

The Franklin, KY City Commission convened in regular session at 6:00 PM, Monday, May 14, 2012 in the Simpson County School Board meeting room, 430 S. College Street, Franklin, Kentucky. Member attendance as follows:

Mayor Ronnie Clark	Present and in the chair presiding
Commissioner Mason Barnes	Present
Commissioner Larry Dixon	Present
Commissioner Jamie Powell	Present
Commissioner Henry Stone	Present

Others present included City Manager, Kenton Powell; Finance Director, Cendy Dodd; Police Chief, Todd Holder; Assistant Chief Dallas Wiles; Franklin Police Officer, Serhiy Varyvoda; City Clerk, Mandy Cassady; Administrative Deputy Clerk, Kathy Stradtner; F.S. Industrial Authority Director, Denny Griffin; meeting Videographer, F-S school employee Allie Meador; and Franklin Favorite/WFKN media representative; Keith Pyles and various members of the public.

Honorable Mayor Ronnie Clark called the meeting to order at 6:00 PM, and Jerry Gilford offered an opening prayer.

#### APPROVAL OF MINUTES

Motion made by Commissioner Barnes and second by Commissioner Powell to approve the minutes from the April 23, 2012 regular Commission meeting. Ayes: All. Motion carried unanimously.

#### HEAR THE PUBLIC

Commission heard concerns expressed by Franklin citizens, Nancy Mathews and Patrick Collins, regarding the negligence of citizen's property by the company contracted by the City to replace sewer lines in Highlands Subdivision, specifically Rolling Road Drive. City Manager, Kenton Powell, informed Mrs. Mathews that he would look into and expressed apologies for inconvenience this has caused the property owners.

Commission heard concerns expressed by Franklin citizen, Greg Albertson and Bryan Clark, regarding the opposition of the site of proposed rock quarry on Ditmore Ford Road. Mr. Albertson and Mr. Clark are members of the group "Neighbors Against the Quarry". The Citizen's requested the City to state their position opposing or favoring the location of the proposed rock quarry. Mr. Bryan Clark expressed concerns regarding the validity of the application filed for the conditional use permit. The Commission expressed the willingness to set a weight limit on Kenneth Utley Drive, also known as Ditmore Ford Road but is not prepared to make any other decisions than that at this time. Motion was made by Commissioner Jamie Powell and second by Commissioner Barnes that, based upon the engineer's report provided by the Simpson County Fiscal Court, the City adopt the weight limit as previously set by Simpson County Fiscal Court on Kenneth Utley Drive, also known as Ditmore Ford Road, at 36,000 pounds until road is brought into compliance with the attached engineers report. Ayes: All. Motion carried unanimously. *(Copy of Engineer's Report Attached)*



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**AMERICAN ENGINEERS, INC.**  
PROFESSIONAL ENGINEERING

Mr. Jim Henderson  
Simpson County Judge Executive  
Simpson County Fiscal Court  
Historic Courthouse  
PO Box 242  
Franklin, KY 42135-0242

March 13, 2012

RE: Ditmore Ford Road Evaluation

Dear Judge Henderson:

American Engineers, Inc., (AEI) visited the Ditmore Ford Road site on Friday, March 9, 2012 to observe the conditions of the existing road from KY 1008 located  $\frac{1}{4}$ -mile south of the low water ford to the top of the hill located  $\frac{1}{4}$ -mile north of the existing low water ford near the entrance to a proposed rock quarry. Generally, the existing asphalt road is about 16-ft wide with little or no shoulders and shows signs of pavement failure in several locations. The photo to the left shows one such location on the north side of the low water ford (visible in the distance) with a closer view of this pavement shown to the right.



