

The Franklin, KY City Commission convened in **regular session** at 6:00 pm, Monday, **August 22, 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; Finance Director, Cendy Dodd; Police Chief, Todd Holder; City Clerk, Kathy Stradtner; F-S Human Rights Commission member, Donzella Lee; and F-S Industrial Authority Executive Director Dennis Griffin and Board Chair Gary Broady. Also present were Simpson County Tourism Director, Dan Ware; local business owner, Paul Burrell; meeting Videographer/F-S school employee, Allie Meador; Franklin Favorite/WFKN media representative, Keith Pyles; and Bowling Green Daily News media representative, Andrew Robinson.

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

APPROVAL OF MINUTES

Motion made by Commissioner Powell and second by Commissioner Barnes to approve the minutes from the August 8, 2011 regular Commission meeting. Ayes: All. Motion carried unanimously.

HEAR THE PUBLIC

None

REGULAR BUSINESS

GENERAL GOVERNMENT

- **Swearing in of New Police Officer – Joshua Toomey**

City Attorney Crabtree administered the oath of office to new Franklin Police officer Joshua Toomey. Officer Toomey came to Franklin from the Office of the Kentucky Attorney General and as a certified officer with six years police experience; the Commission welcomed the new Officer and his family.

- **Discussion and/or Possible Action Regarding Transferring the City Pool Ownership to Simpson County Board of Education**

Under an agreement with the Simpson County Board of Education, the City of Franklin has maintained and operated the Public Pool, located at S. College and adjacent to the School office, for many years. Per the agreement after three years of nonuse, ownership of the property reverts to the Board of Education. Several years ago, it became economically unfeasible for the City to operate and upgrade the facility, and we have reached the three-year stipulation. City Manager Powell spoke with School Superintendent Jim Flynn

regarding the City's intent to deed the Pool Property back to the Schools. Public Works superintendent Derick Minnicks and staff have jack hammered the bottom of the pool and plan to cap the water and sewer lines at the location by August 23, 2011. Presented to the Commission was the quitclaim deed to enable this action. Motion made by Commissioner Barnes and second by Commissioner Dixon to approve the transfer of ownership of the public pool property by quitclaim as discussed, and authorize the Mayor to sign any and all documents necessary to effectuate this motion. Ayes: All. Motion carried unanimously.

• **Discussion Regarding Funding Sources for an Aquatic/Convention Center**

The Mayor introduced this agenda item; during his recent mayoral campaign, several constituents voiced their desire for a facility in our community such as a convention center and activity or aquatic center. Per the closing of the public pool, Mayor Clark deems this an appropriate idea for discussion. Key points included:

- What entity will assume responsibility and financing for construction of any such facility; what entity will assume maintenance and operation of any such facility.
- Immediate financing ideas included an increase in property tax, implementation of a restaurant and/or recreational tax.
- Consider financing sources for short-range needs as well as long-range support; current employment climate and the timing and impact of the project on citizens and businesses.
- Consider impact on business owners and individual citizens
- Feasibility study using Western Kentucky University resources including need for facility and size installation for our community
- Local restaurant owner and former City Council member Paul Burrell was present and urged the Commission to consider whether this item was a need or a want and could this community support such a program in the long term
- public meeting to obtain feedback and solicit comments from community

Commissioner Stone suggested the City Manager and Tourism Director investigate the proposed project and get more facts before holding a public forum or initiate any studies that require an outlay of funds. Mayor Clark and several of the Commission felt this would be a good way to investigate the project with a view to full discovery and promote transparency in government. No official action taken at this time.

• **Discussion and/or Possible Action Regarding Board Appointment**

John Craddock's term on the Electric Plant Board will expire September 6, 2011; and reappointed cannot be made due to a restriction in the board by-laws prohibiting voting members to serve more than two consecutive terms; Mr. Craddock was first appointed on September 22, 2003 and re-appointed on August 27, 2007. A normal term is four years. Below is a list of the current members. No action taken at this time.

