

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

November 13, 2017

**City Hall Meeting Room
117 West Cedar Street
Franklin, Kentucky**

The Franklin, Kentucky City Commission met in Regular Session at 12:00 PM, Monday, November 13, 2017, in the City Hall meeting room located at 117 West Cedar Street, Franklin, Kentucky.

Members attending were as follows:

Mayor Ronnie Clark	Present
Commissioner Mason Barnes	Present
Commissioner Larry Dixon	Present
Commissioner Jamie Powell	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, Shaunna Cornwell; City Police Chief, Roger Solomon; Public Works Superintendent Chris Klotter; City Clerk, Cathy Dillard; F-S Human Rights Commission member, Donzella Lee; Franklin Favorite/WFKN media representative, Keith Pyles; Trent Coffee, Wastewater Treatment Plant Superintendent; Tammie Carey, Community Development Director; Beth Fiss; Amy Ellis; Officers Holloway, Young and Varyvoda; and, Theria Travis.

Mayor Clark called the meeting to order at 12:00 PM, and Chris Laster from First Baptist Church offered an opening prayer.

APPROVAL OF MINUTES

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to approve the minutes as presented of the October 23, 2017, regular meeting of the Franklin City Commission. Voting aye: All. Motion carried unanimously.

RECOGNITIONS

Franklin Police Chief Roger Solomon recognized recent Academy graduates Officer Caleb Holloway and Officer Leeor Young.

HEAR THE PUBLIC

Mayor Clark recognized Theria Travis who requested to address the Commission regarding issues she is experiencing with the school system. Ms. Travis indicated she had spoken with school officials. Mayor Clark acknowledged her comments and wished her the best in resolving her situation.

COMMUNITY SERVICES

Franklin-Simpson Renaissance Director Amy Ellis addressed the Commission regarding replacement of the four "Welcome" signs into Franklin. The Commission acknowledged that the signs did need replacement and asked Mrs. Ellis to provide information regarding quotes for the labor and materials, to explore funding options from other local agencies such as the Tourism Commission to partner with the City, and to consider utilizing masonry students from the High School to provide labor. Mrs. Ellis indicated she would provide the Commission with an update after exploring these options. No action was taken on this matter.

Community Development Director Tammie Carey asked the Commission to review and approve signage recognizing Franklin-Simpson High School accomplishments. The proposed 48" x 48" signs would be placed along the four main corridors leading in to town. The costs to the City would be nominal and all labor would be conducted by City employees.

Motion was made by Mayor Clark and seconded by Commissioner Stewart to place signage recognizing Franklin-Simpson High School accomplishment along the four main corridors leading in to town. This approval is contingent on State Transportation Cabinet permission to locate the signs on the State rights-of-way. Voting Aye: All. Motion carried unanimously.

Community Development Director Tammie Carey presented Resolution No. N-2017 declaring two parcels of real property located at 312 West Kentucky Avenue and Brooks Street Lots 15 & 16 as surplus and to dispose of these parcels pursuant to City Ordinance No. 2016-010.

Motion was made by Commissioner Powell, seconded by Commissioner Dixon and unanimously approved to adopt City of Franklin Resolution No. N-2017 as follows:

RESOLUTION NO. N-2017

**CITY OF FRANKLIN, KENTUCKY
RESOLUTION TO SURPLUS AND DISPOSE OF
TWO PARCELS OF REAL PROPERTY
LOCATED AT 312 WEST KENTUCKY AVENUE,
AND BROOKS STREET LOTS 15 & 16**

WHEREAS, the Board of Commissioners of the City of Franklin, Kentucky has determined that it is in the best interest of the citizens of Franklin, Kentucky to surplus and dispose of two (2) properties located at 312 West Kentucky Avenue, and Lots 15 & 16 on Brooks Street; and,

WHEREAS, pursuant to KRS 82.083 and City of Franklin Ordinance No. 2016-010, the Board of Commissioners shall adopt a written determination setting forth the requirements of the law.

