

The Franklin, KY City Commission convened in **regular session** on **Monday, October 12, 2015**, in the City Hall meeting room, 117 W. Cedar Street, Franklin, Kentucky. Mayor Ronnie Clark called the regular meeting to order at 12:00noon. 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 Chief of Police, Roger Solomon; Franklin Police officers Chad Moody and Daniel Riley; Water Distribution employee, Jason May; City Clerk, Kathy Stradtner; City Personnel Director/Deputy Clerk, Rita Vaughn; City Community Development Director, Tammie Carey; City Attorney Scott Crabtree, Street Department Superintendent, City Tax Collector & ABC Administrator, Daniel Reetzke; and Franklin Favorite media representative, Keith Pyles;

PUBLIC HEARING

A public hearing had been advertised and opened during special called session at 11:45 am today. Comments were still being heard and the hearing extended into the regular meeting. The hearing was finally closed at 12:34 pm; complete details of the hearing are in the separate special called meeting minutes.

Following a short recess, the City Commission was called back into order at 12:48pm. Annie Spickard, Pastor of First Born Church, offered an opening prayer.

APPROVAL OF MINUTES

Motion was made by Commissioner Barnes and seconded by Commissioner Powell to approve as presented the minutes of the September 28, 2015 regular meeting. Voting aye: all. Motion carried unanimously.

RECOGNITION

- Franklin Police Department

Franklin Police Chief Roger Solomon addressed the Commission to share recognition and outstanding performance by two of the Franklin Police Department officers. Franklin Police Officer Chad Moody has received the Occupational Safety Award for his outstanding performance during the recent Seat Belt Education and Enforcement program. Officer Moody also went above and beyond during the program by spending time to work with the citizens during the safety program and in recognition received the Occupant Safety Award. In addition, recently Chief Solomon requested a volunteer to complete the six week Accident Reconstruction training, and Officer Moody was the only one to volunteer for the concentrated training. The department has never had a trained accident reconstruction officer and such addition will be a great resource. At the end of the training, Officer Moody had scored off the charts; the department is pleased to now have a trained and certified Accident Reconstruction Officer of his caliber.

Franklin Police Officer Daniel Riley is one of the recent graduates from the Kentucky Police Academy, and Officer Riley has hit the streets of Franklin in a positive manner. Numerous reports have been coming in of the outstanding and thoughtful performance by

Officer Riley as he performs his duties. A recent letter from Housing Authority of Franklin Executive Director Jolie Chandler Brown included "I have been incredibly impressed with Officer Riley...he is polite, respectful, and approachable... (a) very professional demeanor."

The Board of Commissioners congratulated these officers for a job well done and extended appreciation for their dedication to the citizens of Franklin.

- Better Life Challenge Program

Human Resource Director Rita Vaughn discussed the Better Life Challenge program City employees participated in. Better Life Challenge is a twelve week program implemented by the Medical Center at Franklin with the goal of helping participant's live a healthier, happier life by learning how to reach an ideal weight, health and fitness level. Nineteen City employees started the program on July 15, 2015, and after an initial weigh in and blood work, eight of those starting the program had signs of hypertension or prehypertension, and eleven of the participants started in the obesity category, Participating employees set a goal for improvement, and throughout the program a weekly weigh in was held to keep participants aware of their progress. Renee Spivey from the Medical Center provided weekly information to aid in reaching that goal and improving our habits. Participants maintained a record of their progress, including points for such things as amount of physical activity, calorie and water intake, eating five or more servings daily of fruits and vegetables, and regular preventative care check-ups. At the end of the program, twelve employees stayed the course and results showed only three still showed signs of hypertension and at a much lower risk factor and only three showed remaining in the obesity weight category, and again at a much lower range. Winner of the percentage of weight loss during the City employee program were Jason May, who lost 8.28%, and winner in the points challenge was Tammie Carey, with an accumulated total of 483 points. The Board of Commissioners and Human Resource Director Vaughn congratulated the program participates for their hard work and dedication to not only lose weight, but to begin a healthier lifestyle change.