MEMBER	TERM ENDING
Mason Barnes, City Rep	12-31-12
Wayne Powell	09-06-14
John Craddock	09-09-11
Leon Page	09-06-13
Francis Nash	09-06-12

PUBLIC SERVICES

None

PUBLIC SAFETY

None

COMMUNITY SERVICES

None

UTILITIES

• **Discussion and/or Possible Action Regarding Purchase of Insertion Valve Equipment**

In a memo to the City Manager, Distribution/Collections Superintendent Clifton Beecher recommended the purchase of additional valve insertion equipment. The department currently has equipment to insert valves on four, six and eight inch water lines and this enables staff to install a valve on old lines that have no valves or need replacement. Valves allow the City to isolate sections of the water system while performing repairs or maintenance; without the valves, a major break or disruption to the water lines requires staff to drain the entire system. The department still experiences problems due to lack of valves for the larger ten and twelve inch lines. The department has a current need to install at least two valves on the twelve-inch lines near the Water Treatment Plant. Estimate to purchase the equipment (two sleeves, and two bodies for the twelve-inch lines) is \$29,306.61. Discussion included that the full amount for this item was not included in the FY2012 budget, but suggested the additional funds be taken from the budget for leak correlators in that department. Commissioner Stone stated he was opposed to removing the \$20,000 budget for purchase of leak correlators as the problem with lost revenue that may be due to leaks is an important program; he feels the needed funds will become evident in other areas of the water and sewer budget. Motion by Commissioner Stone and second by Commissioner Powell to approve, per discussion, purchase of the valve insertion equipment estimated at \$29,306.61, and authorize the Mayor to sign any documents necessary per this motion. Ayes: All. Motion carried unanimously.

• **Discussion and/or Possible Action Regarding Advertising for Natural Gas Franchise Agreement**

City Attorney Crabtree has prepared an advertisement to request bids for the City natural gas franchise. A bid advertisement will be put in the Franklin Favorite for three consecutive weeks for submittals to be received and publicly opened by 10 am, September 23, 2011 in the City Manager's office. Once awarded, an ordinance accepting the franchise(s) must receive first and second reading, with publication of such made in the October 27 issue of the Franklin Favorite. That will give plenty of time before the November 11, 2011 expiration of the existing agreement. Motion by Commissioner Dixon and second by Commissioner Powell and take the City Attorney's recommendation, and approve the advertisement for the Natural Gas Franchise. Ayes: All. Motion carried unanimously.

ORDINANCES

- **First Reading of an Ordinance Establishing Animal and Livestock Controls Within the City Limits of the City of Franklin; Establishing a Licensing Fee Structure; Prohibiting Certain Acts Related to Animals and Livestock Within the City Limits, and Setting Forth Penalties for Violations of this Ordinance**

Mayor Clark introduced the ordinance and gave summary reading establishing animal and livestock controls within the City of Franklin; establishing a licensing fee structure; prohibiting certain acts related to animals and livestock within the city limits, and setting forth penalties for violations. Complete ordinance is available for public inspection at City Hall during normal business hours. Simpson County Fiscal Court is working on a similar ordinance for the county.

- **First Reading of an Ordinance Prohibiting Playing Sports and/or Athletic Games and/or Placing Encroachments on or Alongside Public Streets**

Mayor Clark introduced the ordinance and gave summary reading prohibiting playing sports and/or athletic games and/or placing encroachments on or alongside public streets and penalties for violation. Complete ordinance is available for public inspection at City Hall during normal business hours. Mayor Clark noted this legislation was in response to community requests, as well as to address an open liability issue for the City. City Attorney gave a comprehensive review of the proposed legislation.

