

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

March 27, 2023

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

The Franklin, Kentucky City Commission met in Regular Session at 12:00 Noon, Monday, **March 27, 2023**, in the City Hall meeting room located at 117 West Cedar Street, Franklin, Kentucky.

Members attending were as follows:

Mayor Larry Dixon	Present
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; City Clerk Cathy Dillard; Johnie Skipworth; Pete Tarantino and Stacy Tabor, FSEMS; Rev. Donzella Lee, F-S Human Rights Commission; Riley Bright; Hunter Bowen; and Carter Munday, F-S Planning & Zoning Administrator.

Mayor Dixon called the meeting to order at 12:00 Noon, and Commissioner Williams offered the opening prayer.

APPROVAL OF MINUTES

Motion was made by Commissioner Powell and seconded by Commissioner Williams to approve the minutes as presented of the Franklin City Commission March 13, 2023, Regular Meeting.

Voting Aye: All members present. Motion carried unanimously.

RECOGNITION

The Commission recognized Stacy Tabor with F-S Emergency Management for his service to Franklin and Simpson County with EMS. Commissioner McCreary presented a proclamation to Mr. Tabor declaring Monday, March 27, 2023, as "Julian Stacy Tabor Day" in Franklin.

COMMUNITY SERVICES

City Manager Kenton Powell indicated the annual "amnesty day" for Franklin residents would be Friday, April 28, and Saturday, April 29 from 8:00 am until 4:00 pm at the Convenience Center located at 2416 Kenneth Utley Drive. Scott Waste Services will provide ten (10) thirty cubic yard open top roll off containers. These containers would allow Franklin and Simpson County residents an opportunity to dispose of acceptable materials at no charge. The event is for Simpson County residents who can show proof of residency, is restricted to household waste only and no more than three (3) pickup truck loads per household.

No action was taken by the Commission regarding this matter.

Community Development Director Tammie Carey asked the Commission to consider awarding the bid for the parking area for Hoy Park. The bid notice was advertised pursuant to KRS 424.260 and two (2) sealed bids were received at the bid opening held on Thursday, March 23, 2023, as follows:

All Things Paving, LLC	\$64,800.00
Scotty's Contracting & Stone	\$51,982.00

Motion was made by Commissioner McCreary and seconded by Commissioner Stewart to award the contract for paving the Hoy Park parking lot to Scotty's Contracting & Stone in the amount of \$51,982.00 and further authorized the Mayor to sign any and all documents related to this project.

Voting Aye: All members present. Motion carried unanimously.

GENERAL GOVERNMENT

Community Development Director Tammie Carey asked the Commission to consider approval to reappoint two members of the Historic Preservation Committee.

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to reappoint Lee Ross Dinwiddie and Jill Broderson to the Historic Preservation Committee for another three year term to expire on April 30, 2026.

Voting Aye: All members present. Motion carried unanimously.

City Manager Kenton Powell asked the Commission to consider appointing Vic Portman to the Franklin Housing Authority Board to fill the unexpired term of Mary Cummings. This term expires on December 31, 2023.

Motion was made by Commissioner Stewart and seconded by Commissioner Powell to appoint Vick Portman to the Franklin Housing Authority Board to fill the unexpired term of Mary Cummings that expires on December 31, 2023.

Voting Aye: All members present. Motion carried unanimously.

City Manager Kenton Powell asked the Commission to consider approval to close a portion of John J. Johnson Avenue on Saturday, April 8, 2023, from 11:00 a.m. until 4:00 p.m. for the annual Easter Egg Hunt at Lincoln Park. He requested to close John J. Johnson Avenue from the intersection of Sunset Circle to the intersection of Roosevelt Street. This road closure would not affect any residential homes or businesses.

Motion was made by Commissioner Stewart and seconded by Commissioner McCreary to approve closing John J. Johnson Avenue from the intersection of Sunset Circle to the intersection of Roosevelt Street on Saturday, April 8, 2023, from 11:00 a.m. until 4:00 p.m.

Voting Aye: All members present. Motion carried unanimously.

