

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

July 25, 2022

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

The Franklin, Kentucky City Commission met in Regular Session at 12:00 Noon, Monday, **July 25, 2022**, 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 Brownie Bennett	Present
Commissioner Wendell Stewart	Present

Others present included City Manager Kenton Powell; City Attorney Scott Crabtree; City Assistant Finance Director, Daniel Reetzke; City Police Chief, Roger Solomon; Public Works Director Chris Klotter; City Clerk, Cathy Dillard; Community Development Director, Tammie Carey; Wastewater Superintendent, Trent Coffee; Public Works Superintendent, Darrell Mallory; Jarred Clayton; Jonathon Cline; David Love and Vicki Love; Damian Walker; Cheryl Goodlad; Nancy Uhls, Lisa Deavers and Derfra Holt with R.E.A.C.H.; Ty Bowman, Drew Marr and Sam Upperman with Scott Waste Services; Jeff Martin; Brent Easley; and, Daryl Hester.

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

HEAR THE PUBLIC

Cheryl Goodlad, on behalf of the Simpson County Daughters of the American Revolution, asked the Commission to consider closing Greenlawn/Shady Rest Cemetery on Saturday, October 15, 2022, from 2:00 PM until 7:00 PM for their fourth annual Living History Cemetery Walk. Following a lengthy discussion and with feedback from City of Franklin employees who oversee the cemetery, the Mayor asked the Commission to take the matter under advisement prior to making a decision.

No action was taken by the Commission at this time regarding this matter.

Damian Walker, a resident of Windsor Park Subdivision, addressed the Commission regarding the stormwater problems on Victoria Way. The City Manager is working with the developer and residents of Victoria Way to find a viable solution to resolve the easement and stormwater drainage area issue. City Manager Kenton Powell asked Mr. Walker and other neighborhood residents to be patient as they explored options to develop a stormwater drainage system that would be suitable for all residents.

David Love and Vicki Love, also residents of Windsor Park Subdivision, asked the Commission for their assistance in resolving the issue. Mr. Love indicated that if they allowed an easement across the rear portion of their property that it would harm the integrity of their property. City Manager Kenton Powell asked for their patience as they worked toward a viable solution.

No action was taken by the Commission regarding this matter.

APPROVAL OF MINUTES

Motion was made by Commissioner Bennett and seconded by Commissioner Powell to approve the minutes as presented of the Franklin City Commission July 11, 2022, Regular Meeting.

Voting Aye: All members present. Motion carried unanimously.

RECOGNITION

City of Franklin employees Jonathan Cline and Jarred Clayton were recognized by the Commission for their efforts to resolve an issue at the Greenlawn Cemetery. They unselfishly personally reimbursed someone for a floral arrangement that was removed from a gravesite. Neither of these employees asked to be reimbursed for the expense, they just "wanted to make it right" and today the City acknowledged them for their act of kindness.

COMMUNITY SERVICES

Nancy Uhls, Lisa Deavers and Derfra Holt of R.E.A.C.H. of Franklin, Kentucky Inc. provided the Commission with an update of the organization. The Commission recently allocated \$40,000.00 for their organization to assist with funding an engineering design plan for improvements at Lincoln Park. R.E.A.C.H. was formed approximately two years ago and began fundraising for this plan.

No action was required by the Commission regarding this matter.

City Manager Kenton Powell introduced Sam Upperman, new site manager for Scott Waste Services. Mr. Upperman pledged Scott Waste Service's commitment to improving service issues which have occurred in Franklin.

No action was required by the Commission regarding this matter.

UTILITIES

Wastewater Superintendent Trent Coffee asked the Commission to consider approval to contract with Strand Associates, Inc., to prepare the City of Franklin's local limits re-evaluation for wastewater treatment pursuant to Kentucky Division of Water requirements. The expenditure for this service was budgeted in the current fiscal year budget.

Motion was made by Commissioner Williams and seconded by Commissioner Powell to authorize contracting with Strand Associates for preparing the local limits re-evaluation for the City of Franklin pursuant to Kentucky Division of Water requirements and further authorized the Mayor to sign any and all necessary documents on behalf of the City for this service.

Voting Aye: All members present. Motion carried unanimously.

Public Works Director Chris Klotter asked the Commission to consider approval of the renewal of an Independent Contractor Agreement for GIS services with Jon Zambrano.

Motion was made by Commissioner Stewart and seconded by Commissioner Bennett to approve the Independent Contractor Agreement with Jon Zambrano for a term beginning July 1, 2022, and ending on December 31, 2022, in the amount of \$26,000.00, and further authorized the Mayor to sign the contract on behalf of the City of Franklin.

Voting Aye: All members present. Motion carried unanimously

GENERAL GOVERNMENT

City Manager Kenton Powell asked the Commission to consider approval of Agreements for Services with R.E.A.C.H. of Franklin Simpson, Inc. and Simpson County Friends of Shelter. These funding allocations were approved in the current fiscal year budget.

