AGENDA

AGENDA

City of Franklin, Kentucky
City Commission

January 14, 2019
Regular Meeting – 12:00 Noon

City Hall Meeting Room
117 West Cedar Street
Franklin, Kentucky

I. Call to Order and Member Roll Call

II. Opening Prayer - Dr. John Whitaker, First Baptist Church

III. Approval of Minutes - Approval of Meeting Minutes from December 10, 2018 Special Session *Pg. 5*
Approval of Meeting Minutes from December 17, 2019 Special Session *Pg. 13*

IV. Recognitions - Recognition and Swearing In of New Officers Troy Lamastus and Michael Carder *Pg. 16*

V. Hear the Public – Joshua "Brandon" Bingham, Sergeant United States Army *Pg. 18*
Bowling Green Recruiting Center
Introduction By: Kenton Powell, City Manager

VI. Community Services

- Discussion and/or possible action regarding Hoy Park Grant Update *Pg. 21*
  Presenter: Tammie Carey, Comm Dev Director

VII. General Government

- Discussion and/or possible action regarding proposed Ordinance to Close a Public Roadway *Pg. 33*
  Presenter: Scott Crabtree, City Attorney

- Discussion and/or possible action regarding Board Appointments *Pg. 46*
  Presenter: Kenton Powell, City Manager

- Discussion and/or possible action regarding Special Called Joint City/County Meeting *Pg. 47*
  Presenter: Kenton Powell, City Manager

- Discussion and/or possible action regarding Extension of Independent Contractor Contract with Carter Munday ***Presenter: Kenton Powell, City Manager*** *Pg. 48*

- Discussion and/or possible action regarding Elected Officials and Employee Training *Pg. 56*
  Presenter: Kenton Powell, City Manager

- Discussion and/or possible action regarding Approval of Resolution A-2019 *Pg. 69*
  Presenter: Kenton Powell, City Manager

- Discussion and/or possible action regarding Authorized Signers for City Bank Accounts *Pg. 74*
  Presenter: Shaunna Cornwell, Finance Director

VIII. Public Services

IX. Public Safety

- Discussion and/or possible action regarding Traffic Enforcement Detail *Pg. 76*
  Presenter: Chief Roger Solomon

X. Utilities

XI. Ordinances

- Possible first summary reading of Ordinance No. 2019-001 entitled: *An Ordinance To Close The Public Way Known As The 0.072 Acre Tract Of Land Being The Westernmost Portion Of Hildegard Avenue That Has Not Been Paved Or Surfaced, Located Near The Southwest Corner Of The Area Known As Seng Subdivision, Just West Of The Intersection Of Hildegard Avenue And Western Drive* ***Presenter: Cathy Dillard, City Clerk*** *Pg. 78*

XII. Executive Session

LAND ACQUISITION – Deliberations on the future acquisition or sale of real property by a public agency where publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold by a public agency {KRS 61.810(1)(b)}

LITIGATION – Discussion of proposed or pending litigation {KRS 61.810(1)(c)}

PERSONNEL – Discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee or member {KRS 61.810(1)(f)}

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)}

XIII. City Attorney Reports

XIV. City Manager Reports

XV. Other Commission Business

XVI. Adjournment

MINUTES

MINUTES OF SPECIAL SESSION
OF THE
CITY OF FRANKLIN
CITY COMMISSION

December 10, 2018

City Hall
117 West Cedar Street
Franklin, Kentucky

The Franklin, Kentucky City Commission met in Special Session at 10:00 AM, Monday, **December 10, 2018**, in the City Hall meeting room located at 117 West Cedar Street, Franklin, Kentucky.

Members attending were as follows:

Mayor Ronnie Clark	Present
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 Clerk, Cathy Dillard; City Finance Director, Shaunna Cornwell; City Personnel Director/Deputy Clerk, Rita Vaughn; City Police Chief, Roger Solomon; Public Works Superintendent Chris Klotter; City Community Development Director Tammie Carey; F-S Human Rights Commission Director, Donzella Lee; Franklin Favorite/WFKN media representative, Keith Pyles; Jessica Barnes; Brownie Bennett; Herbert Williams; Kelly Bush; Lynn Barnes; Judy Barnes; Tim Crocker; Rick Dinkens; and, City of Franklin Water Distribution employees – Kenny Massey, Keith Dinkens, and Cameron Gooch

Mayor Clark called the meeting to order at 10:00 AM, and Eric Walker of Franklin Community Church offered an opening prayer.

APPROVAL OF MINUTES

Mayor Clark asked the Commission to review the minutes of the November 15, 2018 and November 19, 2018, special called meetings and, if there were no additions or corrections, asked for a motion to approve these minutes.

Motion was made by Commissioner Barnes and seconded by Commissioner Powell to approve the minutes as presented of the November 16, 2018, and November 19, 2018, special called meetings of the Franklin City Commission.

Voting aye: All. Motion carried unanimously.

RECOGNITION

Water Distribution Superintendent Kenny Massey recognized and presented Keith Dinkens with the 2018 City Employee of the Year award. Mayor Clark and the Commission recognized and congratulated Keith for his commitment to his job and to our community.

City Manager Kenton Powell presented a Key to the City to Mayor Clark and Commissioner Barnes in recognition of their service to our community. Mayor Clark and Commissioner Barnes thanked the Commissioners, the City of Franklin employees and the City Manager for their hard work over the past eight years.

COMMUNITY SERVICES

Community Development Director Tammie Carey asked the Commission to consider approval of ROAN Properties, LLC request for a property tax moratorium for a five (5) year period for the property located at 124/126 North Main Street, which is within the Downtown Historic District. This five (5) year moratorium will be for tax years 2019 through 2023 at the purchase price taxable value of $111,280.00. In April 2018 the Commission approved Ordinance No. 2018-006 establishing the property assessment and reassessment moratorium criteria for properties located within the Downtown Historic District.

Motion was made by Commissioner Dixon and seconded by Commissioner Stewart to approve the request by ROAN Properties, LLC for a five (5) year moratorium of City of Franklin property taxes for the property located at 124/126 North Main Street and further authorized the Mayor to sign the Department of Revenue Application for Assessment Moratorium Certificate on behalf of the City.

Voting Aye: All. Motion carried unanimously.

GENERAL GOVERNMENT

City Attorney Scott Crabtree requested the Commission's approval for the Mayor to sign a deed of conveyance to transfer the property located on the corner of Main Street and Madison Street to Franklin Affordable Housing. It was agreed that this conveyance is contingent upon Franklin Affordable Housing's agreement to allow public parking on the property until transfer to and possession by a new owner of the property. It was further agreed that the City of Franklin's Board of Commissioners will approve any transfer or sale of the property.

