

The Franklin, Kentucky City Commission convened in **regular session** at 6:00 pm, Monday, **November 14, 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; 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 6:00 pm and Pastor Spickard of the First Born Church was present and offered an opening prayer.

APPROVAL OF MINUTES

Motion made by Commissioner Powell and second by Commissioner Barnes, to approve the minutes from the October 24, 2011 regular Commission meeting. Ayes: All. Motion carried unanimously.

HEAR THE PUBLIC

None

REGULAR BUSINESS

GENERAL GOVERNMENT

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

City Manager Powell had previously informed the Commission of the resignation of Leon Page as a board member of both the F-S Industrial Authority and Electric Plant Boards, which leaves a vacancy on these boards. Two outstanding individuals have agreed to serve the remainder of the unexpired terms. **Motion** made by Commissioner Stone and second by Commissioner Dixon to appoint Ann Jackson to serve the remainder of the vacate term on the F-S Industrial Authority, such term to expire on July 28, 2012; and to appoint Lester Key to serve the remainder of the vacate term on the Electric Plant with such term to expire on September 6, 2013. Ayes: All. Motion carried.

The Mayor and Commission noted that Mr. Leon Page has served his community in numerous ways and upon his resignation from the EPB & Industrial Authority Boards, Franklin is losing a wealth of experience. **Motion** made by Commissioner Barnes and seconded by Commissioner Powell to recognize, at the next Commission meeting, Mr. Leon Page for his long and distinguished career. Aye: All. Motion carried unanimously.

COMMUNITY SERVICES

• **Discussion and/or Possible Action on Resolution Regarding Installment Sales Procedure for Greenlawn Cemetery**

At their last meeting, the Commission gave approve to proceed with implementing installment procedures for purchase of cemetery lots. City Attorney Crabtree prepared a resolution describing the guidelines. **Motion** made by Commissioner Powell and second by Commissioner Barnes to adopt Resolution S-2011 authorizing Cemetery Lot Installment Sales Procedures. Ayes: All. Motion carried unanimously.

RESOLUTION NO. S-2011
A RESOLUTION OF THE CITY COMMISSION
OF THE CITY OF FRANKLIN, KENTUCKY
ADOPTING CEMETERY LOT INSTALLMENT SALE PROCEDURES
FOR THE CITY OF FRANKLIN'S CEMETERIES

WHEREAS, cemetery lots for sale in the City of Franklin's cemeteries are currently priced at \$500.00 per lot, but said price is subject to change by action of the City Commission; and

WHEREAS, the Cemetery Sexton has received numerous requests from consumers to purchase cemetery lots on an installment plan; and

WHEREAS, in order to assist its citizens and residents in the purchase of cemetery lots, the Franklin City Commission has determined that it is in the best interests of the citizens and residents of Franklin, Kentucky to adopt cemetery lot installment sale procedures;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FRANKLIN as follows:

1. *The City Commission of the City of Franklin, Kentucky hereby finds and determines that it is in the best interest of the City to adopt and implement lot installment sale procedures for all the cemeteries of the City of Franklin, Kentucky as follows:*
 - A. *A deposit of \$100.00 per lot is required to qualify for a Lot Sale Installment Agreement. If full payment is not received within the term of the Lot Sale Installment Agreement, a \$50.00 nonrefundable fee per lot will be assessed and collected.*
 - B. *The installment sale term is six (6) months per lot, with a maximum term of twelve (12) months for two or more lots.*
 - C. *No interest will be charged on the Lot Sale Installment Agreement. All payments will apply toward the purchase price of the lot.*
 - D. *A deed will be issued to the purchaser only after receipt of full payment for the lot. The purchaser will have no ownership rights of the cemetery lot until full payment is received and a deed has been issued.*
 - E. *If full payment is not received by the end of the agreed term, all money received will be refunded to the purchaser, minus the nonrefundable \$50.00 per lot deposit.*
 - F. *The City Commission further approves and adopts the City of Franklin, Kentucky Greenlawn Cemetery Lot Sale Installment Agreement attached hereto and incorporated herein as though copied in full.*
2. *The City Commission of the City of Franklin, Kentucky hereby adopts this resolution as it is written in accordance with all applicable Kentucky Revised Statutes.*
3. *Mayor Ronnie Clark is hereby authorized and directed to sign any and all documents necessary to effectuate the intent of this Resolution.*

