

The Franklin City Commission met in **regular session** at 6:00 pm, Monday, February 14th, 2011, in the Simpson County School Board meeting room, 430 S. College Street, Franklin, Kentucky. Member attendance as follows:

Mayor Ronnie Clark	Present and in the chair presiding
Commissioner Jamie Powell	Present
Commissioner Larry Dixon	Present
Commissioner Mason Barnes	Present
Commissioner Henry Stone	Present

Others present included City Manager, Kenton Powell; Finance Director, Cendy Dodd; City Attorney, Scott Crabtree; Police Chief, Todd Holder; Deputy City Clerk/Personnel Director, Rita Vaughn; meeting videographer, F-S School employee Allie Meador; and Franklin Favorite/WFKN media representative; Keith Pyles. Also present were George and Marsha Weissinger; and Jessica Bell.

Honorable Mayor Ronnie Clark called the meeting to order at 6:00 pm, and Commissioner Jamie Powell offered an opening prayer.

APPROVAL OF MINUTES

Motion was made by Commissioner Larry Dixon and seconded by Commissioner Jamie Powell, to approve the minutes from the January 24th, 2011 regular Commission meeting. Ayes: All. Motion carried.

HEAR THE PUBLIC

No business

REGULAR BUSINESS

GENERAL GOVERNMENT

- **Discussion and/or Possible Action Regarding Law Enforcement Protection Program Grant Application**

Community Development Director, Tammie Carey, has prepared an application requesting funding through the Kentucky Office of Homeland Security Law Enforcement Protection Program. The funding request is for two sets of body armor at a cost of \$750 per set; 15 tasers at \$809.95 each; and two cartridges per taser at a cost of \$23.95 each. The total request for funding is \$14,367.75, and no matching funds are required. Motion was made by Commissioner Jamie Powell and seconded by Commissioner Mason Barnes to adopt Resolution B-2011, A Resolution for and Administration of Kentucky Office of Homeland Security Project(s). Ayes: All. Motion carried and resolution was adopted.

Resolution for application for and administration of
Kentucky Office of Homeland Security Project(s)

RESOLUTION B-2011
City of Franklin, Kentucky

A RESOLUTION OF THE CITY OF FRANKLIN, KENTUCKY AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR AND, UPON APPROVAL, TO ENTER INTO AN AGREEMENT WITH

THE KENTUCKY OFFICE OF HOMELAND SECURITY (KOHS), TO EXECUTE ANY DOCUMENTS WHICH ARE DEEMED NECESSARY BY KOHS TO FACILITATE AND ADMINISTER THE PROJECT AND TO ACT AS THE AUTHORIZED CORRESPONDENT FOR THIS PROJECT.

WHEREAS, the City of Franklin , Kentucky desires to make an application for Law Enforcement Protection Program funds for a project to be administered by Kentucky Office of Homeland Security:

WHEREAS, it is recognized that an application for and approval of Kentucky Office of Homeland Security funds impose certain obligations and responsibilities upon the city:

NOW, THEREFORE, be it resolved this 14th day of February 2011, by the City of Franklin, Kentucky,

The Mayor is hereby authorized to execute and furnish all required documentation, including a memorandum of agreement, as may be required by KOHS for the furtherance of the above-referenced project and to act as the authorized correspondent for said project.

Done this 14th day of February, 2011 on a Motion made by Commissioner Jamie Powell

And seconded by Commissioner Mason Barnes

Members present voting in favor: Mayor Ronnie Clark, Commissioners Mason Barnes, Larry Dixon, Jamie Powell, and Henry Stone

Members Present voting against:

• **Discussion and/or Possible Action Regarding Safe Routes to School Grant**

On May 9, 2008 the City of Franklin entered into an agreement with the Kentucky Transportation Cabinet for funding for the Safe Routes to School project. Several issues caused delays beyond our control. It was recently discovered that the grant expired in September 2010. The Kentucky Transportation Cabinet has agreed to extend the agreement to July 31, 2011 if the City Commission approves an amendment to the agreement and passes a resolution authorizing the Mayor to sign the amendment. Motion was made by Commissioner Henry Stone and seconded by Commissioner Larry Dixon to approve the amendment to the agreement between the Kentucky Transportation Cabinet and the City of Franklin for the Healthy Lifestyles Education and Sidewalk Improvement Project and to adopt Resolution C-2011 authorizing the Mayor to sign the agreement as well as any other necessary documents relating to the project. Ayes: All. Motion carried and resolution was adopted.