City Manager Kenton Powell asked the Commission to approve Resolution No. D-2023 which establishes the ethics principles governing the conduct of City officials and employees. Motion was made by Commissioner Powell and seconded by Commissioner Williams and unanimously adopted the following Resolution:

RESOLUTION NO. D-2023

A RESOLUTION OF THE CITY OF FRANKLIN, KENTUCKY, ESTABLISHING ETHICS PRINCIPLES TO GOVERN THE CONDUCT OF THE CITY'S OFFICIALS AND EMPLOYEES

WHEREAS, the Kentucky League of Cities has established a Certified City of Ethics Program; and

WHEREAS, in 2015 the City of Franklin received certification as a Certified City of Ethics under the Kentucky League of Cities Program and desires to maintain this certification by participating in continuing education every four (4) years; and

WHEREAS, part of the certification and re-certification process requires the legislative body to subscribe to the ethics principles set out in KRS 65.003 and Ordinance No. 2019-012;

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

SECTION 1. That as a group and as individuals, the governing authority subscribes to the following ethics principles and pledges to conduct its affairs accordingly:

- *Serve the public interest, not our own*
- *Provide courteous, equitable, and prompt service to all citizens*
- *Be in tune with and care about the needs and issues of all citizens, public officials and employees*
- *Be interested, engaged and responsive in interactions with citizens*
- *Recognize and support the public's right to know the City's business*
- *Fulfill the duties and responsibilities of holding public office*
- *Observe the highest standards of integrity in official acts and undertake responsibilities for the benefit of the greater public good*
- *Faithfully discharge the duties of office regardless of personal considerations, recognizing that the public interest is the primary concern*
- *Uphold the Constitution of the United States and the Constitution of the Commonwealth of Kentucky and carry out impartially the laws of the nation, state, and City and thus foster respect for all government*
- *Comply with both the letter and the spirit of the laws and policies affecting operations of the City*
- *Recognize the obligation to implement the adopted goals and objectives of the City in good faith, regardless of personal views*
- *Present both official and personal conduct in a manner that is above reproach*
- *Do not use the position to secure special privileges or exemptions that are different from those available to the general public*

- *Understand and abide by the respective roles and responsibilities of elected and appointed officials and city staff and do not undermine them in their work*
- *Be independent, impartial, and fair in judgment and actions*
- *Be ethical and professional*
- *Be trustworthy, acting with the utmost integrity and moral courage*
- *Be truthful and reliable*
- *Be accountable for actions and behavior and accept responsibility for decisions*
- *Make impartial decisions, free of influence from unlawful gifts, narrow political interests, and financial and other personal interest that impair independent judgment or action*
- *Be fair, distributing benefits and burdens according to consistent and equitable criteria*
- *Oppose all forms of harassment and unlawful discrimination*
- *Extend equal opportunities and due process to all parties in matters under consideration*
- *Be respectful of confidences and confidential information*
- *Avoid giving the appearance of impropriety and of using the position for personal gain*
- *Apply knowledge and expertise to assigned activities and to the interpersonal relationships that are part of the position in a consistent, confident, competent, and productive manner*
- *Approach the position and work-related relationships with a positive attitude, contributing to a supportive, respectful, and non-threatening work environment*
- *Keep professional knowledge and skills current and growing*
- *Be respectful of all city staff, officials, volunteers, and others who participate in the City's government*
- *Be fiscally responsible with the city resources*
- *Make decisions after prudent consideration of their financial impact, taking into account the long-term financial needs of the City, especially its financial stability*
- *Demonstrate concern for the proper use of City assets, (e.g. personnel, time, property, equipment, funds), and do not use public resources for personal gain*
- *Make decisions that seek to preserve the financial capacity of the City to provide programs and services for City residents*
- *Provide full disclosure of any potential financial or other private conflict of interest and abstain from participating in the discussion and vote on these matters*
- *Prevent misuse of public funds by establishing, maintaining, and following strong fiscal and managements controls*
- *Report any misuse of public funds*
- *Communicate effectively and respectfully*
- *Convey the City's care for and commitment to its citizens*
- *Communicate in a manner that is approachable, open-minded, and willing to participate in dialog*
- *Engage in effective two-way communication by listening carefully, asking questions, and responding appropriately, which adds value to conversations*
- *Do not interfere with the orderly conduct of meetings by interrupting others or making personal comments not germane to the business at hand*
- *Follow up on inquiries in a timely manner*
- *Encourage and facilitate citizen involvement in policy decision-making*
- *Be respectful in disagreements and contribute constructively to discussions on the issue*
- *Create an environment of honesty, openness and integrity*
- *Promote intelligent, proactive, and thoughtful innovation in order to advance the City's policy agenda and provide City services while considering the broader regional, statewide, national, and international implications of the City's decisions and issues*
- *Maintain consistent standards, but also be sensitive to the need for compromise, creative problem solving, and making improvements when appropriate*
- *Be open to new ideas and processes, adopting them as they conserve resources and provide efficient and effective service*
- *Consider the potential long-term consequences and implications of all actions and inactions*

SECTION 2. This resolution shall be in full force and effect from and after its adoption, as required by law.

This the 27th day of March, 2023.

City Finance Director Carol Riggenbach asked the Commission to consider approval for German American Bank to issue an addition credit card for the City of Franklin. This additional card will be issued for Tammie Carey with a credit limit of \$10,000.00.