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

1. The Board of Commissioners hereby finds and determines that it is in the best interest of the City of Franklin, Kentucky to surplus and dispose of the following parcels of real property:
 - a. Property located at 312 West Kentucky Avenue, a copy of the deed with complete description, property valuation administrator notes, and map are attached hereto collectively as Exhibit 1 and incorporated herein by reference;
 - b. Property located on Brooks Street, known as lots 15 and 16, a copy of the deed with complete description, property valuation administrator notes, and map are attached hereto collectively as Exhibit 2 and incorporated herein by reference.
2. The City's intended use at the time of acquisition of the aforementioned lots was to resolve storm water issues and/or eliminate blight and remove dilapidated structures located on the lots.
3. The Board of Commissioners finds that it is in the public interest to dispose of the properties due to the fact that a private owner can make a higher and better use of the properties, and the City will no longer be responsible for the maintenance and upkeep of said properties.
4. In accordance with KRS 82.083, the Board of Commissioners hereby adopts this Resolution as its written determination which describes the properties, identifies the intended use at the time of acquisition, and the reasons why it is in the public interest to dispose of the properties, and the Board of Commissioners affirmatively states that the method of disposition is by and through the procedures established in City of Franklin Ordinance No. 2016-010.
5. 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 including, but not limited to the deed.

This resolution was adopted by a unanimous vote of the Board of Commissioners of the City of Franklin at a meeting held on November 13, 2017.

Dated this 13th day of November 2017.

Beth Fiss, representing the Franklin-Simpson Leadership Class of 2017, requested the Commission consider a donation for their class project, the Willis House. The Willis House is owned by the Boys & Girls Club but many non-profit organizations utilize the space, particularly the kitchen. The Leadership Class plans to upgrade and repair the kitchen and other features of the house.

Motion was made by Mayor Clark and seconded by Commissioners Barnes and Dixon to approve a donation to the F-S Leadership Class 2017 in the amount of \$1,000.00 for upgrades and repairs to the Willis House. Voting Aye: All. Motion carried unanimously.

GENERAL GOVERNMENT

Motion was made by Commissioner Dixon and seconded by Commissioner Stewart to cancel the regularly scheduled Franklin City Commission meeting on Monday, November 27, 2017, due to the Thanksgiving holiday. Voting Aye: All. Motion carried unanimously.

Finance Director Shaunna Cornwell requested approval from the Commission to enter into a Merchant Agreement for ACH transactions for online utility payments.

Motion was made by Commissioner Barnes and seconded by Commissioner Powell to enter into a Merchant Agreement for ACH transactions for online utility payments, to approve the partnership with Springbrook to accept online bill payments, and to authorize the Mayor to sign any and all documents, pending approval by the City Attorney, to effectuate the agreement. Voting Aye: All. Motion carried unanimously.

City Attorney Scott Crabtree discussed a proposed ordinance issuing \$200 million in industrial revenue bonds for the Fritz Winter project. The City will be issuer of the bonds and have no financial liability other than to take title to the land and equipment and lease it back to the company. The City will have no financial responsibility related to the bond issue.

Commissioner Powell and Commissioner Stewart will sponsor the proposed ordinance relating to the industrial revenue bonds.

City Attorney Scott Crabtree discussed a proposed ordinance to rezone approximately 20.5 acres located on Highway 1008 from I-2 (heavy industrial) to R1-S (single family residential). On Tuesday, November 7, 2017, The Franklin-Simpson Planning & Zoning Commission unanimously approved the rezoning request by Jones Partners, LLC.

Commissioner Powell and Commissioner Dixon will sponsor the proposed ordinance relating to the rezoning of this property.

City Attorney Scott Crabtree updated the Commission regarding negotiations with Comcast to bring WBKO back to the channel lineup for Franklin's Comcast customers. Current options being explored are to allow WBKO news and local programming to be aired on existing ancillary channels. No action was taken on this matter.

City Attorney Scott Crabtree requested the Commission review and approve for the Mayor's signature an easement and quitclaim deed for property located at 419 Robey Street to remove an outdated easement for a water line.

Motion was made by Commissioner Barnes and seconded by Commissioner Powell to authorize the Mayor to sign the Waiver, Release, and Quitclaim of Interest in Easement to remove the easement for the water line for property located at 419 Robey Street. Voting Aye: All. Motion carried unanimously.

City Attorney Scott Crabtree requested the Commission approve the Mayor to sign a Deed of Correction to (a) correct an omission of the survey as an exhibit to the previously recorded Quitclaim Deed; and (b) to correct the survivorship clause in the previously recorded Quitclaim Deed.

