

**MINUTES OF REGULAR SESSION
OF THE
CITY OF FRANKLIN
CITY COMMISSION**

January 23, 2023

**City Hall
117 West Cedar Street
Franklin, Kentucky**

The Franklin, Kentucky City Commission met in Regular Session at 12:00 Noon, Monday, **January 23, 2023**, in the City Hall meeting room located at 117 West Cedar Street, Franklin, Kentucky.

Members attending were as follows:

Mayor Pro Tem/Commissioner Jamie Powell	Present
Commissioner Herbert Williams	Present
Commissioner Dale McCreary	Present
Commissioner Wendell Stewart	Present

Others present included City Manager Kenton Powell; City Attorney Scott Crabtree; City Personnel Director Rita Vaughn; City Finance Director Carol Rigggenbach; Major Kelly Mayfield, Franklin Police Department; Public Works Director Chris Klotter; City Clerk Cathy Dillard; Community Development Director Tammie Carey; Wastewater Treatment Superintendent Trent Coffee; Code Enforcement Officer Moe Hillard; Lisa Deavers; Damian Walker; Vince Gabbart; Damian Walker; Tammie McCory; Crystal Wood; Felicity Meadows; and, Amanda East.

Mayor Pro Tem Powell called the meeting to order at 12:00 Noon and Commissioner McCreary offered the opening prayer.

APPROVAL OF MINUTES

Motion was made by Commissioner Williams and seconded by Commissioner Stewart to approve the minutes as presented of the Franklin City Commission January 9, 2023, Regular Meeting.

Voting Aye: All members present. Motion carried unanimously.

COMMUNITY SERVICES

F-S Parks Director Lisa Deavers asked the Commission to consider approval to provide written confirmation from the City of Franklin to develop a dog park and an additional recreational trail within the Jim Roberts Park. Deavers indicated she would need approval to utilize the land to apply for grants to develop these two additional amenities within the Park.

Motion was made by Commissioner McCreary and seconded by Commissioner Williams to allow F-S Parks to utilize land within the Jim Roberts Park that is owned by the City of Franklin to develop a dog park and recreational trail and further authorized the Mayor to sign any documents necessary to allow F-S Parks to apply for grant funding for these developments.

Voting Aye: All members present. Motion carried unanimously.

GENERAL GOVERNMENT

Community Development Director Tammie Carey asked the Commission to consider approval of a proposed resolution regarding Kentucky Transportation Cabinet TAP Grant Funding.

Motion was made by Commissioner Stewart and seconded by Commissioner Williams and unanimously approved the following Resolution No. A-2023:

RESOLUTION A-2023

City of Franklin, Kentucky

***RESOLUTION FOR AGREEMENT FOR
TRANSPORTATION ALTERNATIVES PROGRAM
KENTUCKY TRANSPORTATION CABINET PROJECT
AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH THE
KENTUCKY TRANSPORTATION CABINET
TO EXECUTE ANY DOCUMENTS WHICH ARE
DEEMED NECESSARY BY KTC TO FACILITATE AND
ADMINISTER THE PROJECT AND TO ACT AS THE
AUTHORIZED CORRESPONDENT FOR THIS PROJECT***

WHEREAS, the federal-aid highway program state administered funding awarded was increased from \$96,000 to \$118,000, and

WHEREAS this amount will be authorized in phases as federal requirements are met for the Franklin-Simpson Wildcat Way Project, and

WHEREAS, the City of Franklin does hereby authorize Mayor Larry Dixon to sign the above mentioned Agreement, as well as any other necessary documents relating to the project.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the City of Franklin, Kentucky, that the Mayor is hereby authorized to execute and furnish all required documentation, including agreements, as may be required by KTC of the FHWA for the furtherance of the above-referenced project and to act as the authorized correspondent for said project.

Adopted by the unanimous vote of the Board of Commissioner of the City of Franklin, Kentucky, at a meeting held on January 23, 2023.

City Attorney Scott Crabtree asked the Commission to consider a proposed ordinance approving the rezoning of property located on Highway 31W South owned by Shivam Investments, LLC. The rezoning was approved by Franklin-Simpson Planning & Zoning on January 3, 2023.

Commissioner Powell and Commissioner Stewart asked to sponsor the ordinance with first reading taking place during the ordinance portion of the meeting.

