

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

April 12, 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, **April 12, 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; City Finance Director, Carol Riggenbach; 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; Kim Kirby, Kirby & Moore CPAs; and, James Moore and Aaron Poynter with South Central Workforce Development.

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

APPROVAL OF MINUTES

Motion was made by Commissioner Bennett and seconded by Commissioner Powell to approve the minutes as presented of the March 22, 2021.

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

RECOGNITIONS

Trent Coffee introduced Sam Shannon, the City's new employee at the Wastewater Treatment Plant.

City Attorney Scott Crabtree welcomed Kim Kirby of Kirby & Moore CPAs to the meeting to discuss the fiscal year 2019-2020 audit report. Mr. Kirby provided a compilation of the audit report and confirmed that the City of Franklin was in compliance with municipal general accounting practices and continued to maintain a balanced budget. This audit report was consistent with prior years' reports with an overall clean opinion. Mr. Kirby commended the City Manager Kenton Powell and Assistant Finance Director Daniel Reetzke for their continued cooperative efforts during the audit process. Mr. Kirby also indicated he looked forward to working with the City's new Finance Director, Carol Riggerbach.

COMMUNITY SERVICES

City Manager Kenton Powell asked for the Commission's feedback and direction regarding reactivating the issuance of yard sale permits. The Commission agreed to issue permits for garage/yard sales.

No action was taken on this matter.

Community Development Director Tammie Carey asked the Commission to consider approval of a resolution designating Greenlawn and Shady Rest Cemetery as arboretum and authorize the Franklin Garden Club to submit an application for accreditation.

Motion was made by Commissioner Powell and seconded by Commissioner Bennett to adopt Resolution No. B-2021 as referenced herein; to authorize the Franklin Garden Club to submit an application for ArbNet Arboretum Accreditation; and, to designate up to \$500.00 in funds to be used for the purchase of plant tags and signs to identify trees and woody plants in the cemetery. In addition, this motion was subject to the Franklin Garden Club's agreement that any activities shall not interfere with funeral or graveside services held at the cemetery.

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

RESOLUTION NO. B-2021

City of Franklin

A RESOLUTION OF THE CITY OF FRANKLIN, KENTUCKY AUTHORIZING GREENLAWN AND SHADY REST CEMETERY TO BE DESIGNATED AS AN ARBORETUM AND AUTHORIZING THE FRANKLIN GARDEN CLUB TO MAKE AN APPLICATION FOR ARBNET ARBORETUM ACCREDITATION SEEKING DESIGNATION AS A NATIONALLY RECOGNIZED ACCREDITED ARBORETUM

WHEREAS, the City of Franklin, Kentucky desires to ensure the conservation of natural resources and threatened plants; and

WHEREAS, the City of Franklin, Kentucky desires to keep a living collection of trees and woody plants species; and

WHEREAS, the City of Franklin, Kentucky intends to assist the Franklin Garden Club to make an application to the ArbNet Arboretum Accreditation Program; and

WHEREAS, the City of Franklin, Kentucky, by and through the Franklin Garden Club, intends to identify and label over 35 (thirty-five) species of trees and woody plants within the boundaries of the Greenlawn and Shady Rest Cemetery for the purposes of providing educational opportunities for residents and visitors, enhancing the natural beauty of the cemeteries, and assisting with the conservation of trees and woody plants.

NOW THEREFORE BE IT RESOLVED, by the City Commission of the City of Franklin, Kentucky, that the municipally owned cemetery of Greenlawn and Shady Rest are hereby designated as an arboretum for the purposes set forth hereinabove on this the 12th day of April, 2021.

GENERAL GOVERNMENT

Community Development Director Tammie Carey asked the Commission to adopt Resolution No. C-2021 authorizing the submission of an application for Community Development Block Grant (CDBG) funding to provide assistance to utility customers under the Utility Assistance Program provided through the Department of Local Government. This grant application also requires a public hearing

Motion was made by Commissioner Stewart and seconded by Commissioner Williams and unanimously approved by roll call vote to adopt Resolution No. C-2021 as follows:

**RESOLUTION NO. C-2021
City of Franklin**

A RESOLUTION OF THE CITY OF FRANKLIN, KENTUCKY AUTHORIZING THE FILING OF A COMMUNITY DEVELOPMENT BLOCK GRANT – COVID-19 PUBLIC SERVICE PROJECT – UTILITY ASSISTANCE PROGRAM (“CV”) APPLICATION TO PROVIDE ASSISTANCE TO HOUSEHOLDS WITHIN THE CITY OF FRANKLIN THAT HAVE BEEN AFFECTED BY COVID-19 AND NEED FINANCIAL ASSISTANCE WITH THE PAYMENT OF UTILITY BILLS, AND; AUTHORIZING THE MAYOR TO SIGN ANY AND ALL DOCUMENTS RELATED TO THE APPLICATION, PROJECT AND REIMBURSEMENT

WHEREAS, the City of Franklin, Kentucky desires to provide assistance to residents and households within the City that have been affected by COVID-19; and

WHEREAS, the City of Franklin, Kentucky desires to assist residents and households with assistance for utilities to ensure basic needs including: water, wastewater, electric, and gas are paid and available for use by residents of the City of Franklin.

