

The Franklin, KY City Commission convened in **regular session** at 12:00 pm, Monday, **June 10, 2013**, in the City Hall meeting room, 117 W. Cedar 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 Wendell Stewart	Present

Others present included City Attorney, Scott Crabtree, Chief of Police, Todd Holder; City Clerk, Mandy Cassady; Administrative Deputy Clerk, Kathy Stradtner; Human Resources Director, Rita Vaughn who videoed the meeting; F.S. Human Rights Commission Representative, Donzella Lee; F-S Renaissance Executive Director, Amy Ellis; and Franklin Favorite/WFKN media representatives, Keith Pyles.

**Honorable Mayor Ronnie Clark** called the meeting to order at 12:00 PM, and Macedonia General Baptist Church Director, Pastor David Youngblood, offered an opening prayer.

#### **APPROVAL OF MINUTES**

Motion was made by Commissioner Powell and second by Commissioner Stewart to approve the minutes from the May 13, 2013 Regular Commission Meeting, May 13, 2013 Special Called Budget Workshop Session and the June 23, 2013 Special Called City Commission Meeting. Ayes: Commissioner Powell, Commissioner Barnes, Commissioner Dixon, Commissioner Stewart and Mayor Clark. Motion carried unanimously.

#### **RECOGNITION**

No Business

#### **HEAR THE PUBLIC**

No Business

#### **REGULAR BUSINESS**

#### **COMMUNITY SERVICES**

- **Report from Amy Ellis, F-S Renaissance Executive Director**

Commission heard update from F-S Renaissance Executive Director, Amy Ellis regarding upcoming events to be held on the square. Mrs. Ellis informed the commission there are still ten (10) concerts scheduled on the square which are part of the *Summer Nights Concert Series*. Mrs. Ellis also informed the commission they are currently working on four (4) grants to benefit downtown merchants. Mrs. Ellis began with the Renaissance March 1, 2013 and filled the position previously held by Mr. Sonny Monroe on April 1, 2013. Mrs. Ellis indicated her next large project would be the reconstruction of side walk on Kentucky Street. Commissioners thanked Mrs. Ellis for her dedication and time to the Renaissance for revitalization to the downtown area.

- **Discussion and/or Possible Action Regarding Franklin Housing Authority Board**

City Manager, Kenton Powell, addressed the commission regarding the resignation of Cary Bowen from the Franklin Housing Authority Board. Mr. Powell recommends the appointment of Dick Timmerman to fill the unexpired term of Mr. Bowen. **A motion was made by Commissioner Dixon and second by Commissioner Barnes to approve the appointment of Dick Timmerman to the Housing Authority of Franklin Board to fill the unexpired term of Cary Bowen, such term to end December 31, 2014. Ayes: All. Motion carried unanimously.**

#### GENERAL GOVERNMENT

- **Discussion and/or Possible Action Regarding 2012 Delinquent Property Taxes**

City Manager, Kenton Powell, addressed the commission regarding 2012 delinquent property taxes. Mr. Powell informed the commission, City Clerk, Mandy Cassady, will be holding a property tax lien sale on June 21, 2013 at 10:00 am at City Hall on all delinquent 2012 property taxes.

- **Discussion and/or Possible Action Regarding Summer Intern at City Hall**

City Manager, Kenton Powell, addressed the commission regarding the need for a summer intern in the Customer Service area at City Hall. Due to sick leave of one employee and scheduled vacations for other employees, there is a need for additional help. Mr. Powell recommends the hiring Daniel Reetzke as a summer intern. **A motion was made by Commissioner Powell and second by Commissioner Dixon to approve the hiring of Daniel Reetzke as a summer intern in the Customer Service Department at City Hall. Ayes: All. Motion carried unanimously.**

- **Discussion and/or Possible Action Regarding Award of Property and Liability Insurance**