Motion was made by Commissioner Powell and seconded by Commissioner Dixon to authorize the Mayor to sign a deed of conveyance to transfer the property located on the corner of Main Street and Madison Street to Franklin Affordable Housing.

Voting Aye: All. Motion carried unanimously.

PUBLIC SAFETY

Finance Director Shaunna Cornwell asked the Commission to approve the purchase of three (3) police cruisers from Freedom Dodge in Lexington, Kentucky at the state bid price of $23,027.00 for each unit for a total purchase price of $69,081.00.

Motion was made by Commissioner Powell and seconded by Commissioner Barnes to approve the purchase of three (3) police cruisers from Freedom Dodge at the state bid price of $23,027.00 for each unit for a total purchase price of $69,081.00 as the lowest and best responsive, responsible bidder and to further authorize the Mayor to sign any and all documents necessary for this purchase.

Voting Aye: All. Motion carried unanimously.

City Attorney Scott Crabtree requested the Commission's approval for the Mayor to sign the initial contracts for new employees for the Police Department new hires this year. In addition, Mr. Crabtree requested the Commission's approval for the Mayor to sign any documents necessary for Lt. Vickie Christiansen to complete employment with the City of Franklin.

Motion was made by Commissioner Stewart and seconded by Commissioner Powell to authorize the Mayor to sign any and all documents necessary for Lt. Vickie Christiansen to complete employment with the City of Franklin and further authorized the Mayor to sign the contracts for new employees for the Franklin Police Department.

Voting Aye: All. Motion carried unanimously.

UTILITIES

Wastewater Collections Superintendent Michael Ranburger asked the Commission to approve Repairs to the Wastewater Collections Vac Truck and to approve the transfer of funds to increase the capital budget in the amount of $28,122.00.

Motion was made by Commissioner Dixon and seconded by Commissioner Powell to approve the transfer of funds to increase the capital budget in the amount of $28,122.00 for repairs for the Wastewater Collections Vac Truck and to further authorize the Mayor to sign any and all documents necessary for this expenditure.

Voting Aye: All. Motion carried unanimously.

Public Works Director Chris Klotter asked the Commission to consider final approval for the streets and water, sewer, and storm water utilities in Westwoods Subdivision. The streets considered for final approval include Westwoods Drive, Autumn Oaks Drive, Miller Pond Road and Valley Ridge Road. Acceptance of this subdivision includes a one year warranty by the developer on the utilities and streets beginning December 10, 2018.

Motion was made by Commissioner Stewart and seconded by Commissioner Powell to accept Westwoods Subdivision to include the water, sewer, and storm water utilities and the streets, subject to the one year warranty from the Developer on the utilities and streets beginning December 10, 2018 and, further, subject to the City only accepting maintenance responsibility for the main sewer lines and not the associated taps until cleanouts are installed, and to further authorize the Mayor to sign all necessary documents for this acceptance.

Voting Aye: All. Motion carried unanimously.

ORDINANCES

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

Ordinance No. 2018-018 entitled: *An Ordinance Amending the Prior Ordinances Relating to Alcoholic Beverage Control*

Motion was made by Commissioner Powell and seconded by Commissioner Dixon to approve Ordinance No. 2018-018 and unanimously approved by the following roll call vote:

Roll Call Vote:	Mayor Clark	Aye
	Commissioner Powell	Aye
	Commissioner Dixon	Aye
	Commissioner Barnes	Aye
	Commissioner Stewart	Aye

Ordinance No. 2018-019 entitled: *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 Holley Performance Products, Inc. That Would Otherwise Be Due With Respect To Project Employees, Which Amounts Shall Be Collected And Retained By Said Employer Over A Term Of Not Longer Than Ten (10) Years From The Activation Date Established*

Motion was made by Commissioner Barnes and seconded by Commissioner Stewart to approve Ordinance No. 2018-019 and unanimously approved by the following roll call vote:

Roll Call Vote:	Mayor Clark	Aye
	Commissioner Powell	Aye
	Commissioner Dixon	Aye
	Commissioner Barnes	Aye
	Commissioner Stewart	Aye

Ordinance No 2018-020 entitled: *Ordinance Annexing to The City of Franklin, Kentucky Approximately 17.51 Acres Located On The Corner Of Witt Road And Kentucky State Highway 1008, Being Contiguous To The Existing City Limits Of Franklin, Kentucky In Accordance With The Comprehensive Plan Of Annexation*

Motion was made by Commissioner Dixon and seconded by Commissioner Stewart to approve Ordinance No. 2018-020 and unanimously approved by the following roll call vote:

Roll Call Vote:	Mayor Clark	Aye
	Commissioner Powell	Aye
	Commissioner Dixon	Aye
	Commissioner Barnes	Aye
	Commissioner Stewart	Aye

Ordinance No. 2018-021 entitled: *Ordinance Annexing to The City of Franklin, Kentucky Approximately 8.28 Acres Containing A Portion Of And Located On Highway 1008, Being Contiguous To The Existing City Limits Of Franklin, Kentucky In Accordance With The Comprehensive Plan Of Annexation*

Motion was made by Commissioner Powell and seconded by Commissioner Dixon to approve Ordinance No. 2018-021 and unanimously approved by the following roll call vote:

Roll Call Vote:	Mayor Clark	Aye
	Commissioner Powell	Aye
	Commissioner Dixon	Aye
	Commissioner Barnes	Aye
	Commissioner Stewart	Aye

Ordinance No. 2018-022 entitled: *Ordinance Annexing To The City Of Franklin, Kentucky Approximately 8.19 Acres Located On Highway 1008, Being Contiguous To The Existing City Limits Of Franklin, Kentucky In Accordance With The Comprehensive Plan Of Annexation*

Motion was made by Commissioner Stewart and seconded by Commissioner Barnes to approve Ordinance No. 2018-022 and unanimously approved by the following roll call vote:

Roll Call Vote:	Mayor Clark	Aye
	Commissioner Powell	Aye
	Commissioner Dixon	Aye
	Commissioner Barnes	Aye
	Commissioner Stewart	Aye

Ordinance No. 2018-023 entitled: *Ordinance Annexing To The City Of Franklin, Kentucky Approximately 1.72 Acres Located On Highway 31-W, Being Contiguous To The Existing City Limits Of Franklin, Kentucky In Accordance With The Comprehensive Plan Of Annexation*