RESOLUTION C-2011

AMENDMENT TO THE AGREEMENT BETWEEN
KENTUCKY TRANSPORTATION CABINET AND
CITY OF FRANKLIN
HEALTHY LIFESTYLES EDUCATION AND SIDEWALK IMPROVEMENT PROJECT
PO2-628-0800015407
\$175,000.00

WHEREAS, the SAFETEA-LU Federal Reimbursement Agreement is in the amount of \$175,000 for the Safe Routes to School Healthy Lifestyles Education and Sidewalk Improvement Project, and,

WHEREAS, the City of Franklin, does hereby authorize Mayor Ronnie Clark to sign the attached mentioned Agreement, as well as any other necessary documents relating to the project.

Done this 14th day of February, 2011 on a Motion made by Henry Stone and seconded by Larry Dixon
Members present voting in favor: Mayor Ronnie Clark, Commissioners Mason Barnes, Larry Dixon, Jamie Powell, and Henry Stone

Members present voting against:

- **Discussion and/or Possible Action Regarding Bids For Agricultural Lease**

The City received two bids for the agricultural lease in response to the advertisement for bids that was published in the Franklin Favorite. The deadline for submitting bids was February 7th, 2011 at 10:00 a.m. The bids were for leasing the tillable portion (42 acres) of property purchased from J.C. Broderson, on the north side of Ditmore-Ford Road. The bids were as follows. Joe David Hickman bid \$240 per acre per year for a one year lease, or \$265 per acre per year for a three year lease. Garry Summers with Summers Farms bid \$302 per acre per year for a three year lease. The total annual lease amount of \$12,684 would be paid upon signing the lease agreement, and each year thereafter on February 1. Motion was made by Commissioner Mason Barnes and seconded by Commissioner Jamie Powell to approve the lease agreement awarding the agricultural lease bid to Summers Farms for their bid of \$302 per acre per year, and to adopt Resolution D-2011 approving the agreement and authorizing the Mayor to sign any and all documents necessary to effectuate the intent of this agreement. Ayes: All. Motion carried.

RESOLUTION NO. D-2011

RESOLUTION OF THE CITY OF FRANKLIN, KENTUCKY

WHEREAS, the Franklin City-Commission has approved a Lease Agreement between the City of Franklin, as Lessor, and Gary Summers/Summers Farms, as Lessee, for certain lands owned by the City, known as the "Broderson Farm", a copy of said Lease Agreement is attached hereto as Exhibit A and made a part hereof; and,

WHEREAS, the City Commission of the City of Franklin, Kentucky has determined that it is in the best interest of the citizens and residents of the City of Franklin, Kentucky to adopt this Resolution to approve the aforementioned Lease Agreement and authorize the Mayor to sign any and all documents necessary to effectuate the intent of this Resolution.

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

1. That the recitals set forth in the preamble to this Resolution are hereby adopted and incorporated herein by reference.
2. The City Commission hereby approves the Lease Agreement by and between the City of Franklin, Kentucky, as Lessor, and Gary Summers/Summers Farms, as Lessee, under the terms and conditions set forth in said Lease Agreement.
3. The City Commission authorizes and directs the Mayor to sign any and all documents necessary to effectuate the intent of this Resolution including, but not limited to the Lease Agreement and any and all FSA and/or USDA forms for and on behalf of Lessor and/or Lessee as may be necessary to comply with the terms and conditions of the Lease Agreement.

This Resolution was adopted by a unanimous vote of the attending members of the Franklin City Commission at a regular meeting held on February 14th, 2011.

- **Discussion and/or Possible Action Regarding Fiber Optic Project**

City Manager Kenton Powell updated the Commission on a one acre parcel of land which the Industrial Authority is willing to deed to the City of Franklin at no charge to be used for the City's Fiber Optic project. The City will be responsible for cost in surveying/transferring the deed to the City. Motion was made by Commissioner Henry Stone and seconded by Commissioner Larry Dixon to give tentative approval and to authorize City Manager Kenton Powell and City Attorney Scott Crabtree authority to review and/or finalize deed documents and to give Mayor Ronnie Clark the authority to sign any needed documents. Ayes: All. Motion carried.