Motion was made by Commissioner Barnes and seconded by Commissioner Powell to authorize the Mayor to sign the Deed of Correction. Voting Aye: All. Motion carried unanimously.

City Manager Kenton Powell requested the Commission's approval to authorize the pledge of a City of Franklin certificate of deposit to First Security Bank in the amount of \$213,000.00 for the Taeyang Metals project.

Motion was made by Commissioner Stewart and seconded by Commissioner Powell to authorize the Mayor to sign any and all documents necessary to authorize the pledge of a City of Franklin certificate of deposit to First Security Bank in the amount of \$213,000.00 for the Taeyang Metals project. Voting Aye: All. Motion carried unanimously.

PUBLIC SAFETY

Franklin Police Chief Roger Solomon provided the Commission with an update regarding radio communication improvements and portable radio purchases. The upgrades will improve emergency communications and provide a backup communication system.

Chief Solomon asked that the old portable radios be transferred back to the County. This equipment was previously procured by the County through a grant and they wish to have them returned for backup radios and parts to repair existing equipment.

Motion was made by Commissioner Powell, seconded by Commissioner Dixon and unanimously approved to adopt City of Franklin Resolution No. O-2017 as follows:

**RESOLUTION NO. O-2017
CITY OF FRANKLIN**

WHEREAS, the City Commission of the City of Franklin, Kentucky has determined that it is in the best interest of the citizens of Franklin, Kentucky, to dispose of certain police department equipment formerly used by the Franklin Police Department to Simpson County, Kentucky for the use and benefit of the Simpson County Sheriff; and,

WHEREAS, the equipment shall be used by the Simpson County Sheriff in the operation and maintenance of said Sheriff's Department, and the property will be transferred to Simpson County, Kentucky without compensation.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Franklin, Kentucky, as follows:

1. *The City Commission hereby finds and determines that it is in the best interest of the City of Franklin, Kentucky to convey, without compensation, to Simpson County, Kentucky, the following equipment:*

See list attached as Exhibit A and incorporated herein by reference.

2. *The intended use of the above-listed items shall be to benefit the operation and maintenance of the Simpson County Sheriff's Office to the benefit of all of the residents of Franklin, Simpson County, Kentucky.*
3. *All maintenance and upkeep of said property shall be the responsibility of Simpson County, Kentucky.*

4. *In accordance with KRS 82.083, the City Commission hereby adopts this Resolution as its written determination which describes the property, identifies the intended use and the reasons why it is in the public interest to dispose of the property, and the Commission affirmatively states that the method of disposition is by and through the transfer of title of the above-referenced items to Simpson County, Kentucky with no compensation.*
5. *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 including, but not limited to the title.*

This resolution was adopted by a unanimous vote of the Franklin City Commission at a meeting held on November 13, 2017.

Dated this 13th day of November, 2017.

Exhibit A - Portable TK-3180 Kenwood County Radios

Programmed and Working Portable Radios

- 1) S/N 90201544
- 2) S/N 90201147
- 3) S/N 90201619
- 4) S/N 90201613
- 5) S/N 90201146
- 6) S/N 90201106
- 7) S/N 90201617
- 8) S/N 90201618
- 9) S/N 90702049
- 10) S/N 90201614
- 11) S/N 90201103
- 12) S/N 90201145
- 13) S/N 90201101
- 14) S/N 90201612
- 15) S/N 90201108
- 16) S/N 90201142
- 17) S/N 90201104
- 18) S/N 90201545
- 19) S/N 90201616
- 20) S/N 90201542
- 21) S/N B6110745 (NEW)
- 22) S/N B6110744 (NEW)
- 23) S/N 60500797 (Logan Co. IC# 01879)

Non-Programmed Not Working Radios

- 24) S/N 90201548
- 25) S/N 90201615
- 26) S/N 90201102
- 27) S/N 90201620

This list includes: chargers, mics, antennas and portable TK-3180 Kenwood radio parts.

City Attorney Scott Crabtree recommended the Commission approve the updates to Section 2, Chapter 2 – Use of Force of the Police Policies and Procedures Manual.

Motion was made by Commissioner Dixon and seconded by Commissioner Powell to approve the updates to the Franklin Police Department Policies and Procedures Manual. Voting Aye: All. Motion carried unanimously.