Motion was made by Commissioner Powell and seconded by Commissioner Dixon to approve Ordinance No. 2018-023 and unanimously approved by the following roll call vote:

Roll Call Vote:	Mayor Clark	Aye
	Commissioner Powell	Aye
	Commissioner Dixon	Aye
	Commissioner Barnes	Aye
	Commissioner Stewart	Aye

Ordinance No. 2018-024 entitled: *Ordinance Annexing To The City Of Franklin, Kentucky Approximately 2.67 Acres Located On Kentucky Highway 100, Being Contiguous To The Existing City Limits Of Franklin, Kentucky In Accordance With The Comprehensive Plan Of Annexation*

Motion was made by Commissioner Stewart and seconded by Commissioner Powell to approve Ordinance No. 2018-024 and unanimously approved by the following roll call vote:

Roll Call Vote:	Mayor Clark	Aye
	Commissioner Powell	Aye
	Commissioner Dixon	Aye
	Commissioner Barnes	Aye
	Commissioner Stewart	Aye

Ordinance No. 2018-025 entitled: *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 TMM (USA), Inc. That Would Otherwise Be Due With Respect To Project Employees, Which Amounts Shall Be Collected And Retained By Said Employer Over A Term Of Not Longer Than Ten (10) Years From The Activation Date Established By Said Program; And Taking Other Related Action*

Motion was made by Commissioner Barnes and seconded by Commissioner Powell to approve Ordinance No. 2018-025 and unanimously approved by the following roll call vote:

Roll Call Vote:	Mayor Clark	Aye
	Commissioner Powell	Aye
	Commissioner Dixon	Aye
	Commissioner Barnes	Aye
	Commissioner Stewart	Aye

Ordinance No. 2018-026 entitled: *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 Toyo Automotive Parts (USA), Inc. That Would Otherwise Be Due With Respect To Project Employees, Which Amounts Shall Be Collected And Retained By Said Employer Over A Term Of Not Longer Than Ten (10) Years From The Activation Date Established By Said Program; And Taking Other Related Action*

Motion was made by Commissioner Powell and seconded by Commissioner Barnes to approve Ordinance No. 2018-026 and unanimously approved by the following roll call vote:

Roll Call Vote:	Mayor Clark	Aye
	Commissioner Powell	Aye
	Commissioner Dixon	Aye
	Commissioner Barnes	Aye
	Commissioner Stewart	Aye

EXECUTIVE SESSION

At 10:50 AM, motion was made by Commissioner Barnes and seconded by Commissioner Stewart to enter into Executive Session for the purpose of:

(1) LITIGATION - 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 {KRS 61.810(1)(f)}; and,

(3) LAND ACQUISITION - deliberations on the future acquisition or sale of real property by a public agency where publicity would be likely to affect the value of a specific piece of property to be acquired for public use or sold by a public agency {KRS 61.810(1)(b)}.

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 and Franklin Police Chief Roger Solomon.

Chief Solomon exited Executive Session at 11:05 AM.

At 11:22 AM, motion was made by Commissioner Powell and seconded by Commissioner Barnes to exit Executive Session and return to open session.

Voting Aye: All. Motion carried unanimously.

OTHER COMMISSION BUSINESS

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to hire Sergio Fuentes, Jenna Salza, Troy Lamastus and Michael Carder to the Franklin Police Department contingent upon completing the pre-employment tests and background checks.

Voting Aye: All. Motion carried unanimously.

Commissioner Stewart said it had been his privilege to serve the past eight years with Mayor Clark and Commissioner Barnes.

Commissioner Barnes said it had been his honor and privilege to work with this Commission and it was his pleasure to serve the people of Franklin and was looking forward to serving all the people of Simpson County. Commissioner Barnes further indicated he was committed to working together for the betterment of all the residents of Franklin and Simpson County as the incoming Judge Executive for Simpson County.

Mayor Clark thanked this Commission for their support and commitment to the citizens of Franklin for the past eight years. In addition, he congratulated Commissioner Dixon as incoming Mayor.

Commissioner Dixon thanked Mayor Clark and the Commission and the past eight of service had been a tremendous learning experience for him. Mr. Dixon said Mayor Clark had provided him with a strong foundation to build on for the next four years.

Commissioner Powell said it had been his pleasure to work with this Commission and was very proud of everything they had accomplished for the City of Franklin. Mr. Powell said Mayor Clark had been one of the best Mayor's to work with over the past eight years and that he would sincerely miss his leadership and guidance.

ADJOURNMENT

At 11:29 AM, motion was made by Commissioner Barnes and seconded by Commissioner Powell to adjourn the special called meeting of the Franklin City Commission.

Voting Aye: All. Motion carried unanimously.

Larry Dixon, Mayor
City of Franklin, Kentucky

Cathy Dillard, City Clerk
City of Franklin, Kentucky

MINUTES OF SPECIAL SESSION
OF THE
CITY OF FRANKLIN CITY COMMISSION

Monday, December 17, 2018 at 9:00 AM

City Hall
117 West Cedar Street
Franklin, Kentucky

The Franklin City Commission held a Special Called Session at 9:00 AM, Monday, **December 17, 2018**, in the City Hall meeting room located at 117 West Cedar Street, Franklin, Kentucky.

Members attending were as follows:

Mayor Ronnie Clark	Present
Commissioner Larry Dixon	Present
Commissioner Mason Barnes	Present
Commissioner Jamie Powell	Present
Commissioner Wendell Stewart	Present

Others present included City Manager Kenton Powell; City Finance Director, Shaunna Cornwell; Franklin Police Chief Roger Solomon; and, City Clerk Cathy Dillard.

Honorable Mayor Ronnie Clark called the meeting to order at 9:01 AM.

GENERAL GOVERNMENT

Finance Director Shaunna Cornwell asked the Commission to consider rescinding their December 10, 2018, award of bid for police cruisers to Freedom Dodge for state contract price in the amount of $23,027.00 each for three (3) cruisers and asked the Commission to re-evaluate the bids.

Mrs. Cornwell stated that through inadvertence she had not accurately compared pricing for the all-wheel drive model of the vehicles stated in the bid specifications. The bid from Hunt Ford was for an all-wheel drive model and the state contract price was for a rear wheel drive model. After re-evaluation of the bids it was determined that Hunt Ford was the lowest and most responsive responsible bidder for a total purchase price of $76,140.00 for the cruisers with the all-wheel drive.