PUBLIC SERVICES

No business

PUBLIC SAFETY

• **Discussion and/or Possible Action Regarding Code Enforcement/Nuisance Ordinance**

City Attorney Scott Crabtree met with Police Chief Todd Holder and Code Enforcement Officer Kelly Mayfield and it came to his attention that during the mowing season, there are several people that use the Code Enforcement Officer as a person to remind them to mow their yard. The Officer has to give them a notice of violation every time their yard needs mowing. Obviously, this takes a considerable amount of time and resources to have notices mailed several times a year for each person who takes this approach. It was recommended that the ordinance be amended to allow each person to receive two (2) notices per year, per location, with no fine or penalty. The third and subsequent times the Code Enforcement Officer has to get involved, he will cite and fine the person as if they did not comply with the notice at all. Commissioner Jamie Powell and Commissioner Mason Barnes agreed to sponsor the ordinance amendment.

• **Discussion and/or Possible Action Regarding Public Parking**

Police Chief Todd Holder requested that the City Commission approve limiting the total time a person can park their vehicle in a public parking space to 7 days maximum. Currently, a person can park in the parking lot owned by the City for an indefinite period of time. In the past, vehicles have been parked for as long as 18 months without being moved. No penalty was recommended. After discussion, motion was made by Commissioner Jamie Powell and seconded by Commissioner Henry Stone to limit the total time a vehicle can be parked in any public parking space without permission to 7 days; and after that period of time, authorizing the vehicle to be towed at the owner's expense. Ayes: All. Motion carried. Street Superintendent Derick Minnicks will make the necessary signs.

COMMUNITY SERVICES

No business

UTILITIES

• **Discussion and/or Possible Action Regarding Electrical Permit Application**

City Manager Kenton Powell discussed the new Electrical Permit Application and Emergency Five (5) Day Agreement for Temporary Service Connection In Lieu of Inspection forms. Electrical Inspector Bob Matthews has placed these forms at the Franklin Electric Plant Board and Warren Rural Electric, and the Electrical Permit Application must be completed by the utility prior to any building permits being issued.

ORDINANCES

• **First Reading of Flood Damage Prevention Ordinance**

Deputy City Clerk Rita Vaughn gave first reading of Flood Damage Prevention Ordinance.

EXECUTIVE SESSION

Motion was made by Commissioner Jamie Powell and seconded by Commissioner Mason Barnes to enter in to executive session for the purpose of discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee or member {KRS 61.810 (f)}; discussion of proposed, or pending litigation {KRS 61.810(c)}; and deliberations on Acquisition, or Sale, of real property, where publicity would be likely to affect the value – KRS 61.810(b). Ayes: All. Motion carried at 6:50 pm. Entering executive session were Mayor Clark and the four Commissioners, City Attorney Scott Crabtree, and City Manager Kenton Powell.

At 7:20 pm those in executive session returned to open meeting, and motion was made by Commissioner Jamie Powell and seconded by Commissioner Mason Barnes to close the executive session and return to open session. Ayes: All. Motion carried.

CITY ATTORNEY REPORTS

None

CITY MANAGER REPORTS

City Manager Kenton Powell had spoken with County Judge Executive Jim Henderson regarding the regularly scheduled joint City Commission/Fiscal Court meeting. The meeting is scheduled for Thursday, March 3rd, 2011 at 6:00 p.m. The City will prepare the agenda for this meeting.

He also informed the Commission about standardized departmental reports that will be available to them at the February 28th meeting, and at the second meeting of each month.

OTHER COMMISSION BUSINESS

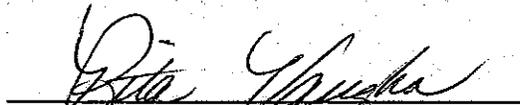
Mayor Clark wished to inform the public that the Commission had authorized City Manager Kenton Powell and City Attorney Scott Crabtree to work with Ross and Teresa Suber to correct the situation with their property located at 128 North Main Street. The Subers have been given 30 days to make corrections.

ADJOURNMENT

Motion was made by Commissioner Larry Dixon and seconded by Commissioner Jamie Powell to adjourn the City Commission meeting. Ayes: All. Motion carried at 7:25 pm.



Ronnie Clark, Mayor



Rita Vaughn, Deputy City Clerk
