

The Franklin City Commission convened with Simpson Fiscal Court in special called joint session at 9:00 am on Thursday, September 8, 2011, in the second floor meeting room of the Simpson County Court House, public square, Franklin, Kentucky. This meeting took the place of the canceled September 1 regular joint meeting. Elected Officials present were:

City of Franklin Commission

Honorable Mayor Ronnie Clark, chair
Commissioner Mason Barnes
Commissioner Larry Dixon
Commissioner Jamie Powell
Commissioner Henry Stone

Simpson Fiscal Court

Honorable Judge-Ex. Jim Henderson, chair
Magistrate Larry Randolph
Magistrate Kelly Banton
Magistrate Marty Chandler
Magistrate Blake Tarpley

Also present were City Manager, Kenton Powell; City Attorney, Scott Crabtree; Police Major, Dallas Whiles; Police Lieutenant, Art McFadden; City Clerk, Kathy Stradtner; County Attorney, Sam Phillips; Animal Control Officer, Bart Blythe; Fiscal Court Clerk, Pam Rohrs; F-S Human Rights Commission Representative, Donzella Lee; F-S High School employee Adam Wilshire and student Luke Metzger were present to video tape the meeting. Several members of the public were present.

Member of the media Keith Pyles representing the Franklin Favorite/WFKN was present.

At 6:00 am, Judge-Executive Henderson and Mayor Clark called the Fiscal Court and City Commission into special called joint session. Magistrate Blake Tarpley offered an opening prayer and Judge Henderson led the Pledge of Allegiance to the American Flag.

CALLED MEETING AGENDA ITEMS

Public Comment

Mayor Clark received the Speaker Sign-in Sheet and announced a five-minute time allowance for each speaker.

- Harvey Divin – Dog owner; approved Animal Control ordinance as relates to humane treatment of animals, but opposes inclusion of breed profiling language; gave extensive examples of false information in labeling all breeds of pit bulls as vicious
- Eddie Uhls – Dog owner; shows animals, approved Animal Control ordinance as relates to humane treatment of animals, but opposes inclusion of breed profiling language and labeling the animals vicious before any incidents; the ordinance required owners of these breeds to have insurance which Mr. Uhls has investigated and found to be excessive if not impossible to obtain.
- Adrian Booher – Dog Owner, supports Animal Control ordinance to encourage responsible animal ownership, but opposes breed specific wording

REGULAR BUSINESS

• **Discussion and/or Possible Action Regarding Animal Control Ordinance**

Judge-Executive Henderson offered his comments in support of the legislation to give enforcement officers added tools to do the jobs the citizens expect and deserve. County Attorney Sam Phillips addressed several comments made tonight that current animal control laws were sufficient, and Attorney Phillips assured the audience that from the perspective of

a prosecuting attorney, the current laws are not good enough for enforcement; the laws currently on the books being outdated and not functional for enforcement in today's climate. Animal Control Officer, Bart Blythe, addressed the meeting regarding his experiences with unregistered animals and that the ordinance was not to address the responsible pet owner, but the increasing number of calls received regarding those being inhumane to animals and dangerous to human life. During discussion the occurrence of a dog recently injuring a Police Officer while the Officer was trying to remove a child from a dangerous environment was heard; the Officer was hospitalized for several days. In a separate incident, a vicious dog injured the Animal Control Officer while the Officer performed his duties. These are just two incidents where pre-knowledge of the presence of animals with vicious or violent tendencies may have prevented the injuries.

Fiscal Court heard first reading of Ordinance No. 310.14 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. **Motion** made by Magistrate Chandler and second by Magistrate Tarpley to approve the first reading of Ordinance No. 310.14. Voting aye: All Fiscal Court Members present. Motion carried unanimously.

- **Discussion and/or Possible Action Regarding 911 Agreement**

At the July 6 joint meeting of the City and County it was agreed to enter into an interlocal agreement between Simpson County, City of Franklin and Kentucky State Police for Dispatch and Enhanced 911 Service for City of Franklin and Simpson County, and the City and County Attorneys have worked to prepare that document. The City Attorney gave first summary reading to an ordinance establishing and authorizing an interlocal agreement between Simpson County, City of Franklin and Kentucky State Police for Dispatch and Enhanced 911 Service for Simpson County and the County of Simpson. No vote required by the City on first reading of an ordinance.

Fiscal Court heard first summary reading of Ordinance No. 310.13 establishing and authorizing an interlocal agreement between Simpson County, City of Franklin and Kentucky State Police (KSP) for Dispatch and Enhanced 911 Service for Simpson County and the County of Simpson. **Motion** made by Magistrate Randolph and second by Magistrate Chandler to approve the first reading of Ordinance No. 310.13. Ayes: All Fiscal Court Members present. Motion carried unanimously.

- **Discussion and/or Possible Action Regarding the Feasibility of a Joint City/County Codes Enforcement Position**

City Manager Powell discussed this agenda item: Individual discussions have lead to the idea of more concentrated efforts in the area of code enforcement by both the City and County programs. The City currently utilizes an officer in the Police Department who must divide their time between patrol duties and code enforcement duties. The County has yet to appoint someone to administer their recently enacted codes ordinance. The Judge-Executive commented that since City Manager Powell has taken office and renewed attention made to enforcing property code ordinances, community appearance has benefitted greatly. Seeing as the urbanized properties lying just outside the present city limits, as well as other appropriate areas in the county, could benefit from the same attention, it makes sense for the City and County to join forces in combating urban blight to make our community a more pleasing place. City Manager Powell introduced a discussion of shared responsibility for

code enforcement. When the matter of funding for the joint employee was discussed, Judge-Executive Henderson mentioned the windfall expected from the recent agreement to assign City and County 911/Dispatch to KSP, and Judge-Executive Henderson would like to see this money used in a tangible way to benefit the community. Following further discussion, consensus of the group was to pursue a joint code enforcement program, including, but not limited to:

- Interlocal Agreement
- City and County Attorneys collaborating to merge ordinances and Board By-laws as needed
- City Manager prepare proposal for fair and equitable funding including confirm standardized table of costs

REPORTS

- **Mayor and/or Judge/Executive**

No business

- **Magistrates and/or City Commissioners**

No business

- **City Manager / City Attorney / County Attorney**

No business

ADJOURNMENT

At 7:42 pm motion made by Magistrate Tarpley and Commissioner Barnes and second by Magistrate Banton and Commissioner Powell to adjourn the joint meeting. Ayes: All voting members present. Motion carried unanimously and the Joint Session was closed.



 Ronnie Clark, Mayor
 City of Franklin, KY



 Kathy Stradtner, City Clerk
 City of Franklin, KY
