

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

**December 11, 2023**

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

The Franklin, Kentucky City Commission met in Regular Session at 12:00 Noon, Monday, **December 11, 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; Jon Zambrano; Megan Purazrang; Bob Palmer; Trent Coffee; Johnie Skipworth; Patrick Stephens; Bailey Pickens; Jennifer Knight; and, Matt Pedigo.

Mayor Larry 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 Stewart to approve the minutes as presented of the Franklin City Commission November 13, 2023, Regular Meeting and the November 20, 2023, Special Called meeting.

Voting Aye: All members present. Motion carried unanimously.

**COMMUNITY SERVICES**

Bob Palmer, Director of Office of Emergency Management, addressed the Commission regarding the weekend storms. Palmer indicated that Simpson County was once again spared from the tornadoes that struck surrounding communities and reported that the safe room to be located at the Jim Roberts Park was waiting for state contract approval. In addition, Palmer spoke briefly about the outdoor siren system in Franklin and Simpson County and asked the

community to remember that the sirens are meant to be heard outdoors rather than indoors and recommended that residents purchase a weather radio for their home or business.

Palmer reported that the Everbridge notification system was in place as of December 2, 2023, and that it was designed for notifying the public and not to be a weather warning system.

**RECOGNITIONS**

City Manager Kenton Powell asked the Commission to recognize and congratulate Finance Director Carol Rigggenbach as the 2023 City of Franklin Employee of the Year. Carol was nominated by her peers and embodies the spirit of the award by showing outstanding character and leadership in her role.

Congratulations to Carol Rigggenbach as the 2023 City of Franklin Employee of the Year.

**GENERAL GOVERNMENT**

City Manager Kenton Powell asked the Commission to consider the reappointment of board members whose terms are expiring on December 31, 2023. Members considered for reappointment were the following:

- |  |                                      |
|--|--------------------------------------|
| F-S Parks Board – Four (4) year term               | Lisa Bashant                         |
| F-S Code Enforcement Board – Four (4) Year Term    | Roy Tyler<br>Jill Broderson          |
| Housing Authority of Franklin – Four (4) Year Term | Vic Portmann                         |
| F-S Planning & Zoning – Four (4) Year Term         | Justin Henniger<br>George Weissinger |

Motion was made by Commissioner McCreary and seconded by Commissioner Powell to reappoint Lisa Bashant to the F-S Parks Board for another four year term expiring on December 31, 2027; Roy Tyler and Jill Broderson to the F-S Code Enforcement Board for another four year term expiring on December 31, 2027; Vic Portmann to the Housing Authority for a four year term expiring on December 31, 2027; and, Justin Henniger and George Weissinger to the F-S Planning & Zoning Commission for a four year term expiring on December 31, 2027.

Voting Aye: All members present. Motion carried unanimously.

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City Manger Kenton Powell asked the Commission to consider a proposed notification to all Franklin Municipal Utilities customers about Protecting Your Drinking Water and to provide additional information about the lead copper rule imposed by the EPA. The City of Franklin is required to be in compliance with the regulations by October 2024.

In addition, Powell asked the Commission to review a proposed letter to be mailed to all developers and contractors regarding new water meter issuance and installation requirements beginning January 2, 2024. This change will alleviate issues with unauthorized water usage and equipment inventory and warranties.

No action was required by the Commission regarding this matter.

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City of Franklin GIS Coordinator Jon Zambrano and Public Relations Director Megan Purazrang provided an update for the Commission regarding much needed updates to the City's website and social media outlets. Engagement with the community and providing information is the primary goal of these endeavors.

No action was required by the Commission regarding this matter.

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City Clerk Cathy Dillard reported that the City recently finalized its latest online surplus property auction with GovDeals. Total proceeds from this sale were \$55,152.00.

On September 26, 2023, the Commission approved a listing of surplus property to be sold. Since that time three items were pulled from the sale due to continued use of the item. The items pulled from the sale were as follows: (1) 2005 Ford Explorer still in use by Water Distribution; (2) Cattle Gate currently in use at Hoy Park; and; (3) Miscellaneous Parts – Water Distribution are currently using these parts.

The City began utilizing the online auction platform with GovDeals in April 2019 and since that time has sold 59 items for a total net proceeds of approximately \$196,000.00. The buyers pay any applicable sales tax and the 12.5% premium which is retained by GovDeals as their fee.

Motion was made by Commissioner Powell and seconded by Commissioner Williams to approve the sale of the surplus property and to ratify the Mayor's signature to transfer the title of the vehicles to the sellers and any other necessary documents to finalize the surplus sale and to remove the 2005 Ford Explorer, the cattle gate, and Water Distribution miscellaneous parts from surplus as these three items were in current use by the City.

Voting Aye: All members present. Motion carried unanimously.

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City Attorney Scott Crabtree asked the Commission to consider a proposed ordinance to close an undeveloped street. Grace Court was platted but never built and was proposed to run from Lawrence Street to Finn Street. This property is currently owned by David and Ronda Carver and they have asked the City to close the undeveloped street so they can continue with their development plans.

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 discussion of possible joint City/County meetings to discuss some pending matters including the proposed comprehensive plan prepared by EHI Consultants.