Motion was made by Commissioner Powell and seconded by Commissioner Dixon to rescind the December 10, 2018, motion to award the bid of three new police cruisers to Freedom Dodge at the state contract price and to award the bid of the three new cruisers to Hunt Ford in the amount of $25,380.00 each for a total of $76,140.00 as the lowest and best responsive, responsible bidder and further authorized the Mayor to sign any and all documents necessary for this purchase.

Voting Aye: All. Motion carried unanimously.

ADJOURNMENT

At 9:06 AM, motion was made by Commissioner Powell and seconded by Commissioner Dixon to adjourn the special called session meeting of the Franklin City Commission.

Voting Aye: All. Motion carried unanimously.

Larry Dixon, Mayor
City of Franklin, Kentucky

Cathy Dillard, City Clerk
City of Franklin, Kentucky

RECOGNITIONS

MEMORANDUM

TO: City Commission

FROM: Franklin Police Chief Roger Solomon

Date: January 3, 2019

RE: Recognition of New Hires

As you are aware, we currently have four open vacancies within our police department. I would like for the Commission to recognize the hire of the following two officers, Troy Lamastus and Michael Carder. Both have successfully completed all of the necessary steps throughout the hiring process.

Have the two newest officers sworn in before the Commission.

Chief Roger Solomon

HEAR THE PUBLIC

MEMO

TO: Mayor Larry Dixon and Commissioners

FROM: City Manager Kenton Powell

DATE: January 10th 2019

SUBJECT: Hear from the Public

Sergeant Joshua Bingham, United States Army recruiter, would like to introduce himself and possibly offer support and/or sponsorship concerning local events. Sergeant Bingham wishes to address the Commission for approximately 5 minutes.

Thank You,

Kenton Powell

Kenton Powell

From: Bingham, Joshua B SGT USARMY USAREC (USA) <joshua.b.bingham2.mil@mail.mil>
Sent: Wednesday, January 9, 2019 9:49 AM
To: Kenton Powell
Subject: Meeting

Mr. Powell,

It was a pleasure meeting with you yesterday! I look forward to being a part of the meeting on Monday, the 14th. I have truly enjoyed being a member of the Franklin community over this past year, and I am excited to see what else I can do to be more involved. Thank you for your time!

V/R,

Joshua "Brandon" Bingham
Sergeant United States Army
Bowling Green Recruiting Center
1600 Campbell LN.
Bowling Green, KY 42104
931-237-1671
Joshua.b.bingham2.mil@mail.mil
joshuabbingham@yahoo.com

COMMUNITY SERVICES

MEMO

TO: Mayor and Commissioners

FROM: Tammie Carey, Community Development Director

DATE: January 10, 2019

RE: Grant for Hoy Park

Notification has been received that the City has been awarded $100,000 in grant funding for the development of Hoy Park Trail. The funding is through the Recreational Trails Grant program and administered through the Kentucky Department for Local Government. I wanted to give you a little history on the project.

In September of 2017 the City was deeded a tract of land near the corner of 31-W North and Highway 1008. The idea was presented to create a walking trail in the area. We learned that the area is home to Hoy Cave, which has become famous in Simpson County over the years. With the name of Hoy, I began doing some research and discovered that this area was the home of Thomas Hoy who moved to Simpson County in the early 1800's. He received the land through a land grant. History goes on and one of the descendants of Thomas and Susan Hoy was Ella Hoy. Ella married Isaac Herschel Goodnight. The Goodnight family made numerous contributions to our community.

On April 25th, an application for funding was submitted to the Department for Local Government for a Recreational Trails Program Grant. The application requested funding in the amount of $100,000 for the development of Hoy Park near the corner of 31-W North and Highway 1008. The proposed development in the grant application included a walking trail, parking area, benches, trash cans and signage. Placing signs that give the history of the area, including the Family Cemetery and the Cave area, would be a way to preserve the heritage and history of the Hoy Family. The 1.477 mile gravel travel would be a place that residents of nearby neighborhoods could enjoy as well as others traveling by and parking in the designated area.

The total project cost is estimated to be $150,000, however, the grant does allow for in-kind labor. There is a 20% match requirement for the funding.

Included is a letter from Commissioner Sandra Dunahoo announcing our grant award. There are several steps we must complete prior to being able to move dirt. We must complete an environmental study and complete the plans. I will be working with the state on the grant agreement and other required documentation. I anticipate being able to begin construction on the trail in late spring or early summer.

Also included is a map of the project and photos of the area.

I was excited about the notification of funding and wanted to share the award with the Mayor and the Commission. Please let me know if you have any questions concerning the project or timeline.

OFFICE OF THE GOVERNOR
DEPARTMENT FOR LOCAL GOVERNMENT

Matthew G. Bevin
Governor

1024 Capital Center Drive, Suite 340
Frankfort, Kentucky 40601
Phone: (502) 573-2382
Fax: (502) 573-2939
www.kydlgweb.ky.gov

Sandra K. Dunahoo
Commissioner

December 20, 2018

The Honorable Ronnie Clark
Mayor, City of Franklin
PO Box 2805
Franklin, Kentucky 42134

RE: Hoy Park Trail
Fiscal Year 2015 Recreational Trails Program Project

Dear Mayor Clark:

I am pleased to inform you that Governor Matt Bevin has selected the above-referenced recreational project for funding in the amount of $100,000.00. I have directed staff to begin the necessary paperwork for submittal of the complete application to the Federal Highway Administration (FHWA).

Work cannot begin on the project until the complete application has been submitted, reviewed and officially approved by the FHWA. Only upon their approval and an executed Memorandum of Agreement with our office, may construction begin.

Again, congratulations on the selection of your project. Please be assured of our willingness to work with you in any way to achieve its successful completion.

Sincerely,

Sandra K. Dunahoo

Sandra K. Dunahoo
Commissioner

Cc: Barren River Area Development District

Preliminary 2018
Walking Trail Proje
Hoy Cave entrance
Hoy Cemetery
Exist Drainageway
Proposed Parking
1008
I-24
Main St
Main Ave
Grove Ave
Banner St
Rittenhouse St
© 2018 Google
Imagery Date: 1/12/2017

Proposed Development of
Hoy Park
Franklin, Kentucky

Cave Entrance – Plan to have lookout area above this and secure area from people going in the cave.

Looking at the entrance, this rock formation is to the right.

Path leading down to the Cave Entrance.

The path leading to the cave entrance opens up to a grass field.

Another entrance to the cave. This entrance receives a lot of water drainage and debris backs up in the area.

Water run-off has created a ditch leading to the cave entrance.

A "path" has been formed from nearby residents riding bikes and ATV's in the area.

