

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

**September 14, 2020**

**City Hall  
117 West Cedar Street  
Franklin, Kentucky  
(Pursuant to Senate Bill 150)**

The Franklin, Kentucky City Commission met in Regular Session at 12:00 Noon, Monday, **September 14, 2020**, 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 Brownie Bennett	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 Clerk, Cathy Dillard; and F-S Fire Chief Leslie Goodrum.

Mayor Dixon called the meeting to order at 12:00 Noon, and Commissioner Bennett 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 August 24, 2020, regular meeting of the Franklin City Commission.

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

**RECOGNITIONS**

Mayor Dixon recognized two Commissioners and two City employees for receiving Kentucky League of Cities Certifications in City Governance. Commissioner Brownie Bennett and Commissioner Herbert Williams received their Level I certification. City Finance Director Shaunna Cornwell received Level III certification and ABC Administrator/Tax Collector Daniel Reetzke received Level III.

KLC Executive Director J.D. Chaney and KLC President Bill Dieruf were in Franklin on Friday, September 4, 2020, to present officials with certificates. The City Officials Training Center is a voluntary continuing education program administered by KLC.

**GENERAL GOVERNMENT**

City Finance Director Shaunna Cornwell asked the Commission to consider approval of the 2020 Appalachia HIDTA Subaward Agreement. This grant provides up to \$18,000.00 in reimbursement of overtime pay for work performed by the City of Franklin Drug Task Force officer.

Motion was made by Commissioner Bennett and seconded by Commissioner Powell to approve the Appalachia HIDTA Subaward Agreement and further authorized the Mayor to sign any and all documents related to the execution of this agreement.

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

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In conjunction with the discussion regarding City Officials Training Certification, City Manager Kenton Powell provided the tentative agenda for the Kentucky League of Cities Annual Conference and Expo. The event will be virtual this year due to COVID-19 restrictions and will take place September 21-25. The virtual training will allow City officials to receive training in the safety and comfort of their home or office.

No action was taken on this matter.

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Franklin-Simpson Fire Chief Leslie Goodrum asked the Commission to consider his request to purchase a replacement vehicle for the Fire Department. The cost of the vehicle replacement would be shared equally with the County pursuant to an interlocal agreement. Chief Goodrum indicated the total cost to replace the vehicle would be approximately \$41,000.00, making the City's portion approximately \$20,500.00.

Motion was made by Commissioner Stewart and seconded by Commissioner Bennett to approve one-half (1/2) of the cost of a replacement vehicle for the Franklin-Simpson Fire Department, in an amount not to exceed \$21,000.00, contingent on the County's approval of one-half (1/2) of the expense for this vehicle and further authorized the Mayor to sign any and all documents necessary for this purchase.

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

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City Manager Kenton Powell asked the Commission to consider cancelling the regular joint City/County meeting scheduled for Tuesday, September 15, 2020. Mayor Dixon and Judge Barnes agreed that at this time there were no business items to discuss. A special meeting could be called if an immediate issue arose.

Motion was made by Commissioner Stewart and seconded by Commissioner Powell to cancel the regular joint City/County meeting scheduled for Tuesday, September 15, 2020.

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

City Manager Kenton Powell asked the Commission to recommend options for employee vacation time carryover for 2020 due to the COVID-19 pandemic. Many employees have accumulated vacation time they will lose under the current personnel policy if a carry-over option is not available.

No action was taken at this time, the Commission will consider options and recommendations.

City Manager Kenton Powell asked the Commission to approve the proposed list of surplus property but to remove Item #7, a 2012 Ditch Witch, as follows:

<u>ITEM</u>	<u>DEPARTMENT</u>	<u>DESCRIPTION / I D NUMBER</u>
1	Wastewater	2001 Backhoe
2	Wastewater	2005 420D Backhoe
3	Wastewater	500 Gallon Plastic Tanks
4	Wastewater	Obsolete Return Valve
5	Wastewater	2000 Ford F350 Flatbed (need VIN)
6	Water Dist.	2005 Ford Ranger Ext Cab 4x4 (need VIN)
7	<del>Water Dist.</del>	<del>2012 Ditch Witch</del>
8	Public Works	2006 Ford F250 Crew Cab Pickup (need VIN)
9	Public Works	Military Air Compressor
10	Public Works	Belt Fed Tailgate Rock Spreader
11	Public Works	Rock Grader Attachment
12	Public Works	Bush Hog
13	Public Works	Portable Air Compressor
14	Police Dept	2014 Ford Taurus VIN 1FAHP2M5KEF122279
15	Police Dept	2014 Ford Taurus VIN 1FAHP2MK1EG131819
16	Police Dept	2013 Ford Taurus VIN 1FAHP2M80DG181761
17	Police Dept	2013 Dodge Charger VIN 2C3CDXATXDG676870

Motion was made by Commissioner Powell and seconded by Commissioner Williams to declare the above-listed items as surplus property to be sold by the City of Franklin on GovDeals online auction and further authorized the Mayor to sign any and all documents necessary to complete the sale of these items.

