credit card to be used for making hotel reservations for City related training and to pay for various licensures required for staff. Mayor Brown discussed this agenda item: currently City employees use their personal credit cards or we pay by City check in advance to reserve lodging and/or registrations. It was recently brought to our attention that the State of Kentucky is offering substantial discounts on licensure payments made by credit card. Mrs. Dodd's recommendation is to keep the card at City Hall, limit access to select authorized personnel, approve employees Rita Vaughn and Angela West to be authorized users of the credit card, and to retain possession of the card at

City Hall. The credit card bill would be subject to current accounts payable checks and balances measures in place for all invoices. **Motion** was made by Commissioner Stone and seconded by Commissioner Stewart to authorize the procurement of a no-cost credit card for the City of Franklin to be used to make hotel reservations and pay for various City related training and license payments for staff, approve the Human Resources Director and Account Payable Clerk as the only persons authorized to use, and authorize the Mayor to sign any documents necessary per this motion. Ayes: All. Motion carried.

- **Discussion and/or Possible Action Regarding Line of Credit**

Included in this meetings' packet was a memo from Finance Director/Interim City Manager Dodd regarding a line of credit for the City. Mayor Brown reviewed this agenda item with the Commission: as discussed previously, the City plans on borrowing funds for various capital expenditures in the Fiscal Year 2009-2010 budget. The new chemical feed building at the Waste Water Treatment Plant should be operational within the next couple weeks; the Streetscape project is nearing completion and City funds totaling \$250,000 will be expended, with the allowable State grant monies to be reimbursed taking approximately sixty days to receive. With due consideration of these events, Ms. Dodd recommends the Commission authorize obtaining a line of credit. Interim City Manager Dodd is in the process of obtaining quotes from local banks. **Motion** was made by Commissioner Stewart and seconded by Commissioner Williams to give the Mayor and Interim City Manager authority to negotiate for the best rate with local banks for a \$500,000 line of credit and authorize the Mayor to sign any documents needed to effectuate this motion. Ayes: All. Motion carried.

PUBLIC SERVICES

No business.

PUBLIC SAFETY

No business.

COMMUNITY SERVICES

- **Discussion and/or Possible Action Regarding Street Closure for Franklin Benefit Jam**

Request has been received from Tim Ferguson and others to close portions of College Street for the Franklin Benefit Jam activities on Saturday, July 18; the event will run from 3:00 p.m. to 9:00 p.m. Interim City Manager Dodd has been in contact with the First United Methodist Church and the closing date requested will not interfere with any activity at the church. **Motion** made by Commissioner Powell and seconded by Commissioner Stone to close College Street from Kentucky Avenue to Cedar Street from 12:00 noon until 12:00 midnight on Saturday, July 18th. Ayes: All. Motion carried. Mayor Brown commented proceeds from the benefit this year will be for two local children with large medical bills; everyone is invited to the benefit concert event.

UTILITIES

No business.

ORDINANCES

- **First Reading of an Ordinance Amending the Regulatory License Fee of the Alcoholic Beverage Control Ordinance Originally Adopted on January 10, 2005**

City Clerk Kathy Stradtner gave first reading to ordinance No. 220.500-6-2009 amending the ordinance regulating the license fee for the Alcoholic Beverage Control Ordinance. The initial ordinance on this subject was adopted on January 10, 2005 and the amendment will allow for graduated percentages of license fees on gross sales on alcoholic beverages ranging from 0 to \$499,999.99; \$500,000 to \$999,999.99, and over \$1,000,000 in gross sales. Comments were heard; no vote is required or taken after first reading. Commissioner Stone gave his opinion that the graduated rates did not appear necessary.

EXECUTIVE SESSION

Motion was made by Commissioner Stewart and seconded by Commissioner Williams 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)}, 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 6:32 p.m. Entering executive session were Mayor Brown and the four Commissioners, and City Attorney Crabtree.

At 6:56 p.m., **Motion** was made by Commissioner Williams and seconded by Commissioner Stone to exit executive session and return to open session. Ayes: All. Motion carried.

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to convey any interest the City may have in an un-built alley between Pepper Street and Fairview Avenue to Donnie Carver in lieu of the City having to over maintenance and responsibility of the alley, and authorize the Mayor to sign any documents necessary to effectuate the transaction. Ayes: All. Motion carried.

CITY ATTORNEY REPORTS

None

CITY MANAGER REPORTS

Interim City Manager Dodd is out of town and in her absence the Mayor gave an update on several City projects:

- Number of projects are continuing, including storm water and ditch maintenance activities
- The paving contract recently award has been completed and several commented the work looks good
- The majority of new equipment has arrived at the new Waste Water Treatment Plant chemical building and staff is installing; hopefully all will be online by the end of next week as staff continues routine maintenance duties
- A pre-bid conference was held with five companies for the new high service pumps the Commission had approved for the Water Treatment Plant. Pending clarification and confirmation from TVA, a suggestion coming from one of the bidders may save the City

almost half or more of what the project was estimated to cost by utilizing an alternative plan to improve start up efficiency for the pumps

- Work on detection of leaks within the water distribution system is continuing
- Repairs to out-of-service fire hydrants continues

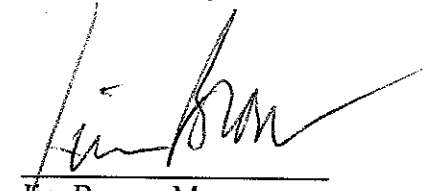
OTHER COMMISSION BUSINESS

Commissioner Stewart commented on a recent vehicle accident on West and Washington streets involving a child and reported several residents would like to see some method implemented to slow traffic in that area. Following discussion, **motion** was made by Commissioner Stewart and seconded by Commissioner Powell to authorize the placement of a four-way stop sign at the intersection of Jefferson and West Streets, and a 3-way stop sign at the intersection of Washington and West Streets. Ayes: All. Motion carried.


It was noted that several concerned parents have contacted the Mayor regarding the start of school (August 5) and the resulting traffic problems at the various schools. Following discussion, the Mayor said he would notify the Police Chief to have his staff assist in directing traffic at the schools for the first week or two of the upcoming school year. Police staff could also monitor to see that traffic guidelines are being followed and child restraint laws are being implemented.

ADJOURNMENT

Motion was made by Commissioner Stewart and seconded by Commissioner Williams to adjourn the City Commission meeting. Ayes: All. Motion carried at 7:05 p.m.



Jim Brown, Mayor



Kathy Stradtner, City Clerk