After some discussion it was determined that a special called joint meeting could be held the weeks of January 8 or January 15, avoiding Monday or Friday, with a time to be determined after consultation with County officials.

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Mayor Dixon asked the Commission to discuss and consider the occupational tax division rate for a portion of the Stone-Givens Industrial Park. Developments within the industrial parks currently benefit from the allocation of occupational and property taxes back to the F-S Industrial Authority with proceeds earmarked for reduction of the debt incurred for land acquisition and infrastructure improvements.

Motion was made by Commissioner McCreary and seconded by Commissioner Powell to approve to contribute one hundred percent (100%) of the City of Franklin's occupational and real property tax revenue, retroactive to include any amounts received to date, collected within and attributable to the Stone-Givens Industrial Park, to the Franklin-Simpson Industrial Authority. It was further approved that all funds are to be utilized to reduce the principal balance of the Franklin-Simpson Industrial Authority current outstanding debt and shall continue for a term of five (5) years at which time the contribution of occupational tax revenue will be re-evaluated by the Commission. In addition, the Commission further directed the City Attorney to prepare an Interlocal Agreement in accordance with these terms and further authorized the Mayor to sign any and all documents necessary or required to effectuate the intent of this motion.

Voting Aye: All members present. Motion carried unanimously.

### UTILITIES

City Finance Director Carol Riggensbach asked the Commission to consider approval to release the performance bond for Fisher Contracting Company. The company was asked to provide this performance bond for sewer infrastructure improvements for their development located at 4700 Nashville Road. Fisher Contracting Company has satisfactorily completed the improvements to the City of Franklin specifications and requested release of the performance bond.

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to approve the release of the performance bond and discharge of surety for Fisher Contracting Company for the infrastructure improvements at or near 4700 Nashville Road and further authorized the Mayor to sign the Release of Performance and Discharge of Surety on behalf of the City of Franklin.

Voting Aye: All members present. Motion carried unanimously.

Water Treatment Plant Superintendent Johnie Skipworth asked the Commission for approval to award the bid for Raw Water Pump Replacement. A bid opening was held on Wednesday, November 1, 2023, at City Hall, 117 West Cedar Street, Franklin, Kentucky for the purpose of receiving bids. The bid notice was advertised pursuant to KRS 424.260. Two (2) bids were received as follows:

Luttrell & Sons, LLC	\$ 168,177.90
Herrick Company, Inc.	249,600.00

Motion was made by Commissioner Stewart and seconded by Commissioner Williams to award the bid for replacement of the raw water pump at the Water Treatment Plant to Luttrell & Sons, LLC in the amount of \$168,177.90 and further authorized the Mayor to sign any and all necessary documents for this project.

Voting Aye: All members present. Motion carried unanimously.

Wastewater Superintendent Trent Coffee asked the Commission to consider approval of a Professional Services Agreement with Barge Design Solutions, Inc., for engineering services for Phase II of the Sewer Rehabilitation Project for a total cost of \$310,000.00.

Motion was made by Commissioner Stewart and seconded by Commissioner McCreary to enter into a Professional Services Agreement with Barge Design Solutions, Inc. for engineering services for the Phase II Sewer Improvement Project and further authorized the Mayor to sign any and all necessary documents for this agreement.

Voting Aye: All members present. Motion carried unanimously.

**ORDINANCES**

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

Ordinance No. 2023-037 titled: *Ordinance Annexing to the City of Franklin, Kentucky Approximately 11.589 Acres Located on the North Side of Ky. Hwy. 100 (Scottsville Road) in Accordance with the Comprehensive Plan of Annexation*

Motion was made by Commissioner Powell and seconded by Commissioner Williams to adopt Ordinance No. 2023-037 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. 2023-038 titled: *An Ordinance Rezoning Approximately 1.611 Acres Located on Neha Drive from B-5 (Interstate Interchange Business District) to B-4 (Highway Business District) by Sol Azteca, Franklin II, Inc.*

Motion was made by Commissioner McCreary and seconded by Commissioner Williams to adopt Ordinance No. 2023-038 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 held first summary reading of Ordinance No. 2023-039 titled: *An Ordinance to Close the Public Portion of a 0.270 Acre Tract, More or Less, of Grace Court from Lawrence Street to Finn Street*

Commission action was not required on first reading of this ordinance.

**EXECUTIVE SESSION**

At 1:50 PM, motion was made by Commissioner Stewart and seconded by Commissioner Powell to enter into Executive Session for the purpose of: (1) Litigation – Discussion of proposed or pending litigation {KRS 61.810(1)(c)}; (2) 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, (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)}.

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 Riggenschach and City Attorney Scott Crabtree and Chief Solomon.

Chief Solomon exited Executive Session at 2:20 PM.

At 3:10 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.

**OTHER COMMISSION BUSINESS**


Motion was made by Commissioner Williams and seconded by Commissioner McCreary to accept the resignation of Charla Sky at the Water Treatment Plant effective December 11, 2023.

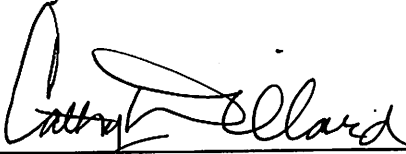
Voting Aye: All members present. Motion carried unanimously.

ADJOURNMENT

At 3:12 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