

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

**April 26, 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 26, 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; Public Works Superintendent Darrell Mallory; Public Works Scheduler Steve Akin; Wastewater Treatment Superintendent Trent Coffee; and Dylan Holder from the Historic Harristown District.

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

**APPROVAL OF MINUTES**

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to approve the minutes as presented the April 12, 2021, regular meeting.

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

**HEAR THE PUBLIC**

Dylan Holder from the Historic Harristown District requested to speak to the Commission regarding proposed projects of interest for the Harristown district. Mr. Holder indicated the first item of interest related to public safety. Specifically, crosswalk markings for the four-

way stops on John J. Johnson Avenue. Holder indicated marking the crosswalks would remind oncoming traffic to come to a complete stop and look for pedestrians crossing the street. In addition, Holder requested four portable speed trailers along John J. Johnson Avenue to deter speeding in the area.

City Manager Kenton Powell indicated marking the crosswalks should not be a problem and portable speed trailers would be subject budgetary approval by the Commission. Powell indicated the City would explore the costs of the speed trailers.

The next item of interest was removal or trimming of larger trees and shrubbery within the Harristown community. Holder indicated these larger trees and overgrown shrubbery could present a public safety issue. City Manager Kenton Powell indicated tree or shrubbery removal could be done by the City only if the trees were in the existing right-of-way. The City will not remove trees from private property. The Commission asked City Manager Powell to evaluate the areas presented by Mr. Holder.

The third item of interest was the proposed Historic Harristown Walk of Fame. Mr. Holder asked the Commission to approve using City sidewalks located on John J. Johnson Avenue to honor and commemorate notable individuals with a painted star with the individual's name. Holder presented a sample to the Commission of a painted block. It would be painted by a local artist, using environmentally friendly materials, and sealed with a top coat protectant. Holder further indicated that all costs associated with the commemorative blocks, upkeep and maintenance would be provided by the District Board.

Motion was made by Commissioner Bennett and seconded by Commissioner Stewart to approve Dylan Holder to coordinate with the Board of the Historic Harristown District to paint and finish one (1) sample block of the concrete sidewalk located on John J. Johnson Avenue, between Washington Street and Walker Street, with one (1) honoree for the proposed Walk of Fame with all materials, including topcoat, evaluated and approved by the City.

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

The fourth item proposed by Mr. Holder was expansion of the Historic Harristown District borders to include six (6) additional streets. Commissioner Bennett asked if the District was an officially recognized historic district, Holder indicated that it was not. City Attorney Scott Crabtree advised that the City must adopt an ordinance to officially recognize the area as a historic district and, at such time, those streets could be included in the official designation.

The Commission commended Mr. Holder for his commitment, dedication and effort to bring these items to their attention.

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Teresa Suber asked the Commission to consider removal of a property tax lien against her property located at 128 North Main Street. This tax lien was the result of a tax assessment for the abandon urban property designation of this property.

Mayor Dixon thanked Ms. Suber and indicated the Commission would take the request under consideration.

**GENERAL GOVERNMENT**

Public Works Superintendent Darrell Mallory requested Commission approval for the award of road salt as a result of the salt bid reverse auction for FY 2021-2022. There is no obligation to purchase salt under this bid but it ensures that salt is available for purchase at a fixed price if needed. Three bids were received with Compass Minerals providing the lowest bid at \$105.00 per ton.

Motion was made by Commissioner Powell and seconded by Commissioner Williams to award the salt bid to Compass Minerals as the lowest and best responsive, responsible bidder in the amount of \$105.00 per ton, including delivery, and to further authorize the Mayor to sign any and all documents necessary for the contract.

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

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Public Works Superintendent Darrell Mallory requested Commission approval for the award of the bids for landscape maintenance and mowing. The bid notice was advertised pursuant to KRS 424.260. Three (3) bids were received as follows:

Heath Lawn Care & Landscaping LLC	\$ 62,664.00
F-S Lawn Care Services	58,949.00
Quality Yards, LLC	67,800.00

Motion was made by Commissioner Bennett and seconded by Commissioner Stewart to award the landscape maintenance and mowing bid to F-S Lawn Care Services as the lowest and best responsive, responsible bidder in the amount of \$58,949.00 and to further authorize the Mayor to sign any and all documents necessary for this contract.