City Attorney Scott Crabtree asked the Commission to consider a proposed ordinance approving the rezoning of property located on Highway 31W South owned by SAV Investments, LLC. The rezoning was approved by Franklin-Simpson Planning & Zoning on January 3, 2023.

Commissioner Williams and Commissioner McCreary asked to sponsor the ordinance with first reading taking place during the ordinance portion of the meeting.

City Attorney Scott Crabtree asked the Commission to consider a proposed ordinance approving the rezoning of property located on Highway 31W North owned by the Gene Harris Revocable Trust. The rezoning was approved by Franklin-Simpson Planning & Zoning on December 13, 2022.

Commissioner Williams and Commissioner Powell asked to sponsor the ordinance with first reading taking place during the ordinance portion of the meeting.

City Attorney Scott Crabtree asked the Commission to consider a proposed ordinance approving the rezoning of property located on Highway 100 owned by Franklin 49, LLC. The rezoning was approved by Franklin-Simpson Planning & Zoning on October 18, 2022.

Commissioner Stewart and Commissioner Powell asked to sponsor the ordinance with first reading taking place during the ordinance portion of the meeting.

City Finance Director Carol Riggerbach asked the Commission to consider approval of an independent contractor agreement with Jon Zambrano for GIS services for the City of Franklin through June 30, 2023.

Motion was made by Commissioner Stewart and seconded by Commissioner Williams to approve an Independent Contractor Agreement with Jon Zambrano DBA DeSign LLC and further authorized the Mayor to sign the agreement on behalf of the City.

Voting Aye: All members present. Motion carried unanimously.

City Finance Director Carol Riggerbach provided the Commission with an overview of all City of Franklin revenues and expenditures for the first half of this fiscal year. Riggerbach indicated projected revenues and projected expenditures were within budget parameters for the first half of the fiscal year.

ORDINANCES

City Clerk Cathy Dillard held second summary reading of the following ordinance:

Ordinance No. 2023-004 titled: *Ordinance of the City of Franklin, Kentucky Amending the Sewer Use Ordinance and User Charge System*

Motion was made by Commissioner McCreary and seconded by Commissioner Stewart to adopt Ordinance No. 2023-004 and was unanimously approved by the following roll call vote:

Mayor Dixon	<u>Absent</u>	Commissioner McCreary	<u>Yes</u>
Commissioner Powell	<u>Yes</u>	Commissioner Stewart	<u>Yes</u>
Commissioner Williams	<u>Yes</u>		

Ordinance No. 2023-005 titled: *An Ordinance Rezoning Approximately 30.932 Acres on the Westerly Side of U.S. 31-W from AG (Agriculture) to B-4 (Highway Business District); Rezoning Approximately 81.978 Acres from AG to R-1S (Single Family Residential); and Rezoning Two (2) Parcels of Approximately 12.038 Acres and 16.258 Acres from AG to R-4 (Multi-Family/High Density Residential District) as Requested by Lucy Y. Stoner and Becky Y. Searce*

Motion was made by Commissioner Stewart and seconded by Commissioner Williams to adopt Ordinance No. 2023-005 and was unanimously approved by the following roll call vote:

Mayor Dixon	<u>Absent</u>	Commissioner McCreary	<u>Yes</u>
Commissioner Powell	<u>Yes</u>	Commissioner Stewart	<u>Yes</u>
Commissioner Williams	<u>Yes</u>		

Ordinance No. 2023-006 titled: *An Ordinance Approving an Agreement for the Financing of a Project; Providing for the Payment and Security of the Lease; Creating a Sinking Fund; and Authorizing the Execution of Various Documents Related to the Lease*

Motion was made by Commissioner Williams and seconded by Commissioner McCreary to adopt Ordinance No. 2023-006 and was unanimously approved by the following roll call vote:

Mayor Dixon	<u>Absent</u>	Commissioner McCreary	<u>Yes</u>
Commissioner Powell	<u>Yes</u>	Commissioner Stewart	<u>Yes</u>
Commissioner Williams	<u>Yes</u>		

City Clerk Cathy Dillard held first summary reading of the following ordinances:

Ordinance No. 2023-007 titled: *An Ordinance Rezoning Approximately 5 Acres Located on 31-W South From B-5 (Interstate Interchange Business District) To B-4 (Highway Business District) by Shivam Investments, LLC*