HEAR THE PUBLIC

None

REGULAR BUSINESS

COMMUNITY SERVICES

- Discussion and Possible Action — Appointment of Alternate member to Property Maintenance Board

At our last meeting the Commission approved the addition of an alternate member to the Property Maintenance Board. After discussion with him, Mr. John Bowen, 305 Timberlane Court, has agreed to a three year term on the F S Property Maintenance Board. In the past there has been some difficulty in setting a quorum of members for meetings of the Property Maintenance Board, and the alternate member will only be called in the event one of the three regular members is unable to attend the meeting. As activity by the Code Enforcement Officer has increased the need for more regular and often meetings of the Property Maintenance Board has become apparently and consequently the need for the alternate member. Current board membership:

F-S PROPERTY MAINTENANCE

(normal term 3 years)

TERM ENDING

John Craddock

12-31-2017

Betty Ann Jernigan

12/31/2016

Peggy Cosby

12/31/2015

Motion was made by Commissioner Stewart and seconded by Commissioner Powell to appoint John Bowen to serve as an alternate member of the F-S Property Maintenance Board with his initial term ending December 31,2018. Voting aye: all. Motion carried unanimously.

GENERAL GOVERNMENT

- Discussion and Possible Action — RKW Dana Films INC Expansion

In May, 2011, F S Industrial Authority Executive Director Dennis Griffin first approached the City regarding a Kentucky Business Incentive (KBI) program for then Dana Films. The City indicated our support of the incentive, and following a name change by Dana to RKW Dana Films, is ready to initiate the incentive. Following discussion, **Commissioners Powell and Dixon sponsored Ordinance 2015-016 finalizing the Kentucky Business Incentive for RKW Dana Films.**

- Discussion and Possible Action — KY Department of Revenue Exchange of Information Agreement

City Tax Collect/ABC Administrator Daniel Reetzke and recently been made aware of the ability to obtain certain tax information from the Kentucky Department of Revenue that would be a viable tool to insure taxpayer compliance with City tax ordinances. Mr. Reetzke had sent the Commissioners copy of an agreement with the Department that would allow this, and is requesting the City Commission approve the agreement. **Motion was made by Commissioner Powell and seconded by Commissioner Stewart to approve the execution of the Information Exchange Agreement with the Kentucky Department of Revenue as presented, and authorize the Mayor to sign any and all related documents. Voting aye: all. Motion carried unanimously.**

- Discussion and Possible Action — Local Investments for Transformation (LIFT) Program

City Attorney Crabtree discussed an initiative that is being proposed for the Kentucky legislators called the Kentucky Local Investments for Transformation (LIFT) program which would allow local governments to propose an increased local sales tax of up to 1% (one percent) for a specific capital project. The option could only be instigated as the result of a public local vote, and would only be in effect until the debt on the public project was paid. Several neighboring communities have given support to the legislation which would instigate an option to place the destiny of local community's revenue and desired capital projects squarely in the hands of the local community. City Attorney Crabtree presented a resolution of supports for the City Commissions consideration. **Motion was made by Commissioner Barnes and seconded by Commissioner Dixon to adopt Resolution J-2015 urging the Kentucky General Assembly to allow citizens to vote on LIFT (Local Investments For Transformation) Kentucky. Voting aye: all. Motion carried unanimously.**

RESOLUTION NO. J - 2015

CITY OF FRANKLIN'S RESOLUTION URGING THE
KENTUCKY GENERAL ASSEMBLY TO ALLOW CITIZENS TO VOTE
ON LIFT (LOCAL INVESTMENTS FOR TRANSFORMATION) KENTUCKY

WHEREAS, local revenue sources are extremely limited; and
WHEREAS, state and federal funding for local communities is also limited; and
WHEREAS, communities and voters should control their own destiny with regard to community resources for local projects; and
WHEREAS, critical infrastructure, roads, arts and cultural attractions, transportation, libraries, parks, recreational and sports facilities increase the attractiveness, competitiveness and quality of life for local communities; and
WHEREAS, thirty-eight (38) other states have enacted local option sales tax laws to provide their constituents with an opportunity to fund such essential economic development projects at the local level; and
WHEREAS, Kentucky does not offer this option to its citizens, despite the fact that seventy-two percent (72%) favor allowing citizens to vote on the issue;
NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Franklin, Kentucky urges the Kentucky General Assembly to allow citizens to vote on up to a one percent (1%) additional local sales tax dedicated to the funding of transformational local projects, to include a sunset.
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.
Public Services