AEI spoke with Benny Johnson on Monday, March 12 to find out what he knows about the construction of the existing low water ford and Ditmore Ford Road. As a consultant with the Simpson County Road Department, he was on-site in 2000 when the low water ford was constructed and in 2001 when the existing 14-ft wide gravel Ditmore Ford Road was paved and widened to 16-ft. He said that the contractor widened the existing 14-ft gravel road by grading out the existing gravel to a width of 16-ft and then placed a 2-inch bituminous asphalt base followed by a 1-inch bituminous asphalt surface, so the outside 1-ft is most likely less sufficient.



Our preliminary pavement analysis requires a total bituminous asphalt base of 9.5-inches with a 1.25-inch bituminous asphalt surface on top of 4-inches of well-compacted DGA—a total of 7  $\frac{1}{4}$ -inches of asphalt added to what is already there, assuming the existing rock base and asphalt is adequate. This design is based on 150-truck trips per day which is the number of trips anticipated for a similar rock quarry that has an annual production rate of 1-million tons of rock crushed and transported per year. Based on the history of how this road was constructed, we would recommend that a geotechnical investigation be performed to determine the structural capacity of the existing road to determine if all or a portion of the road is suitable to be overlaid in

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order to achieve the design capacity required to support truck traffic generated by a typical rock quarry. In addition, to allow for safe passage of trucks traveling in opposite directions, a 22-ft minimum pavement width is recommended and a 24-ft width is desired. Potential concerns in widening the existing road include cutting into the existing land fill as seen in the photo at the bottom of the previous page and into the steep tree-lined bank as seen in the photo to the right. Another concern is the vertical crest curve at



the entrance into the park as seen in the photo to the left, resulting in reduced sight distance. This is especially a concern for the young, inexperienced teenage drivers who use this park in great numbers and whose inattentiveness can spell disaster when combined with heavy, frequent truck traffic coming over the hill.



lanes due to required width for rear wheel tracking, thus causing significant concerns for vehicles traversing the ford approaches at the same time. The sharp kinks in the road alignment at both the south end and north end of the existing low water ford will be difficult for these large trucks to negotiate. Trucks entering and exiting the low water ford at each end will need to use the entire road to make this maneuver—creating a potential hazard of forcing other drivers off the ford and into



The sharp curve at the bottom of the hill from the park entrance is another concern (photo to the right) as the large trucks will not be able to stay fully in their



Drakes Creek. This is compounded by the construction and the geometrics of the low water ford. In conversation with Benny, and in looking at the original low water ford construction plans, there is a 6-ft high drop-off on the north, downstream side of the ford. With no barrier for protection, a driver being forced near the edge by one of these frequent trucks allows no room for error so if a wheel goes off the edge of the ford the vehicle would



most likely flip over, upside down into the creek—a recipe for tragedy. Besides the geometric safety concerns of the ford, there is also a structural concern. According to Benny, the approach roads at each end of the bridge have been washed out causing loss of the #57 stone that supports the 8-inch top concrete slab of the ford, thus causing void areas below. He said the road crews did the best they could to place new stone under the slab, but once washed out, it is almost impossible to fill all the voids and to get the stone in tight enough to provide the necessary support. If voids do exist as he suspects, the existing low water ford top slab will most likely not hold up under frequent heavy truck traffic.



According to Benny, the north two-thirds of the ford was founded on rock but the south third was built on alluvium since the rock dropped deep and was nowhere to be found. The channel was excavated out to a depth of 3-ft and the alluvium that was removed was replaced with #57 stone, thus the south end of the low water ford is subject to settlement while the north end, founded on rock, will most likely not settle at all. With the addition of heavy truck traffic, there is a potential for increased settlement on the south end of the low water ford, creating the potential for differential settlement and potential cracks/failure of the low water ford top slab and side walls.

The low water ford is 110-ft long and 20-ft wide with vertical side walls that are up to 6-ft high above the streambed. For safety, the low water ford should be at least as wide as the recommended (22-ft) or desired (24-ft) roadway width and should have AASHTO tested barriers along each side—not possible to add since stream flow would be obstructed. Due to the potential structural issues combined with the safety issues, AEI recommends that the existing low water ford be replaced with a bridge structure meeting the safety requirements and improvements to the approach roadway alignments so that the large trucks can enter and exit the bridge without encroaching into the opposing lane of traffic.

