

The Franklin, KY City Commission convened in **regular session** at 12:00 pm, **Monday, September 9, 2013**, in the City Hall meeting room, 117 W. Cedar 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 Wendell Stewart	Present

Others present included City Attorney, Scott Crabtree, Chief of Police, Todd Holder; City Clerk, Mandy Cassidy; Administrative Deputy Clerk, Kathy Stradtner; Human Resources Director, Rita Vaughn who videoed the meeting; Finance Director, Shaunna Cornwell; Purchasing Agent, Angela West; F.S. Human Rights Commission Representative, Donzella Lee; Scott Waste employees, Pete Reckard and Jeff Vonnahme; Franklin Favorite/WFKN media representative, Keith Pyles.

Honorable Mayor Ronnie Clark called the meeting to order at 12:03 PM, and First Baptist Church Pastor, Jerry Gifford, offered an opening prayer.

APPROVAL OF MINUTES

Motion was made by **Commissioner Stewart** and second by **Commissioner Powell** to approve the minutes from the **August 26, 2013 Regular Commission Meeting**. **Ayes: Commissioner Powell, Commissioner Barnes, Commissioner Dixon, Commissioner Stewart and Mayor Clark**. Motion carried unanimously.

RECOGNITION

None

HEAR THE PUBLIC

None

REGULAR BUSINESS

COMMUNITY SERVICES

- **Discussion Regarding Solid Waste Collection & Service Transition to Scott Waste Services**

Scott Waste Employee, Pete Reckard, updated the commission regarding the solid waste service to begin in October 1, 2013. Mr. Reckard stated the pickup schedule will remain for the same for 1 month then Scott Waste will revise schedule and notify citizens. Mr. Reckard also explained there are two (2) containers each residence will receive, one for trash to be picked up weekly and the other for recycling to be picked up monthly.

GENERAL GOVERNMENT

- **Discussion and/or Possible Action Regarding Replacement of City Phone System and Service**

FiberNet Manager, Tammie Carey and Finance Director, Shaunna Cornwell, addressed the commission regarding the replacement of the City telephone system which has been in place for fifteen (15) years. The recommended new system would use Voice over Internet Protocol and utilize the existing fiber network by networking all five (5) city locations with all calls routing to and from city hall and each employee having their own direct line. A motion was made by Commissioner Powell and second by Commissioner Barnes to approve the replacement of the existing phone hardware and software, city wide, with new IP phones through a lease with Windstream and to enter into a lease contract with Windstream for phone service in the amount of \$1396.25 per month and allow the Mayor to sign any and all documents necessary per this motion. Ayes: All. Motion carried unanimously.

- **Discussion and/or Possible Action Regarding the Sale of Surplus Real Property**

City Attorney, Scott Crabtree, addressed the commission regarding the adoption of a resolution required to complete the sale of surplus property located at Kenneth Utley Drive and South Street. A motion was made by Commissioner Dixon and second by Commissioner Barnes to adopt Resolution #K-2013 providing for the sale of surplus real property located at Kenneth Utley Drive and South Street in Franklin, Kentucky and authorizes the Mayor to sign any and all documents necessary to effectuate the transaction including, but not limited to deeds and/or closing documents. Ayes: All. Motion carried unanimously.

**RESOLUTION NO. K-2013
SALE OF SURPLUS REAL PROPERTY
OF THE CITY OF FRANKLIN, KENTUCKY**

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 dispose of surplus real property owned by the City of Franklin; and

WHEREAS, KRS 82.083 provides that a city may sell or dispose of real property, but before doing so it shall make a written determination describing the property, its intended use at the time of acquisition, why it is in the public interest to dispose of it, and the method of disposition to be used; and

WHEREAS, the City of Franklin wishes to dispose of the real property listed on Exhibit A attached hereto and incorporated herein by advertising and selling said property at public auction in accordance with the applicable provisions of the Kentucky Revised Statutes and/or ordinances of the City of Franklin; and

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 sell to the highest and best responsive, responsible bidder at public auction the surplus real property listed in Exhibit A attached hereto.*
- 2. Any compensation resulting from the disposal of this personal property shall be transferred to the general fund of the City of Franklin.*
- 3. The intended use of the South Street property at the time of acquisition was for a recycling center, and the property was used in that capacity until April of 2013. The Kenneth Utley Drive property is divided into two (2) parcels, one (1) of which is one the north side of the road, and one (1) on the south side. The land was originally purchased as additional park property and to have additional land if needed for the closure of the landfill. It has since been determined that the property on the north side of Kenneth Utley Drive will not need to be utilized for a public purpose, and the property has a higher and better use for private purposes.*
- 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 at the time of acquisition, and states 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 public auction in accordance with the applicable provisions of the Kentucky Revised Statutes and/or ordinances of the City of Franklin.*
- 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 any documents necessary to transfer title in and to the property.*