- Discussion and Possible Action — Resolution Regarding Cable Television Franchise

Per discussions heard during the Public Hearing held before this meeting, the Commission considered the actions to take. **Motion was made by Commissioner Dixon and seconded by Commissioner Powell to adopt Resolution K02915 taking actions and requesting a deadline of thirty days (or November 12, 2015) for submission of a proposal. Voting aye: all. Motion carried unanimously.**

RESOLUTION NO. K - 2015

RESOLUTION CLOSING THE PROCEEDINGS AFFORDING THE PUBLIC IN THE CITY OF FRANKLIN APPROPRIATE NOTICE AND PARTICIPATION REGARDING COMCAST OF INDIANA/KENTUCKY/UTAH'S CABLE TELEVISION FRANCHISE RENEWAL, AND REQUESTING THAT PURSUANT TO 47 USC 546(b)(1), COMCAST SUBMIT A PROPOSAL FOR ITS CABLE FRANCHISE RENEWAL AND ESTABLISHING A DEADLINE OF NOVEMBER 12, 2015 FOR SAID SUBMISSION

WHEREAS, pursuant to its powers under Sections 163 and 164 of the Kentucky Constitution, the Board of Commissioners of the City of Franklin may create and renew franchises for cable television systems; and
WHEREAS, 47 USC 546(b)(1) states that upon completion of a proceeding affording the public in the franchise area appropriate notice and participation under 47 USC 546(a), Comcast may, on its own initiative or at the request of the Board of Commissioners of the City of Franklin, submit a proposal for renewal; and
WHEREAS, USC 546(b)(2) states that subject to 47 USC 544, any such proposal shall contain such material as the Board of Commissioners of the City of Franklin may require, including proposals for an upgrade of the cable system; and
WHEREAS, USC 546(b)(3) states that a franchising authority can establish deadlines for submission of a formal proposal.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF FRANKLIN THAT:

Section 1. On October 12, 2015, the Board of Commissioners of the City of Franklin completed and officially closed the proceeding under 47 USC 546(a) affording the public in Franklin appropriate notice and participation regarding Comcast's cable television franchise renewal.

Section 2. Pursuant to 47 USC 546(b)(1), the Board of Commissioners of the City of Franklin hereby requested that Comcast submit a proposal for a cable franchise renewal.

Section 3. Pursuant to USC 546(b)(2), the Board of Commissioners of the City of Franklin requires that any cable franchise renewal proposal submitted by Comcast shall contain the following material:

1. The franchise shall continue in force and effect for a term of ten (10) years.
2. Comcast shall, at all times during the life of the franchise, be subject to all lawful exercise of the police power by the City and to such reasonable regulation as the City shall hereafter provide. If federal regulations alter the required services, fees, costs, conditions or standards upon which the Cable System is to operate, the City shall have the right to amend the franchise to make it consistent with the modified federal laws. Any such amendment shall be limited to the specific change in federal law.
3. Comcast agrees to indemnify, hold harmless, and defend the City from any and all losses or claims of whatever kind that arise from or are alleged to have arisen, directly or indirectly, in whole or in part from the execution, performance or breach of the franchise by Comcast, its employees, agents, servants, owners, principals, lessees, contractors and subcontractors, excluding negligence and misconduct on the part of the City. This indemnity agreement shall in no way be limited by any financial responsibility, insurance, or loss control requirements below and shall survive forever.
4. Comcast shall procure and maintain for the duration of the franchise insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance hereunder by Comcast.
5. Comcast shall arrange for, and shall deposit with the City, a letter of credit from a financial institution or a performance bond in the amount of fifteen thousand dollars (\$15,000.00). The letter of credit or performance bond shall be used to insure the faithful performance by Comcast of all of the provisions in the franchise; and compliance

with all orders, permits and directions of any agency, commission, board, department, division or office of the City having jurisdiction over its acts or defaults under the franchise and the payment by Comcast of any claims, liquidated damages, liens and/or taxes due the City which may arise by reason of the construction, operation or maintenance of the system.