EXECUTIVE SESSION

Motion by Commissioner Powell and second by Commissioner Barnes to enter in to executive session for the purpose of: deliberations on 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 (b)}, a discussion of proposed, or pending litigation {KRS 61.810(c)}, and discussions, or hearings, which might lead to the appointment, discipline, or dismissal of an individual {KRS 61.810(f)}. Ayes: All. Motion carried unanimously at 6:42 pm. Entering executive session were Mayor Clark and the four Commissioners, City Attorney Crabtree, City Manager Powell, City Finance Director Dodd, and F-S Industrial Authority Director and Chair, Dennis Griffin and Gary Broady.

At 7:00 pm, Mr. Griffin and Broady exited the executive session and the meeting. Finance Director Dodd exited at the same time.

At 7:20 pm, the meeting returned to open session, and **motion** made by Commissioner Powell and second by Commissioner Dixon to close the executive session and return to open session. Ayes: All. Motion carried unanimously.

CITY ATTORNEY REPORTS

City Attorney Crabtree informed the Commission that due to unavoidable events to the owner of one of the properties involved in the most recent Harristown Rehabilitation CDBG Program the City had to initiate foreclosure proceedings on the property; the property at 616 Jackson Street has been vacated and been so for almost two years. The property went to Master Commissioner's sale, and being no other viable bids, the City purchased the property for

\$30,000; the sale did not involve cash funds as it represents the investment/mortgage the City has on the property. To facilitate care of the home, the Franklin Housing Authority, through Franklin Affordable Housing Corporation, Inc., has offered to take title to the property and assume care and responsibility thereof as part of their ongoing promotion of fair housing. City Attorney Crabtree stated that the most efficient transfer of the property to them would be to assign the sale directly to them in exchange for the purchase price of \$30,000.00. After discussion, motion made by Commissioner Barnes and second by Commissioner Powell to approve and ratify the City Attorney's signature on the Master Commissioner's sale/purchase documents; authorize assignment of all rights of the City's bid and the sale/purchase documents from the Master Commissioner's sale to the Franklin Affordable Housing Corporation, Inc. for \$30,000.00; and finally to approve the Mayor's signature on all documents necessary per this motion. Ayes: All. Motion carried unanimously.

CITY MANAGER REPORTS

Items mentioned during the City Manager's reports included:

- ✓ Congressman Whitfield will be in Franklin for a luncheon on August 26; seeking members to fill the City's table at the event if any Commissioners are interested.
- ✓ Kentucky League of Cities annual conference is scheduled for October 4-7 this year and members of the Board of Commission wishing to attend should let Manager Powell know if they plan to attend as soon as possible
- ✓ The City/County quarterly joint meeting has been rescheduled to September 8 and will be held at 6 pm in the 2nd floor meeting room of the courthouse; agenda items will include the 911 agreement and the animal ordinance such as the City heard earlier tonight
- ✓ The next Neighborhood Walk is scheduled for September 12 in the Timberlane/Rolling Road Drive areas; tentative start will be at the Church of Christ parking lot located off South College Street
- ✓ The reconstruction of the new Global Avenue has been completed
- ✓ Replacement of one mile of galvanized pipe on Broadway Avenue has been completed

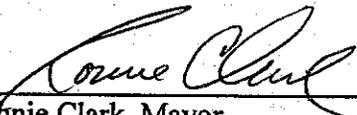
During discussion of the upcoming Neighborhood Walk, motion made by Commissioner Powell and second by Commissioner Dixon to change the start time of the September 12, 2011 City Commission meeting to 5:00 pm. Ayes: All. Motion carried unanimously.

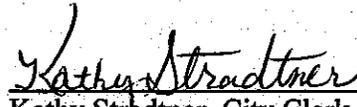
OTHER COMMISSION BUSINESS

The Mayor and Commission congratulated City Manager Powell on participation in the recent Garden Spot Run; coming in 47th in the category.

ADJOURNMENT

Motion made by Commissioner Powell and seconded by Commissioner Dixon to adjourn the City Commission meeting. Ayes: All. Motion carried at 7:29 pm.


Rofnie Clark, Mayor


Kathy Stradtner, City Clerk