

**ORDINANCE NO. 230.10-02-2013**

**AN ORDINANCE ADOPTING AN INCENTIVE PROGRAM  
FOR CITY OFFICIALS TO OBTAIN TRAINING  
RELATED TO CITY GOVERNMENT**

WHEREAS, the General Assembly passed House Bill 119 in the 2011 Regular Session of the Kentucky General Assembly and the bill was signed by the Governor of the Commonwealth to become effective on June 8, 2011;

WHEREAS, House Bill 119 authorizes the city governments of Kentucky to adopt training incentive programs to encourage city officials to obtain education and training related to the operation of city government;

WHEREAS, the City of Franklin recognizes and values the importance of its city officials remaining informed and educated on topics related to city governments and the powers, duties, and responsibilities of city officials; and

WHEREAS, the City of Franklin acknowledges that educated, informed, and well-trained city officials will provide a direct public benefit by fostering a deeper understanding of laws, regulations, and by promoting exploration of diversified practices, programs, and delivery of services to the citizens of the City of Franklin.

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

**SECTION 1: Definitions**

As used in this ordinance, the terms below shall have the following meanings:

1. "Training unit" means fifteen (15) clock hours of attendance or participation in qualifying courses during a calendar year.
2. "Excess hours" means credit hours earned beyond fifteen (15) during a single calendar year.
3. "Administrator" shall mean the Kentucky League of Cities City Officials Training Center.
4. "Qualifying course" shall mean any training, seminar, educational or learning event that provides instruction or information that is relevant to the duties and functions of city government and city officials and that has been approved by the administrator.

**SECTION 2: Adoption of a City Officials Training Program; Application**

In accordance with House Bill 119 of the 2011 General Assembly, as codified in KRS Chapter 64, the City of Franklin hereby adopts and establishes a City Officials Training Program, effective January 1, 2013 and thereafter, to make available incentive payments as specified by this ordinance to

the elected city officials, including the mayor and all members of the City Commission for obtaining education and training as required under the provisions of this ordinance.

### SECTION 3: Incentive Payment Amount; Required Training Participation

1. Each city official eligible for participation in the City Officials Training Program shall receive training incentive payments of \$300 for completion of each training unit during his or her continuous service as a city official within the city. The training incentive payment shall be awarded to the city official for the completion of a training unit during the calendar year. The training incentive payment awarded shall be the base training incentive payment multiplied by the training incentive multiplier earned by the city official. The city official shall accumulate no more than one (1) training incentive multiplier per calendar year of continuous service and in which the said city official completes a training unit, up to a maximum of four (4) training incentive multipliers. The city official shall not be paid more than one (1) training unit per calendar year multiplied by the applicable training incentive multiplier.
2. The city official may continue to receive training incentive payments for four (4) training units (i.e. one training unit multiplied by four (4) training incentive multipliers) in each calendar year following the fourth year, provided that the official continues to earn a training unit each subsequent calendar year.
3. The failure of a city official to obtain a training unit during any calendar year shall disqualify the official from receiving any training incentive payments for the calendar year and the city official shall lose any previously accumulated training units earned during previous calendar years, and said official's training incentive multiplier shall be reset to one (1) the following year.
4. Any city official earning excess hours during a calendar year shall be permitted to carry forward a maximum of fifteen (15) hours to apply to the earning of a training unit in the following calendar year.
5. Training incentive payments shall be made to a city official presenting proof of completion of a training unit for a calendar year not later than sixty (60) days after presenting said proof to the City Manager.

### SECTION 4: Policy Regarding Payment or Reimbursement for Training Courses

Subject to the constraints and the appropriations established by the city's annual budget, the city shall consider paying the cost of attendance or participation in advance of a city official's attendance or participation in the qualifying course if proper application is made to the City Manager (or other designated official responsible for budget administration). Alternatively, and subject to the constraints and appropriations established by the city's annual budget, the city shall consider reimbursing a city official for the cost of attendance or participation in a qualifying course upon presentation of proof to the City Manager (or other designated official responsible for budget administration) that the official has received credit for the course.

