

The Franklin City Commission convened in regular session at 6:00 pm, Monday, May 23, 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 Mason Barnes	Present
Commissioner Larry Dixon	Present
Commissioner Jamie Powell	Present
Commissioner Henry Stone	Present

Others present included City Manager, Kenton Powell; City Attorney, Scott Crabtree; Police Chief, Todd Holder; Senior Franklin Police Officer and School Resource Officer (SRO), Chris Jackson; City Clerk, Kathy Stradtner; Waste Water Treatment Plant (WWTP) Superintendent Chris Klotter; F-S Industrial Authority Executive Director, Denny Griffin; meeting Videographer, F-S school employee Allie Meador; Franklin Favorite/WFKN media representative; Keith Pyles; and members of the public.

The Honorable Mayor Ronnie Clark called the meeting to order at 6:09 pm, and Commissioner Henry Stone offered an opening prayer.

Mayor Clark took this time to express his appreciation to the public for electing him to this position, and his pleasure at serving with the members on the Board of Commissioners, and considers it an honor and privilege to have the opportunity to get to know each of the Commissioners, as well as City Manager Powell and all of the City staff members.

APPROVAL OF MINUTES

Motion was made by Commissioner Dixon and seconded by Commissioner Barnes, to approve the minutes from the May 9, 2011 regular Commission meeting, and the May 16, 2011 special called Commission meeting. Ayes: All. Motion carried unanimously.

HEAR THE PUBLIC

- **Andy Burchett Requesting Discussion and/or Possible Action Regarding Global Avenue**

Andy Burchett, representing Global Specialty Cleaners, addressed the Commission about repaving Global Avenue. Presently Global Avenue is not a City street and is in dismal condition. Global Specialty cleaners paved the entrance to their business some years ago, but never intended for the thoroughfare to be for public use; over time surrounding businesses and members of the general public use the passage and the thoroughfare has been referred to as Global Avenue and at some point a street sign was put in place. The street is being used heavily by the public and surrounding businesses, and due to that has deteriorated to the point Global Specialty Cleaners needs to resurface the entrance to their drive. Global has little to no walk in business to their facility. The current policy for accepting a street is it be built to Public Works Construction Standards and a request received from the developer. When City Manager Powell was first contacted regarding this problem, he requested an estimate of the cost to bring Global Avenue up to acceptance standards be prepared; Street Superintendent Derick Minnicks estimated the cost to be \$22,450. During discussion, Mr. Burchett noted that Global Specialty Cleaners could not economically justify the cost required to bring the street up to code. Global Specialty felt the improvement of the entire street to be of more value to the City and the citizens rather than Global; a petition had been submitted earlier

with approximately sixteen signatures for Global Avenue to remain open and be resurfaced (the signatures on the petition represented businesses on and surrounding Global Avenue). Following a lengthy discussion among all present, the issue was tabled for the time being; City Commissioners stated they were interested in this project and would investigate what level of participation, if any, might be feasible for the City.

REGULAR BUSINESS

GENERAL GOVERNMENT

- **Update and Discussion of FY2013 Budget Activity and Schedule**

City Manager Powell discussed the FY 2011-2012 budget process, Staff has already begun work, and adoption of the final budget is expected to take place at the June 27, 2011 Commission meeting; tentative schedule for future budget work sessions were reviewed.

<u>Session Description</u>	<u>Anticipated Date</u>
<i>Commission Work Session</i>	<i>06-06-11</i>
<i>Budget Ordinance 1st Reading</i>	<i>06-13-11</i>
<i>Budget Ordinance 2nd Reading & Possible Adoption</i>	<i>06-27-11</i>

- **Discussion and/or Possible Action Regarding Finn Building Removal Expense**

In a memo included in this meeting's packet, City Manager Powell addressed the Commission regarding the action approved in the May 9, 2011 Commission meeting when \$2,230 was authorized to remove the Finn building, 502 Jefferson Street, and to use funds from the Harristown Community Development Block Grant (CDBG) Revitalization Project. Subsequent to that meeting, City Manager Powell had a discussion with Community Development Director Tammie Carey wherein it may be in the City's best interest to use money from the General Fund for this project, and leave the total \$39,000 in the Harristown Project for a larger task. Quite a bit of paperwork and man hours would be required to access the CDBG funds. Following discussion, motion was made by Commissioner Powell and seconded by Commissioner Barnes to authorized and redirect the use of funds to demolish the Finn building from the CDBG Harristown Revitalization Project to the General Fund. Ayes: All. Motion carried unanimously.

