

The Franklin, KY City Commission convened in **regular session at 6:00 PM, Monday, September 10, 2012** 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; Administrative Deputy Clerk, Kathy Stradtner; City Finance Director, Cendy Dodd; Public Works Superintendent, Derick Minnicks; 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 a member from Sulfur Springs Baptist Church, Eric Vincent, offered an opening prayer.

#### **APPROVAL OF MINUTES**

**Motion made by Commissioner Powell and second by Commissioner Barnes to approve the minutes from the August 27, 2012 regular Commission meeting. Ayes: All. Motion carried 5-0.**

#### **HEAR THE PUBLIC**

None

#### **REGULAR BUSINESS**

##### COMMUNITY SERVICES

No business

##### GENERAL GOVERNMENT

- **Discussion Regarding 2012 City Property Tax Rate**

Finance Director Cendy Dodd discussed how the allowable City real estate and tangible property tax rates are figured from a formula set by the Kentucky Legislature and distributed by the Kentucky Department for Local Government using the certified property assessments furnished by the Simpson County Property Valuation Administrator. Mrs. Dodd and staff have completed the calculations and are recommending the City take the compensating rate, effectively keeping the rates the same as last year. An ordinance with these rates is scheduled for first reading later in this meeting.

- **Regarding Street Closure Request for Festival on the Square**

City Manager Powell presented a request from Steve Thurmond representing the F-S Chamber of Commerce for street closings during the upcoming Festival on the Square; the appropriate Downtown Street Closing Request form with signatures was submitted with the request. Permission from the State to close state designated streets had already been obtained. During discussion the Commission wished to expand the request to include the Friday, September 14 closing of additional parts of W Kentucky Ave. **Motion made by Commissioner Dixon and second by Commissioner Barnes to authorize temporary street closings for the Festival on the Square for Friday, September 14, 2012 from 5:00**

PM to 9:30 PM to close W Kentucky Avenue from Main Street west to High Street, College Street from W Kentucky south to Cedar Street, and Cedar Street from College Street east to Main Street, and for Saturday, September 15, 2012 from 5:00 AM to 5 PM to close W Kentucky Avenue from Court Street west to High Street, College Street from W Washington south to the back corner of City Hall, Cedar Street east from the west end of the Brickyard Building to Main Street, and Main Street from Cedar Street north to Washington Street. Ayes: All. Motion carried 5-0. City Manager Powell stated he would contact the additional business on West Kentucky Avenue regarding the closure.

- **Discussion and Possible Action Regarding Street Closure Request for Annual Trunk or Treat Festivities**

City Manager Powell presented request from Franklin First United Methodist Church to close parts of College Street for their annual Trunk or Treat activities scheduled for October 31. A completed Downtown Street Closing Request form was submitted with the request. Following discussion, motion was made by Commissioner Powell and seconded by Commissioner Stone to authorize temporary closing of College Street from W Cedar to W Kentucky Avenue on Wednesday, October 31<sup>st</sup> from 4:30 PM until 8:00 PM for their annual Trunk or Treat activities. Ayes: All. Motion carried 5-0. City Manager Powell will be contacting American Cleaners, the only business to be affected by the expanded closings.

- **Discussion Regarding Results of Annual Employee Survey**

City Manager Powell shared with the Commission the results from the second annual Employee Survey. Questions on the survey ranged from *Does your job make good use of your skills*, *Do you receive the training and equipment to do your job safely*, *How clear are the goals management sets for the city*, to *Are you satisfied with your job*. Following discussion concerning the survey and the results, the Commission stated they thought this was a well thought out and valuable survey. The City Manager shared some of his ideas to utilize the results to initiate discussion and continue to improve the employment experience of, and customer service given by, the City employees.

- **Discussion Regarding Fundraiser Request by F-S Volleyball Team**

City Manager Powell discussed a request received on behalf of the Franklin-Simpson High School Volleyball team to initiate a fundraiser involving painting paw prints on the streets surrounding and leading to the high and middle school campus. After full discussion of the possible negative impact of drawings or signs painted on the streets versus the wish to support the activities of the students, the Commission took no action and declined to allow the activity.

