

The Franklin, KY City Commission convened in **special session** at 5:00 pm, **Monday, September 12, 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; City Clerk, Kathy Stradtner; F-S Industrial Authority Executive Director, Dennis Griffin; Tractor Supply Company representative, Eric Isbert; Simpson County Tourism Executive Director, Dan Ware; F-S Human Rights Commission representative, Donzella Lee; Electric Plant Board member, John Craddock; meeting Videographer/F-S school employee Allie Meador; and Franklin Favorite/WFKN media representative Keith Pyles.

Honorable Mayor Ronnie Clark called the meeting to order at 5:00 pm, and Commissioner Henry Stone offered an opening prayer.

#### **APPROVAL OF MINUTES**

**Motion** made by Commissioner Powell and second by Commissioner Dixon to approve the minutes from the August 22, 2011 regular Commission meeting. Ayes: All. Motion carried unanimously.

#### **HEAR THE PUBLIC**

None

#### **REGULAR BUSINESS**

#### **GENERAL GOVERNMENT**

- **Discussion Regarding Proposed 2011 Property Tax Rates**

The City has received the certified valuations for 2011 property from the Simpson County Property Valuation Administrator; rates were calculated for both real estate and personal property using a formula furnished by the Kentucky Department for Local Government. In a memo, Finance Director Cendy Dodd recommends adoption of the compensating rates for 2011 at \$.1170 per \$100 of assessed value for both real estate and tangible property. This rate is lower than the \$.1180 2010 rate, and the recommended compensating rates will produce revenue in line with budgeted figures. The Board agreed to go forward with these rates.

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

**Motion** made by Commissioner Powell and second by Commissioner Barnes to appoint Mickey Lewis to fill the expiring term of John Craddock on the Electric Plant Board (EPB). Ayes: All. Motion carried unanimously. Mr. Lewis will serve until September 6, 2015. The Commission wished to recognize and commend Mr. Craddock for his conscientious

service as a member of the Board. Mr. Craddock was ineligible for reappointment due to a limit on the number of consecutive terms a member of the EPB may serve.

- **Follows-Up Discussion Regarding Aquatic/Convention Center Feasibility**

In the interest of openness, Mayor Clark reviewed the continuing considerations regarding an Aquatic Center. During this discussion-only stage of the project, the Mayor and Commission wish to hear any ideas or suggestions from the public, both positive and red flag issues. On Tuesday from 2:00 pm to 6:00 pm, City officials will meet with staff from the Western Kentucky University Entrepreneurship office. This will be an information gathering only meeting during which they will tour the community. The Mayor shared his thoughts that if the upcoming meeting yielded merit for such, the next logical step might be a feasibility study involving estimated construction and long term operation cost; indications have been made of possible funding by a private citizen of the cost of the meeting tomorrow and any future feasibility study.

- **Discussion and/or Possible Action Regarding Providing Office Space**

City Manager Powell received a request via Chamber of Commerce Executive Director Steve Thurmond concerning the opportunity to provide office space for an unemployment office. The state office would be staffed two days per week in Franklin and available to meet with industry for placement of potential employees. City Manager Powell stated space was available on the west side of City Hall and entry possibly made, with the appropriate modifications, from the rear College Street entrance. During discussion this was considered a good opportunity to work closer with the State as well as offer a service to our local industry. City Manager Powell assured the Commission that due to recent re-organization, space could be available. **Motion** made by Commissioner Powell and second by Commissioner Barnes to approve the allocation of space in City Hall for a State employee to work out of City Hall as discussed, and to authorize the Mayor to sign a written lease agreement per this motion. Ayes: All. Motion carried unanimously.

## PUBLIC SERVICES

- **Discussion and/or Possible Action Regarding Downtown Street Closure**

Tony and Chris Marklin have requested to close College Street from W Cedar Street to W Kentucky Ave, and W Kentucky Ave from College to Main Streets on Saturday, October 1<sup>st</sup> to conduct a benefit for a cancer patient. City Manager Powell noted this was the first use of the newly enacted Downtown Street Closing Request forms and procedures, and it worked very well. The requester had the affected businesses sign off on the form indicating the business had been made aware of, and was acceptable to the times being requested for the streets to be closed; copy of the completed form was included in this meeting's agenda packet. **Motion** made by Commissioner Barnes and second by Commissioner Stone to authorize the closing as discussed of College Street from W Cedar St to W Kentucky Ave, and W Kentucky Avenue from College Street to Main Street on Saturday, October 1<sup>st</sup>, 2011, from 4:00 pm until 9:00 pm. Ayes: All. Motion carried unanimously.