UTILITIES

Trent Coffee, Wastewater Treatment Plant Superintendent, presented a request to purchase a sludge pump to replace the existing unit at the Wastewater Treatment Plant. One bid was received for the replacement unit from Southern Sales Company in the amount of \$30,795.00. Other expenses for the replacement include \$1,600.00 for site preparation and \$2,605.00 to Traugher Mechanical for the pump stand for a total cost of \$35,000.00.

Motion was made by Commissioner Barnes and seconded by Commissioner Stewart to approve the purchase of a sludge pump from Southern Sales Company in the amount of \$30,795.00 and to approve other related expenses for a total cost not to exceed \$35,000.00 and authorize the Mayor to sign any and all documents necessary for this purchase. Voting Aye: All. Motion carried unanimously.

ORDINANCES

City Clerk Cathy Dillard presented first reading of Ordinance No. 2017-019 entitled *An Ordinance Of City Of Franklin, Kentucky, Authorizing The Issuance Of A Series Of Industrial Revenue Bonds Having An Aggregate Principal Amount Of Up To \$200,000,000 And Designated The City Of Franklin, Kentucky, Industrial Building Revenue Bonds, Series 2017 (Fritz Winter Project), For The Purpose Of Financing An Industrial Building Project; Approving And Authorizing The Execution And Delivery Of (A) A Lease Agreement Between The City, As Lessor, And Fritz Winter North America LP, As Lessee, (B) A Bond Purchase Agreement Providing For The Issuance, Sale, And Delivery Of The Series 2017 Bonds, And (C) Other Related Documents; And Taking Other Related Actions*

No action is taken on first reading of an ordinance.

City Clerk Cathy Dillard presented first reading of Ordinance No. 2017-020 entitled *An Ordinance Rezoning 20.5591 Acres Located on the North Side of Highway 1008 and the South Side of Broadway from I-2 (Heavy Industrial) to R1-S (Single Family Residential)*

No action is taken on first reading of an ordinance.

EXECUTIVE SESSION

At 12:58 PM, motion was made by Commissioner Stewart and seconded by Commissioner Barnes to enter into Executive Session for the purpose of (1) proposed, or pending litigation {KRS 61.810(c)}; (2) discussions, or hearings, which might lead to the appointment, discipline, or dismissal of an individual {KRS 61.810(f)}; and/or (3) deliberations on the 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(1)(b)}. Voting Aye: All. Motion carried unanimously.

Entering Executive Session were Mayor Clark; Commissioners Powell, Barnes, Dixon and Stewart; City Manager Kenton Powell; and City Attorney Scott Crabtree and Chief Roger Solomon. Chief Solomon exited Executive Session at 1:26 PM.

At 1:39 PM, motion was made by Commissioner Dixon and seconded by Commissioner Stewart to exit Executive Session and return to open session. Voting Aye: All. Motion carried unanimously.

OTHER COMMISSION BUSINESS

Mayor Clark read a prepared statement regarding the proposed aquatic center and, after 18 months of consideration, the Commission had unanimously decided to not pursue the proposed aquatic center project and to terminate the option to purchase the land for the proposed site.

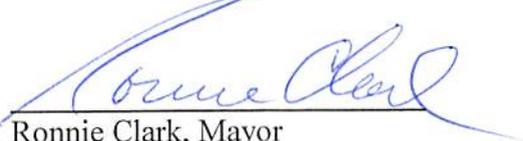
Motion was made by Mayor Clark and seconded by Commissioner Barnes to not pursue the aquatic center project. Voting Aye: All. Motion carried unanimously.

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to terminate the option to purchase the land for the proposed site for the aquatic project and authorize the Mayor to sign any documents necessary to terminate the option contract. Voting Aye: All. Motion carried unanimously.

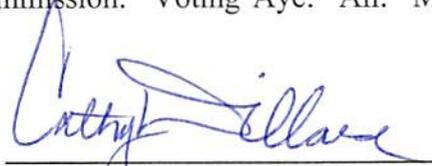
Commissioner Stewart and Commissioner Barnes wished everyone a Happy Thanksgiving.

ADJOURNMENT

At 1:50 PM, motion was made by Commissioner Powell and seconded by Commissioner Barnes to adjourn the regular meeting of the Franklin City Commission. Voting Aye: All. Motion carried unanimously.



Ronnie Clark, Mayor
City of Franklin, Kentucky



Cathy Dillard, City Clerk
City of Franklin, Kentucky