

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

March 22, 2021

**City Hall
117 West Cedar Street
Franklin, Kentucky
(Pursuant to Senate Bill 150)**

The Franklin, Kentucky City Commission met in Regular Session at 12:00 Noon, Monday, **March 22, 2021**, in the City Hall meeting room located at 117 West Cedar Street, Franklin, Kentucky.

Members attending were as follows:

Mayor Larry Dixon	Present
Commissioner Jamie Powell	Present
Commissioner Herbert Williams	Present
Commissioner Brownie Bennett	Present
Commissioner Wendell Stewart	Present

Others present included City Manager Kenton Powell; City Attorney Scott Crabtree; City Personnel Director/Deputy Clerk Rita Vaughn; Finance Director Carol Riggerbach; City Assistant Finance Director Daniel Reetzke; City Police Chief Roger Solomon; Public Works Director Chris Klotter; City Clerk Cathy Dillard; Wastewater Treatment Superintendent Trent Coffee; Public Works Superintendent Darrell Mallory; Public Works Scheduler Steve Akin; and, Mr. and Mrs. Glenn Dale Root.

Mayor Dixon called the meeting to order at 12:00 Noon, and Commissioner Jamie Powell offered the opening prayer.

APPROVAL OF MINUTES

Motion was made by Commissioner Powell and seconded by Commissioner Bennett to approve the minutes as presented the March 8, 2021.

Voting Aye by Roll Call: All. Motion carried unanimously.

RECOGNITIONS

City Manager Kenton Powell introduced City of Franklin Finance Director Carol Riggerbach. She thanked the Commission for the opportunity to work with the City as its Finance Director and commended the staff for a great first week of work.

Personnel Director Rita Vaughn asked the Commission to recognize Public Works Superintendent Darrell Mallory. Recently, Jolie Brown the Executive Director of Franklin Housing Authority, emailed the City Manager thanking the City of Franklin for their support and specifically thanked Darrell Mallory for his advice and assistance on various projects. Mrs. Brown noted that Darrell “has the kindest, most positive spirit about him.” Darrell Mallory is well respected among his coworkers and provides positive leadership in his department.

Chief Roger Solomon presented the Citation of Bravery to Glen Dale Root who is employed by Franklin Nursing and Rehab in Franklin. On February 22, 2021, Mr. Root rescued two seven year old boys when they fell through ice on a pond behind Franklin Nursing and Rehab. Chief Solomon said when officers arrived on the scene that Mr. Root was pulling both young boys from the water and assisted officers getting them to EMS.

Franklin Police Department Lt. Robbie Matthews requested that Glen Dale Root be “recognized and awarded the Citation of Bravery for his selfless acts of bravery and heroism. Mr. Root put his own safety aside to save the lives of two young local boys.”

COMMUNITY SERVICES

City Manager Kenton Powell reported that he had been working with Scott Waste Services planning a community Amnesty Day for Simpson County residents. Scott Waste Services will provide ten (10) thirty cubic yard open top containers for residents to dispose of acceptable materials on Friday, April 23, 2021, and Saturday, April 24, 2021, from 8:00 am until 4:00 pm at the Convenience Center located at 2416 Kenneth Utley Drive. Proof of residency is required and each household can dispose of no more than three (3) truckloads of acceptable materials.

No action was required by the Commission regarding this matter.

GENERAL GOVERNMENT

City Manager Kenton Powell asked the Commission to approve proposed meeting dates for budget planning, special called meetings and a proposed public hearing.

Motion was made by Commissioner Williams and seconded by Commissioner Powell to approve the following meeting dates:

- (1) Monday, May 10, 2021 – Special Called Budget Work Session 5:30 – 7:30 pm followed by a Special Called Meeting

- (2) Monday, May 10, 2021 – Cancel Regular Meeting scheduled for 12 Noon
- (3) Tuesday, June 1, 2021 – Special Called Budget Work Session 5:30 – 7:30 pm
- (4) Monday, June 28, 2021 – Special Called Meeting 5:30 – 6:30 PM followed by Public Hearing 7:00 – 8:00 PM
- (5) Monday, June 28, 2021 – Cancel Regular Meeting Scheduled for 12 Noon

Voting Aye by Roll Call: All. Motion carried unanimously.

City Manager Kenton Powell asked the Commissioner to consider approval for emergency replacement of a City Hall HVAC unit by Turney’s Heating & Cooling LLC. Due to the age and condition of the unit it was determined that replacement was the best option. The cost to replace the unit is \$12,785.00.

Motion was made by Commissioner Stewart and seconded by Commissioner Bennett to approve the emergency expenditure of \$12,785.000 to replace City Hall/Regions Bank HVAC unit by Turney’s Heating & Cooling LLC and authorized the Mayor to sign any and all documents necessary for this expenditure.

Voting Aye by Roll Call: All. Motion carried unanimously.

City Manager Kenton Powell asked the Commission to consider approval of a street closing request. The Class of 2021 Project Graduation requested to close College Street from West Cedar Street to West Kentucky Avenue on Saturday April 17, 2021, from 11:00 am until 6:00 pm for a fundraising project. Judge Executive Mason Barnes approved use of the courtyard and the street closing would allow for food truck vendors.

Motion was made by Commissioner Bennett and seconded by Commissioner Powell to approve to close College Street from West Cedar Street to West Kentucky Avenue on Saturday April 17, 2021, from 11:00 am until 6:00 pm, contingent on receipt of street closure request form from the Class of 2021 Project Graduation committee. In addition, all future City street closing requests will be determined by the Commission on a case-by-case basis dependent on Covid-19 positivity rate numbers.