The area is home to beautiful, natural vegetation.

The Hoy family cemetery is surrounded by a rock wall. Some headstones are visible from the outside of the rock wall.

Records indicate the cemetery dates back to 1854 with the burial of Phillip Jay Hoy on September 2, 1854 and Mary Hoy on September 7, 1854.

GENERAL GOVERNMENT

MEMO

TO: Mayor Larry Dixon and Commissioners

FROM: Scott Crabtree

DATE: January 8, 2019

SUBJECT: Closure of Westernmost Portion of Hildegard Avenue

The City Commission has been asked by Donald Gore to close this portion of Hildegard Avenue. This portion of Hildegard Avenue was platted but never constructed. It is currently a vacant piece of land that Mr. Gore has been maintaining for years. Since the City obviously doesn't want to maintain it, it is advisable to officially "close" this portion of the street and allow it to be deeded to Mr. Gore. The neighbors have all consented to this action. We will need to have 2 Commissioners sponsor the ordinance and have first reading.

CITY OF FRANKLIN, KENTUCKY

ORDINANCE NO. 2019 - 001

AN ORDINANCE TO CLOSE THE PUBLIC WAY KNOWN AS THE 0.072 ACRE TRACT OF LAND BEING THE WESTERNMOST PORTION OF HILDEGARD AVENUE THAT HAS NOT BEEN PAVED OR SURFACED, LOCATED NEAR THE SOUTHWEST CORNER OF THE AREA KNOWN AS SENG SUBDIVISION, JUST WEST OF THE INTERSECTION OF HILDEGARD AVENUE AND WESTERN DRIVE

WHEREAS, at the request of Donald Gore and wife, Marilyn Gore, it has been determined that the 0.072 acre tract of land being the westernmost portion of Hildegard Avenue that has not been paved or surfaced, located near the southwest corner of the area known as Seng Subdivision, just west of the intersection of Hildegard Avenue and Western Drive will serve a more useful public purpose if the herein described portion is closed and no longer used as a public way; and,

WHEREAS, the Board of Commissioners of the City of Franklin has identified the property owners in or abutting the portion of the property to be closed to be Donald Gore and wife, Marilyn Gore, Anna Keen, unmarried, and Nancy Moseley, unmarried; and,

WHEREAS, pursuant to KRS 82.405(2) (b) and (c), written notices of the proposed closing were given to the property owners in or abutting that portion of the public way that is described in Exhibit A, and the property owners in or abutting that portion of the property have agreed to the closing of the public way, with said consents being attached collectively hereto as Exhibit B; and,

WHEREAS, the Board of Commissioners of the City of Franklin has determined that it is in the best interest of the City to close the public way which is described more specifically in the attached Exhibit A, and to authorize the City Attorney for the City of Franklin to take any and all actions necessary to convey a portion of the public way to be closed to Donald Gore and wife, Marilyn Gore; and,

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Franklin, Kentucky, as follows:

1. The preambles to this Ordinance are true and correct and incorporated herein by reference.

2. The portion of the public way commonly known as the 0.072 acre tract of land being the westernmost portion of Hildegard Avenue that has not been paved or surfaced, located near the southwest corner of the area known as Seng Subdivision, just west of the intersection of Hildegard Avenue and Western Drive, described in Exhibit A, is hereby accepted by the City as a public way, as having been opened to the unrestricted use of the general public for more than five (5) consecutive years pursuant to KRS 82.400 and, further, said portion of the public way shall be hereinafter closed as a public way, street, and/or thoroughfare, and shall no longer be maintained by the City of Franklin, Kentucky; provided that the City is allowed to retain any easements, conditions or restrictions, written or unwritten, that previously applies to this property, and they shall remain in effect and apply to this property as represented by the plat prepared by Robert G. May, LPLS #2142 dated December 5, 2018.

3. The City Attorney is hereby directed to take any and all actions necessary, and/or all of his actions with respect to this ordinance are hereby ratified pursuant to this ordinance to close said public way and to convey a portion of the public way, more particularly described in the attached Exhibit A, to Donald Gore and wife, Marilyn Gore.

4. The Board of Commissioners authorizes and directs the Mayor to sign any and all documents necessary to effectuate the intent of this ordinance.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holdings shall not affect the validity of the remaining portions of Ordinance.

All ordinances or parts of ordinances in conflict herewith, are, to the extent of such conflict, hereby repealed.

_____ FIRST READING

_____ SECOND READING

At a meeting of the Franklin Board of Commissioners held on _____, on motion made by _____ and seconded by _____, the foregoing ordinance was adopted, after full discussion, by the following vote:

_____ HERBERT WILLIAMS

_____ JAMIE POWELL

_____ BROWNIE BENNETT

_____ WENDELL STEWART

_____ LARRY DIXON, MAYOR

APPROVED BY:

_____
Larry Dixon, Mayor

ATTEST:

_____
Cathy Dillard, City Clerk
City of Franklin, Kentucky

EXHIBIT A

DESCRIPTION OF 0.072 ACRE TRACT BEING CLOSED

See attached Boundary Retracement Street Closure
Containing 0.072 Acres prepared by Robert G. May,
Licensed Surveyor No. 2142 dated 12/05/18.

Robert G. May
Licensed Professional Land Surveyor ~ 1830 Witt Road ~ Franklin, KY 42134
Phone: 270-586-4562 Fax: 270-586-4562

A certain tract of land in Franklin, Simpson County, Ky. located near the southwest corner of the area known as Seng Subdivision just west of the intersection of Hildegard Avenue and Western Drive and further described from a survey made December 5, 2018, under the supervision of Robert G. May, LPLS # 2142, as follows;

Unless stated otherwise, any monument or reference referred to herein as a pin and cap is a set ½" x 18" rebar with yellow plastic cap stamped R G May 2142. All bearings stated herein are referred to the recorded bearing along the southeast line of Muriel Mosley et al shown in DB 261 PG 381 Parcel 2 in the Office of the Simpson County Court Clerk.

