

The Franklin, KY City Commission convened in **regular session** on **Monday, June 8, 2015** at 12:00 noon, 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 Manager, Kenton Powell; City Attorney, Scott Crabtree, City Chief of Police, Roger Solomon; City Clerk, Kathy Stradtner; City Finance Director, Shaunna Cornwell; City Personnel Director/Deputy Clerk, Rita Vaughn; Electric Plant Board Manager Bill Borders & Representative Wayne Goodrum; Mickey Lewis; and Franklin Favorite / WFKN media representative, Keith Pyles.

Mayor Ronnie Clark called the meeting to order at 12:00 noon and Eric Walker, Franklin Community Church pastor, offered an opening prayer.

APPROVAL OF MINUTES

Motion was made by Commissioner Barnes and second by Commissioner Dixon to approve the meeting minutes as presented for the May 26, 2015 special called meeting and public hearing. Voting aye: all. Motion carried unanimously.

RECOGNITION

Mayor Clark recognized Mr. Mickey Lewis Jr. who wanted to share information regarding a Hip Hop Dance Camp scheduled for June 13 from 10am to 1 pm at the Boys & Girls Club, 103 S Court Street. The event, sponsored by Family Care Counseling, has been spearheaded by Mr. Lewis as a way to continue his mentoring efforts for our community; he had worked with the Family Resource Center for the schools this past year. The camp will include activities to boost self-esteem, including how to combat bullying and provide a positive influence for kids.

HEAR THE PUBLIC

None

REGULAR BUSINESS

COMMUNITY SERVICES

- Discussion and Possible Action —Award Funding to Several Community Service Entities

Finance Director Shaunna Cornwell addressed the Commission regarding the FY2016 Budget; during the recent work sessions discussions were held regarding the Community Service Giving Requests. Given the approximate \$155,000 budget surplus in the FY2015 revised budget, staff is proposing to pay out a portion of these Community Service Giving requests during the current fiscal year, instead of allocating these payouts during the FY2016. As a result, Ms. Cornwell is requesting the approximate \$45,000 in requests as detailed below be approved for payment during this fiscal year, and be included in an amendment to the city budget.

	<i>AMOUNT</i>
<i>COMMUNITY AGENCY</i>	
<i>BRADD Aging Program</i>	<i>2,000.00</i>
<i>Gallery on the Square (Simpson Co. Guild)</i>	<i>5,000.00</i>
<i>F-S Renaissance</i>	<i>5,000.00</i>
<i>F-S Human Rights Commission</i>	<i>5,000.00</i>
<i>Hope Harbor</i>	<i>5,000.00</i>
<i>Habitat for Humanity of Simpson County</i>	<i>5,000.00</i>
<i>Good Samaritan</i>	<i>8,000.00</i>
<i>On Track Program</i>	<i>10,000.00</i>
<i>Total</i>	<i>45,000.00</i>

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to approve the Community Service requests discussed (\$45,000) and initiate payment in June, 2015, and authorize the Mayor to sign any documents necessary to execute these Community Service allocations. Voting aye: all. Motion carried unanimously.

GENERAL GOVERNMENT

- Discussion and Possible Action — Appointment of ABC Administrator

Per the recent resignation of Daniel Head, it is necessary to immediately make an appointment to the Alcohol & Beverage Control (ABC) Administrator, a position mandatory per Kentucky Statutes and City Ordinances. Due to the urgency in getting this appointment filled, at this time I am proposing the appointment of myself to fill the position. **Motion was made by Commissioner Powell and seconded by Commissioner Stewart to approve the appointment of Finance Director Shaunna Cornwell as ABC Administrator for the City of Franklin, and authorize the Mayor to sign any documentation necessary per this appointment. Voting aye: all. Motion carried unanimously**

- Discussion and Possible Action — Support Carolyn Moore Historical Marker Application