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

City Manager Kenton Powell requested the Commission consider a street closing request by the Coalition for Change for Saturday, September 26, 2020, to close a portion of John J. Johnson Avenue from 8:00 a.m. until 5:00 p.m.

After discussion, it was recommended by Commissioner Stewart that for the health and safety of all Franklin residents and public gathering restrictions due to the COVID-19 pandemic that no street closure requests be granted until the State lifts the current state of emergency.

Motion was made by Commissioner Stewart and seconded by Commissioner Williams to deny the request submitted by the Coalition for Change and further moved that no street closure requests be granted until the State lifts the current state of emergency due to the COVID-19 pandemic.

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

City Attorney Scott Crabtree asked the Commission to consider approval of a Resolution supporting City Government Month and declaring September 2020 as City Government Month in Franklin.

Upon motion by Commissioner Powell, seconded by Commissioner Bennett the Commission unanimously approved by roll call vote Resolution G-2020 as follows:

**RESOLUTION NO. G-2020  
CITY OF FRANKLIN**

*WHEREAS, civics education in Kentucky schools is important to ensure future generations are engaged and involved in their local community and its governance;*

*WHEREAS, elementary schools are a prime location for the introduction of local government principles and responsibilities;*

*WHEREAS, involving and informing students of local government programs and duties can provide an opportunity for entire families to connect with vital city services and programs;*

*WHEREAS, there are 416 cities in Kentucky and 55 percent of the state's population lives in a city;*

*WHEREAS, "City Government Month" is a civics awareness campaign that educates elementary school students about city services by providing teachers lesson plans, a coloring/activity book and an implementation guide;*

*WHEREAS, "City Government Month" calls on city officials to get involved in their local schools and in educating and engaging elementary school students in city government; and*

*WHEREAS, the Kentucky League of Cities Board of Directors has declared September 2019 as City Government Month in Kentucky;*

*NOW THEREFORE, BE IT RESOLVED that the City of Franklin does hereby designate September 2019 as "City Government Month" in the city.*

*BE IT FURTHER RESOLVED, that city officials and employees are encouraged to collaborate with local elementary schools to educate students about their city government and to engage them in city services.*

*Dated this 14<sup>th</sup> day of September, 2020.*

City Attorney Scott Crabtree asked the Commission to sponsor two (2) proposed ordinances authorizing the participation in the Kentucky Business Investment Program (KBI) for Virtus Precision Tube, LLC and Tractor Supply Company.

In addition, he asked for sponsors for a proposed ordinance amending local zoning regulations for properties less than 10 acres outside the City limits. Crabtree stated that because planning and zoning has joint regulations, the change must be approved by the City.

Commissioner Powell and Commission Bennett asked to sponsor these three ordinances. First reading of the ordinances took place during the ordinance portion of the meeting.

**ORDINANCES**

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

Ordinance No. 2020-010 titled: An Ordinance Rezoning 618 East Cedar Street and 620 East Cedar Street from R-1 (Single Family Residential) to B-2 (General Business District) by 2C Investments, LLC.

Motion was made by Commissioner Bennett and seconded by Commissioner Stewart to adopt Ordinance No. 2020-010 and was approved by the following roll call vote:

Mayor Dixon	<u>Yes</u>	Commissioner Bennett	<u>Yes</u>
Commissioner Powell	<u>Yes</u>	Commissioner Stewart	<u>Yes</u>
Commissioner Williams	<u>Yes</u>		

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Ordinance No. 2020-011 titled: An Ordinance Rezoning 47.7378 Acres West of 31-W North from A-1 (Agriculture) to R1-S (Single Family Residential) By Lewis Memorial, Inc.