Beginning at a pin and cap in the southeast line of Muriel Moseley et al, the northwest corner to Donald & Marilyn Gore (DB 269 PG 307, and located N 09° 15' 00" W – 218.00 feet from a found ½ " iron pipe which is the southeast corner to Moseley;

Thence with the line of Moseley, N09 ° 15' 00" W – 31.43 feet to a pin and cap in the line of same, the southwest corner to Anna Keen (DB 116 PG 37), and located S09 ° 15' 00" E – 100.00 feet from a found ¾" iron pipe the northwest corner to Keen and the southwest corner to Jerry & Nancy Davis (DB 113 PG 408);

Thence with the south line of Keen, N 77° 27' 52" E – 93.43 feet to a pin and cap in the line of Keen and located (2) calls; (1) along the west side of Western Drive with the lines of Jerry Davis (DB 106 PG 151), Jerry & Nancy Davis (DB 113 PG 408), and Anna Keen (DB 116 PG 37), S 10° 33' 32" E – 300.00 feet and (2) with the south line of Keen along the north side of Hildegard Avenue, S 77° 27' 52" W – 136.36 feet, from a found ¾" iron pipe which is the northeast corner to Jerry Davis (DB 106 PG 151) and the southeast corner to Nancy Mosley (DB 82 PG 39);

Thence on a new line, along the west end of the existing pavement of Hildegard Avenue, S09 ° 16' 01" E – 35.38 feet to a pin and cap in the north line of Donald & Marilyn Gore (DB 269 PG 307), and located S 79° 53' 05" W – 137.08 feet from a found utility pole, the northeast corner to Robert & Sue Ragar (DB 157 PG 293);

Thence with the north line of Gore, S 79° 53' 05" W – 93.30 feet to the beginning point.

Containing 0.072 acres (3116.30 sq ft) Being the westernmost portion of Hildegard Avenue that has not been paved or surfaced.

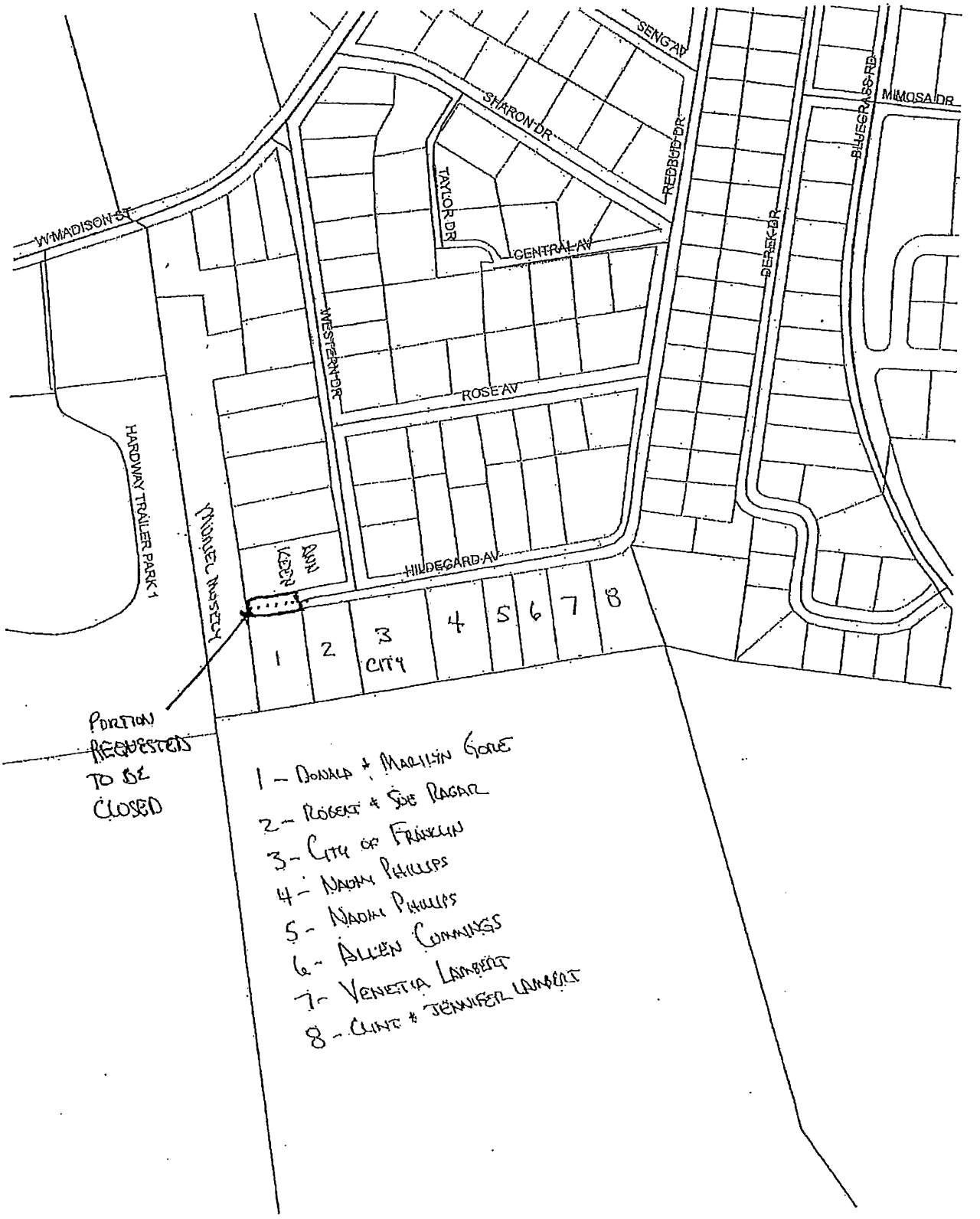

SENGAV
SHARON DR
REDBUD DR
BLUEGRASS RD
MIMOSA DR
W MADISON ST
TAYLOR DR
CENTRAL AV
DEREK DR
WESTERN DR
ROSE AV
HARDWAY TRAILER PARK 1
MUNICIPAL ENTRY
ANN LEDEN
HILDEGARD AV
1
2
3
CITY
4
5
6
7
8
PORTION REQUESTED TO BE CLOSED
1 - DONALD & MARILYN GOULD
2 - ROBERT & SUE RAGAR
3 - CITY OF FRANKLIN
4 - NAOMI PHILLIPS
5 - NAOMI PHILLIPS
6 - ALLEN CUMMINGS
7 - VENETIA LAMBERT
8 - CLINT & JENNIFER LAMBERT

EXHIBIT B

Copies of Consents to Closing a Public Way from Donald Gore and wife, Marilyn Gore, Anna Keen, unmarried, and Nancy Moseley, unmarried

CONSENT TO CLOSING A PUBLIC WAY

We, Donald Gore and wife, Marilyn Gore, 1103 Hildegard Avenue, Franklin, Kentucky 42134, property owners abutting the 0.072 acre tract of land being the westernmost portion of Hildegard Avenue that has not been paved or surfaced, located near the southwest corner of the area known as Seng Subdivision just west of the intersection of Hildegard Avenue and Western Drive, Franklin, Kentucky, hereby consent to the closing of that certain portion of the public way as provided in the Notice of Intent to Close a Public Way given to us on 01-02-19, 2019, and the undersigned understand, acknowledge, and agree that the portion of the public way to be closed shall remain the property of Donald Gore and wife, Marilyn Gore, but the City of Franklin shall retain any easements, conditions or restrictions, written or unwritten, that previously applies to this property, and they shall remain in effect and apply to this property as represented by the plat prepared by Robert G. May, LPLS #2142 dated December 5, 2018.

