

**MINUTES OF REGULAR SESSION
OF THE
CITY OF FRANKLIN CITY COMMISSION
August 22, 2016
City Hall
117 West Cedar Street
Franklin, Kentucky**

The Franklin, Kentucky City Commission met in **Regular Session** at 12:00 PM, Monday, **August 22, 2016**, in the City Hall meeting room, 117 West Cedar Street, Franklin, Kentucky.

Members attending were 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 Manager Kenton Powell; City Attorney, Scott Crabtree; City Personnel Director/Deputy Clerk, Rita Vaughn; City Finance Director, Shaunna Cornwell; City Police Chief, Roger Solomon; City Public Works Director, Chris Klotter; City Clerk, Cathy Dillard; F-S Human Rights Commission member, Donzella Lee; and Franklin Favorite/WFKN media representative, Keith Pyles; Franklin-Simpson Renaissance Director Amy Ellis; Simpson County Fire Chief Leslie Goodrum; and Patrick and Tammy Rasmussen.

Honorable Mayor Ronnie Clark called the meeting to order at 12:00 PM, and Wilbur Powell of the Simpson County Baptist Association offered an opening prayer.

APPROVAL OF MINUTES

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to approve the minutes as presented of the August 8, 2016, regularly scheduled City Commission meeting. Voting aye: All. Motion carried unanimously.

RECOGNITIONS

No Scheduled Business

REGULAR BUSINESS

No Scheduled Business

HEAR THE PUBLIC

No Scheduled Business

COMMUNITY SERVICES

City Finance Director Shaunna Cornwell presented a summary of the costs related to the July storm cleanup along with a departmental breakdown of these costs. Mrs. Cornwell estimated costs were in excess of \$29,000.00.

GENERAL GOVERNMENT

City Manager Kenton Powell presented a request from Kentucky Downs for approval to conduct a supervised fireworks display on Saturday, August 27, 2016. Fire Chief Leslie Goodrum recommended approval for the request.

Motion was made by Commissioner Dixon and seconded by Commissioner Barnes to approve the request by Kentucky Downs to conduct a supervised fireworks display on Saturday, August 27, 2016 and authorize the Mayor to execute the permit on behalf of the City of Franklin. Voting Aye: All. Motion carried unanimously.

Wilbur Powell of the Simpson County Baptist Association presented a request to close North College Street between West Kentucky Avenue and West Cedar Street on Sunday, September 11, 2016, for a 9/11 Remembrance. The 9/11 Remembrance will honor and recognize City and County elected officials, past and present military personnel, law enforcement personnel, fire department personnel and first responders.

Motion was made by Commissioner Barnes and seconded by Commissioner Stewart to approve the request by Simpson County Baptist Association to close North College Street between West Kentucky Avenue and West Cedar Street on Sunday, September 11, 2016, for the 9/11 Remembrance and to authorize the Mayor to execute any and all necessary documents to approve the request. Voting Aye: All. Motion carried unanimously.

City Manager Kenton Powell presented a request made by Franklin-Simpson Industrial Authority to accept Reasonover Drive located in the Wilkey North Industrial Park as a City street. City Public Works Superintendent Joe Link reviewed Reasonover Drive and confirmed that the street meets City specification.

Motion was made by Commissioner Dixon and seconded by Commissioner Powell to approve the request by Franklin-Simpson Industrial Authority to accept Reasonover Drive located in the Wilkey North Industrial Park as a City street and authorize the Mayor to execute any and all documents necessary to authorize the acceptance of this street. Voting Aye: All. Motion carried unanimously.

GENERAL GOVERNMENT (Continued)

City Attorney Scott Crabtree provided copies of and discussed the Interlocal Cooperation Agreement for the Establishment of the Franklin-Simpson Code Enforcement Board. Mr. Crabtree explained to the Commission that the Interlocal Agreement was part of City of Franklin Ordinance No. 2016-012. The Interlocal Agreement will be approved upon second reading and publication of the ordinance.

City Finance Director Shaunna Cornwell presented a copy of the lease agreement with Lenovo Financial Services to lease two desktop computers for the Police Department that were damaged during the July storms. The Police Department worked for several weeks without two computers for their Detectives. The need became urgent to replace the damaged equipment, the Mayor was asked to execute the lease for the equipment prior to Commission approval. Mrs. Cornwell requested the Commission ratify the Mayor's signature on the lease agreement with Lenovo Financial Services.

