

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

August 28, 2023

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

The Franklin, Kentucky City Commission met in Regular Session at 12:00 Noon, Monday, **August 28, 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 Finance Director Carol Riggenbach; Franklin Police Chief Roger Solomon; City Clerk Cathy Dillard; Jennifer Knight; Darrell Mallory; Moe Hillard; Jon Zambrano; Bailey Pickens; Amanda East; and Matt Pedigo.

Mayor Larry Dixon called the meeting to order at 12:00 Noon, and Commissioner Stewart 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 August 14, 2023, Regular Meeting.

Voting Aye: All members present. Motion carried unanimously.

RECOGNITIONS

Steve Thurmond, Executive Director of the Chamber of Commerce, sent a letter to the City of Franklin to thank City employees for their assistance with the Garden Spot Run/Walk which was held on August 12, 2023. Over 560 people participated in the run/walk and there were 120 volunteers for the event.

No action was taken by the Commission regarding this matter.

GENERAL GOVERNMENT

Jennifer Knight asked the Commission to consider approval to change cellular service providers from Verizon to FirstNet/AT&T. The projected cost reduction would be approximately 16% annually.

Motion was made by Commissioner McCreary and seconded by Commissioner Stewart to approve the City to change cellular service providers to First Net-AT&T and discontinue service with Verizon Wireless and further authorized the Mayor to sign any and all documents required for this service.

Voting Aye: All members present. Motion carried unanimously.

Public Works Superintendent Darrell Mallory asked the Commission to award the bid for sidewalk/concrete repairs. A bid opening was held on Wednesday, August 9, 2023, at 10:00 a.m. at City Hall, 117 West Cedar Street, Franklin, Kentucky for the purpose of receiving bids for Bid #2024-05 Sidewalk/Concrete Repair. The bid notice was advertised pursuant to KRS 424.260. Five (5) sealed bids were received as follows:

All Things Construction, LLC	\$100,500.00(approx. \$11.17/sq.ft.)
Nabholz Construction Corporation	\$17.00/sq. ft.
Luke Groves Construction	\$7.00/sq. ft.
Wright Construction Company	\$154,980.00 (\$17.22/sq ft)
Owl Creek Construction	\$121,500.00 (\$13.50/sq. ft.)

Motion was made by Commissioner Powell and seconded by Commissioner Williams to award the bid for sidewalk/concrete repairs to Luke Groves Construction in the amount of \$7.00 per square foot, and further authorized the Mayor to sign any and all documents necessary for this project.

Voting Aye: All members present. Motion carried unanimously.

City Attorney Scott Crabtree asked the Commission to consider approval to enter into a lease agreement with The African American Heritage Center, Inc. to lease the property located at 513 West Madison Street.

Motion was made by Commissioner Stewart and seconded by Commissioner McCreary to authorize the Mayor to sign the Lease Agreement with The African American Heritage Center, Inc. for the property located at 513 West Madison Street which is located in front of the new police station currently under construction.

Voting Aye: All members present. Motion carried unanimously.

City Manager Kenton Powell asked the Commission to consider approval of a Professional Engineer Services Agreement with RJ Consulting Engineer, LLC, which would replace the current agreement with Mid-TN Erosion & Sediment Control.

Motion was made by Commissioner McCreary and seconded by Commissioner Powell to authorize the Mayor to sign the Consulting Services Agreement with RJ Consulting Engineering, LLC, effective August 1, 2023, with changes to Section XIX as indicated incorporated into the agreement.

In addition, motion was made by Commissioner Williams and seconded by Commissioner Powell to terminate the current agreement with Mid-TN Erosion & Sediment Control.

Voting Aye: All members present. Motion carried unanimously.

Simpson County Tourism submitted a request for City street closures for The Festival on the Square/Car Show/Cruise In events scheduled for Friday, September 15, 2023, and Saturday, September 16, 2023. City Manager Kenton Powell asked the Commission to consider approval of the following:

Friday, September 15, 2023 (Cruise In Event) – Closing from 4:00 PM – 4:00 PM Saturday, September 16, 2023

West Kentucky Avenue from Main Street west to College Street
College Street from Washington Street to Cedar Street

Saturday, September 16, 2023 (Festival/Car Show) – All Closing from 5:00 AM - 5:00 PM

West Kentucky Avenue from Court Street to High Street
College Street from West Washington to the back corner of City Hall (Regions Bank access remaining open)
Cedar Street from High Street to Main Street
Main Street from intersection of Madison & Main to the intersection of Main & Washington

Motion was made by Commissioner Stewart and seconded by Commissioner McCreary to authorize the above-referenced City street closures for Friday, September 15, 2023, and Saturday, September 16, 2023, for the Cruise In, Festival on the Square and Car Show events.

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

City Attorney Scott Crabtree asked for two sponsors of a proposed ordinance closing an undeveloped street and also asked the Commission to consider approval to authorize the City Attorney to take whatever actions are necessary to close First Street aka “An Unnamed Street” located between Orange Street and the CSX Railroad.

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

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to authorize City Attorney Scott Crabtree to sign any and all documents necessary to proceed to close First Street aka "An Unnamed Street" located between Orange Street and the CSX Railroad.

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

City Attorney Scott Crabtree asked for two sponsors of a proposed ordinance amending the joint meeting dates.

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 Rigganbach asked for two sponsors of a proposed ordinance amending the Fiscal Year 2024 budget.