Dated this January 7, 2019.

Donald Gore

Donald Gore

Marilyn Gore

Marilyn Gore

STATE OF KENTUCKY

COUNTY OF SIMPSON

Subscribed and sworn to before me by Donald Gore and wife, Marilyn Gore, abutting property owners, on this January 7, 2019.

Teresa A. Wadwood

Notary Public
Notary I.D. No. 553636
My Commission Expires: 04-23-20

CONSENT TO CLOSING A PUBLIC WAY

I, Anna Keen, unmarried, 904 Western Drive, Franklin, Kentucky 42134, a property owner abutting the 0.072 acre tract of land being the westernmost portion of Hildegard Avenue that has not been paved or surfaced, located near the southwest corner of the area known as Song Subdivision just west of the intersection of Hildegard Avenue and Western Drive, Franklin, Kentucky, hereby consent to the closing of that certain portion of the public way as provided in the Notice of Intent to Close a Public Way given to me on 01-07, 2019, and the undersigned understands, acknowledges, and agrees that the portion of the public way to be closed shall become the property of Donald Gore and wife, Marilyn Gore, but the City of Franklin shall retain any easements, conditions or restrictions, written or unwritten, that previously applies to this property, and they shall remain in effect and apply to this property as represented by the plat prepared by Robert G. May, LPLS #2142 dated December 5, 2018.

Dated this January 7, 2019.

Anna Keen

STATE OF KENTUCKY

COUNTY OF SIMPSON

Subscribed and sworn to before me by Anna Keen, an abutting property owner, on this January 7, 2019.

Teresa A. Watwood
Notary Public
Notary I.D. No. 553636
My Commission Expires: 04-23-20

CONSENT TO CLOSING A PUBLIC WAY

I, Nancy Moseley, unmarried, 810 Western Drive, Franklin, Kentucky 42134, a property owner abutting the 0.072 acre tract of land being the westernmost portion of Hildegard Avenue that has not been paved or surfaced, located near the southwest corner of the area known as Seng Subdivision just west of the intersection of Hildegard Avenue and Western Drive, Franklin, Kentucky, hereby consent to the closing of that certain portion of the public way as provided in the Notice of Intent to Close a Public Way given to me on 01-02, 2019, and the undersigned understands, acknowledges, and agrees that the portion of the public way to be closed shall become the property of Donald Gore and wife, Marilyn Gore, but the City of Franklin shall retain any easements, conditions or restrictions, written or unwritten, that previously applies to this property, and they shall remain in effect and apply to this property as represented by the plat prepared by Robert G. May, LPLS #2142 dated December 5, 2018.

Dated this January 7, 2019.

Nancy Moseley
Nancy Moseley

STATE OF KENTUCKY

COUNTY OF SIMPSON

Subscribed and sworn to before me by Nancy Moseley, an abutting property owner, on this January 7, 2019.

Teresa A. Watwood
Notary Public
Notary I.D. No. 553636
My Commission Expires: 04-23-20

NOTICE OF INTENT TO CLOSE A PUBLIC WAY

TO: Anna Keen, unmarried
904 Western Drive
Franklin, Kentucky 42134

Pursuant to KRS 82.405(2)(b), notice is hereby given by the City of Franklin's Board of Commissioners that they intend to close a portion of the public way known as the 0.072 acre tract of land being the westernmost portion of Hildegard Avenue that has not been paved or surfaced, located near the southwest corner of the area known as Seng Subdivision just west of the intersection of Hildegard Avenue and Western Drive, Franklin, Kentucky, abutting your property. Attached hereto as Exhibit A is a description of the portion of the public way proposed to be closed.

This December 20, 2018.

W. Scott Crabtree, City Attorney

NOTICE OF INTENT TO CLOSE A PUBLIC WAY

TO: Nancy Moseley, unmarried
810 Western Drive
Franklin, Kentucky 42134

Pursuant to KRS 82.405(2)(b), notice is hereby given by the City of Franklin's Board of Commissioners that they intend to close a portion of the public way known as the 0.072 acre tract of land being the westernmost portion of Hildegard Avenue that has not been paved or surfaced, located near the southwest corner of the area known as Seng Subdivision just west of the intersection of Hildegard Avenue and Western Drive, Franklin, Kentucky, abutting your property. Attached hereto as Exhibit A is a description of the portion of the public way proposed to be closed.

This December 20, 2018.

W. Scott Crabtree, City Attorney

NOTICE OF INTENT TO CLOSE A PUBLIC WAY

TO: Donald Gore and wife,
Marilyn Gore
1103 Hildegarde Avenue
Franklin, Kentucky 42134

Pursuant to KRS 82.405(2)(b), notice is hereby given by the City of Franklin's Board of Commissioners that they intend to close a portion of the public way known as the 0.072 acre tract of land being the westernmost portion of Hildegard Avenue that has not been paved or surfaced, located near the southwest corner of the area known as Seng Subdivision just west of the intersection of Hildegard Avenue and Western Drive, Franklin, Kentucky, abutting your property. Attached hereto as Exhibit A is a description of the portion of the public way proposed to be closed.

This December 20, 2018.

W. Scott Crabtree, City Attorney

MEMORANDUM

TO: Mayor Larry Dixon and Commissioners
FROM: Kenton Powell, City Manager
SUBJECT: Appointment of Board Members
DATE: January 10, 2019

Several local Board member appointments expired on December 31, 2018, and the Commission will need to take action to appoint or re-appoint members.