6. If at any time Kentucky law is changed to allow the collection of Franchise Fees from Comcast, Comcast shall pay Franchise Fees in an amount equal to five percent (5%) of Comcast's Gross Revenues.

7. Provisions stating that for violation of the franchise, liquidated damages may be recoverable from the letter of credit or performance bond.

8. Provision regarding construction of road occupancy.

9. Provisions regarding erection, removal and common use of poles which must include language providing that if Comcast does not make arrangements for the use of existing poles owned by the electric company, the City may require Comcast to use such poles if the City determines that the public health, welfare and/or safety would be enhanced thereby.

10. Provisions regarding construction standards and specifications.

11. Comcast shall be required to extend its system pursuant to the following requirements:

a. Comcast shall provide cable television service to every residential and commercial dwelling unit within the confines of the City of Franklin, Kentucky, reaching the minimum density of at least eighteen (18) units per mile as measured from the nearest point of connection to Comcast's distribution cable, excluding such residential and commercial dwelling units currently being served by another multi-channel video service provider.

b. Comcast shall offer cable television service to all new homes or previously unserved homes located within one hundred twenty-five (125) feet of Comcast's existing distribution cable.

c. Notwithstanding the foregoing, Comcast agrees to provide cable television service to: (i) the area located on the west side of Interstate 1-65 at Exit 6, and (b) upon one hundred twenty days written notice of annexation, the area located at Exit 2 on Interstate 1-65 that lies within one-half (1/2) mile east or one-half (1/2) mile west of State Road 31-W and extending south to the state border of Tennessee.

12. Comcast shall, at no charge to the City, make available shared access to one (1) full-time educational access channel, and (1) full-time government access channel, and must be available on the lowest tier.

13. Comcast shall incorporate into its cable television system the capability which will permit the Mayor (or his/her designee) in times of emergency to override, by remote control, the audio of all channels simultaneously.

14. Comcast shall install and maintain equipment capable of providing two (2) hours standby power for the Headends.

15. Provisions regarding proof of performance testing and proof of performance records.

16. Provisions regarding performance evaluation sessions.

17. Comcast shall put, keep, and maintain all parts of the system in good condition throughout the entire franchise period.

18. Comcast shall render efficient service, make repairs promptly, and interrupt service only for good cause and for the shortest time possible. Such interruptions, insofar as possible, shall be preceded by notice and shall occur during periods of minimum system use.

19. Comcast shall continue, through the term of the franchise, to maintain the technical standards and quality of service set forth in the franchise.

20. Comcast will maintain a local office in the City of Franklin at which subscribers may pay bills, report service or billing problems, request service or exchange equipment, and which shall be open during normal business hours and be conveniently located.

21. Comcast will provide a local and/or a toll-free telephone access line which will be available to its subscribers twenty four (24) hours a day, seven (7) days a week.

a. Trained representatives of Comcast will be available to respond to customer telephone inquiries during normal business hours. Each such employee shall be trained to perform efficiently the various tasks, including responding to consumer inquires and complaints, necessary to provide consumer services in a responsible and courteous manner.

b. After normal business hours, the telephone access line may be answered by a service or an automated response system, including an answering machine. Inquiries received after normal business hours must be responded to by a trained representative of Comcast within one (1) business day after receipt of the complaint.

22. Under normal operation conditions, telephone answer time by a customer representative, including wait time, shall not exceed thirty (30) seconds when the connection is made. If the call needs to be transferred, transfer time shall not exceed thirty (30) seconds. These standards shall be met no less than ninety percent (90%) of the time under normal operation conditions.