GENERAL GOVERNMENT

- **Discussion and/or Possible Action Concerning Revenue Collected from Abandoned Properties**

City Manager Powell discussed the use of revenue expected from the Abandoned Properties tax. In March 2011, the Commission adopted an Ordinance concerning Abandoned Properties, and subsequent to its passing, the City has identified and sent additional tax charges to fifty-three property owners. This initial supplementary billing totals \$29,072.46, and after consideration, City Manager Powell recommends all revenues received due this Ordinance be reserved for use in removal of slum and blight condition properties in the City. Following discussion, **motion** made by Commissioner Barnes and seconded by Commissioner Powell to budget all revenue from the ad valorem special assessment tax, known as the Abandoned Urban Property Tax, be placed in a fund or used exclusively for the removal of slum and blight condition property in the City. Ayes: All. Motion carried unanimously.

PUBLIC SERVICES

None

PUBLIC SAFETY

None.

COMMUNITY SERVICES

Addressed earlier in the meeting

UTILITIES

- **Discussion and/or Possible Action Regarding Obsolete or Surplus Equipment**

The Public Works and Police Departments prepared a list of proposed surplus equipment. Finance Director Cendy Dodd has reviewed the obsolete equipment list, and all assets are fully depreciated, except for the following three items:

Police Department Ricoh FR3513 Copier purchased 2002 for \$5,634.94 with remaining book value of \$281.74

Public Works John Deere Zero Turn Mower purchased 04-29-2004 for \$7,083.94 with remaining book value of \$1,770.99

Public Works Titan Air Compressor purchased 06-22-2005 for \$2,111 (included purchase of generator & saw and no detail of individual item costs) with remaining book value of \$738.85.

OBSOLETE EQUIPMENT LIST SUBMITTED BY PUBLIC WORKS & POLICE DEPARTMENTS

<i>Qty</i>	<i>Description</i>	<i>Qty</i>	<i>Description</i>
1	Pacific 21 speed red girls bike	1	1997 Ford F-350 Ton w/Utility Bed VIN#...57844
1	NEXT 20" boys red bike	1	1995 Ford Aero star Van VIN#...15638
1	Mongoose 20" girls black bike	1	1996 Ford F-700 Gas Dump truck VIN#...18923
1	NEXT 20" Boys copper bike	1	1999 Ford F-250 Utility Bed truck VIN#...04852
1	NEXT 20" Boys gold bike	1	1995 Ford F-700 Gas Dump truck VIN# ...77541
1	Thrasher 20" boys black bike	1	1997 Ford Ranger p/u truck 4.0 liter VIN#...35938
1	NEXT 24" girls pink bike	1	1998 Crown VIC Cruiser VIN# ...169020
1	Murray 20" girls powder blue bike	1	20" Cushion Cut Road Saw 20HP Honda Engine
1	Huffy 24" Boys blue bike	1	Electric Core Drill
1	Huffy 28" boys green bike	1	4" Multiquip Trash Pump
1	Huffy 20" boys black bike	1	3" Multiquip Trash Pump
1	SUN 20" CRT Monitor X 3	1	10 Weed eaters in varied conditions
1	Roadmaster 24" girls purple bike	1	5' Bush hog
1	Murray 24" girls red/black bike	1	5' Farm King Finish Mower
1	NEXT 20" boys red bike	1	John Deere Zero Turn Mower Model 757
1	Magna 24" boys black bike	1	John Deere Zero Turn Mower Model 777
2	UNK bicycle frame no wheels/ black	1	Assorted small meter box pumps
1	Charbroil Propane Grill	1	2-3 Assorted Echo Cut-off Saws
1	Ricoh FT3513 Copier	1	Titan Air Compressor
3	SUN 20" CRT Monitor		
1	Motorola Radio C71RCB-114dD		
1	Dell monitor 20"		
1	HP 17" Monitor		
2	DOT Matrix printers		
2	Filing Cabinets - 4 drawer		
2	Office Chairs Cloth Gray		
5	Meta/cloth chairs grey		
1	Wood Stool		

Finance Director Dodd recommends the Commission declare the items surplus, and give the City Manager authorization to review and award the bids. During discussion, the Commission inquired about the number of surplus bikes; several bikes are turned in to the Police Department with no identification, and many times no one ever claims the item(s). City Attorney Crabtree presented a resolution regarding the sale of surplus property. **Motion** made

by Commissioner Powell and second by Commissioner Dixon to accept the Finance Director's recommendation and declare the listed items surplus, authorize the City Manager to advertise the items for sale and review and award the bids, and adopt Resolution T-2011. Ayes: All. Motion carried unanimously.