- **Discussion Regarding Neighborhood Walk**

The second Neighborhood Walk is scheduled to begin after tonight's meeting at approximately 6:15 pm. City officials and walk participants will meet in the parking lot of the Franklin Church of Christ, 700 S Main Street, and the walk will take place in the College Street/Rolling Road Drive neighborhoods.

**PUBLIC SAFETY**

- **Discussion and/or Possible Adoption of Law Enforcement Protection Program Grant Application**

Community Development Director Tammie Carey presented a resolution in this meeting's agenda packet authorizing application for funds through the Kentucky Office of Homeland Security Law Enforcement Protection Program. The Police Department requested Mrs. Carey put together the application for eight sets of body armor to replace armor that will expire during 2012. A protective vest is good for only five years. The total request for funding will be \$6,000 and there is no match required. After discussion, **motion** made by Commissioner Barnes and second by Commissioner Dixon to adopt Resolution M-2011. Ayes: All. Motion carried unanimously.

**RESOLUTION FOR APPLICATION FOR AND ADMINISTRATION OF  
KENTUCKY OFFICE OF HOMELAND SECURITY PROJECT(S)  
RESOLUTION M-2011**

**A RESOLUTION OF THE CITY OF FRANKLIN , KENTUCKY  
AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR AND,  
UPON APPROVAL, TO ENTER INTO AN AGREEMENT WITH THE  
KENTUCKY OFFICE OF HOMELAND SECURITY (KOHS), TO EXECUTE  
ANY DOCUMENTS WHICH ARE DEEMED NECESSARY BY KOHS TO  
FACILITATE AND ADMINISTER THE PROJECT AND TO ACT AS THE  
AUTHORIZED CORRESPONDENT FOR THIS PROJECT.**

*WHEREAS, the City of Franklin , Kentucky desires to make an application for Law Enforcement Protection Program funds for a project to be administered by Kentucky Office of Homeland Security:*

*WHEREAS, it is recognized that an application for and approval of Kentucky Office of Homeland Security funds impose certain obligations and responsibilities upon the city:*

*NOW, THEREFORE, be it resolved this 12th day of September 2011, by the City of Franklin, Kentucky,*

*The Mayor is hereby authorized to execute and furnish all required documentation, including a memorandum of agreement, as may be required by KOHS for the furtherance of the above-referenced project and to act as the authorized correspondent for said project.*

**COMMUNITY SERVICES**

No business

**UTILITIES**

• **Discussion and/or Possible Action Regarding Purchase of Sludge Holding Basin Mixer**

Waste Water Treatment Plant (WWTP) Superintendent Chris Klotter has made a request to purchase a new mixer for the Sludge Holding Basin at the plant. The existing mixer was approximately seventeen years old and beyond repair. This item is a critical component to the solids management system. During Discussion City Manager Powell noted the replacement of this equipment is significant to the waste-water treatment process and should not be delayed; three quotes were obtained for the replacement mixer, and WWTP Superintendent Klotter recommends the Landia mixer from KM Specialty Pumps. Although not the lowest quote, this mixer is a three-blade mixer versus a two-blade with a stainless steel propeller and the body is two-component epoxy coated for durability. Superintendent Klotter feels this mixer is the most durable of the three quoted and will require less maintenance; the service representative for this equipment is located in Bowling Green, Kentucky, and the quoted price includes duty and freight cost..

<u>Vendor</u>	<u>Quote</u>
<i>ITT Water &amp; Wastewater, Louisville KYr</i>	\$23,500
<i>KM Specialty Pumps &amp; Systems, Chandler, IN</i>	\$21,600
<i>WASCON,</i>	\$17,603

**Motion** made by Commission Powell and second by Commissioner Dixon to declare an emergency to exist and award purchase to the lowest and best responsive, responsible bidder KM Specialty Pumps, and purchase the Landia mixer for the WWTP at the price of \$21,600 as quoted, and authorize the Mayor to sign any documents necessary per this motion. Ayes: All. Motion carried unanimously.

• **Discussion and/or Possible Action Regarding Awarding of Contract for Construction of Fiber Optic Buildings**

In this meeting's agenda packet, Fiber Services Manager Tammie Carey included a report on a pre-bid meeting held on August 16 to discuss bid specifications and requirements for the construction of the Network Operations Center and the two Nodes for the Fiber Optics Project; three construction companies attended the meeting. Bids for the project were opened on August 30<sup>th</sup> and only one bid was received from Kenneth Simpson Construction, Inc. John Sewell with Arnold Consulting and Engineering Services evaluated the bid from a technical standpoint to ensure compliance with specifications. During discussion by the Commission, it was noted a contract can't officially be signed until approval from the grant funding source, Economic Development Administration (EDA), is received. Mrs. Carey has submitted the documentation to EDA. **Motion** made by Commissioner Barnes and seconded by Commissioner Powell to award the contract, subject to approval from EDA, for construction of the Fiber Optic Network Buildings to Kenneth Simpson Construction, INC at the base bid of \$319,957, and authorize the Mayor to sign all documents necessary per this motion. Ayes: All. Motion carried.