The long uphill grade on the north side of the ford (see photo to the right) combined with the 90-degree curve at the top of the hill near the proposed entrance to the rock quarry poses another potential hazard with large trucks entering the roadway at a point that has reduced sight distance due to both the curve and the hill.



In conclusion, for the safety of the local residents, users of the Public Park, and truck drivers transporting stone from the quarry, we strongly recommend that the existing 16-ft road be widened throughout to a minimum of 22-ft and preferably 24-ft. The horizontal and vertical alignment should be improved at several locations where sight distance appears to be inadequate and the existing low water ford should be replaced with a 2-lane bridge with AASHTO rated safety barriers and guardrails along each approach. The roadway alignment to the bridge on each end should be improved to allow large trucks to stay within their driving lane. Lastly, we recommend that a geotechnical evaluation of the existing road be performed to determine if all or a portion of the road is suitable to be overlaid with additional asphalt to achieve the structural design capacity that will be required to support these heavy trucks.

If you have any questions regarding our report please feel free to contact our office.

Sincerely,  
AMERICAN ENGINEERS, INC.

*Kenneth J. Ott*  
Kenneth J. Ott, PE

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A motion was made by Commissioner Stone to declare that the city commission is opposed to the rock quarry at the location where it is proposed. No second was made. Motion died.

Commission heard concern expressed by Franklin citizen, Chad Drake, regarding the vicious dog ordinance. A report was filed by Mr. Drake with the Franklin Police Department regarding a dog that attacked a child and was allowed to be returned to the owner. Chief Holder, who was present at the meeting, addressed the concerns of the citizen and is looking into situation. City Manager, Kenton Powell, expressed concerns as well and will join with Chief Holder to ensure proper guidelines are followed. Mr. Powell also informed Mr. Drake of the newly appointed code enforcement officer who will also look into such situations.

### **RECOGNITION**

#### **Oath of Office for Franklin Police Officer Serhiy Varyvoda**

- Commissioner Jamie Powell conducted the swearing in of new hire officer; Officer Serhiy Varyvoda.

### **REGULAR BUSINESS**

### **COMMUNITY SERVICE**

- None

### **GENERAL GOVERNMENT**

- Discussion and/or Possible Action regarding authorizing application for local records grant program for codification of city ordinances.

City Clerk, Mandy Cassady, addressed the commission regarding the local records grant program for codification of city ordinances offered by Kentucky Library & Archives. Ms. Cassady informed the commission of statute 83A.060 requiring cities to have ordinance codified at least once every five (5) years. Ms. Cassady informed commission she has been working on this project since her appointment as city clerk. Ms. Cassady informed the commission that due to deadline of grant application that the application has already been sent in. Motion was made by Commissioner Powell and second by Commissioner Barnes to ratify the Mayor's signature on the Local Records Grant Program Application and authorize the Mayor to sign any documents necessary to complete the ordinance codification process. Ayes: All. Motion carried unanimously.

- **Discussion and Possible Action Regarding Resolution Authorizing Application for Industrial Activities Community Development Block Grant**

Commission heard request from Barren River Area Development District Employee, Nick Cook, proposing the adoption of a resolution authorizing application for Community Development grant funds for activities including the installation of a rail spur. A motion was made by Commissioner Powell and second by Commissioner Dixon to adopt Resolution No. I-2012 and authorize the Mayor to sign. Ayes: All. Motion carried unanimously

- **Discussion and Possible Action Regarding Character Counts Program**

Commission heard request from City Manager, Kenton Powell, to reaffirm support from the City of Franklin to the Character Counts Program. Mr. Powell informed the commission of the previous support offered by the City beginning in November, 1999. The Character Counts Program stresses six core elements of character: trustworthiness, respect, responsibility, fairness, caring and citizenship. A motion was made by Commissioner Barnes and second by Commissioner Powell to support the Character Counts Program and allocate \$600.00 to the program for the 2012 and 2013 year. Ayes: All. Motion carried unanimously.