Motion was made by Commissioner Williams and seconded by Commissioner Stewart to authorize City of Franklin Finance Director Carol Riggenbach to request German American Bank to issue an additional credit card to the City of Franklin for Tammie Carey with a credit

limit of \$10,000.00 and further authorized the Mayor to sign any and all documents necessary to issue the card.

Voting Aye: All members present. Motion carried unanimously.

City Attorney Scott Crabtree asked the Commission for two sponsors of a proposed ordinance rezoning property located on Cherry Street and Orange Street owned by Franklin Affordable Housing. F-S Planning & Zoning approved the rezone on March 7, 2023.

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

City Attorney Scott Crabtree asked the Commission to consider approval for the Mayor to sign a letter of support for a grant application for F-S Parks. The Parks property is owned by the City.

Motion was made by Commissioner Stewart and seconded by Commissioner Powell to authorize the Mayor to sign a letter of support for a grant application for F-S Parks.

Voting Aye: All members present. Motion carried unanimously.

PUBLIC SAFETY

City Attorney Scott Crabtree asked the Commission to approve a new section to the police policies and procedures which is now required by KLEFPF being Section 3, Chapter 14 – Sexual Assault Investigations.

Motion was made by Commissioner Powell and seconded by Commissioner Williams to approve a new policy for the Franklin Police Department Policies & Procedures being Section 3, Chapter 14 – Sexual Assault Investigations.

Voting Aye: All members present. Motion carried unanimously.

UTILITIES

Water Treatment Superintendent Johnie Skipworth provided an update regarding the initial test results for PFAS. Eurofins Eaton Analytical, an EPA approved laboratory, reported on February 21, 2023, that there were no PFAS detections in the City of Franklin water system.

No action was required by the Commission regarding this matter.

City Finance Director Carol Riggerbach asked the Commission to consider a proposed ordinance amending the Franklin Municipal Utilities billing procedures and also to amend the service fee for after-hours on call water service restoration.

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

ORDINANCES

City Clerk Cathy Dillard provided second summary reading of Ordinance No. 2023-012 titled: *An Ordinance Amending the Annual Budget for the Fiscal Year Beginning July 1, 2022, and Ending June 30, 2023, by Estimating Revenues and Appropriations*

Motion was made by Commissioner Powell and seconded by Commissioner Williams to adopt Ordinance No. 2023-012 and was unanimously approved by the following roll call vote:

Mayor Dixon	<u>Yes</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 provided first summary reading of the following ordinances:

Ordinance No. 2023-014 titled: *An Ordinance Rezoning Approximately 15.46 Acres Located In or Around the Vicinity of Cherry Street and Orange Street From I-1 (Light Industrial), I-2 (Heavy Industrial), R-2 (Single Family and Two Family Residential), And R-3 (Single Family Through Multi-Family Residential) to the Newly Created R-1S-AH (Single Family Residential Affordable Housing) as Requested by Franklin Affordable Housing, Inc.*

Ordinance No. 2023-015 titled: *Ordinance of the City of Franklin, Kentucky Amending a Previously Adopted Ordinance Regarding the Rates and Charges For Water and Sewer System*

No Commission action is required on first reading of an ordinance.

EXECUTIVE SESSION

At 12:45 PM, motion was made by Commissioner McCreary and seconded by Commissioner Stewart to enter into Executive Session for the purpose of:

- 1) 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(1)(b)};
- 2) LITIGATION – Discussion of proposed or pending litigation {KRS 61.810(1)(c)};

Voting Aye: All members present. Motion carried unanimously.

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

Riley Bright exited Executive Session at 1:00 PM.

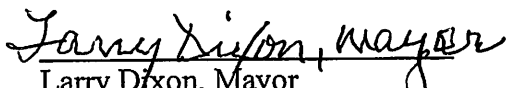
At 1:32 PM, motion was made by Commissioner Stewart and seconded by Commissioner Williams to exit Executive Session and return to open session.

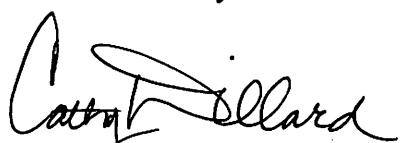
Voting Aye: All members present. Motion carried unanimously.

ADJOURNMENT

At 1:33 PM, motion was made by Commissioner Powell and seconded by Commissioner McCreary to adjourn the regular meeting of the Franklin City Commission.

Voting Aye by Roll Call: All members present. Motion carried unanimously.


Larry Dixon, Mayor
City of Franklin, Kentucky


Cathy Dillard, City Clerk
City of Franklin, Kentucky