- **Discussion and/or Possible Action Regarding Aggressive Pet Ordinance**

Recently Police Officer Art McFadden, while performing his duties, was attacked and bitten by a pit-bull dog; Officer McFadden had to undergo an invasive procedure as a result of the wound and was later hospitalized due to the injury. Commissioner Barnes had requested the City consider implementing action regarding owners of aggressive pets. City Attorney Crabtree included in this meeting's packet several sample ordinances regarding this issue. The present City ordinances regarding pets/dogs have not been updated since 1950. During discussion several of the Commission members stated they do not want to restrict or legislate an individual's ownership of pets, but the recent incident highlighted the need for emergency and public service individuals to be aware of what type dogs or pets are in place at a property so that appropriate precautions can be taken. Commissioners Barnes and Stone sponsored City Attorney Crabtree preparing a prototype ordinance addressing the discussion.

- **Discussion and/or Possible Action Regarding Golf Carts on City Streets**

Commissioner Powell had requested the Commission discuss the possibility of implementing an ordinance allowing gold carts on City streets; City Attorney Crabtree had placed in this meetings' packet copies of a sample golf cart ordinance received from the City of Bowling Green. Discussion including whether such legislation needed and if so, times and places of operation, safety requirements, speed limits, operator insurance requirements, etc. This matter tabled indefinitely; no action taken.

PUBLIC SERVICES

- **Discussion and/or Possible Action Regarding Moving of City's Cable Equipment to City Hall**

Community Development Director, Tammie Carrey, addressed this agenda item in a memo include in the agenda packet. Presently the computer and electronic equipment used to program the City government cable channel is located in the Claire Avenue Public works Facility and most of the programming is input by Customer Service employee Shania Bailey. The current location of the equipment is dusty and has constant temperature fluctuations, both of which can be detrimental to electronics. After recent reorganization, there is space in the back portion of the west side of City Hall for the equipment. Relocation of the equipment to the same building that Mrs. Bailey and Mrs. Carey work in would be invaluable, allowing more timely and efficient programming of information for the channel. Mrs. Carey contacted Comcast to find out what is involved in relocating the equipment which will require 3,168 feet of cable to be run from their existing splice location to the inside of our building at a cost of \$5,729.32. In January the City was notified by the Barren River Area Development District (BRADD) that the City will be receiving this years' Area Development Fund allocation of \$3,076, and upgrades to the cable channel would be eligible for these funds. City Manager Powell discussed this project with the Commission, and following discussion, ~~motion was made by Commissioner Powell and seconded by Commissioner Dixon to~~ authorize the submittal of cable channel upgrades for the Area Development Fund allocation this year, and additionally authorize any excess funds required for the cable channel programming relocation project be taken from the General Fund in an amount not to exceed \$2, 653.32 Ayes: All. Motion carried unanimously.

PUBLIC SAFETY

No business

COMMUNITY SERVICES

- **Discussion and/or Possible Action Regarding School Resource Officer Vehicle**

Police Chief Todd Holder included a memo to the Commission in this meeting's agenda packet respectfully requesting purchase of a vehicle for the School Resource Officer (SRO). Senior Franklin Police Officer Chris Jackson currently serves as the SRO and is operating a 2003 Ford Crown Victoria which has an odometer reading of 116,000 miles. This vehicle is used as a "pool" vehicle; the vehicle normally used by Office Jackson is currently in the shop and is a 2003 cruiser with an odometer reading of 132,000 miles; the problem with that vehicle has been diagnosed in the computer system and estimated repairs are in excess of \$1,000. After speaking with Officer Jackson and F-S School officials, it is thought a dual

purpose vehicle would be most appropriate as it would be useful for transport of children in crisis situations without causing undue embarrassment or emotional harm to their psychological well-being. The vehicle being recommended would have dark tinted windows in the rear. The vehicle would be utilized during the summer months for normal patrol and to transport our juvenile Police Explorer Program members and the bicycles used in the program. Officer Jackson was present to discuss this request with the Commission. After lengthy discussion, **motion** was made by Commissioner Powell and seconded by Commissioner Dixon to authorize the purchase as discussed of a vehicle for the SRO officer at a price not to exceed \$10,000. Ayes: Powell, Dixon, Mayor, Stone. Nay: Barnes. Motion carried 4 to 1.

UTILITIES

- **Report from Chris Klotter, Waste Water Treatment Plant Superintendent Regarding Cost Savings Project**

City Manager Powell wanted the Commission to be made aware of a cost savings process change and to congratulate Waste Water Treatment Plant (WWTP) Superintendent Chris Klotter. Mr. Klotter was present to address the Commission regarding: staff discovered that water was not separating from solids in the sludge holding basin at the plant; even after the materials in the basin went through a belt press to take the water out, a lot of sludge was left to be disposed of. After several lab trials, it was determined the addition of a polymer would assist in settling and dewatering the sludge holding basin. Addition of the polymer began on May 3, and by May 13 a major water separation had occurred; after two weeks, there was 9.5 feet of clear water on the basin which could be pumped off without sending it through the belt press. The reduction in sludge has resulted in a haul bill savings of \$9,785, and along with a savings in polymer, has resulted in a total savings to the City of \$10,155.16 in just two weeks. Although the water recently removed had been in suspension for a long time, WWTP Superintendent Klotter expects some savings to continue due to the process changes implemented. City Manager Powell wished to congratulate Superintendent Klotter and staff for initiating this cost savings change.