23. Under normal operation conditions, the customer will receive a busy signal less than three percent (3%) of the time.

24. Comcast will not be required to acquire equipment or perform surveys to measure compliance with the telephone answering standards above, unless a historical record of complaints indicates a clear failure to comply.

a. Installation Outages and Service Calls: Each of the following standards will be met no less than ninety-five percent (95%) of the time measured on a quarterly basis:

i. Installations within 150 feet of the existing distribution system will be performed within seven (7) business days after an order has been placed, unless scheduled at a later time by customer request; and

ii. Comcast will begin working on "service interruptions" promptly, and in no event later than twenty four (24) hours after the interruption becomes known.

When a subscriber requests a change in the type of cable service he/she is currently receiving, Comcast must begin action to change the type of service provided the next business day after notification. If the desired change is not made within seven (7) days of notification, and the change would decrease the subscriber's bill, Comcast shall credit the subscriber's bill despite the fact that the service has not been changed.

b. The "appointment window" alternatives for installations, service calls, and other installation activities will be either a specific time or, at maximum, a four (4) hour time block during normal business hours. (Comcast may schedule service calls and other installation activities outside of normal business hours for the expressed convenience of the customer.)

c. Comcast may not cancel an appointment with a customer after close of business on the business day prior to the scheduled appointment.

d. If a representative of Comcast is running late for an appointment with a customer and will not be able to keep the appointment as scheduled, the customer will be contacted. The appointment will be rescheduled, as necessary, at a time which is convenient for the customer.

25. Comcast shall provide written information on each of the following areas at the time of installation of service, and at any time upon reasonable request:

- a. Products and services offered;
- b. Prices and options for programming services and conditions of subscription to programming and other services;
- c. Installation and service maintenance policies;
- d. Instructions on how to use the cable service;
- e. Channel positions of programming carried on the system;
- f. Billing and complaint procedures, including the address and telephone number of the City;
- g. A description of Comcast's policies concerning credits for outages and reception problems, consistent with these consumer protection standards; and

h. The toll-free numbers for Comcast's subscriber service telephone system.

26. Customers will be notified of any change in rates, programming services or channel positions as soon as possible through announcements on the cable system, or in writing, using any reasonable means at Comcast's sole discretion. Notice must be given to subscribers a minimum of thirty (30) days in advance of such changes if the change is within the control of Comcast. In addition, Comcast shall notify subscribers thirty (30) days in advance of any significant changes in other information required by the preceding paragraph.

27. Bills will be clear, concise and understandable. Bills must be fully itemized, with itemizations including, but not limited to, basic and premium service charges and equipment charges. Bills will also clearly delineate all activity during the billing period, including optional charges, rebates and credits.

28. In cases of a billing dispute, Comcast must respond to a written complaint from a subscriber within thirty (30) days.

29. No refund checks shall be required to be issued for amounts less than one dollar. Refund checks will be issued promptly, but no later than either:

- a. The customer's next billing cycle following resolution of the request or thirty (30) days, whichever is earlier; or
- b. The return of the equipment supplied by Comcast if service is terminated.

30. Credits for service will be issued no later than the customer's second billing cycle following the determination that a credit is warranted. When the use of service or equipment furnished by Comcast is interrupted due to any cause other than the negligence or willful act of the subscriber, or the failure of equipment provided by the subscriber, a pro rata adjustment of the fixed monthly charges involved will be allowed, upon the request of the Subscriber, for the service and equipment rendered useless and inoperative by reason of the interruption during the time said interruption continues in excess of six (6) hours from the time it is reported to or detected by Comcast. For purpose of this section, every month is considered to have thirty (30) days.

31. Comcast shall maintain a repair and maintenance crew capable of responding to subscriber complaints within twenty-four (24) hours after receipt of the complaint. Charges may be made, as permitted by applicable law, to the subscriber for this service if the service call is not a result of a cable system malfunction.

32. Comcast shall establish procedures for receiving, acting upon, and resolving subscriber technical, customer service, cable service, and billing complaints. Comcast shall furnish a notice of such procedures to each subscriber at the time of initial subscription to the system.

33. Comcast shall maintain a written record or "log," listing date and time of customer complaints referred to Comcast by the City, identifying the subscriber and describing the nature of the complaints and when and what action was taken by Comcast in response thereto. Such record shall be kept at Comcast's local office, reflecting the operations to date for a period of at least three (3) years, and shall be available for inspection during normal business hours. The complaint log shall be sent to the City Manager annually.