Motion was made by Commissioner Barnes and seconded by Commissioner Stewart to ratify the Mayor's signature on the Lease Agreement with Lenovo Financial Services to lease two desktop computers for the Franklin Police Department.

Voting Aye: All. Motion carried unanimously.

City Attorney Scott Crabtree and City Finance Director Shaunna Cornwell presented the Westlaw Agreement and Order Form for Commission approval. Westlaw is an online research tool used in lieu of maintaining an up-to-date law library and is utilized by the City Attorney and City Staff.

Motion was made by Commissioner Powell and seconded by Commissioner Dixon to approve a three year contract with Westlaw and authorize the Mayor to execute any and all documents necessary for the contract. Voting Aye: All. Motion carried unanimously.

City Finance Director Shaunna Cornwell received the 2016 Certified Valuations from the Simpson County Property Valuation Administrator to complete the necessary calculation to set the 2016 property tax rates. Initial discussions in budget work sessions were based on an unchanged property tax rate if it were above the compensating rate but below the allowable 4% rate. Mrs. Cornwell recommended the allowable rate of 4%, resulting in 12.0 cents per \$100.00 (One Hundred Dollars) of assessed value for real and personal property rates.

Following a full discussion, Commissioner Stewart and Commissioner Dixon sponsored the preparation of the ordinance adopting the 2016 rate of 12.0 cents per \$100.00 (One Hundred Dollars) of assessed value for real and personal property, this rate is lower than the 2015 rate of 12.3 cents.

PUBLIC SERVICES

No Scheduled Business

PUBLIC SAFETY

Police Chief Roger Solomon presented two bid proposals for rifle equipment purchase for the Franklin Police Department.

Motion was made by Commissioner Stewart and seconded by Commissioner Barnes to approve the purchase of rifle equipment from Kiesler's Police Supply in a total amount of \$9,091.36 and to authorize the Mayor to sign any necessary documents for the purchase. Voting Aye: All. Motion carried unanimously.

UTILITIES

The City is preparing to issue 2017 Water & Sewer Bonds for various Franklin Municipal Utility capital projects.

It has been determined that the City needs to borrow \$1,151,000 for the following projects:

- \$175,000 Control Panel Replacement at Wastewater Treatment Plan
- \$876,000 Sunset Circle Sewer Line Replacement
- \$100,000 Distribution – Water Main Line Replacement

The City has determined that the most cost effective borrowing option is to participate in the Kentucky League of City's Kentucky Bond Corporation Financing Program. This program allows the City of Franklin to issue debt within a lease pool, which allows our municipality to share the costs of borrowing with other municipalities. The cost sharing approach along with lowest interest rates were evaluated and City management has determined that this is the best approach regarding this debt issuance. In order to begin the debt issuance process, the City must adopt two Resolutions. Resolution No. H-2016 approves the Interlocal Cooperation Agreement with the Kentucky League of Cities Interlocal Finance Program and Resolution No. I-2016 approves the lease agreement with the Kentucky League of Cities.

RESOLUTION NO. H-2016

A RESOLUTION OF THE CITY OF FRANKLIN, KENTUCKY APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF FRANKLIN, KENTUCKY AND OTHER PARTIES THERETO REGARDING THE KENTUCKY BOND CORPORATION

WHEREAS, public agencies in the State have experienced and are continuing to experience difficulty in economically funding or financing various governmental purposes at reasonable costs;

*WHEREAS, public agencies will enter into or have heretofore entered into an Interlocal Cooperation Agreement dated as of May 1, 2010 attached hereto as Exhibit A (the "Agreement"), as authorized under Sections 65.210 through Section 65.300, inclusive, of the Kentucky Revised Statutes, as amended (the "Interlocal Cooperation Act"), which authorizes public agencies to cooperate and act jointly in exercising any and all powers, privileges and authority capable of exercise by such public agencies in their respective individual capacities;
and*