Motion was made by Commissioner Powell and seconded by Commissioner Bennett to approve the Agreements for Services for funding for Simpson County Friends of the Shelter in the amount of \$10,000.00 and REACH of Franklin Simpson, Inc. in the amount of \$40,000.00 and authorize the Mayor to sign the agreements on behalf of the City.

Voting Aye: All members present. Motion carried unanimously.

City Attorney Scott Crabtree asked the Commission for two sponsors for a proposed ordinance approving a zone change for a 20.5 acres parcel of property owned by Ann Piper Carpenter located on U.S. Highway 31-W North. Franklin-Simpson Planning & Zoning Commission approved the zone change request on June 21, 2022.

Commissioner Stewart and Commission Powell asked to sponsor the ordinance with first reading taking place later in the meeting.

Assistant City Finance Director and City Tax Collector Daniel Reetzke provided calculations to the Commission regarding the 2022 real and personal property tax rates. After review and consideration, the Commission approved the tax rate of 12.0 cents per one hundred dollars (\$100.00) assessed valuation on all real and personal property within the City limits. This rate represents a 4% increase and requires a public hearing prior to approval.

Commissioner Bennett and Commissioner Stewart agreed to sponsor the ordinance and Mayor Dixon asked that first reading of the ordinance be presented during the ordinance portion of the meeting and to also set the public hearing to hear public comments on the tax rate for Monday, August 22, 2022, at 11:45 a.m.

Community Development Director Tammie Carey asked the Commission to consider a proposal to purchase equipment for a dark fiber connection through Electric Plant Board. EPB would provide the strand of fiber that would only be utilized by the City. The City would lease this fiber strand and provide the equipment on each end of the connection. Three quotes were presented with Cornerstone Information Systems providing the lowest quote in the amount of \$16,665.00.

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to approve the dark fiber project and authorize the Mayor to sign the sales quote with Cornerstone Information Systems for the purchase of the equipment for the project.

Voting Aye: All members present. Motion carried unanimously.

Community Development Director Tammie Carey asked the Commission to ratify the Mayor's signature on a contract with Lamar in the amount of \$2,000.00 to advertise the Franklin First survey on two billboards. EHI Consultants will develop the artwork and installation will begin in early August.

Motion was made by Commissioner Bennett and seconded by Commissioner Williams to ratify the Mayor's signature on the contract with Lamar for two billboards advertising the community survey.

Voting Aye: All members present. Motion carried unanimously.

City Attorney Scott Crabtree asked the Commission to consider a resolution adopting the City of Franklin employee's cafeteria plan with McGregor & Associates.

Motion was made by Commissioner Powell and seconded by Commissioner Bennett and the Commission unanimously approved the following resolution:

**RESOLUTION NO. K-2022
CITY OF FRANKLIN**

The undersigned authorized representative of City of Franklin (the Employer) hereby certifies that the following resolutions were duly adopted by the Employer on July 25, 2022, and that such resolutions have not been modified or rescinded as of the date hereof:

RESOLVED, that the form of amended Cafeteria Plan including a Health Flexible Spending Account effective July 1, 2022, presented to this meeting is hereby approved and adopted and that an authorized representative of the City of Franklin is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

The undersigned further certifies that attached hereto as Exhibits A and B, respectively, are true copies of City of Franklin Cafeteria Plan Document as amended and restated, and the Summary Plan Description approved and adopted in the foregoing resolutions.

PUBLIC SAFETY

Police Chief Roger Solomon asked the Commission to consider approval of a resolution to transfer a 2013 Ford Taurus from the Police Department fleet to the Human Rights Commission. The City of Franklin provides the Human Rights Commission with a vehicle, without compensation, for their use.

Motion was made by Commissioner Stewart and seconded by Commissioner Powell and the Commission unanimously approved the following resolution:

**RESOLUTION NO. L-2022
CITY OF FRANKLIN**

WHEREAS, the Board of Commissioners of the City of Franklin, Kentucky has determined that it is in the best interest of the citizens of Franklin, Kentucky, to dispose of a 2013 Ford Taurus, VIN#: 1FAHP2M82DG181762 formerly used by the Franklin Police Department to the Franklin-Simpson Human Rights Commission; and,

WHEREAS, the vehicle shall be used by the Franklin-Simpson Human Rights Commission for their operations, and the property will be transferred to them without compensation.

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

- 1. The Board of Commissioners hereby finds and determines that it is in the best interest of the City of Franklin, Kentucky to convey, without compensation, to the Franklin-Simpson Human Rights Commission a 2013 Ford Taurus, VIN#: 1FAHP2M82DG181762.*
- 2. The intended use of the vehicle shall be to benefit the operation and maintenance of the Human Rights Commission to the benefit of all the residents of Franklin, Kentucky.*
- 3. All maintenance and upkeep of the vehicle shall be the responsibility of the Franklin-Simpson Human Rights Commission and/or the City.*
- 4. In accordance with KRS 82.083, the Board of City Commissioners hereby adopts this Resolution as its written determination which describes the property, identifies the intended use and the reasons why it is in the public interest to dispose of the property, and the Commission affirmatively states that the method of disposition is by and through the transfer of use of the vehicle to the Franklin-Simpson Human Rights Commission for no compensation.*
- 5. 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.*

This resolution was adopted by a unanimous vote of the Franklin City Commission at a meeting held on July 25, 2022.