Commission heard report from Personnel Director, Rita Vaughn, regarding bids received for General Liability and Property Insurance for the City of Franklin. Ms. Vaughn reported only one (1) bid was received. Ms. Vaughn recommends the property and liability insurance for fiscal year 2013-2014 be awarded to Public Entities of America thru Franklin Insurance. City Attorney, Scott Crabtree, also indicated they will honor a three (3) year commitment to not raise prices. **A motion was made by Commissioner Stewart and second by Commissioner Barnes to award the fiscal year 2013-2014 property and liability insurance for the City of Franklin to Public Entities of America, Allied World National Assurance Company, as the lowest and best responsive responsible bidder thru Franklin Insurance Agency in the amount of \$116,278.54 and accept their three year commitment with regard to price increases, without the City being bound to continue the coverage for years two and three without Commission approval, and authorize the Mayor to sign any documents necessary to effectuate this motion. Ayes: All. Motion carried unanimously.**

- **Discussion and/or Possible Action Regarding Award of Workers Compensation Insurance**

Commissioner heard recommendation from Personnel Director, Rita Vaughn, regarding the award of Worker's Compensation Insurance. Mrs. Vaughn indicated only one (1) bid was received. Mrs. Vaughn recommends the worker's compensation insurance contract be awarded to Bryan Monarch through Kentucky League of Cities. **A motion was made by Commissioner Powell and second by Commissioner Dixon to award the fiscal year 2013-2014 workers compensation insurance for the City of Franklin to Bryan Monarch through Kentucky League of Cities as the lowest and best responsive responsible bidder in the amount of \$94,667.00 and authorize the Mayor to sign any documents necessary to effectuate this motion. Ayes: All. Motion carried unanimously.**

- **Discussion and/or Possible Action Regarding Award of Employee Dental Insurance**

Commission heard recommendation from Personnel Director, Rita Vaughn, regarding the award of employee dental insurance. Mrs. Vaughn recommends the renewal of employee dental insurance with Delta Dental as the rates have actually decreased from last year. **A motion was made by Commissioner Barnes and second by Commissioner Stewart to accept the new rates provided by Delta Dental and renew the employee dental insurance with Delta Dental through the Kentucky League of Cities Association as the lowest and best responsive responsible bidder and authorize the Mayor to sign any documents necessary to effectuate this motion. Ayes: All. Motion carried unanimously.**

- **Discussion and/or Possible Action Regarding Personnel Policy Revision**

City Attorney, Scott Crabtree, presented the commission with a personnel policy change due to previous action taken by the commission regarding the requirement of employees' spouses obtaining health insurance at their place of employment as the primary coverage and the City's coverage being secondary. **A motion was made by Commissioner Powell and second by Commissioner Dixon to approve the personnel policy change to require employees' spouses to obtain health insurance at their place of employment as the primary coverage and the City's coverage being secondary effective July 1, 2014. Ayes: All. Motion carried unanimously.**

#### PUBLIC SERVICES

None

#### PUBLIC SAFETY

- **Discussion and/or Possible Action Regarding Equitable Sharing Agreement and Certification for Police Department Seizure Funds**

Franklin Police Chief, Todd Holder, requested the Commission to approve the membership renewal of the Franklin Police Department Federal Equitable Sharing Agreement. Chief Holder explained this agreement allows the Franklin Police Department to share in seizure monies when the Franklin Police Department was involved in the process of prosecution in the United States Federal Court Systems. **A motion was made by Commissioner Barnes and second by Commissioner Stewart to approve the membership of the Franklin Police Department Federal Equitable Sharing Agreement, including, but not limited to, the renaming of the current Drug Forfeiture Fund at Citizens Bank (Acct# 100-181-8201) to be titled *City of Franklin Police State & Local Forfeiture Fund* and the opening of an additional checking account titled *City of Franklin Police Federal Forfeiture Fund* and authorize Tammie Carey, Kenton Powell, and Mayor Ronnie Clark as signees on the new account and authorize the Mayor to sign any documents necessary to effectuate this motion. Ayes: All. Motion carried unanimously.**

- **Discussion and/or Possible Action Regarding Street Closure Request for Garden Spot Run/Walk**

City Manager, Kenton Powell, addressed the Commission regarding a request received by Steve Thurmond, Executive Director of Franklin-Simpson Chamber of Commerce. Mr. Thurmond requests street closure for the 31<sup>st</sup> Annual Garden Spot Run/Walk. **A motion was made by Commissioner Dixon and second by Commissioner Powell to approve the closure of portions of South College, Wildcat Way, Rolling Road Drive, Valley View, Hillcrest, Austin**

Drive, Craig Street, Cardinal Drive and Yokley Drive for the 31<sup>st</sup> Annual Garden Run/Walk on August 10, 2013 and closure of South College Street, Madison Street, Montague and Joker Phillips Drive for a short time August 9, 2013 for the Friday night event. Ayes: All. Motion carried unanimously.