### SECTION 5: Administration of City Officials Training Program

1. The City Officials Training Program for the City of Franklin shall be administered by the Kentucky League of Cities City Officials Training Center, which shall be responsible for approving courses as qualifying under the terms of this ordinance, shall maintain records of attendance and participation, and shall notify the city when a city official earns a training unit and the number of training units earned by a city official during his or her continuous service as a city official within the city.
2. The administrator shall evaluate and approve courses as qualifying for credit based on the relation of the course to the operation of city government. In addition to other courses which may be approved as qualifying courses by the administrator, courses that provide instruction on the statutory duties of cities and city officials, intergovernmental relationships, municipal finance and budgeting, municipal taxation, ethics, open records, open meetings, economic development, or municipal police powers shall be approved as qualifying courses under this ordinance. The administrator shall require the submission of the course or conference agenda, curriculum, name of the provider, and other course materials to determine whether a course should be approved as a qualifying course.
3. A city official shall submit proof of attendance or participation in a qualifying course to the administrator. A city official shall submit the course name, date, location, name of the instructor or provider, and sufficient proof of attendance or participation in the qualifying course before the administrator shall award credit. The administrator shall not award credit to a city official for attendance or participation in a qualifying course that is not, in the administrator's opinion, substantially different from another course the city official attended or participated in during the same calendar year.
4. The administrator shall maintain records that reflect each of the courses and hours completed by the city official and shall provide it to each city official upon request. The administrator shall, within thirty (30) days of the close of the calendar year, provide written or electronic certification to each participating city official of completed courses and hours, and shall, if applicable, certify the completion of a training unit and total number of accumulated training units. Upon receipt, a city official shall present a copy of the certification of the completion of the training unit and the total accumulated training units to the city in order to receive his or her training incentive payments.

#### SECTION 6: Status of Incentive Payments

1. Training incentive payments do not constitute wages under KRS Chapter 337, creditable compensation under the County Employees Retirement System under KRS Chapter 78, or compensation for the purposes of setting maximum compensation or modification of compensation under KRS Chapter 83A, and may be repealed or modified by the city at any time.
2. The training incentive payment amount established in the ordinance shall not be adjusted by any index reporting changes to consumer prices or any other method to account for inflation.

#### SECTION 7: Severability

If any section, subsection, clause or provision of this Ordinance is held to be illegal or invalid for any reason, such illegal or invalid section, subsection, clause or provisions shall not affect the legality or validity of any other section or provision of this ordinance, all of which shall be constructed or enforced at the time as if such illegal section or provision were not contained herein.

SECTION 8: Conflicts Repeal

All ordinances, resolutions or parts thereof in conflict with provisions of this ordinance are hereby repealed and this ordinance shall take effect and be in full force in accordance with provisions of Section 2 hereof.

JAN 28, 2013 FIRST READING                      FEB 11, 2013 SECOND READING

At a meeting held on February 11, 2013, on motion made by Commissioner Wendell Stewart and seconded by Commissioner Larry Dixon, the foregoing ordinance was adopted, after full discussion, by the following vote:

YES LARRY DIXON

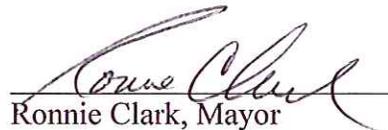
YES JAMIE POWELL

NO MASON BARNES

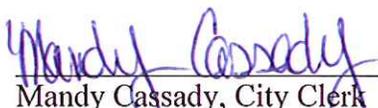
YES WENDELL STEWART

YES RONNIE CLARK, MAYOR

APPROVED BY:

  
\_\_\_\_\_  
Ronnie Clark, Mayor

ATTEST:

  
\_\_\_\_\_  
Mandy Cassady, City Clerk  
City of Franklin, Kentucky