34. When there have been similar complaints made, which, in the judgment of the City cast doubt on the reliability or quality of cable service, the City shall have the right and authority to compel Comcast to test, analyze and report on the performance of the system pursuant to the special testing procedures enumerated in the franchise.

35. If Comcast fails to provide service to a subscriber, Comcast shall, after being afforded a reasonable opportunity to provide the service, refund all deposits or advance charges paid for the service in question by said subscriber.

36. If any subscriber terminates, for personal reasons, any monthly service prior to the end of a prepaid period, a pro-rata portion of any prepaid subscriber service fee, using the number of days as a basis, shall be refunded to the subscriber by Comcast.

37. Comcast shall not, as to rates, charges, service, service facilities, rules, regulations, or in any other respect, make or grant any undue preference or advantage to any party, nor subject any party to any prejudice or disadvantage; provided, however, that this section shall not prohibit promotional activities of Comcast or the provision of free service to employees of Comcast.

38. No transfer of control of the cable system shall take place, without prior notice to and approval by the Board of Commissioners of the City of Franklin, which shall not be unreasonably refused. The notice shall include full particulars as legally required of the proposed transaction, and the Board of Commissioners of the City of Franklin shall act by resolution. The Board of Commissioners of the City of Franklin shall have one hundred twenty (120) days within which to approve or disapprove a transfer of control, and if no action is taken within such one hundred twenty (120) days, approval shall be deemed to have been given unless the requesting party and the City agree to an extension of time.

39. In addition to all other rights and powers pertaining to the City by virtue of the franchise or otherwise, the City, by and through its Board of Commissioners, reserves the right to terminate and cancel the franchise and all rights and privileges of Comcast hereunder (after due process as set forth in the franchise) in the event that Comcast:

- a. ~~Violates any material provision of the franchise or any material rule, order, or determination of the City made pursuant to the franchise, except where such violation is without fault or through excusable neglect;~~
- b. Attempts to evade any material provision of the franchise or practices any fraud or deceit upon the City;
- c. Knowingly makes a material misrepresentation of any application, proposal for renewal, or negotiation of the franchise; or

d. Fails to restore cable service following ninety-six (96) or more consecutive hours of interrupted service, except when approval of such interruption is obtained from the City. Such approval shall not be unreasonably withheld.

40. It shall be the right of all subscribers to receive all available services insofar as their financial and other obligations to Comcast are honored. In the event that Comcast elects to overbuild, rebuild, modify or sell the system, or the Board of Commissioners of the City of Franklin terminates the franchise, or the Board of Commissioners of the City of Franklin purchases the system, Comcast shall ensure that all subscribers receive continuous, uninterrupted service regardless of circumstances.

41. The right is hereby reserved to the City to adopt, in addition to the provisions contained herein and in existing applicable franchises, such additional regulations as it shall find necessary in the exercise of the police power; provided that such regulation, by franchise or otherwise, shall be reasonable and not in conflict with the rights and obligations herein granted.

42. Upon twenty-one (21) days written notice, the City shall have the right to inspect during normal business hours the books, records, maps, income tax returns, and other like materials of Comcast pursuant to the operation of the cable system within the City's franchise area for its three last fiscal years of operation.

43. The City shall have the right to make such inspections it shall find necessary to ensure compliance with the terms of the franchise and other pertinent provisions of law.

44. At the expiration of the term for which the franchise is granted, or upon termination and cancellation of the franchise granted hereunder, as provided for herein, the City shall have the right to require Comcast to remove at its own expense all portions of the cable system from all roads within the confines of Franklin.

45. Copies of all petitions, applications, and communications submitted by Comcast to the Federal Communications Commission, Securities and Exchange Commission, or any other federal or state regulatory commission or agency having jurisdiction respect to any matters affecting cable television operations authorized pursuant to the franchise shall be submitted to the City upon thirty (30) days written request.