Ms. Sarah Cardwell of the Simpson County Archives has requested the City’s support for a historical marker recognizing Carolyn Moore, the first female state senator in the state of Kentucky. The Archives are requesting the marker be erected on the north side (courthouse side) of East Cedar Street, across from County Clerk Chip Phillip’s office. Before Ms. Cardwell can finalize her request to the state, she must have the blessing of both City and County governments. **Motion carried by Commissioner Powell and seconded by Commissioner Stewart to give formal support to the Simpson County Historical Society’s application for a historical marker recognizing Carolyn Moore, the first female state senator in the state of Kentucky, contingent upon due consideration being given to any recommendations from Simpson County Fiscal Court and F S Renaissance regarding the placement and esthetic of the marker. Voting aye: all. Motion carried unanimously.**

- Discussion and Possible Action — Resolution Authorizing the Transfer of Fiber Optic System to Electric Plant Board

City Attorney Scott Crabtree discussed a resolution he was requested to prepare regarding the transfer of the City fiber optic system to the Electric Plant Board (EPB) of the City of Franklin Kentucky. This has been a lengthy and well thought out action, with the EPB having the tools to operate and grow the City Fiber Optic program. The Mayor discussed the fit of the fiber optic program with the EPB operations. EPB manager Bill Borders was present and added that the fiber operation will be a stand-alone program which will have no bearing or effect on the TVA electric rates; as the Mayor added, the co-mingling of such activates is expressly prohibited by TVA. **Motion was made by Commissioner Barnes and seconded by Commissioner Powell to adopt Resolution C-2015 transferring operations of the City Fiber Optics system to the Electric Plant Board of the City of Franklin, KY. Voting aye: all. Motion carried unanimously.**

RESOLUTION NO. C-2015

A RESOLUTION OF THE CITY OF FRANKLIN, KENTUCKY REGARDING THE TRANSFER OF THE CITY FIBER OPTIC SYSTEM TO THE ELECTRIC PLANT BOARD OF THE CITY OF FRANKLIN KENTUCKY

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 dispose of the fiber optic system and all of its tangible and intangible assets and transfer the system to the Electric Plant Board of the City of Franklin; and,

WHEREAS, the system shall be operated by the Electric Plant Board of the City of Franklin as that entity is better equipped to handle the operation and maintenance of the fiber optic system, and the property will be transferred to the Electric Plant Board of the City of Franklin for Two Million Five Hundred Thousand Dollars (\$2,500,000.00).

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 convey for Two Million Five Hundred Thousand Dollars (\$2,500,000.00), to the Electric Plant Board of the City of Franklin all of the assets, whether real, personal, tangible, intangible or mixed, of the City of Franklin's fiber optic system (a list of said assets is attached hereto as Exhibit A and incorporated herein by reference, which specifically includes, but is not limited to the real properties, improvements and easements). The effective date of the transfer shall be July 1, 2015. The fiber optic system is being transferred to another governmental entity, and one of the primary functions of the fiber optic system is to promote and/or expand economic development.*
- 2. The intended use of the fiber optic system is to enhance the communities' businesses and promote economic development to the benefit of all of the residents of Franklin, Simpson County, Kentucky. Further, the Electric Plant Board of the City of Franklin has personnel and equipment better suited for the maintenance and operations of the fiber optic system.*
- 3. All operations and maintenance of the fiber optic system shall be the responsibility of the Electric Plant Board of the City of Franklin from and after July 1, 2015.*
- 4. In accordance with KRS 82.083, the Board of Commissioners hereby adopts this Resolution as its written determination which describes the property to be transferred, identifies the intended use and the reasons why it is in the public interest to dispose of the property, and the Board of Commissioners affirmatively states that the method of disposition is by and through the transfer of all assets of the fiber optic system to the Electric Plant Board of the City of Franklin for the compensation set forth hereinabove.*
- 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 deeds, assignments, and agreements.*

- Discussion and Possible Action — Amendment to U S Economic Development Authority Grant