NOW, THEREFORE, be it resolved this 12th day of April 2021, by the Franklin City Commission,

- 1. That the submission of an application for Community Development Block Grant funds not exceeding \$200,000 to provide assistance to utility customers within the City of Franklin is hereby authorized. The application will be submitted under the Utility Assistance Program category of funding through the Kentucky Department for Local Government.*
- 2. That the Mayor is authorized to sign the grant application and other documents necessary for the execution of the application and development of the project.*
- 3. That City of Franklin Community Development Director Tammie Carey is authorized to prepare the application and, if funded to assist in the administration of the program and grant funding.*

Trent Coffee introduced James Moore and Aaron Poynter with South Central Workforce Development Board Employward, Inc. They provided information to the Commission regarding Work Experience Program (“WEX”) and Workforce Opportunity and Innovation Act (“WIOA”). Both of these programs provides opportunities for individuals desiring to enter the workforce to gain work experience and mentoring and also provides incentives to employers that choose to participate in this program.

Mr. Moore and Mr. Poynter encouraged the Commission to refer employers and employees to these workforce development programs.

City Attorney Scott Crabtree asked the Commission to consider adopting Municipal Order No. 2021-02 which would extend leave under the Families First Coronavirus Response Act until May 31, 2021, to provide two (2) weeks of paid leave for contracting or being exposed to the COVID-19 virus. This extension will expire on May 31, 2021.

Motion was made by Commissioner Powell and seconded by Commissioner Bennett and was unanimously approved by roll call vote Municipal Order No. 2021-02 as follows:

**CITY OF FRANKLIN, KENTUCKY
MUNICIPAL ORDER
NO. 2021 - 02**

April 12, 2021

**MUNICIPAL ORDER EXTENDING LEAVE UNDER THE
FAMILIES FIRST CORONAVIRUS RESPONSE ACT**

WHEREAS, the President signed into law the "Families First Coronavirus Response Act" in 2020 to assist with the impact of COVID-19, and employees were eligible for additional COVID-19 leave under the law;

WHEREAS, the Family First Coronavirus Response Act, as it applied to municipal employees expired March 31, 2021 and, in an effort to continue to assist employees with and from the consequences of the COVID-19 virus, the City of Franklin is altering its leave policy for city employees to the extent set forth herein;

NOW, THEREFORE, BE IT ORDERED AS FOLLOWS:

- 1. Pursuant to the original Emergency Paid Sick Leave Act, all employees were eligible for two (2) weeks of paid leave at their regular rate of pay for contracting or being exposed to the COVID-19 virus. The City shall continue to maintain this policy up to and including May 31, 2021. Thereafter, the provisions of the City of Franklin's Personnel Policies and Procedures shall apply with regard to sick pay/time. Therefore, from and after May 31, 2021, employees shall be required to use their own accumulated sick or paid leave, or otherwise, for service time missed for COVID-19 purposes.*
- 2. The City's Personnel Policies and Procedures Manual with regard to COVID-19 leave, sick leave, FMLA leave, or otherwise shall remain unchanged other than as set forth herein, and any leave taken for or from COVID-19 after May 31, 2021, will count toward the employee's total twelve (12) weeks of job-protected FMLA leave to the extent needed or required.*
- 3. The executive authority shall determine which employees are eligible for continued work or telework based on the needs and capacity of the City. In accordance with this Municipal Order, the Franklin Board of City Commissioners hereby grants this authority to the City Manager to implement this or other employment policies and set other employment hours and guidelines as are necessitated by the Order.*

All prior orders and/or policies regarding the subjects addressed or covered in or by this Municipal Order are hereby revoked.

This Order will terminate as of May 31, 2021.

Signed on this the 12th day of April, 2021.

City Manager Kenton Powell asked the Commission to consider appointing Gerald Ogles to Franklin Housing Authority Board of Directors. Dick Timmerman resigned from the Board in December to relocate closer to his immediate family. The term of his appointment was for a four year term expiring on December 31, 2022.

Motion was made by Commissioner Bennett and seconded by Commissioner Stewart to appoint Gerald Ogles to the Board of Directors of Housing Authority of Franklin to fill the unexpired term of Dick Timmerman which will expire on 12-31-2022.

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

EXECUTIVE SESSION

At 1:05 PM, motion was made by Commissioner Powell and seconded by Commissioner Williams to enter into Executive Session for the purpose of: (1) Land Acquisition – 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)}; (2) Litigation – Discussion of proposed or pending litigation {KRS 61.810(1)(c)}; and, (3) 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 members present. 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, Public Works Superintendent Darrell Mallory.

Chris Klotter and Darrell Mallory exited Executive Session at 1:40 PM.

At 2:01 PM, motion was made by Commissioner Bennett and seconded by Commissioner Stewart to exit Executive Session and return to open session.

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

OTHER COMMISSION BUSINESS

Motion was made by Commissioner Powell and seconded by Commissioner Williams to promote Terry Bailey to Stormwater Field Supervisor and to promote Jonathon Cline to Cemetery Sexton.

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

CITY ATTORNEY REPORT

City Attorney Scott Crabtree asked the Commission to consider approval for the Mayor to sign an engagement letter for professional services with Linda Ain, Attorney at Law. Ms. Ain will

provide legal advice, guidance and assistance to the City related to franchising and right-of-way issues.

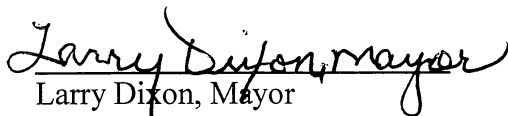
Motion was made by Commissioner Bennett and seconded by Commissioner Powell to authorize the Mayor to sign an engagement letter for professional services with Linda Ain, Attorney at Law.


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

ADJOURNMENT

At 2:07 PM, motion was made by Commissioner Powell and seconded by Commissioner Stewart to adjourn the regular meeting of the Franklin City Commission.

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


Larry Dixon, Mayor
City of Franklin, Kentucky


Cathy Dillard, City Clerk
City of Franklin, Kentucky