Franklin Police Chief Roger Solomon asked the Commission to consider approval of updates to Section 5, Chapter 2 – Multi-Year Plan of the Franklin Police Department Policies and Procedures Manual.

Motion was made by Commissioner Bennett and seconded by Commissioner Williams to approve the revisions, as presented, to Section 5, Chapter 2 – Multi-Year Plan of the Franklin Police Department Policies and Procedures Manual.

Voting Aye: All members present. Motion carried unanimously.

Franklin Police Chief Roger Solomon provided information to the Commission regarding the Naloxone (aka Narcan) program and recognized the outstanding work of the Franklin Police Department officers for the lives that have been saved since the implementation of this program. From 2019 to 2022 the Franklin Police Department have responded to 39 overdose calls and saved 37 lives. Chief Solomon reported that the average number of deaths per county in Kentucky stands at 19 and noted that Franklin is well below the state average.

No action was required by the Commission regarding this matter.

ORDINANCES

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

Ordinance No. 2022-018 titled: *An Ordinance Rezoning Approximately 7.7 Acres Located on Garvin Lane and Highway 100 East from B-5 (Interstate Interchange District) to B-4 (Highway Business) by Zuari Investments, LLC.*

Motion was made by Commissioner Bennett and seconded by Commissioner Powell to adopt Ordinance No. 2022-018 and was unanimously approved by the following roll call vote:

Mayor Dixon	<u>Yes</u>	Commissioner Bennett	<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 ordinance:

Ordinance No. 2022-019 titled: *An Ordinance Rezoning Approximately 20.5 Acres Located on 31-W North from AG (Agriculture) to I-2 (Heavy Industrial) by Ann Piper Carpenter*

Ordinance No. 2022-020 titled: *Ordinance Setting Forth The Property Tax Rate for the City of Franklin, Kentucky for the Tax Year 2022 and Calculated Using the Certified Property*

Assessment as Provided by the Simpson County Property Valuation Administrator and Levying an Ad Valorem Tax of 12.0 Cents per One Hundred Dollars (\$100.00) Assessed Valuation on All Taxable Real Property Within the Jurisdiction and an Ad Valorem Tax of 12.0 Cents per One Hundred Dollars (\$100.00) Assessed Valuation on All Taxable Tangible Personal Property and Merchandise Inventory Within the Jurisdiction

EXECUTIVE SESSION

At 1:35 PM, motion was made by Commissioner Williams and seconded by Commissioner Bennett 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)}; (3) 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, (4) 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.

Entering Executive Session were Mayor Dixon; Commissioners Powell, Bennett, Williams and Stewart; City Manager Kenton Powell; City Attorney Scott Crabtree; Public Works Director Chris Klotter; and BDJ Properties representatives David Cummins, Daryl Hester, Jeff Martin, and Brent Easley.

BDJ Properties representatives exited Executive Session at 2:05 PM.

Chris Klotter exited Executive Session at 2:40 PM.

At 2:50 PM, motion was made by Commissioner Williams and seconded by Commissioner Stewart 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 Williams and seconded by Commissioner Stewart to ratify the Mayor's signature on the Sales/Purchase Agreement between the City of Franklin and Deuce Properties, LLC to purchase a property on West Madison Street for the amount of \$110,000.00 with the City agreeing to close on the property in the next calendar year.

Voting Aye: All members present. Motion carried unanimously.

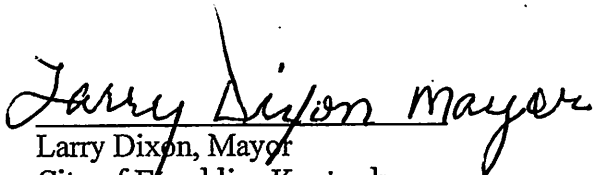
Motion was made by Commissioner Bennett and seconded by Commissioner Powell to purchase property from Zuari Investments, LLC located on 31-W South for the amount of \$30,000 to install a new lift station for the sewer system and to authorize/ratify the Mayor's signature on any and all documents necessary to purchase and obtain the additional property and further authorized the City Attorney to negotiate the final terms of the agreement.

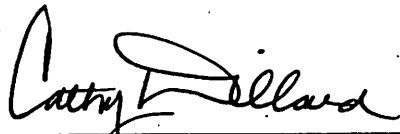
Voting Aye: All members present. Motion carried unanimously.

ADJOURNMENT

At 2:52 PM, motion was made by Commissioner Powell and seconded by Commissioner Stewart 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