Motion was made by Commissioner Powell and seconded by Commissioner Williams to adopt Ordinance No. 2020-011 and was approved by the following roll call vote:

Mayor Dixon	<u>Yes</u>	Commissioner Bennett	<u>Yes</u>
Commissioner Powell	<u>Yes</u>	Commissioner Stewart	<u>Yes</u>
Commissioner Williams	<u>Yes</u>		

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Ordinance No. 2020-012 titled: Ordinance Setting Forth the Property Tax Rate for the City of Franklin, Kentucky for the Tax Year 2020 and Calculated Using the Certified Property Assessments as Provided By The Simpson County Property Valuation Administrator And Levying An Ad Valorem Tax Of 12.2 Cents Per One Hundred Dollars (\$100.000) Assessed Valuation On All Taxable Real Property Within The Jurisdiction And An Ad Valorem Tax Of 12.2 Cents Per One Hundred Dollars (\$100.00) Assessed Valuation On All Taxable Tangible Personal Property And Merchandise Inventory Within The Jurisdiction

Motion was made by Commissioner Stewart and seconded by Commissioner Bennett to adopt Ordinance No. 2020-012 and was approved by the following roll call vote:

Mayor Dixon	<u>Yes</u>	Commissioner Bennett	<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. 2020-013 titled: An Ordinance Of The Board Of Commissioners Of The City Of Franklin, Kentucky, Authorizing The Grant Of An Inducement For The Acquisition And Construction Of A Project Pursuant To The Kentucky Business Investment Program (KRS 154.32-010 To 154.32-100) Whereby The City Agrees To Forego The Collection Of The One Percent (1%) City Occupational License Fee On Wages From Virtus Precision Tube, LLC That Would Otherwise Be Due With Respect To Project Employees, Which Amounts Shall Be Collected And Remitted To The City To Be Refunded Upon Employer’s Request Over A Term Of Not Longer Than Ten (10) Years From The Activation Date Established By Said Program; And Taking Other Related Action

Ordinance No. 2020-014 titled: An Ordinance Of The Board Of Commissioners Of The City Of Franklin, Kentucky, Authorizing The Grant Of An Inducement For The Acquisition And Construction Of A Project Pursuant To The Kentucky Business Investment Program (KRS 154.32-010 To 154.32-100) Whereby The City Agrees To Forego The Collection Of The One Percent (1%) City Occupational License Fee On Wages From Tractor Supply Company That Would Otherwise Be Due With Respect To Project Employees, Which Amounts Shall Be Collected And Remitted To The City To Be Refunded Upon Employer’s Request Over A Term Of Not Longer Than Ten (10) Years From The Activation Date Established By Said Program; And Taking Other Related Action

Ordinance No. 2020-015 titled: An Ordinance Amending Local Zoning Regulations Concerning Properties Less Than 10 Acres outside the City Limits. This Amendment Is To Underscore Intent of KRS 381.770 to Protect, Promote, and Improve the Health, Safety and Welfare of the Citizens Residing Outside the City Limits, But Within Simpson County

No action is taken on first reading of an ordinance.

**EXECUTIVE SESSION**

At 12:50 PM, motion was made by Commissioner Bennett and seconded by Commissioner Williams to enter into Executive Session for the purpose of:

- (1) LITIGATION – Discussion of proposed or pending litigation {KRS 61.810(1)(c)};
- (2) BUSINESS – Discussions 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(1)(g)}; and,

(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)}

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

Entering Executive Session were Mayor Dixon; Commissioners Powell, Bennett, Williams and Stewart; City Manager Kenton Powell; City Attorney Scott Crabtree; David Carver; and, Dennis Griffin, Executive Director of F-S Industrial Authority.

David Carver exited Executive Session at 1:12 PM.

Dennis Griffin exited Executive Session at 1:22 PM.

At 2:15 PM, motion was made by Commissioner Williams and seconded by Commissioner Bennett to exit Executive Session and return to open session.

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

**OTHER COMMISSION BUSINESS**

Commissioner Stewart extended condolences to the Holt family for loss of their mother, Ernestine, from COVID-19. Stewart said the virus continues to be serious and encouraged everyone to be safe.

Commissioner Powell extended condolences to the Collins family also for the loss of Barbara.

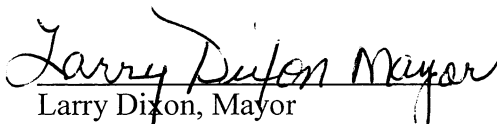
Motion was made by Commissioner Powell and seconded by Commissioner Stewart to accept the resignation of Officer Chad Moody from the Franklin Police Department.


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

**ADJOURNMENT**

At 2:23 PM, motion was made by Commissioner Powell and seconded by Commissioner Stewart to adjourn the regular meeting of the Franklin City Commission.

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

  
Larry Dixon, Mayor  
City of Franklin, Kentucky

  
Cathy Dillard, City Clerk  
City of Franklin, Kentucky