#### UTILITIES

- **Discussion and/or Possible Action Regarding Engineering Services Agreement between the City and Kentucky Transportation Cabinet Regarding Utility Relocation for Major Widening of KY Hwy 31-W from Wal-Mart to KY Hwy 1008**

City Manager, Kenton Powell, addressed the commission in regards to the Kentucky Highway Department 31 W Widening Project. Mr. Powell and staff have been in contact with transportation cabinet and Mr. Powell recommends signing Keep Cost Agreement for reimbursement of expenses incurred by the City thru State project. **A motion was made by Commissioner Powell and second by Commissioner Barnes to approve the Commonwealth of KY Transportation Cabinet Utility Relocation – Engineering Services Keep Cost Agreement for Item # 3-8.31 (Major Widening of Hwy 31W in south Franklin) and authorize the Mayor to sign any and all documents necessary to effectuate this motion and authorize the Mayor to sign the engineering contracts and other documents related to this transaction. Ayes: All. Motion carried unanimously.**

- **Discussion and/or Possible Action Regarding Awarding 31-W South Annexation Sewer Project**

City Manager, Kenton Powell, submitted a recommendation for the engineering and design of proposed sewer system. Mr. Powell recommends awarding contract to Barge Waggoner Sumner and Cannon in the amount of \$58,000.00. Mr. Powell reminded the commission BWSC has been doing preliminary concept designs for the past several years to improve the 36 inch gravity Sewer System and in very familiar with the City's sewer system. **A motion was made by Commissioner Dixon and second by Commissioner Stewart to approve the contract as stated for the engineering and design of proposed sewer systems to Barge Waggoner Sumner and Cannon in the amount of \$58,000.00 as the lowest and best responsive responsible bidder and authorize the Mayor to sign any documents necessary to effectuate this motion. Ayes: All. Motion carried unanimously**

- **Discussion and/or Possible Action Regarding Legislation Concerning Interest Rates on Utility Deposits**

City Attorney, Scott Crabtree, updated the commission on legislation changes for interest rates on utility deposits. Mr. Crabtree stated the Public Service Commission set the new rate in December 2012 for calendar year 2013; however, the City was not notified of change. The Commission unanimously requested the City Attorney to make the appropriate permanent changes to the ordinance, and the City Attorney recommended a motion to change this on a temporary basis as well. **A motion was made by Commissioner Stewart and second by Commissioner Dixon to change the meter deposit interest rate in accordance with new rates set by Public Service Commission effective January 1, 2013. Ayes: All. Motion carried unanimously.**

- **Discussion and/or Possible Action Regarding FiberNet Capital Expenditure for AppAssure**

Fiber Services Manager, Tammie Carey, addressed the Commission regarding an additional service to provide to potential customers. Mrs. Carey held discussion with the Commissioner regarding the idea and installation of a Remote Back-up Service located at the Network Operations Center. Mrs. Carey requests the approval to purchase a server and license in order to

begin this service to companies. A motion was made by Commissioner Dixon and second by Commissioner Powell to approve the Capital Expenditure for the Fiber Department for the purchase of the Dell AppAssure Server and Licenses at a cost of \$22,650.00 and authorize the Mayor to sign any and all documents necessary to effectuate this motion. Ayes: All. Motion carried unanimously.