46. If requested by the City in writing, Comcast shall provide to the City pursuant to the specific provisions herein, within thirty (30) days of said request, or as mutually agreed upon the following:

a. Construction information indicating the number of homes passed and the number of cable plant miles constructed;

b. Information indicating, where technologically possible and economically feasible, the number of calls received, number of calls abandoned, and number of calls receiving a busy signal;

c. Installation information indicating (i) the number of total standard installations performed; (ii) the number of standard installations performed within seven days; (iii) number of service interruptions responded to within 24 hours; (iv) number of other service problems reported; (v) number of other service problems responded to within 36 hours, and (vi) all other information necessary to monitor the licensee's compliance with the subscriber protection standards of the franchise;

d. A current copy of the subscriber service agreement; a current list of all rates, charges, and available services, and a current channel list;

e. A summary of the previous year's activities in the development of the system; including, but not limited to, services begun or dropped, the previous year's constructions activities, and a summary of any policy changes taking effect during the year;

f. A copy of all Comcast's published rules and regulations applicable to subscribers and users of the cable system, and a summary of the licensee's hours of operation;

g. Subject to Section 631 of the Communications Act, 47 U.S.C. § 551, a summary of written subscriber or consumer complaints, identifying complaints by number and category, and their disposition; and where complaints involve recurrent system problems, the nature of each problem and what steps have been taken to correct them;

h. A copy of updated maps depicting the location of all trunks. Strand maps shall be furnished. As-build maps may be viewed at Comcast's local office without copying or note-taking. Proprietary maps shall be afforded confidentiality protection by an agreement mutually acceptable to the parties;

i. A listing of Comcast's closings or holidays for the year; and

j. If Comcast is a corporation, a list of officers and members of the board, a copy of Comcast's report to its shareholders (if it prepared such a report), a list of the board members of any parent corporation, and where a parent corporation's stock is publicly traded, and that corporation's annual report.

47. Comcast shall not deny service, access, or otherwise discriminate against subscribers, channel users, or general citizens on the basis of race, color, religion, national origin, or sex. Comcast shall comply at all times with all other applicable federal, state and local laws, and all executive and administrative orders relating to nondiscrimination. Comcast shall not deny service, access, or otherwise discriminate against persons owning or renting apartment units.

48. Comcast shall comply with all applicable nondiscrimination and affirmative action requirements of any laws, regulations and executive directives of the United States, the Commonwealth of Kentucky, and the City of Franklin.

49. Comcast shall not discriminate in its employment practices against any employee or applicant for employment because of race, color, religion, national origin, ancestry, sex, age or physical handicap. Comcast shall take affirmative action to ensure that employees are treated, during employment, without regard to their age, sex, race, color, national origin, ancestry, or physical handicap. This condition includes, but is not limited to the following: recruitment advertising, employment interviews, employment rates of pay, upgrading, transfer, demotion, layoff, and termination.

50. Comcast shall submit to the City of Franklin, upon request, a copy of Comcast's EEO submissions required to be filed with the FCC.

51. Comcast, by acceptance of the franchise, acknowledges that it has not been induced to enter into the franchise by any understanding or promise or other statement, whether verbal or written, by or on behalf of the City or by any third person concerning any terms and conditions not expressed in the franchise.

52. Comcast, in conducting the operation or work to be performed pursuant to the franchise, is not an agent of the City.

53. In any controversy or dispute under the franchise, federal law and the law of the Commonwealth of Kentucky, if not conflicting, shall apply.

54. Whenever the franchise sets forth any time for any act to be performed by or on the behalf of Comcast, such time shall be deemed of the essence, and Comcast's failure to perform within the allotted time shall, in all cases, be sufficient grounds for the City to invoke the remedies available under the terms and conditions of the franchise.

Section 4. Pursuant to USC 546(b)(3), the Board of Commissioners of the City of Franklin hereby establishes November 12, 2015 as the deadline for submission of a cable television proposal by Comcast.

Section 5. This resolution shall be effective as of the date of its passage.

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.

PUBLIC SAFETY

- Discussion and Possible Action — Award of Homeland Security Grant Funding

In July of this year the City submitted an application for Kentucky Office of Homeland Security grant funds for the purchase and installation of a generator for the Police Department. Community Development Director Tammie Carey was proud to report the City has received notification that funding in the amount of \$9,000 has been awarded for the project.

