

**MINUTES OF REGULAR SESSION
OF THE
CITY OF FRANKLIN
CITY COMMISSION**

February 12, 2018

**City Hall
117 West Cedar Street
Franklin, Kentucky**

The Franklin, Kentucky City Commission met in Regular Session at 12:00 PM, Monday, **February 12, 2018**, in the City Hall meeting room located at 117 West Cedar Street, Franklin, Kentucky.

Members attending were as follows:

Mayor Ronnie Clark	Present
Commissioner Mason Barnes	Present
Commissioner Larry Dixon	Present
Commissioner Jamie Powell	Present
Commissioner Wendell Stewart	Present

Others present included City Manager Kenton Powell; City Attorney Scott Crabtree; City Personnel Director/Deputy Clerk, Rita Vaughn; City Finance Director, Shaunna Cornwell; City Clerk, Cathy Dillard; Community Development Director Tammie Carey; Sgt. Larry Shultze, Franklin Police Department; Officer Kelly Mayfield, Franklin Police Department; F-S Human Rights Commission Director, Donzella Lee; Franklin Favorite/WFKN media representative, Keith Pyles; F-S Renaissance Director Amy Ellis; Simpson County Tourism Director Dan Ware; and Simpson County Judge Executive Jamie Spears.

Mayor Clark called the meeting to order at 12:00 PM, and Father Daniel Dillard of St. Mary's Catholic Church offered an opening prayer.

APPROVAL OF MINUTES

Motion was made by Commissioner Barnes and seconded by Commissioner Powell to approve the minutes as presented of the January 22, 2018, regular meeting of the Franklin City Commission. Voting aye: All. Motion carried unanimously.

COMMUNITY SERVICES

Simpson County Tourism Director Dan Ware addressed the Commission regarding the upcoming Music & More Event tentatively scheduled for June 2 and June 3, 2018. This

event will celebrate the 50th wedding anniversary of Johnny Cash and June Carter Cash. Mr. Ware will request approval for street closings at a later date as more definite plans develop.

Mr. Ware requested authorization to place a Kentucky Historical Marker commemorating the marriage of Johnny and June Carter Cash to be placed in front of the Courthouse across from the United Methodist Church in the grassy area between the curb and sidewalk.

Motion was made by Commissioner Dixon and seconded by Commissioner Stewart to authorize the placement of a Kentucky Historical Marker in the grassy area between the curb and sidewalk on the west side of the Simpson County Courthouse across from the United Methodist Church. Voting Aye: All. Motion carried unanimously.

City Attorney Scott Crabtree discussed licensing fees for vendors for this event and discussed the need for a City ordinance regarding unsanctioned vendors for this and other downtown events. Commission Dixon and Commission Powell agreed to sponsor the proposed ordinance.

GENERAL GOVERNMENT

County Judge Executive Jamie Spears requested to address the Commission regarding the Interlocal Cooperation Agreement for 911 dispatch services. Judge Spears asked the Commission to consider re-evaluating the cost sharing formula which is currently in place.

The Commission did not take action on this matter.

Community Development Director Tammie Carey and City Manager Kenton Powell asked the Commission to provide feedback on a proposed newsletter. The newsletter highlights projects from the last few years that have benefitted our citizenry and community. Upon completion, this newsletter will be mailed to all City of Franklin water and sewer customers.

In addition to the newsletter, Mr. Powell would like to implement a plan to develop short videos providing citizens with City news and public service announcements. These videos would be available for viewing on the City's web site and social media sites.

The Commission did not take action on this matter.

City Attorney Scott Crabtree addressed the Commission regarding a proposed resolution in support of legislation to redistribute a portion of the TVA in lieu tax payments for economic development purposes and job creation. Based on information available this will result in an additional \$130,000.00 per year to the Franklin-Simpson Industrial Authority for economic development purposes.

Motion was made by Commissioner Barnes, seconded by Commissioner Powell and unanimously approved to adopt City of Franklin Resolution No. D-2018 as follows:

RESOLUTION NO. D - 2018

**CITY OF FRANKLIN, KENTUCKY
RESOLUTION URGING THE KENTUCKY GENERAL ASSEMBLY
TO PASS LEGISLATION DURING THE 2018 REGULAR SESSION
WHICH REDIRECTS A PORTION OF THE IN-LIEU-OF TAX PAYMENTS
THE TENNESSEE VALLEY AUTHORITY (TVA) PAYS TO THE STATE
BACK TO THE TVA COUNTIES
FOR ECONOMIC DEVELOPMENT AND JOB CREATION PURPOSES**

WHEREAS, as a result of the Great Depression, the United States Congress in 1933 passed the Tennessee Valley Authority (TVA) Act to address a wide range of environmental, economic, and technological issues, including the delivery of low-cost electricity and the management of natural resources; and