WHEREAS, in order to provide a vehicle for economically funding or financing various governmental purposes of public agencies in the Commonwealth of Kentucky, the Kentucky League of Cities Interlocal Finance Program (the "Program") has been established under the Agreement and under the Program the Kentucky Bond Corporation (the "Corporation") has been established;

WHEREAS, the Program will benefit the public health, safety and general welfare of the citizens of the City of Franklin, Kentucky (the "Public Agency"); and

WHEREAS, in order for the Public Agency to participate in the Program, it must enter into the Agreement, as prescribed by Section 65.250 of the Kentucky Revised Statutes, which provided for the creation of the Program;

NOW, THEREFORE, be it resolved by the City Commission of the City of Franklin, Kentucky, as follows:

Section 1. Purpose. The Public Agency hereby finds, determines and declares that all statements of fact set forth in the preambles to this Resolution are true and correct in all respects, and such preambles are incorporated into the body of this Resolution by reference as if set forth at length herein. The Public Agency further finds, determines and declares that the entering into or issuance by the Corporation of obligations described in the Agreement will be in the best interest of the Public Agency and is in the furtherance of the public purposes and functions of the Public Agency and in the public interest.

Section 2. Approval of Interlocal Cooperation Agreement. The Agreement among this Public Agency and the other public agencies that will enter into or have entered into the Agreement is hereby specifically approved in the form attached hereto as Exhibit A, recognizing that such Agreement has been approved by the Attorney General of Kentucky as required by Section 65.260 of the Kentucky Revised Statutes.

Section 3. Repeal of Conflicting Actions. All ordinances, resolutions, orders or other legislative or administrative actions or parts thereof of this governing body in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed.

Section 4. Effective Date of Resolution. This Resolution shall become effective immediately upon the date of its passage.

ENACTED AND ADOPTED at a duly convened meeting of the City Commission of the City of Franklin, Kentucky this 22 day of August, 2016.

RESOLUTION NO. I-2016
A RESOLUTION APPROVING A LEASE FOR THE FINANCING OF A
PROJECT AND AUTHORIZING THE EXECUTION OF VARIOUS
DOCUMENTS RELATED TO SUCH LEASE

WHEREAS, the City Commission of the City of Franklin, Kentucky (the "Lessee") has the power, pursuant to Section 65.940 et seq. of the Kentucky Revised Statutes to enter into lease agreements with or without the option to purchase in order to provide for the use of property for public purposes;

WHEREAS, the City Commission of the Lessee (the "Governing Body") has previously determined, and hereby further determines, that the Lessee is in need of the Project, as defined in the Lease hereinafter described;

WHEREAS, the Governing Body has determined and hereby determines that it is in the best interests of the Lessee that the Lessee and the Kentucky Bond Corporation (the "Lessor") enter into a Lease Agreement (the "Lease") for the leasing by the Lessee from the Lessor of the Project;

NOW THEREFORE, BE IT ORDERED AND RESOLVED BY THE CITY OF FRANKLIN, KENTUCKY, AS FOLLOWS:

Section 1. Recitals and Authorization. The Lessee hereby approves the Lease Agreement (the "Lease") substantially the form presented to this Governing Body. It is hereby found and determined that the Project identified in the Lease is public property to be used for public purposes. It is further determined that it is necessary and desirable and in the best interests of the Lessee to enter into the Lease for the purposes therein specified, and the execution and delivery of the Lease and all representations, certifications and other matters contained in the Closing Memorandum with respect to the Lease, or as may be required by the Lessor prior to delivery of the Lease, are hereby approved, ratified and confirmed. The Mayor and City Clerk of the Lessee are hereby

authorized to execute the Lease, together with such other agreements or certifications which may be necessary to accomplish the transaction contemplated by the Lease.

Section 2. Severability. If any section, paragraph or provision of this Resolution shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Resolution.

Section 3. Open Meetings Law. This Governing Body hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Governing Body, and that all deliberations of this Governing Body and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with applicable legal requirements.

Section 4. Conflicts. All resolutions, ordinances, orders or parts thereof in conflict with the provisions of this Resolution are, to the extent of such conflict, hereby repealed and the provisions of this Resolution shall prevail and be given effect.

Section 5. Effective Date. This Resolution shall take effect from and after its passage, as provided by law.