- **Discussion and/or Possible Action Regarding the Employee Wellness program**

Personnel Director, Rita Vaughn, addressed the commission regarding the city providing memberships to Harvey's Gym for city employees as part of the upcoming Wellness Program. Ms. Vaughn explained the funds are available in the budget due to the decrease in health insurance premiums for the fiscal year 2013-2014. A motion was made by Commissioner Stewart and second by Commissioner Powell to approve the benefit of fitness membership at Harvey's Gym for city employees in the amount of \$20.00 per month, per membership with the condition the employee attends at least eight (8) times per month. Ayes: All. Motion carried unanimously.

PUBLIC SERVICES

- **Discussion and/or Possible Action Regarding the Purchase of a Curb Machine for the Street Department**

Public Works Superintendent, Derick Minnicks, presented the commission with three (3) bids for the purchase of a concrete curb machine. Mr. Minnicks requests the commission to approve the purchase of the concrete curb machine and recommends the purchase from Construction Machinery Company, LLC. A motion was made by Commissioner Stewart and second by Commissioner Dixon to award the purchase of Concrete Curb Machine for the Street Department to as the lowest and best responsive responsible bidder, Construction Machine Company, LLC at the bid price of \$13,365.00 and authorize the Mayor to sign any documents necessary to effectuate this transaction. Ayes: All. Motion carried unanimously.

- **Discussion and/or Possible Action Regarding ATMOS Energy Agreement Regarding Street Repairs**

City Attorney, Scott Crabtree, addressed the commission regarding a contract proposed by Atmos Energy regarding street repairs performed by the City resulting from gas line repair or installation in the City of Franklin. Mr. Crabtree states the agreement is acceptable. A motion was made by Commissioner Barnes and second by Commissioner Powell to approve the local services agreement and fee schedule with Atmos Energy and authorize the Mayor to sign any and all documents necessary to effectuate the transaction. Ayes: All. Motion carried unanimously.

PUBLIC SAFETY

None

UTILITIES

None

ORDINANCES

- **First Reading of Ordinance No. 220.17-09-2013**

City Clerk, Mandy Cassady, gave first summary reading to Ordinance No. 220.17-09-2013 Setting the 2013 City Property Tax Rates.

- **Second Reading of Ordinance No. 610.6-9-2013 Amending Portions of a Previous Ordinance Relating to Deposits for Water, Sewer and Sanitation.**

City Clerk, Mandy Cassady, gave second summary reading to Ordinance No. 610.6-9-2013 An Ordinance of the City of Franklin, Kentucky Repealing and Re-enacting in Amended Text and Substance a Portion of a Previous Ordinance Relating to Deposits for Water, Sewer and Sanitation Services. A motion was made by Commissioner Barnes and second by Commissioner Stewart to adopt Ordinance No. 610-6-9-2013. Roll call vote taken. Ayes: Commissioner Barnes, Commissioner Dixon, Commissioner Powell, Commissioner Stewart. Motion carried unanimously.

EXECUTIVE SESSION

Motion by Commissioner Dixon and second by Commissioner Stewart to enter in to executive session for the purpose of deliberations on acquisition, or sale, of real property where publicity would be likely to affect the value {KRS 61.810(b)} and Discussion of proposed or pending litigation {KRS 61.810(c)} and Discussions or hearings which might lead to the appointment, discipline or dismissal of an individual employee or member {KRS 61.810(f)} Ayes: All. Motion carried unanimously at 12:48 PM. Entering executive session were Mayor Clark, Commission Barnes, Commissioner Dixon, Commissioner Powell, Commissioner Stewart, City Manager Powell, City Attorney Crabtree.

At 1:00 p.m. session was returned to open meeting, and motion was made by Commissioner Barnes and second by Commissioner Powel to close the executive session and return to open session. Ayes: All. Motion carried unanimously.

A motion was made by Commissioner Powell and second by Commissioner Stewart to accept the letter of resignation of the retirement of Dallas Whiles effective September 27, 2013. Ayes: All. Motion carried unanimously.

CITY ATTORNEY REPORTS

None

CITY MANAGER REPORTS


None

OTHER COMMISSION BUSINESS

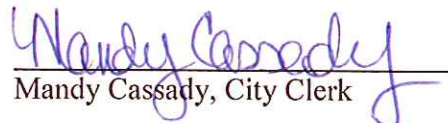
None

ADJOURNMENT

Motion made by Commissioner Powell and second by Commissioner Barnes to adjourn the City Commission meeting. Ayes: All. Motion carried unanimously at 1:02 pm.



 Ronnie Clark, Mayor



 Mandy Cassady, City Clerk