Ordinance No. 2023-008 titled: *An Ordinance Rezoning Approximately 37.48 Acres Located on 31-W South from B-5 (Interstate Interchange Business District) And I-2 (Heavy Industrial) to B-4 (Highway Business District) by SAV Investments, LLC*

Ordinance No. 2023-009 titled: *An Ordinance Rezoning Approximately 89.1970 Acres Located on U.S. Hwy 31-W North from AG (Agriculture) to R-1S (Single Family Residential)*

and 11.1149 Acres from AG (Agricultural) to R-4 (Multi-Family/High Density Residential District) by The Gene Thompson Harris Revocable Trust Dated April 18, 2006

Ordinance No. 2023-010 titled: *An Ordinance Rezoning Approximately 16.003 Acres on Hwy 100 from R-2 (Townhouse Dwelling Units) to R-4 (Multi-Family/High Density Residential District) as Requested by Franklin 49, LLC*

Ordinance No. 2023-011 titled: *Ordinance Repealing All Prior Ordinances Or Parts Thereof Relating To Property Maintenance Or Nuisances And Amending A Previous Ordinance Entitled "Property Maintenance Code Enforcement" Which Creates New Or Amended Minimum Standards For The Maintenance Of All Property Within The City Of Franklin That Will Be Administered And Enforced By The Code Enforcement Department Through Designated Code Enforcement Officer(S) Authorized To Issue Notices Of Violations And Citations To The Owner Or Occupants Of Property In Violation Thereof; Authorizing And Directing The Code Enforcement Officer And The Board To Impose Fines, Penalties, Charges And Administrative Fees If A Violation Is Established; Establishing New Or Amended Fines, Penalties, Charges And Administrative Fees; Establishing A Repeat Offender Status For Enhanced Penalties. This Ordinance Also Adopts By Reference Numerous Sections Of The Most Recent Edition Of The International Property Maintenance Code, Which Provisions Authorize Code Enforcement Officer(S) To Cite And Abate, If Necessary, Unsafe Structures, Junked Vehicles And Appliances, Tall Weeds And Grass, Fixtures, Rubbish And Other Conditions Or Property Deemed To Be Public Nuisances*

Commission action was not required on first reading of these ordinances.

EXECUTIVE SESSION

At 12:23 PM, motion was made by Commissioner Williams and seconded by Commissioner Stewart to enter into Executive Session for the purpose of: (1) Litigation – Discussion of proposed or pending litigation {KRS 61.810(1)(c)}; (2) Business – Discussions between a public agency and 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(1)(g)}; and, (3) Personnel – Discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee or member {KRS 61.810(1)(f)}.

Voting Aye: All members present. Motion carried unanimously.

Mayor Dixon joined the meeting at 12:25 PM.

Entering Executive Session were Mayor Dixon; Commissioners Powell, McCreary, Williams and Stewart; City Manager Kenton Powell; City Attorney Scott Crabtree; and, City Finance Director Carol Riggerbach.

Vince Gabbert entered Executive Session at 12:23 PM and exited Executive Session at 12:48 PM. Judge Executive Mason Barnes entered Executive Session at 12:48 PM and exited at 1:20 PM.

At 2:18 PM, motion was made by Commissioner Williams and seconded by Mayor Dixon to exit Executive Session and return to open session.

Voting Aye: All members present. Motion carried unanimously.

OTHER COMMISSION BUSINESS


Motion was made by Commissioner Stewart and seconded by Commissioner McCreary to authorize the City Attorney to amend the agreement between the City of Franklin and Kentucky Downs, LLC with regard to releasing the letter of credit for the sewer upgrade project, contingent upon receipt of payment in the total amount of \$950,000.00, including amounts previously paid to the City, and authorize the Mayor to sign the amended agreement on behalf of the City.

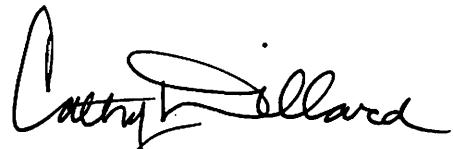
Voting Aye: All members present. Motion carried unanimously.

ADJOURNMENT

At 2:31 PM, motion was made by Mayor Dixon and seconded by Commissioner Powell to adjourn the regular meeting of the Franklin City Commission.

Voting Aye: All members present. Motion carried unanimously.


Larry Dixon, Mayor
City of Franklin, Kentucky


Cathy Dillard, City Clerk
City of Franklin, Kentucky