WHEREAS, the TVA provides power or holds other assets in all or a portion of thirty-nine (39) counties in South Central, Western, and parts of Eastern Kentucky; and

WHEREAS, the TVA provides electricity to over 205,000 Kentucky households, including a coverage area of over 7,000 square miles of Kentucky's lands and waterways; and

WHEREAS, the TVA manages recreational, natural, and cultural resources on more than 60,000 acres of public land around the Kentucky Reservoir, partnering with local and regional stakeholders to improve water quality and conditions; and

WHEREAS, in 2017, the TVA paid over \$35 million in-lieu-of taxes to Kentucky's state coffers; and

WHEREAS, the purpose of the TVA in-lieu-of tax payments is to improve the communities TVA serves by creating jobs and economic expansion to help perpetuate the viability and growth of TVA services in the region; and

WHEREAS, Kentucky cities and counties in the TVA service area often lack the necessary funds to provide the local match requirements most grant programs require; and

WHEREAS, we applaud the leadership of State Senator Stan Humphries and State Representative Bart Rowland and co-sponsors who understand the challenges of rural TVA counties to attract jobs and compete in the global marketplace; and

WHEREAS, they have filed legislation to help address the need for jobs and economic growth opportunities in our TVA communities; and

WHEREAS, HB114/SB9 will reinvest a portion of the TVA in-lieu tax payments to allow these TVA communities to help themselves in providing jobs and improving the economic growth for of all Kentucky; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Franklin, Kentucky, that it hereby urges the General Assembly to pass HB114/SB9 in the 2018 Session which redistributes fifty percent (50%) of the State's portion of the TVA in-lieu-of tax payments equally to county, city or regional economic/industrial agencies in order to create necessary jobs and provide economic development opportunities in the region.

RESOLVED FURTHER, that a copy of this Resolution shall be sent to each Member of the Kentucky House of Representatives, each Member of the Kentucky State Senate, and the Governor of the Commonwealth of Kentucky.

This resolution was adopted by a unanimous vote of the Board of Commissioners of the City of Franklin at a meeting held on February 12, 2018.

City Attorney Scott Crabtree asked the Commission to review and approve a resolution to authorize the City to submit an application to the Kentucky Economic Development Finance Authority (“KEFDA”) for a \$1,000,000.00 economic development grant for the Fritz Winter project. This grant is part of the state incentive for the project. Adoption of the resolution will allow Fritz Winter to complete the application and grant process and will authorize the City to act as a conduit for the grant funds.

Motion was made by Commissioner Powell and seconded by Commissioner Dixon and unanimously approved to adopt City of Franklin Resolution No. E-2018 as follows:

RESOLUTION NO. E - 2018

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF FRANKLIN, KENTUCKY, AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE KENTUCKY ECONOMIC DEVELOPMENT FINANCE AUTHORITY FOR AN ECONOMIC DEVELOPMENT BOND GRANT FOR THE ACQUISITION AND CONSTRUCTION OF A PROJECT; AGREEING TO UNDERTAKE THE EXECUTION OF A GRANT AGREEMENT AT THE APPROPRIATE TIME; AND TAKING OTHER PRELIMINARY ACTION

WHEREAS, the City of Franklin, Kentucky (the "City") has determined that it is in the best interests of the citizens of the City to submit an application to the Kentucky Economic Development Finance Authority ("KEDFA") for an economic development bond grant to the City for the benefit of Fritz Winter North America LP, a Delaware limited partnership (the "Company") to assist in the acquisition, construction and installation of a project of the Company consisting of the facilities and properties described in Exhibit A attached hereto (collectively, the "Project") and to enter into a grant agreement with the Cabinet for Economic Development (the "Cabinet" and the "Agreement") pertaining to the grant to the City for the benefit of Project, all pursuant to authority of Section 154.12-100 of the Kentucky Revised Statutes (the "Authorizing Statute"), and in furtherance of the purposes of the Authorizing Statute and ensuring public benefit to the residents of the City and its environs, such Agreement to be upon such terms and conditions as the Authorizing Act may require and the City may deem acceptable; and

WHEREAS, the Company has represented to the City that the acquisition, construction and installation of the Project, if constructed, will result in a substantial number of new job opportunities in the community; and

WHEREAS, the City is authorized by the Authorizing Statute to apply for an economic development bond grant and to enter into a Grant Agreement for the benefit of the Company and the Project, to promote economic development within the City; and

WHEREAS, based upon the Company's present estimate of the aggregate costs of the Project, together with a reasonable allowance for contingencies and incidental costs, the City proposes to seek grant funds not to exceed \$1,000,000.00 for the benefit of the Company and the Project; and

WHEREAS, the City proposes to enter into the Agreement with the Cabinet and the Company in order to induce the Cabinet to make a grant to the City for the benefit of the Company and the Project.