ORDINANCES

- **First Reading of an Ordinance Amending a Previous Ordinance Regulating the Use of Fireworks in the City of Franklin, Kentucky**

Commissioners Barnes and Powell sponsored preparation of an ordinance amending the Ordinance Regulating the Use of Fireworks in the City of Franklin, Kentucky. City Clerk Kathy Stradtner gave first reading to an amendment to ordinance 1020.30 regulating the use of fireworks in the City; amending Section 2(B) by inserting the words "in addition, the City Commission may approve, by motion or Executive Order, the use, firing or exploding of fireworks at other times and for other holidays or events as they deem appropriate. This amendment allows the Commission to authorize the use of fireworks at times other than the July 4th holidays,

EXECUTIVE SESSION

Motion was made by Commissioner Barnes and seconded by Commissioner Dixon 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)}, and discussions between a public agency 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 (g)}. Ayes: All. Motion carried unanimously at 7:33 pm. Entering executive session were Mayor Clark and the four Commissioners, City Attorney Crabtree, City Manager Powell; and Industrial Authority Executive director, Denny Griffin.

Mr. Griffin exited the executive session at 7:50 pm.

At 8:05 pm those in executive session returned to open meeting, and motion was made by Commissioner Powell and seconded by Commissioner Dixon to close the executive session and return to open session. Ayes: All. Motion carried unanimously.

Motion was made by Commissioner Barnes and seconded by Commissioner Stone to hire Robert H. Perdue as a temporary employee in the Public Works department effective May 25, 2011 at a rate of \$12.00 per hour. Ayes: All. Motion carried unanimously.

CITY ATTORNEY REPORTS

City Attorney Crabtree presented a resolution to the Commission adopting a current and accurate legal description of a previously annexed area. Annexations adopted by a government must be filed with the Kentucky Attorney Generals Office and descriptions of the area must meet certain guidelines. One such annexation the City recently submitted contained an old description and an updated description was required. The corrected description can be adopted by resolution thereby avoiding the expense of re-publishing the original ordinance. Motion was made by Commissioner Powell and seconded by Commission Barnes to adopted Resolution G-2011. Ayes: All. Motion carried unanimously.

RESOLUTION NO. G-2011

RESOLUTION ADOPTING A CURRENT AND ACCURATE LEGAL DESCRIPTION OF TERRITORY PREVIOUSLY ANNEXED BY ORDINANCE

WHEREAS, the City of Franklin has enacted numerous ordinances annexing property into the corporate limits of the City of Franklin; and,

WHEREAS, Exhibit A of Ordinance No. 110.05A-2007 contains property descriptions with exceptions, thereby making it difficult to define the annexed property; and,

WHEREAS, the City wishes to provide a current, accurate, easily identifiable legal description reflecting the bearings and coordinates based upon the record plat, same having been certified by a professional land surveyor; and,

WHEREAS, the City wishes to comply with the requirements of Amended KRS 81A.470; and,

WHEREAS, the City does not intend to amend or replace annexation Ordinance No. 110.05A-2007, but rather to interpret the defined boundaries of the territory previously annexed, and adopt a current and accurate legal description of territory previously annexed.

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

1. The City Commission of the City of Franklin, Kentucky hereby adopts the legal description and plat attached hereto as Exhibit 1, as prepared by Gary Lee Dunning, Licensed Professional Land Surveyor No. 3290, as an accurate depiction of the property previously annexed into the corporate city limits of the City of Franklin, Kentucky by Ordinance No. 110.05A-2007 dated May 14, 2007, and further hereby adopts said new legal description and plat as the official legal description and plat to be adopted by the City of Franklin for all purposes when referencing this prior annexation.

2. All resolutions, municipal orders, ordinances, or other official actions of the issuer or parts thereof in conflict herewith are, to the extent of such conflict, hereby repealed.

3. This resolution shall be in full force and effect from and after its adoption.

CITY MANAGER REPORTS

None

OTHER COMMISSION BUSINESS

None

ADJOURNMENT

Motion was made by Commissioner Barnes and seconded by Commissioner Dixon to adjourn the City Commission meeting. Ayes: All. Motion carried at 8:07 pm.



Ronnie Clark, Mayor



Kathy Stadthner, City Clerk