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

City Finance Director Carol Rigganbach asked the consider approval to award the bid for Cat6 Cabling Infrastructure for the new police department building. On Wednesday, August 16, 2023, a bid opening was held at City Hall for the purpose of receiving bids for Bid #2024-02 CAT 6 Cabling Infrastructure for the new police department. The bid notice was advertised pursuant to KRS 424.260. Two bids were received as follows:

PC Gurus LLC dba Core Tech	\$ 73,291.95
ISTT, Inc.	\$103,400.00

Motion was made by Commissioner Powell and seconded by Commissioner Williams to award the bid for Cat6 Cabling Infrastructure to PC Gurus LLC dba Core Tech in the amount of \$73,291.95 and authorize the Mayor to sign any and all documents related to this bid award.

Voting Aye: All members present. Motion carried unanimously.

UTILITIES

City Manager Kenton Powell asked the Commission to consider approval to purchase a printer for the Wastewater Treatment plant and to enter into a five-year service contract Ricoh for the printer.

Motion was made by Commissioner Stewart and seconded by Commissioner McCreary to approve the purchase of a printer for the Wastewater Treatment Plant and to authorize the Mayor to execute a five year service contract with Ricoh.

Voting Aye: All members present. Motion carried unanimously.

City Manager Kenton Powell asked the Commission to authorize the Mayor to sign a reimbursement agreement with the Kentucky State Transportation Cabinet for the expenditures related to the widening of the turning lane on Highway 1008/Bluegrass Road which will include manholes and utility lines.

Motion was made by Commissioner Williams and seconded by Commissioner McCreary to approve and authorize the Mayor to sign the reimbursement agreement with the Kentucky State Transportation Cabinet and any other documents necessary for reimbursement of all expenses pertaining to the manhole/service line relocation project.

Voting Aye: All members present. Motion carried unanimously.

ORDINANCES

City Clerk Cathy Dillard provided second summary reading of the following ordinances:

Ordinance No. 2023-028 titled: *Ordinance Annexing to the City of Franklin, Kentucky Approximately 39.45 Acres Located Near KY Highway 1008 by Giampaolo Kentucky Real Property, LLC in Accordance with the Comprehensive Plan of Annexation*

Motion was made by Commissioner Stewart and seconded by Commissioner Williams to adopt Ordinance No. 2023-028 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>		

Ordinance No. 2023-029 titled: *An Ordinance Rezoning Approximately 7.5 Acres Located on the West Side of 31-W North from R-1 (Single Family Residential) to B-4 (Highway Business District) by FWB Properties, LLC*

Motion was made by Commissioner Powell and seconded by Commissioner McCreary to adopt Ordinance No. 2023-029 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. 2023-031 titled: *An Ordinance Amending a Prior Ordinance Setting Forth the Dates and Times of Regularly Scheduled Joint Meetings of The Franklin City Commission and Simpson Fiscal Court*

Ordinance No. 2023-032 titled: *An Ordinance to Close the Public Portion of a 0.38 Acre Tract, More or Less, of First Street AKA "An Unnamed Street" Located Between Orange Street and the CSX Railroad in Franklin, Kentucky*

Ordinance No. 2023-033 titled: *An Ordinance Amending the Annual Budget for the Fiscal Year Beginning July 1, 2023, and Ending June 30, 2024, by Estimating Revenues and Appropriations*

EXECUTIVE SESSION

At 12:42 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) 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)}; (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)}; and, (4) 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)}.

Voting Aye: All members present. Motion carried unanimously.

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

At 1:30 PM, a motion was made by Commissioner Williams and seconded by Commissioner McCreary 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 Powell to adopt Resolution No. H-2023 as follows:

**RESOLUTION NO. H-2023
CITY OF FRANKLIN**

WHEREAS, the City Commission of the City of Franklin, Kentucky has determined that it is in the best interest of the citizens of Franklin, Kentucky, to transfer whatever right, title, and interest it may have, if any, in certain property consisting of a described alley to Franklin Affordable Housing Corporation, Inc.; and,

WHEREAS, the property shall be used by the Franklin Affordable Housing Corporation, Inc. for the development, operation and maintenance of low-to-moderate income housing for the community, and the property will be transferred to the Franklin Affordable Housing Corporation, Inc. without compensation.

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

1. The City Commission hereby finds and determines that it is in the best interest of the City of Franklin, Kentucky to convey, without compensation, to Franklin Affordable Housing Corporation, Inc., whatever right, title, and interest in and to the property described in the description attached as Exhibit 1 that was formerly listed as an alley that was listed in the public records, but never constructed.
2. The intended use of the land shall be to assist in the elimination of blight in the area and/or for economic development to the benefit of all of the residents of Franklin, Simpson County, Kentucky.
3. All maintenance and upkeep of the land shall be the responsibility of Franklin Affordable Housing Corporation, Inc.
4. In accordance with KRS 82.083, the City Commission 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 title to the land to Franklin Affordable Housing Corporation, Inc. 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 including, but not limited to the quitclaim deed.

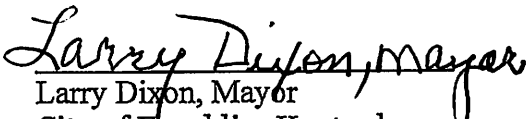
This resolution was adopted by a unanimous vote of the Franklin City Commission at a meeting held on August 28, 2023.


Dated this 28th day of August, 2023.

ADJOURNMENT

At 1:36 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