- **Discussion and Possible Action Regarding Recommendation of Audit Firm for City**

Commission heard report from Finance Director, Cendy Dodd, regarding bid proposals received from accounting firms for the next 3 fiscal years. Ms. Dodd recommends the accounting firm Kirby & Kirby CPA's. A motion was made by Commissioner Dixon and second by Commissioner Barnes to award the fiscal year 2012, fiscal year 2013, and fiscal year 2014 audits to the lowest and most responsive, responsible bidder; Kirby and Kirby CPA's for \$19,000, \$19,500 and \$19,750 respectively and authorize the Mayor to sign any and all necessary documents to effectuate the transaction. Ayes: All. Motion carried unanimously.

#### **PUBLIC SERVICES**

- **Discussion and/or Possible Action Regarding Award of FY 2012-2013 Street Resurfacing Contract**

Commission heard report from City Manager, Kenton Powell, regarding bid proposals received by Public Works Superintendent, Derick Minnicks, for the 2012-2013 proposed street resurfacing. Mr. Minnicks recommends Scotty's Contracting to be awarded the project as their bid was \$14,390 less than the others. Motion made by Commissioner Powell and second by Commissioner Stone to award the street resurfacing for 2012-2013 fiscal year to the lowest and most responsive, responsible bidder, namely Scotty's Contracting in the amount of \$89,850 and authorize the Mayor to sign any and all necessary documents to effectuate the transaction. Ayes: All. Motion carried unanimously.

- **Discussion and Possible Action Regarding Purchase of Self-Contained Salt Spreader**

Commission heard report from City Manager, Kenton Powell, regarding bid proposals received by Public Works Superintendent, Derick Minnicks, for the purchase of a self-contained salt spreader. Mr. Minnicks recommends Shelby's Truck Equipment to be awarded the bid as they were the lowest bid. Motion made by Commissioner Powell and second by Commissioner Dixon to award the bid for the self-contained salt spreader to the lowest and most responsive, responsible bidder, Shelby's Truck Equipment, in the amount of \$7235.43 and authorize the Mayor to sign any and all documents necessary to effectuate the transaction. Ayes: All. Motion carried unanimously.

- **Discussion and Possible Action Regarding Hiring Summer Intern for Public Works**

Commission heard request from City Manager, Kenton Powell, to approve the temporary employment of two (2) college students for the Public Works and Water Distribution Departments. Mr. Powell feels the temporary employment opportunity would benefit the city with the inputting of data into the Cartograph Software, scanning drawings and several other tasks, while also benefitting students from duties learned by work performed within the City of Franklin. A motion was made by Commissioner Powell and second by Commissioner Stone to approve the temporary employment of two (2) local college students in the Water Distribution and Public Works Department for an hourly wage of \$7.25/hour. Ayes: All. Motion carried unanimously.

## **PUBLIC SAFETY**

- None Scheduled

## **UTILITIES**

- **Discussion and/or Possible Action Regarding Authorizing Kentucky Highway 100 Utility Relocation Agreement**

Commission heard update from City Manager, Kenton Powell, regarding the Kentucky Highway 100 Utility Relocation Project. Mr. Powell notified the commission of documents received by the City from the State Transportation Cabinet Regarding the Engineering Services Keep Cost Agreement pursuant to KRS 177.035, whereby the City will be able to request reimbursement for costs. Mr. Powell reminded the commission of the engineering contract awarded to Barge, Waggoner, Sumner & Cannon, INC in an amount not to exceed \$17,525 for said project. Motion was made by Commissioner Barnes and second by Commissioner Dixon authorizing the Mayor to sign the request for reimbursement to the State Transportation Cabinet or Utility Relocation Agreement on Kentucky Highway 100 pursuant to KRS 177.035 and any and all other documents necessary to effectuate the transaction. Ayes: All. Motion carried unanimously.