- Discussion and Possible Action — Law Enforcement Protection Program Grant Application

Franklin Police Department Records clerk has put together an application requesting funding through the KY Office of Homeland Security; the program allows for funding requests to provide body armor, firearms, ammunition, electric control devices and weapons and Tasers for Police Departments. Funding has been requested in the amount of \$9,409 for the purchase of seven sets of body armor, five Tasers, and ten Taser cartridges; the total project costs is estimated to be \$14,897.30. Body armor and Tasers are an essential piece of equipment for the Police Department, and the equipment must be routinely replaced and upgraded to continue to be beneficial. The application process requires approval of a resolution by the legislative body. **Motion was made by Commissioner Powell and seconded by Commissioner Barnes to adopt Resolution M-2015 approving a homeland security grant for the Franklin Police Department and authorizing the Mayor to sign. Voting aye: all. Motion carried unanimously.**

*RESOLUTION M-2015
City of Franklin, Kentucky*

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 October 2015, 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.

- Discussion and Possible Action — Insurance Report Regarding Police Body Cameras

City Manager Powell shared a report received regarding the positive impact of Police officers wearing body cameras. The Franklin Police department implemented the equipment earlier this year and has had positive feedback from both the officers and the public.

UTILITIES

No Business

ORDINANCES

- First Reading of Ordinance Number 2015-013 Regarding Operation of Electric Carts on City Streets

City Clerk Stradtner gave first summary reading of Ordinance No. 2015-013 permitting the operation of golf carts on City streets and providing limitations for that use. The proposed legislation is a result of a request heard at the last Commission meeting from United Parcel Service. The ordinance includes, but is not limited to, the following restrictions: restricts the carts to use on public city streets with a speed limit of thirty-five (35) miles per hour or less and cannot cross a street with a higher speed limit; proof of inspection by the Simpson County Sheriff and the Department of Vehicle Regulation required; valid proof of insurance for cart and motor vehicle operator's license for operator of cart are required to be maintained inside cart or by operator; cart can only be operated between sunrise and sunset; cart must display a slow moving vehicle emblem.

- First Reading of Ordinance Number 2015-016 Regarding RKW Dana Films Expansion Incentive

City Clerk Stradtner gave first summary reading to Ordinance No. 2015-016 authorizing participation in the Kentucky Business Investment program for an expansion by RKW Dana films INC.

EXECUTIVE SESSION

Motion was made by Commissioner Stewart and seconded by Commissioner Barnes to enter executive session for the purposes 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)}; litigation — Discussion of proposed or pending litigation {KRS 61.810(c)}; and business — Discussions between a public agency a representative of a business entity concerning a specific proposal, where open discussions would jeopardize the siting, retention, expansion, or upgrading of the business {KRS 61.810(g)}. Voting aye: all. Motion carried unanimously. Entering executive session were the Mayor and four Commissioners, City Manager, and City Attorney

Motion was made by 2:13 pm by Commissioner Barnes and seconded by Commissioner Stewart to exit the closed session and return to open session. Voting aye: all. Motion carried unanimously.

CITY ATTORNEY REPORTS

None

CITY MANAGER REPORTS

None

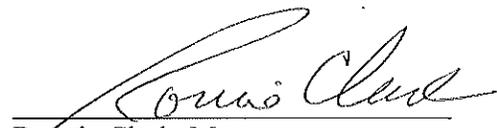
OTHER COMMISSION BUSINESS

None

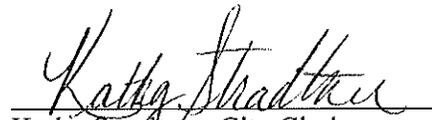
ADJOURNMENT

Motion was made by Commissioner Powell and second by Commissioner Stewart to adjourn the City Commission meeting. Voting aye: all. Motion carried at 2:13pm.

Minutes approved the 26th day of October, 2015:



Ronnie Clark, Mayor
City of Franklin, KY



Kathy Stradtner, City Clerk
City of Franklin, KY