#### PUBLIC SERVICES

No business

#### PUBLIC SAFETY

- **Discussion and/or Possible Action Regarding Truck Traffic on Pea Ridge and Drake Avenue**

At the last Commission meeting, representatives from Goodrum Pallet Company were present to express concern about not being permitted to use Pea Ridge and Drake Avenue for their commercial truck traffic to and from their business (the business faces W Madison Street). City Manager Powell shared results from an investigation concerning the facts surrounding the complaint.

- The Code Enforcement officer and Police Department had received complaints regarding truck traffic entering and exiting Goodrum Pallet via Pea Ridge or Drake Avenue
- On August 27 the Police Department notified Jerry and Brent Goodrum of the violation concerning trucks on the streets
- Pea Ridge and Drake Avenue has posted No Trucks signs at entry points on both streets; the signs have been in place between six and eight years
- Goodrum Pallet has been located at 505 W Madison Street for approximately 4 years
- Goodrum Pallet location and over to Witt Road is Zoned I1 (Light Industrial)
- Pea Ridge Street and Drake Avenue are Zoned R1(Single Family Residential)
- Per KY Statute 18.210 Maximum weight limit on a highway is 15 tons. Goodrum Pallet located truck weighs 19 tons
- Goodrum Pallet is currently clearing and concreting an alleyway for trucks to exit into W Madison Street
- Goodrum Pallet has expressed an interest to expand their facilities. With the expansion, they would need a tractor trailer access to Pea Ridge & Drake Avenue. If trucks are not allowed to exit onto these streets, they may consider moving their operation to another area.

Following full discussion, motion made by Commissioner Powell and second by Mayor Clark to allow a temporary variance and allow the use of Pea Ridge and Drake Avenue for truck traffic thru September 21, 2012, and after that date the NO TRUCK ban be fully enforced. Ayes: All. Motion carried 5-0.

#### UTILITIES

- **Discussion and Possible Action Regarding Emergency Repair/Replacement of Storm Water Tile**

Recently the main 84 inch storm water pipe/system that drains the area from College Street and Rolling Road Drive to Claire Avenue and down through the center of town collapsed at the point that it enters a pit under the building at the corner of Lawrence Street and Main Street and is currently owned by Doug Woodson. At the current time, even though the pipe has collapsed, we believe there is no immediate danger of the building collapsing. The City has known this section of the drainage system existed, but had no idea it was in such bad shape due to no access into it for inspection. There is no present function for the pit under the building other than for the water to travel through. This problem does need to be repaired as soon as possible, and staff proposes to replace the collapsed section of pipe with new 84 inch corrugated metal pipe, as well as doing away with the pit under the building. Public Works Superintendent Derick Minnicks has solicited quotes for the work, with the city to supply the materials which are estimated at \$51,000.

<u>Contractor</u>	<u>Labor &amp; Equipment to complete repair</u>
Scott & Ritter INC	\$30,577.25
Progressive Excavating	\$30,000.00
Charles Deweese Construction	\$28,995.80

Following full discussion, motion made by Commissioner Dixon and second by Commissioner Barnes to authorize the expenditure of funds to complete the repair or replacement as discussed of the collapsed storm water system installation at the corner of Main Street and Lawrence Street, to declare an emergency to exist and award the labor contract to Charles Deweese Construction at the quoted price of \$28,995.80, and authorize the Mayor to sign any and all documents necessary per this motion. Ayes: All. Motion carried 5-0.