- **Discussion and/or Possible Action Regarding FiberNet Capital Expenditure for Nexus Works Plant Management Software**

Fiber Services Manager, Tammie Carey, addressed the Commission regarding additional software to help track the cable path, terminations, spliced, storage loops, poles and underground routes. Mrs. Carey explained with the ongoing expansion of fiber, this software will help with mapping and human error. A motion was made by Commissioner Powell and second by Commissioner Stewart to approve the Capital Expenditure for the Fiber Department for the purchase of the Nexus Works Plant Management Software and allow the Mayor to sign any and all documents necessary to effectuate this motion. Ayes: All. Motion carried unanimously.

- **Discussion and/or Possible Action Regarding FiberNet Capital Expenditure for Environment Monitoring System for Department Buildings**

Commission heard request from Fiber Services Manager, Tammie Carey, regarding the purchase of environment monitoring software. Mrs. Carey explained that due to the large amount of electronic equipment located in the Network Operations Center, it is necessary to have 24 hours 7 days a week monitoring to insure temperature is cool enough to prevent the machines for overheating and destroying equipment. A motion was made by Commissioner Dixon and second by Commissioner Barnes to approve the Capital Expenditure for the Fiber Department for the purchase of the Environment Monitoring Software and authorize the Mayor to sign any and all documents necessary to effectuate this motion. Ayes: All. Motion carried unanimously.

#### ORDINANCES

- **First Reading of Fiscal Year 2012-2013 Budget Amendment Ordinance #d 2012-2013**

Administrative Deputy Clerk, Kathy Stradtner, gave first summary reading to 2012-2013 Budget Amendment Ordinance No. D 2012-2013.

- **First Reading of Fiscal Year 2013-2014 Budget Ordinance #a 2013-2014**

Administrative Deputy Clerk, Kathy Stradtner, gave first summary reading to 2013-2014 Budget Ordinance No. A 2012-2013

- **First Reading of Ordinance #240.10-6-2013 Approving New Mather Metals Local KBI Program Incentives**

Administrative Deputy Clerk, Kathy Stradtner, gave first summary reading to Ordinance #240.10-6-2013.

- **First Reading of Ordinance #220.500-6-2013 Amending Ordinance Relating to Alcoholic Beverage Control**

Administrative Deputy Clerk, Kathy Stradtner, gave first summary reading to Ordinance #220.500-6-2013.

EXECUTIVE SESSION

Motion by Commissioner Stewart 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)} and discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee or member {KRS 61.810(f)} Ayes: All. Motion carried unanimously at 1:11 PM.

Entering executive session were Mayor Clark, Commission Barnes, Commissioner Dixon, Commissioner Powell, Commissioner Stewart, Manager Powell and Personnel Director, Rita Vaughn.

City Attorney, Scott Crabtree, entered into executive session at 1:20 pm

Rita Vaughn exited executive session at 1:50 pm.

At 1:58 p.m. session was returned to open meeting, and motion was made by Commissioner Powell and second by Commissioner Dixon to close the executive session and return to open session. Ayes: All. Motion carried unanimously.

A motion was made by Commissioner Powell and second by Commissioner Barnes to authorize the surplus sale of 2 parcels of city owned land located consisting of approximately 60 acres at north end of Ditmore Ford Road and approximately 2 acres on South Street and instructed the City Attorney to prepare the appropriate documents to sell the property. Ayes: All. Motion carried unanimously.

Motion made by Commissioner Powell and second by Commissioner Dixon to authorize the Mayor to sign state firework application for the Franklin Simpson Parks Board for 4<sup>th</sup> of July events to be held at Kentucky Downs. Ayes: All. Motion carried unanimously.

CITY ATTORNEY REPORTS

None

CITY MANAGER REPORTS

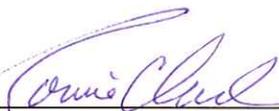
None

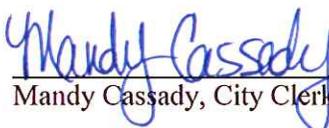
OTHER COMMISSION BUSINESS

None

ADJOURNMENT

Motion made by Commissioner Powell and second by Commissioner Barnes to adjourn the City Commission meeting. Ayes: All. Motion carried unanimously at 2:03 pm.

  
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Ronnie Clark, Mayor

  
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Mandy Cassady, City Clerk