- **Discussion and Possible Action Regarding Sludge Pit Cleaning at Water Treatment Plant**

Commission heard report from City Manager, Kenton Powell, regarding bid proposals received by Water Treatment Superintendent, Jerry Farmer, for the Water Treatment Plant wastewater lagoon sludge removal. The lagoon was last fully pumped out was six (6) years ago. Mr. Farmer recommends the bid be awarded to S4 Water Sales & Service. **Motion made by Commissioner Dixon and second by Commissioner Barnes to award the bid of sludge removal at the Water Treatment Plant wastewater lagoon to the lowest and most responsive, responsible bidder, S4 Water Sales & Service, in the amount of \$22,500 and authorize the Mayor to sign any and all necessary paperwork to effectuate the transaction. In addition, investigate the cost of an annual contract for sludge pit cleaning. Ayes: All. Motion carried unanimously.**

- **Discussion and Possible Action Regarding Purchase of Walk Behind Trenchers for Water Distribution Department**

Commission heard report from City Manager, Kenton Powell, regarding bid proposals received by Water Distribution Superintendent, Clif Beecher, for walk behind trenchers with a trailer. Mr. Beecher recommends purchasing a trencher with for upcoming projects rather than renting as they have done in the past. Mr. Beecher feels this purchase will pay for itself rather than incurring rental charges. Mr. Beecher's recommendation for this bid award is Ditch Witch. **Motion made by Commissioner Powell and second by Commissioner Dixon to award the purchase of a walk behind trencher for the Water Distribution Department to the lowest and most responsive, responsible bidder, Ditch Witch, in the amount of \$11,904.79 and authorize the Mayor to sign any and all necessary paperwork to effectuate the transaction. Ayes: All. Motion carried unanimously.**

- **Discussion and Possible Action Regarding Replacement of Gate Operator Motor for Claire Avenue Maintenance Facility.**

Commission heard report from City Manager, Kenton Powell, regarding bid proposal received by Water Distribution Superintendent, Clif Beecher, for the purchase of a new gate operator motor for the Maintenance Facility. Mr. Beecher recommends the bid be awarded to Quality Fence, LLC as this was the only bid received to do the work. **Motion made by Mayor Clark and second by Commissioner Powell to award purchase and installation of a new gate operator motor for the Claire Avenue Maintenance Facility to the lowest and most responsive, responsible bidder, Quality Fence, LLC, in the amount of \$7351.00 and authorize the Mayor to sign any and all necessary paperwork to effectuate the transaction. Ayes: All. Motion carried unanimously.**

## **ORDINANCES**

- None



**EXECUTIVE SESSION**

Motion by Commissioner Powell and second by Commissioner Barnes to enter in to executive session for the purpose of discussions, or hearings, which might lead to the appointment, discipline, or dismissal of an individual employee {KRS 61.810(f)}. Ayes: All. Motion carried unanimously at 7:30 PM. Entering executive session were Mayor Clark and the four Commissioners and City Manager Powell.

At 7:43 pm session was returned to open meeting, and motion made by Commissioner Barnes and second by Commissioner Dixon to close the executive session and return to open session. Ayes: All. Motion carried unanimously.

**CITY ATTORNEY REPORTS**

None

**CITY MANAGER REPORTS**

None

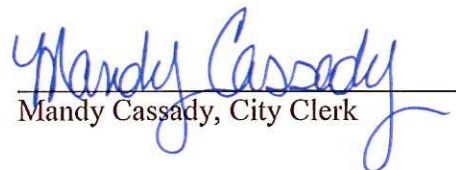
**OTHER COMMISSION BUSINESS**

None

**ADJOURNMENT**

Motion by Commissioner Powell and second by Commissioner Barnes to adjourn the City Commission meeting. Ayes: All. Motion carried at 7:44 PM.

  
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Ronnie Clark, Mayor

  
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Mandy Cassady, City Clerk

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