Voting Aye by Roll Call: All. Motion carried unanimously.

Assistant Finance Director Daniel Reetzke asked the Commission to consider approval of a proposed Municipal Order which would allow an extension to file the annual gross receipts license fee return to May 17, 2021. The IRS recently extended the federal tax filing deadline to May 17, 2021.

Motion was made by Commissioner Powell and seconded by Commissioner Bennett and, by roll call vote, unanimously approved Municipal Order No. 2021-001 as follows:

MUNICIPAL ORDER NO. 2021-001

**A MUNICIPAL ORDER REGARDING THE EXTENSION OF THE
PAYMENT DEADLINE FOR CERTAIN FEES AND TAXES AND WAIVER**

WHEREAS, on March 17, 2021 and directly in response to the nationwide effects of COVID-19, the Internal Revenue Service announced tax payment relief for federal tax returns that are due by April 15, 2021 by automatically extending the tax payment deadline until May 17, 2021; and

WHEREAS, the City of Franklin Assistant Finance Director and City Manager have recommended the implementation of similar tax relief for local gross receipts taxes due and collected under §114.003 of the City of Franklin Code of Ordinances;

WHEREAS, the City of Franklin recognizes the continuing local effects of the COVID-19 pandemic;

WHEREAS, in an effort to prevent any additional financial strain on the businesses and citizens of City of Franklin during these difficult times, the City of Franklin believes it to be in the best interests of the City to automatically extend the deadline for which gross receipts taxes are to be paid under Ordinance No. §114.080 of the City of Franklin Code of Ordinances until May 17, 2021 or, if changed or altered by the federal government in the future, to the then current deadline and, additionally, to waive any interest or penalties for gross receipts tax balances paid on or before the extended due date; and

WHEREAS, the City Manager after consultation with the Assistant Finance Director, has advised the Mayor that the financial impact resulting from the proposed extension will not affect the City's ability to deliver the essential services relied upon by its citizens.

NOW, THEREFORE, BE IT ORDERED AS FOLLOWS

- 1. In order to combat the financial impact of the novel coronavirus (COVID-19) in the City of Franklin, the filing of returns and the payment of gross receipts taxes by an employer or business entity for a current filing obligation under Tax Years ending on or before December 31, 2020, are hereby automatically extended to the same time established by the federal government and Internal Revenue Service, which is currently May 17, 2021. Should the federal government or the Internal Revenue Service change or amend these filing and payment deadlines, the City of Franklin adopts all future changes and incorporates any future deadlines into this Executive Order. No further action on behalf of any employer or business entity shall be required for this payment extension relief.*
- 2. An employer or business entity who pays the gross receipts tax due on or before May 17, 2021 (or subsequent deadline adopted as set forth in Paragraph 1 hereinabove) shall not be liable for the penalties and/or interest in Ordinance 220.7-6-2008 of the City of Franklin Code of Ordinances. For any remaining unpaid gross receipts tax balance, the penalties and interest set forth in Ordinance No. 220.7-6-2008 shall begin to accrue the day after the extension period established in Paragraph 1 above.*

The Finance Director shall ensure the tax relief provisions set forth in this Executive Order are effectuated.

This municipal order was adopted by the Board of Commissioners of the City of Franklin at a meeting held on March 22, 2021, and it is so ordered as of that date.

PUBLIC SERVICES

Public Works Director Chris Klotter asked the Commission to consider approval for an invitation to bid mowing and landscaping maintenance services for City owned property. Klotter noted that a reduction in workforce availability due to the loss of inmate labor and potential increased stormwater regulations would strain Public Works.

Motion was made by Commissioner Stewart and seconded by Commissioner Williams to approve to proceed with an invitation for bids for mowing and landscaping maintenance services.

Voting Aye by Roll Call: All. Motion carried unanimously.

EXECUTIVE SESSION

At 12:43 PM, motion was made by Commissioner Bennett and seconded by Commissioner Stewart to enter into Executive Session for the purpose of: Personnel – Discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee or member {KRS 61.810(1)(f)}.

Voting Aye by Roll Call: All. Motion carried unanimously.

Entering Executive Session were Mayor Dixon; Commissioners Powell, Bennett, Williams and Stewart; City Manager Kenton Powell; City Attorney Scott Crabtree; Public Works Director Chris Klotter; and, Wastewater Superintendent Trent Coffee.

At 1:02 PM, motion was made by Commissioner Powell and seconded by Commissioner Williams to exit Executive Session and return to open session.

Voting Aye by Roll Call Vote: All. Motion carried unanimously.

OTHER COMMISSION BUSINESS

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to hire Sam Shannon for the position of Wastewater Collections Service Technician.

Voting Aye by Roll Call Vote: All. Motion carried unanimously.

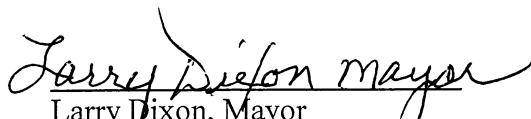
Motion was made by Commissioner Bennett and seconded by Commissioner Stewart to accept the resignation of Josh London.


Voting Aye by Roll Call Vote: All. Motion carried unanimously.

ADJOURNMENT

At 1:02 PM motion was made by Commissioner Powell and seconded by Commissioner Williams to adjourn the regular meeting of the Franklin City Commission.

Voting Aye by Roll Call Vote: All. Motion carried unanimously.


Larry Dixon, Mayor
City of Franklin, Kentucky


Cathy Dillard, City Clerk
City of Franklin, Kentucky