Voting Aye by Roll Call: All. Motion carried unanimously

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City Manager Kenton Powell asked the Commission to authorize the Mayor to sign the Application for Supervised Public Display of Fireworks submitted by Kentucky Downs scheduled for Friday, July 2, 2021, beginning at approximately 8:45 pm.

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to authorize the Mayor to sign the Application for Supervised Public Display of Fireworks for Kentucky Downs scheduled for Friday, July 2, 2021, beginning at approximately 8:45 pm.

Voting Aye by Roll Call: All. Motion carried unanimously

City Attorney Scott Crabtree asked the Commission to approve Resolution No. D-2021 assigning a City of Franklin Certificate of Deposit account to German American Bank which secures a loan to the Franklin-Simpson Industrial Authority for improvements to the Henderson Industrial Park. Crabtree indicated that the original loan was due for renewal.

Motion was made by Commissioner Bennett and seconded by Commissioner Powell and unanimously approved by roll call vote the following resolution:

**RESOLUTION NO. D-2021**

**RESOLUTION TO APPROVE AND AUTHORIZE THE  
MAYOR TO SIGN AN ASSIGNMENT OF DEPOSIT ACCOUNT WITH  
GERMAN AMERICAN BANK (FORMERLY FIRST SECURITY BANK)**

*WHEREAS, the City previously pledged Certificate of Deposit Account Number 8204660 as partial security for a loan for the Franklin-Simpson Industrial Authority for the purchase and development of the industrial parks; and*

*WHEREAS, the original loan needs to be renewed, and First Security Bank has been purchased by and is now known as German American Bank; and*

*WHEREAS, German American Bank has asked that the City continue to pledge this certificate of deposit as partial security/collateral for the loan in an effort to assist with the note renewal for the Franklin-Simpson Industrial Authority.*

*NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Franklin, Kentucky, as follows:*

- 1. The Board of City Commissioners hereby finds and determines that it is in the best interest of the City of Franklin, Kentucky to approve the attached Assignment of Deposit Account with German American Bank to pledge Certificate of Deposit Number 8204660 as partial collateral for a renewal loan with the Franklin-Simpson Industrial Authority for the purchase of land and improvements in the community industrial parks.*
- 2. The Mayor of the City of Franklin, Kentucky is hereby authorized and directed to sign any and all documents necessary to effectuate the intent of this Resolution.*

*This resolution was adopted by a unanimous vote of the Board of City Commissioners of Franklin, Kentucky at a meeting held on April 26, 2021.*

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City Attorney Scott Crabtree asked the Commission for two sponsors for a proposed ordinance rezoning 38.27 acres by Kentucky Downs located at 5629 Nashville Road from B-2 to B-5. Commissioner Stewart and Commissioner Powell asked to sponsor the proposed ordinance with first reading taking place during the ordinance portion of this meeting.

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City Attorney Scott Crabtree asked the Commission for two sponsors for a proposed ordinance rezoning 6.83 acres by Hunter Bowen located on Broadway Avenue from I-2 to AG. Commissioner Stewart and Commissioner Powell asked to sponsor the proposed ordinance with first reading taking place during the ordinance portion of this meeting.

City Finance Director Carol Riggenbach asked the Commission for two sponsors for the proposed budget amendment ordinance. Commissioner Bennett and Commissioner Powell asked to sponsor the proposed ordinance with first reading taking place during the ordinance portion of this meeting.

**PUBLIC SAFETY**

Chief Roger Solomon asked the Commission to consider approval to purchase 22 cell phones and protective covers for department use and to approve an agreement with CPI for OpenFox software that would allow officers to check license plates and operator licenses while on patrol. Chief Solomon indicated that the CPI software would be purchased with monies from the Franklin Police Department Drug Forfeiture fund.