As part of the transfer of the fiber optic system to the Electric Plant Board, the Commission needs to approve and sign amended grant application/forms adding the EPB as a co-recipient of grant funds. As you know, the City received a \$1,000,000 grant to assist in the construction of the fiber system. Since the system is being transferred, the EPB needs to be added to the grant documents. **Motion made by Commissioner Dixon and seconded by Commissioner Powell to add the Electric Plant Board of the City of Franklin as a co-recipient of the EDA Grant and authorize the Mayor to sign any and all documents necessary to effectuate the transaction. Voting aye: all. Motion carried unanimously.**

- Discussion and Possible Action — Windstream Contract

During development of the fiber network, the City contracted with Windstream for five years as our primary internet service provider. The monthly cost for 100 Mbps of service was \$7,925. Last fall we increased the service to 500 Mbps at a total cost of \$8,200. City Attorney Scott Crabtree and Fiber Services Manager Tammie Carey have been working with the management at Windstream to renegotiate the monthly rate. After a lengthy negotiation, Windstream has proposed a new rate of \$1,800 per month for the 500 Mbps service; such rate to be firm for a five (5) year period. **Motion was made by Commissioner Stewart and seconded by Commissioner Powell to accept a revised agreement between the City and Windstream at the rate of \$1,800 per month for the 500 Mbps service for a five (5) year term and authorize the Mayor to sign any and all documents related to the agreement and service. Voting aye: all. Motion carried unanimously.**

At this time City Attorney Scott Crabtree presented the Ordinance authorizing the Bond Issuance the Electric Plant Board requires to finance and expand the Fiber Optic Program, and gave first summary reading to the sixteen page document

- First Reading of Ordinance No. 2015-008 Authorizing the Issuance of General Obligation Notes for the Fiber Optics System

This ordinance was sponsored by Mayor Clark and Commissioner Powell. City Attorney Scott Crabtree gave first summary reading to City Ordinance # 2015-008 authorizing the issuance of provisional general obligation notes, Series 2015 in the aggregate principal amount of \$650,000; approving the form of notes; authorizing designated officers to execute and deliver the notes; providing for the payment and security of the notes; creating a note payment fund; maintaining the heretofore created sinking fund; authorizing acceptance of the proposal of the note purchaser for the purchase of the notes; and repealing inconsistent ordinances.

- Discussion and Possible Action — City Hall Window Restoration

Several of the windows at City Hall, 117 W Cedar Street, are in need of restoration, mainly those on the second floor. Many are original (turn of the century, late 1800's or early 1900's) to the original construction and show signs of aging such as dry-rot, flaking paint, missing sills and trim pieces. City Manager Powell has been in touch with three companies for quotes for the restoration work.

QUOTE PROVIDER	AMOUNT
Danny Moody, Restoration Aid	\$29,600
Butch Quinn, Quinn's Glass Repair & Restoration	no bid
John Estes, Can Do Construction	\$35,900

The budget for this repair is \$20,000. City Manager Powell confirmed with the Finance Director concerning the funding and any cost difference will be taken from the General Fund Contingency. The low quote was submitted by Restoration Aid, and this company is the one that did the restoration of the windows in the Presbyterian Church during their recent building project. City Manager Powell also reported that after speaking with Amy Ellis, Executive Director for F-S Renaissance, there may be Renaissance funds the City can assess that will offset some of the cost. **Motion was made by Commissioner Dixon and seconded by Commissioner Powell to award the City Hall Window Restoration project to Restoration Aid for the amount of \$29,600, and authorize the Mayor to sign all necessary documentation. Voting aye: all. Motion carried unanimously.** City Manager reported that completion of the work from start to finish, weather permitting, is estimated at seven (7) weeks.