INTRODUCED, SECONDED AND ADOPTED, at a duly convened meeting of the Governing Body, held on August 22, 2016; signed by the Mayor of the Lessee, attested by the City Clerk, filed and indexed as provided by law.

Motion was made by Commissioner Dixon and seconded by Commissioner Powell to adopt Resolution H-2016 and Resolution I-2016 as presented. Voting Aye: All. Motion carried unanimously.

ORDINANCES

City Clerk Cathy Dillard gave first summary reading of Ordinance No. 2016-010 entitled *Ordinance Creating a New Section Under the Franklin-Simpson Code Enforcement Board Ordinance Titled "Acquiring Certain City-Owned Property" that Provides the Guidelines and Procedures for Such Process.*

City Clerk Cathy Dillard gave first summary reading of Ordinance No. 2016-011 entitled *Ordinance Setting Forth the Property Tax Rate for the City of Franklin, Kentucky for the Tax Year 2016 and Calculated Using the Certified Property Assessments 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.*

City Clerk Cathy Dillard gave first summary reading of Ordinance No. 2016-012 entitled *Ordinance Repealing All Prior Ordinances Or Parts Thereof Relating To Property Maintenance Or Nuisances And Enacting A New Ordinance Entitled "Property Maintenance Code Enforcement" Which Creates A New Code Of Ordinances That Provide Minimum Standards For The Maintenance Of All Property Within The City Of Franklin That Will Be Administered And Enforced By The Code Enforcement Department Through Designated Code Enforcement Officer(S) Authorized To Issue Notices Of Violations And Citations To The Owner Or Occupants Of Property In Violation Thereof; And Further Approving An Interlocal Agreement Establishing A Joint City-County Code Enforcement Board And Establishing A Due Process By Which Property Owners Are Given Notice And An Opportunity To Correct Violations Or, If Contested, To Appeal A Citation Issued To A Board.*

Appointed By The Board Of Commissioners And Fiscal Court, Each Member Of Which Shall Ultimately Serve A Three-Year Term; And Authorizing And Directing Said Board To Conduct An Impartial Hearing And Render A Decision With Regard To Any Appeals Brought Before It; And Further Authorizing And Directing The Code Enforcement Officer And The Board To Impose Fines, Penalties, Charges And Administrative Fees If A Violation Is Established; And Further Providing That Any Judgment Or Decision Of The Board May Be Appealed To Simpson District Court Within Thirty (30) Days Of The Board's Decision. This Ordinance Also Adopts By Reference Numerous Sections Of The Most Recent Edition Of The International Property Maintenance Code, Which Provisions Authorize Code Enforcement Officer(S) To Cite And Abate, If Necessary, Unsafe Structures, Junked Vehicles And Appliances, Tall Weeds And Grass, Fixtures, Rubbish And Other Conditions Or Property Deemed To Be Public Nuisances.

EXECUTIVE SESSION

At 12:32 PM, motion was made by Commissioner Dixon and seconded by Commissioner Stewart to enter into Executive Session for the purpose of 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 {KRS 61.810(f)}, and to discuss business between a public agency 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(g)}. Voting Aye: All. Motion carried unanimously.

Entering Executive Session were Mayor Clark; Commissioners Powell, Barnes, Dixon and Stewart; City Manager Kenton Powell; and, City Attorney Scott Crabtree. Police Chief Solomon entered at 12:32 PM and exited at 12:42 PM.

At 1:07 PM, motion was made by Commissioner Powell and seconded by Commissioner Stewart to exit Executive Session and return to open session. Voting Aye: All. Motion carried unanimously.

CITY ATTORNEY REPORTS

No scheduled business.

CITY MANAGER REPORTS

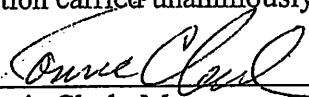
No scheduled business.

OTHER COMMISSION BUSINESS

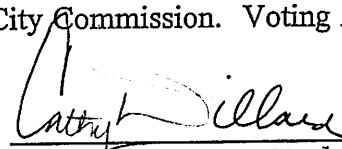
No scheduled business.

ADJOURNMENT

At 1:08 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 Motion carried unanimously.



Ronnie Clark, Mayor
City of Franklin, Kentucky



Cathy Dillard, City Clerk
City of Franklin, Kentucky