Motion was made by Commissioner Stewart and seconded by Commissioner Williams to approve the purchase of 22 iPhone SE cell phones through Verizon Wireless for a total cost of \$12,000.00; to purchase 22 Otterbox phone cases from Amazon for a total of \$660.00; to enter into an agreement with CPI for the OpenFox software at a first year cost of \$10,780.00 with a second year cost of \$2,200.00 and further authorized the Mayor to sign any and all documents and agreements necessary for this equipment and software.

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

**UTILITIES**

Wastewater Treatment Superintendent Trent Coffee requested Commission approval for the award of the bid for the Franklin Avenue Sewer Improvement Project. The scope of the project includes setting three manholes and approximately 480 linear feet of sewer line. The bid notice was advertised pursuant to KRS 424.260. Two (2) bids were received as follows:

Charles Dewese Construction, Inc.	\$139,610.00
Scott & Ritter, Inc.	\$151,905.00

Motion was made by Commissioner Stewart and seconded by Commissioner Bennett to award the Franklin Avenue Sewer Improvement Project bid to Charles Dewese Construction, Inc. as the lowest and best responsive, responsible bidder in the amount of \$139,610.00 and to further authorize the Mayor to sign any and all documents necessary for this contract.

Voting Aye by Roll Call: All. Motion carried unanimously

**ORDINANCES**

City Clerk Cathy Dillard presented first reading of the following ordinances:

Ordinance No. 2021-006 titled: *An Ordinance Rezoning 38.27 Acres Located at 5629 Nashville Road from B-2 (General Business District) to B-5 (Interstate Interchange Business District) by Kentucky Downs, LLC and Declaring an Emergency To Exist*

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to adopt Ordinance No. 2021-006 and was approved by the following roll call vote:

Mayor Dixon	<u>Yes</u>	Commissioner Bennett	<u>Yes</u>
Commissioner Powell	<u>Yes</u>	Commissioner Stewart	<u>Yes</u>
Commissioner Williams	<u>Yes</u>		

Ordinance No. 2021-007 titled: *An Ordinance Rezoning 6.83 Acres Located on the West Side of Broadway Avenue from I-2 (Heavy Industrial) to AG (Agricultural) by Bowen*

Ordinance No. 2021-008 titled: *An Ordinance Amending the Annual Budget for the Fiscal Year Beginning July 1, 2020 and Ending June 30, 2021 by Estimating Revenues and Appropriations*

No action was taken on these two ordinances.

**EXECUTIVE SESSION**

At 1:21 PM, motion was made by Commissioner Bennett and seconded by Commissioner Williams to enter into Executive Session for the purpose of: (1) Business – Discussions between a public agency or a representative of a business entity concerning a specific proposal, where open discussions would jeopardize the siting, retention, expansion, or upgrading of the business {KRS 61.810(1)(g)} and (2) 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; Darrell Mallory and Rita Vaughn.

At 2:09 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. Motion carried unanimously.

**OTHER COMMISSION BUSINESS**

Motion was made by Commissioner Powell and seconded by Commissioner Bennett to promote Jarred Clayton to Assistant Cemetery Sexton and to transfer Jonathon Cline to the position of Stormwater Service/Maintenance Worker.

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

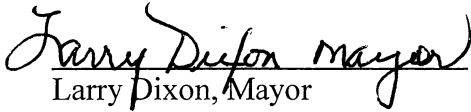
Motion was made by Commissioner Stewart and seconded by Commissioner Bennett to approve to enter into a professional services agreement with Barge Design Solutions, Inc. for the design and construction of a sewer line located at Exit 2 on Nashville Road for increased sewer capacity.

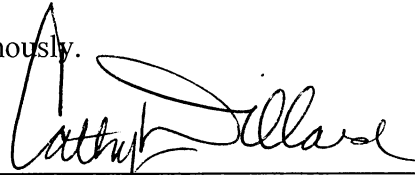
Voting Aye by Roll Call Vote: All. Motion carried unanimously.

**ADJOURNMENT**

At 2:12 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. Motion carried unanimously.

  
Larry Dixon, Mayor  
City of Franklin, Kentucky

  
Cathy Dillard, City Clerk  
City of Franklin, Kentucky