PUBLIC SERVICES

None

PUBLIC SAFETY

- Discussion and Possible Action — Internal Purchase of Police Drug Forfeiture Vehicle

The Franklin Police Department had been awarded through the courts a drug related asset seizure, a 2002 Dodge Ram and has reported the vehicle is no longer needed by the Police Department. According to regulatory guidance, this vehicle can be sold at Fair Market value, provided the proceeds are returned to the Franklin Police Department's Drug Forfeiture account. The Public Works Department is in need of a truck to use, primarily for summer mosquito spraying, and has expressed their desire to purchase this truck. Following further discussion, **motion was made by Commissioner Stewart and second by Commissioner Powell to authorize the purchase by the City Street Department of one 2002 Dodge Ram from the Franklin Police Department at the fair market value of \$2,100.00 and authorize the Mayor to sign any necessary paperwork surrounding this sale, and finally to require, as per regulatory requirements, that the \$2,100 be deposited into the Franklin Police Department Drug Forfeiture Fund. Voting aye: all. Motion carried.**

UTILITIES

- Update — City Hall Customer Service Credit Card Program

In December 2014 the Commission authorized the implementation of a credit card program for payments made by Franklin Municipal Utility customers and at the time the Commission had requested an update on the program in six to nine months. Finance Director Shaunna Cornwell was proud to report the program has been a complete success. City Hall customer service has been accepting credit cards for six months now and the customers are very happy with this provided convenience and we have experienced a steady increase in credit card sales over the past six months. In May, 2015 total credit card sales were approximately \$14,000 with fees equaling approximately 2.6% of sales. Current revenue/expense status is at almost break even, which is exactly what we intended, with the City not realizing a profit from the fees the credit card company charges for the service.

ORDINANCES

- First Reading of Ordinance No. 2015-008 Authorizing the Issuance of General Obligation Notes for the Fiber Optics System

This agenda item was addressed earlier in the meeting following the action taken regarding the Windstream Contract when the Commissioner heard first summary reading of the ordinance.

- First Reading of Ordinance No. 2015-010 Amending the FY 2014-2015 Annual Budget

City Clerk Kathy Stradtner gave first summary reading to Ordinance 2015-010 amending the annual budget for the fiscal year beginning July 1, 2014 and ending June 30, 2015 by estimating revenues and appropriations , this being the second amendment.

EXECUTIVE SESSION

Motion was made by Commissioner Barnes and second by Commissioner Stewart to enter executive session for the purpose of land acquisition — 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 (b)} and litigation — Discussion of proposed or pending litigation {KRS 61.810(c)}. Voting aye: all. Motion carried unanimously at 12:50 pm. Entering executive session were the Mayor, four Commissioners, City Manager and City Attorney.

At 12:50 pm Police Chief Solomon was invited into the executive session. Chief Solomon exited at 1:00 pm.

At 2:15 pm motion was made by Commissioner Stewart and seconded by Commissioner Dixon to exit the executive session and return to open session. Voting aye: all. Motion carried unanimously.

Motion was made by Commissioner Powell and seconded by Commissioner Dixon to promote Larry Schultz to Captain and Dale Adams to Lieutenant in the Franklin Police Department. Voting aye: all. Motion carried unanimously.

ITY ATTORNEY REPORTS

none

CITY MANAGER REPORTS

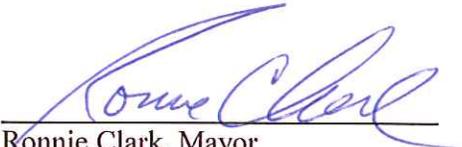
none

OTHER COMMISSION BUSINESS

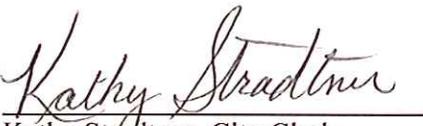
none

ADJOURNMENT

Motion was made by Commissioner Powell and second by Commissioner Barnes to adjourn the City Commission meeting. Voting aye: all. Motion carried unanimously at 2:16 pm.



Ronnie Clark, Mayor



Kathy Stradtner, City Clerk