**ORDINANCES**

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

Mayor Clark gave second summary reading to an ordinance prohibiting playing sports and/or games and or placing encroachments on or alongside public streets. **Motion** made by Commissioner Stone and second by Commissioner Dixon to adopt Ordinance #920.5-09-2011 upon this second reading. Roll Call Vote: Commissioner Larry Dixon, Yes; Commissioner Mason Barnes, Yes; Commissioner Jamie Powell, Yes; Commissioner Henry Stone, Yes; Mayor Ronnie Clark, Yes. Motion carried unanimously.

- **First Reading of Ordinance Authorizing the Issuance of Not to Exceed \$54,000,000 Principal Amount of City of Franklin, Kentucky, Industrial Building Revenue Bonds, Series 2011 (Tractor Supply Company Project) and the Authorization of the Immediate Sale and Issuance of the Said Bonds; Authorizing the Execution and Delivery of a Lease Agreement Between the City of Franklin, Kentucky and Tractor Supply Company; Authorizing the Execution and Delivery of an Indenture and Mortgage Deed of Trust Securing Said Bonds; Confirming and Approving the Sale of Said Bonds to the Purchaser Thereof; Approving a Bond Purchase Agreement in Respect of Said Bonds; and Taking Other Related Actions**

Mayor Clark gave first summary reading to an ordinance regarding Industrial Building Revenue Bond Issue Series 2011 (Tractor Supply Company Project) in an issue not to exceed \$54,000,000 principal amount. Mr. Eric Isbert, Manager of the local Tractor Supply Distribution Center was present and welcomed to our community. Mr. Isbert made a few remarks regarding the companies' construction on Highway 100 and the progress toward opening for business in Simpson County. He thanked everyone for the hospitality and reception he has received here.

- **Second Reading of an Ordinance of the City of Franklin, Kentucky, County of Simpson, Kentucky and the Kentucky State Police Approving the Establishment of a PSAP E-911 Answering System at Post 3 of the Kentucky State Police**

Second reading not heard tonight.

**EXECUTIVE SESSION**

**Motion** by Commissioner Powell and second by Commissioner Barnes to enter in to executive session for the purpose of deliberations on acquisition, or sale, of real property where publicity would be likely to affect the value {KRS 61.810(b)}; and discussion of proposed or pending litigation {KRS 61.810(c)}. Ayes: all. Motion carried unanimously at 5:40 pm. Entering executive session were Mayor Clark and the four Commissioners, City Attorney Crabtree, City Manager Powell, and Industrial Authority Executive Director Dennis Griffin.

At 6:00 pm the session returned to open meeting, and **motion** by Commissioner Dixon and second by Commissioner Powell to close the executive session and return to open session. Ayes: All. Motion carried unanimously.

Motion made by Commissioner Barnes and second by Commissioner Dixon to authorize the City Manager to make an adjustment in water and sewer bills up to the amount of \$500. Ayes: All. Motion failed: see note.

*Note: After meeting adjourned, realized this meeting qualified as a special called meeting and forgoing motion not valid as not listed on advance agenda.*

**CITY ATTORNEY REPORTS**

None

**CITY MANAGER REPORTS**

City Manager Powell discussed the proposed Animal Control Ordinance; he has received several calls regarding the document, as have several members of the Commission. Discussion mainly had to do with chickens and roosters within the city limits; the ordinance at present prohibits any. After further discussion, several of the Commissioners sponsored the City Attorney amending and preparing a new Animal Control Ordinance; City Attorney Crabtree noted this would require a new first reading as the changes will substantially change the ordinance

City Manager Powell addressed the following points of information

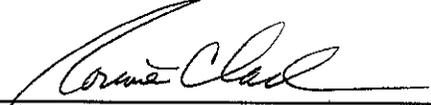
- Global Specialty Cleaners has completed a plant expansion and added eight or nine new jobs
- Simpson County Schools have been successful in receiving a grant to construct Little Cat Lane behind Franklin Elementary – construction should begin in the fall or early spring

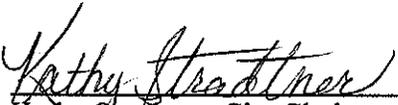
**OTHER COMMISSION BUSINESS**

None

**ADJOURNMENT**

Motion made by Commissioner Barnes and second by Commissioner Powell to adjourn the City Commission meeting. Ayes: All. Motion carried at 6:15 pm.

  
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Ronnie Clark, Mayor

  
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Kathy Stradtner, City Clerk

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