**RESOLUTION NO. T-2011
SALE OF SURPLUS PERSONAL PROPERTY
OF THE CITY OF FRANKLIN, KENTUCKY**

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 surplus property used by various city departments and/or confiscated by the Franklin Police Department; and

WHEREAS, KRS 82.083 provides that a city may sell or dispose of personal property, but before doing so it shall make a written determination describing the property, its intended use, why it is in the public interest to dispose of it, and the method of disposition to be used; and

WHEREAS, the City of Franklin wishes to dispose of the personal property listed on Exhibit A attached hereto and incorporated herein by advertising and accepting sealed bids in accordance with the applicable provisions of the Kentucky Revised Statutes and/or ordinances of the City of Franklin; and

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

6. *The City Commission hereby finds and determines that it is in the best interest of the City of Franklin, Kentucky to sell to the highest and best responsive, responsible bidder by sealed bids the surplus property listed in Exhibit A attached hereto.*

7. *Any compensation resulting from the disposal of this personal property shall be transferred to the general fund of the City of Franklin.*

8. *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 sealed bids in accordance with the applicable provisions of the Kentucky Revised Statutes and/or ordinances of the City of Franklin.*

9. *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.*

ORDINANCES

- **Second Reading of Ordinance Rezoning 3.0 Acres From I-1 (Light Industrial) to B-4 (Highway Business District) at 822 Blackjack Road**

City Clerk Kathy Stradtner gave second summary reading of an ordinance rezoning three acres at 822 Blackjack Road and owned by Franklin Church Holdings, LLC. For the public's benefit, City Attorney Crabtree explained that the B-4 (Highway Business) does not automatically allow placement of a mobile trailer, but special requirements and hearings have been met in this instance to allow the variation. **Motion** made by Commissioner Stone and second by Commissioner Powell to adopt Ordinance # 920.41-11-2011 rezoning acreage at 822 Blackjack Road. Roll call vote: Commissioner Barnes, Yes; Commissioner Dixon, Yes; Commissioner Powell, Yes; Commissioner Stone, Yes; Mayor Clark, Yes. Motion carried.

- **First Reading of City of Franklin, Kentucky Ordinance Setting Rates and Charges Related to the Use of Fiber Optic Services and Facilities of the Municipally Owned Fiber System**

City Clerk Kathy Stradtner gave second summary reading to an ordinance setting the rates and charges for use of the City Fiber System. No vote is required after first reading of an

ordinance and the entire text of the ordinance is available to the public at City Hall and will be placed on the City website. Included in this meetings packet, was additional information prepared by Fiber Services Manager, Tammie Carey with an explanation of terms and information about the fiber service; an open question and answer discussion took place.

EXECUTIVE SESSION

Motion made by Commissioner Barnes and second by Commissioner Dixon to enter in to executive session for the purpose of discussion of proposed or pending litigation {KRS 61.810(c)}. Ayes: All. **Motion** carried unanimously at 6:43 pm. Entering executive session were Mayor Clark and the four Commissioners, City Attorney Crabtree, and City Manager Powell.

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

CITY ATTORNEY REPORTS

None

CITY MANAGER REPORTS

City Manager Powell reported Charles M Moore Insurance/Travelers Insurance had completed their review of the City's fleet auto insurance ending June 30, 2011, and an additional premium is required. This is a normal occurrence when, during the course of the policy period, the City adds or deletes covered vehicles. Nine vehicles were added to the City fleet, with an additional \$1,547.36 premium being due. **Motion** made by Commissioner Powell and second by Commissioner Barnes to authorize the additional insurance payment of \$1,547.36 to Charles M Moore/Travelers Insurance. Ayes: All. Motion carried unanimously.

OTHER COMMISSION BUSINESS

The Mayor and Commission congratulated City Attorney Scott Crabtree on his recent election as president of the Municipal Attorneys Association of Kentucky, Inc (MAAK). The organization includes over one-hundred distinguished attorneys serving in the Commonwealth.

ADJOURNMENT

Motion made by Commissioner Barnes and second by Commissioner Powell to adjourn the City Commission meeting. Ayes: All. Motion carried at 7:23 pm.



Ronnie Clark, Mayor



Kathy Stradtner, City Clerk