NOW, THEREFORE, BE IT RESOLVED AND ORDERED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FRANKLIN, KENTUCKY, AS FOLLOWS:

Section 1. It is hereby found, determined and declared that: (i) the recitals set forth in the preambles to this Resolution, which are incorporated in this Section by reference, are true and correct; and (ii) sufficient safeguards shall be provided by the Agreement to insure that all money provided by the City from the economic development bond grant will be expended, by way of direct expenditure or reimbursement, solely and only for the purposes of the Project.

Section 2. The City is hereby authorized to submit an application to KEDFA for economic development bond grant funds not to exceed \$1,000,000.00.

Section 3. The Mayor is hereby authorized to sign the application for economic development bond grant funds, statement of assurances and any and all other documents necessary for said application and for the development of the Project. All prior acts of the Mayor in seeking such economic development bond grant funds consistent with this Resolution are hereby ratified and approved.

Section 4. All resolutions, municipal orders, or other official actions of the Issuer or parts thereof in conflict herewith are, to the extent of such conflict, hereby rescinded.

Section 5. This Resolution shall be in full force and effect from and after its adoption.

ADOPTED by the Board of Commissioners of the City of Franklin, Kentucky, at a meeting held on February 12, 2018.

City Manager Kenton Powell discussed other installation options of the overhead Stop sign on West Cedar Street and South College Street. After consideration, the State Highway Department Chief District Engineer has recommended the installation of dual mounted Stop signs, one Stop sign at the existing height and the other Stop sign with a higher profile with a recommendation for continued monitoring.

The Commission previously approved the purchase of decorative poles for overhead Stop signs at this intersection and with the installation of the dual mounted signs will realize a savings of approximately \$15,000.00.

No action was taken on this matter.

City Manager Kenton Powell asked to Commission to approve an emergency expenditure to Turney's Heating & Cooling in the amount of \$11,500.00 for the replacement of a City Hall HVAC unit.

Motion was made by Commissioner Stewart and seconded by Commissioner Dixon to authorize payment in the amount of \$11,500.00 to Turney's Heating & Cooling for the emergency replacement of an HVAC unit at City Hall. Voting Aye: All. Motion carried unanimously.

PUBLIC SAFETY

City Attorney Scott Crabtree requested the Commission approve revisions to Section 3, Chapter 8 of the Franklin Police Department Policies and Procedures manual.

Motion was made by Commissioner Powell and seconded by Commissioner Dixon to approve revisions to Section 3, Chapter 8 of the Franklin Police Department Policies and Procedures manual. Voting Aye: All. Motion carried unanimously.

City Finance Director Shaunna Cornwell requested the Commission approve establishing a new bank account with Franklin Bank & Trust Company for the Franklin Police Department to be used as an "Evidence Account." The account will be utilized for currency evidence rather than on-site holding of currency evidence.

Motion was made by Commissioner Dixon and seconded by Commissioner Stewart to establish a Police Department Evidence Account with Franklin Bank & Trust Company and authorize the Mayor to sign any and all documents necessary for the account. In addition, authorized signors to the account will be Lt. Dale Adams, Det. Tim Burnett and City Finance Director, Shaunna Cornwell. Voting Aye: All. Motion carried unanimously.

EXECUTIVE SESSION

At 12:55 PM, motion was made by Commissioner Barnes and seconded by Commissioner Powell to enter into Executive Session for the purpose of: proposed, or pending litigation {KRS 61.810(c)}; discussions, or hearings, which might lead to the appointment, discipline, or dismissal of an individual {KRS 61.810(f)}; and, deliberations on the future acquisition or sale of real property by a public agency where publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold by a public agency {KRS 61.810(1)(b)}. Voting Aye: All. Motion carried unanimously.

Entering Executive Session were Mayor Clark; Commissioners Powell, Barnes, Dixon and Stewart; City Manager Kenton Powell; City Attorney Scott Crabtree and Klay Kelley. City Attorney Scott Crabtree excused himself for Mr. Kelley's portion of the discussion due to a conflict of interest.

Klay Kelley exited Executive Session at 1:11 PM.

At 1:20 PM, motion was made by Commissioner Powell and seconded by Commissioner Stewart to exit Executive Session and return to open session. Voting Aye: All. Motion carried unanimously.

OTHER COMMISSION BUSINESS

Motion was made by Commissioner Barnes and seconded by Commissioner Stewart to appoint Jonathan Cline as Assistant Cemetery Sexton. Voting Aye: All. Motion carried unanimously.

ADJOURNMENT

At 1:21 PM, motion was made by Commissioner Powell and seconded by Commissioner Barnes to adjourn the regular meeting of the Franklin City Commission. Voting Aye: All. Motion carried unanimously.



Ronnie Clark, Mayor
City of Franklin, Kentucky


Cathy Dillard, City Clerk
City of Franklin, Kentucky