*RESOLUTION NO. Q-2012*

*WHEREAS, the City of Franklin Board of City Commissioners desire to enact a Resolution authorizing the purchase/procurement of materials and services relating to a repair of a section of the storm water collection system located under a building inside the City limits due to the potential for immediate permanent or structural damage to the structure and declaring an emergency to exist since the purchase/procurement amount is over \$20,000 and the need is imminent;*

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

- 1. A request was made by Street Superintendent, Derick Minnicks, to repair a portion of the storm water collection system that runs under a building on Main Street in Franklin, Kentucky.*
- 2. The Commission finds and determines that this repair is critical and/or an emergency due to the fact that the integrity of the system could be jeopardized without said repair.*
- 3. Accordingly, three (3) bids were solicited and received to replace/repair said storm water installation with the lowest and best responsive, responsible bid being that of Charles Deweese Construction in the amount of \$28,995.80.*
- 4. The Commission determines that this is the lowest and best responsive, responsible bid due to the fact that it was the lowest of the three (3) bids in terms of price.*
- 5. Based upon the foregoing and pursuant to KRS 424.260, an emergency is declared to exist and is duly certified by and through this Resolution by the City Commission and the Chief Executive Officer of the City, the Mayor is authorized and directed to sign this Resolution, and a copy of said Resolution is directed to be filed with the Chief Financial Officer of the City.*

**ORDINANCES**

• **First Reading of Ordinance Setting 2012 City Property Tax Rates**

Deputy Clerk Kathy Stradtner gave first summary reading of ordinance setting the 2012 City Property Tax Rates at 11.7 cents per one hundred dollars assessed value for both real estate and personal/tangible property.

• **First Reading of Revised Alcoholic Beverage Control Ordinance and Declaring Emergency to Exist**

City Attorney Crabtree explained that after a recent discussion he had with state officials, a change to the Alcohol Beverage Control Ordinance had been made which required a new first reading. In order to adopt local regulations by the state deadline, this reading required to be an emergency and only reading of this version of the ordinance. Deputy Clerk Kathy Stradtner gave first and only reading of an ordinance relating to alcoholic beverage control and declaring an emergency to exist. Motion made by Commissioner Barnes and second by Commissioner Powell to adopt Ordinance # 220.500-09-2012. Roll Call Vote: Commissioner Mason Barnes, Yes; Commissioner Larry Dixon, Yes; Commissioner

Jamie Powell, Yes; Commissioner Henry Stone, Yes; Mayor Ronnie Clark, Yes.  
Motion carried 5-0.

- **First Reading of Ordinance Closing Alley between W Kentucky Avenue and W Washington Street Known as Presbyterian Church Alley and Declaring Emergency to Exist**

Due to unforeseen events, the emergency ordinance adopt regarding the closure of the alley known as Presbyterian Church Alley was not published in the local newspaper in a timely manner therefore requiring the ordinance to be legally adopted and published. Deputy Clerk Kathy Stradtner gave first and only summary reading of an ordinance finally closing an alley between W Kentucky Avenue and W Washington Street known as "Presbyterian Church Alley" and declaring an emergency to exist. Motion by Commissioner Powell and seconded by Commissioner Dixon to adopt Ordinance # 620.16-09-2012. Roll Call Vote: Commissioner Mason Barnes, Yes; Commissioner Larry Dixon, Yes; Commissioner Jamie Powell, Yes; Commissioner Henry Stone, Yes; Mayor Ronnie Clark, Yes. Motion carried 5-0.

**EXECUTIVE SESSION**

Motion by Commissioner Powell 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)} Ayes: All. Motion carried 5-0 at 7:15 PM. Entering executive session were Mayor Clark and the four Commissioners, City Attorney Crabtree, City Manager Powell, and City Finance Director Cendy Dodd.

At 7:42 PM session was returned to open meeting, and motion made by Commissioner Barnes and second by Commissioner Dixon to close the executive session and return to open session. Ayes: All. Motion carried unanimously.

**CITY ATTORNEY REPORTS**

None

**CITY MANAGER REPORTS**

None

**OTHER COMMISSION BUSINESS**

Commissioner Barnes urged everyone to come out to the Festival on the Square activities this Friday and Saturday.

**ADJOURNMENT**

Motion made by Commissioner Powell and second by Commissioner Barnes to adjourn the City Commission meeting. Ayes: All. Motion carried at 7:45 PM.

  
Ronnie Clark, Mayor

  
Mandy Cassidy, City Clerk  
Recorded by Kathy Stradtner, Deputy Clerk