Board or Office	Proposed Appointment	Term of Office	Term Expires
Mayor Pro Tem	Wendell Stewart	Life of Office	12-31-2020
Boys and Girls Club (Non-Voting City Representative)	Herbert Williams	Life of Office	12-31-2020
Electric Plant Board (Voting City Representative)	Jamie Powell	Life of Office	12-31-2020
F-S Ambulance Board	Jennifer Delk	Two Years	12-31-2020
F-S Industrial Authority (Voting City Representative)	Wendell Stewart	Life of Office	12-31-2020
F-S Parks Board (Voting City Representative)	Herbert Williams	Life of Office	12-31-2020
F-S Parks Board	Lisa Bashant	Fill Unexpired Term of Herbert Williams	12-31-2019
F-S Parks Board	Debbie Hudson	Four Years	12-31-2022
F-S Parks Board	Tim Crocker	Four Years	12-31-2022
F-S Renaissance (Non-Voting City Representative)	Brownie Bennett	Life of Office	12-31-2020
Housing Authority of Franklin (Voting City Representative)	Larry Dixon	Life of Office	12-31-2022
Housing Authority of Franklin	Dick Timmerman	Four Years	12-31-2022
F-S Code Enforcement Board	Peggy Cosby	Three Years	12-31-2021

Proposed Motion: Recommend motion to approve the appointment or re-appointment of the above Board members. Commission member and Mayor appointments shall be for the life of the office and non-elected official members shall be for the terms approved in the organizations bylaws.

MEMO

TO: Mayor Larry Dixon and Commissioners

FROM: City Manager Kenton Powell

DATE: January 10th 2019

SUBJECT: Joint Meeting (Special Called)

Simpson County Judge Executive Mason Barnes and City of Franklin Mayor Larry Dixon has requested that the Simpson Fiscal County and City of Franklin Commission members meet on Thursday, January 31st at 12 noon.
This Special Called Meeting will be held at City Hall.

Proposed Motion:

Special Called meeting at 12:00 noon with Simpson Fiscal Court on January 31st, 2019 at City Hall located on 117 West Cedar Street Franklin Kentucky.

MEMO

TO: Mayor Larry Dixon and Commissioners

FROM: City Manager Kenton Powell

DATE: January 9th 2019

SUBJECT: P&Z – Carter Murday Contract Extension

Carter Munday, Planning & Zoning Temporary Office Manager's contract expired on December 31st, 2018. Carter has been instrumental in providing daily support for the P&Z office and the need has become even greater with the recent announcement of Bob Matthews' retirement. Bob has been the Electrical Inspector for the City and County for approximately 15 years.

I feel it's imperative to extend Carter's contract to June 30th, 2019. This will allow the City and County ample time to determine the best course of action for the future concerns and daily operations of the Planning & Zoning office.

Extending Carter's contract to June 30th, 2019 is an additional $30,238. With the extra unbudgeted expense the City still has a budgeted General Fund balance of $329,299.

Note:
Additional reference materials are on the following pages.

Proposed Motion
Extend Carter Munday's Planning & Zoning Temporary Office Manager contract to June 30th, 2019 for the amount of $30,238 and have the Mayor sign all necessary documents.

INDEPENDENT CONTRACTOR AGREEMENT WITH CARTER MUNDAY

This Independent Contractor Agreement is entered into this _____ day of January, 2019, in duplicate, between the City of Franklin, Kentucky, a Home Rule City (hereinafter referred to as "City"), 117 West Cedar Street, Franklin, Kentucky 42134 and Carter Munday (hereinafter referred to as "Munday"), _____, Franklin, Kentucky 42134, both of whom understand as follows:

WITNESSETH:

The City, by and through the Mayor, desires to contract the services of Carter Munday as an independent contractor of the City of Franklin, Kentucky;

NOW, THEREFORE, in consideration of the mutual benefits to be derived by both parties from the implementation of the terms hereof, the parties do hereby covenant and agree as follows:

SECTION ONE
INDEPENDENT CONTRACTOR'S DUTIES

That for and in consideration of the payments and agreements hereinafter mentioned, to be made by the City, the Contractor hereby agrees as follows:

City agrees to contract with Munday to assist with certain duties for the Franklin-Simpson Planning and Zoning Commission, and to perform the duties set forth in this paragraph according to KRS 100.187 attached hereto as Exhibit 1 and incorporated herein by reference, and to perform any other legally permissible duties and functions as the City Manager, and/or in conjunction with Planning & Zoning staff, shall from time to time assign. Munday shall devote so much of his time as is required by the City Manager, and shall perform the following duties and functions in a professional manner:

1. Update and complete Planning and Zoning regulations and present to governing bodies for approval;

2. Update and complete the Comprehensive Plan according to the guidelines of KRS 100.187;

3. Develop flow charts of procedures for who, what, when and how to perform tasks at Planning and Zoning;

4. Compare revenue streams from the above processes and activities to ascertain if they create value or need adjustments; and

5. Itemize present application fees with the above job tasks and develop a measurement standard.

SECTION TWO
COMPENSATION, TERM, AND MISCELLANEOUS REQUIREMENTS

A. Munday shall be compensated at the rate of $4,652.00 per month during the term of this agreement. Munday shall bill the City monthly for his services. City shall pay Munday within five (5) business days of receipt of Munday's invoice. Munday is responsible for all taxes and withholdings including, but not limited to Federal, Social Security, Medicare, FICA, State, City, County, unemployment, and all monthly, quarterly and/or annual returns/payments incident thereto. Munday's failure to pay taxes when due is a reason for termination of this Contract. Contractor is also fully responsible for all of his own medical, retirement and/or other benefits.

B. This Independent Contractor Agreement shall continue on January 1, 2018 and shall terminate on June 30, 2019. By and through this Agreement, the City is conferring termination powers upon and authorizing the City Manager to act to terminate Munday for any reason he deems appropriate. Munday shall be deemed terminated one (1) week subsequent to receipt of a letter signed by the City Manager stating the intent to terminate.

C. The parties acknowledge and agree that the services performed by Munday shall be as an independent contractor and that nothing in this Agreement shall be deemed to constitute a partnership, employee/employer, joint venture, agency relationship or otherwise between the parties.

SECTION THREE
INDEMNIFICATION

Munday agrees to indemnify and hold the City harmless for and/or from any and all claims, causes of action, or demands made upon the City as a result of his performance of or failure to perform his obligations under this Agreement. This includes, but is not limited to all losses, liabilities, damages, costs, and expenses by reason of liability imposed by law on City, or otherwise, for damages as a result of bodily injury, including death at any time resulting from such bodily injury, sustained by any person or persons, or on account of damage to property, and/or loss of use of property, arising out of or as a consequence of performance of the work under this Agreement or caused by the negligent acts or omissions of Munday.

SECTION FOUR
COMPLIANCE WITH LAW

Munday shall comply with all applicable state, federal, and municipal laws, rules, and regulations in the performance of his duties under this Agreement, and Munday shall procure at his own expense all licenses and permits required by such laws, rules, and regulations including, but not limited to a City of Franklin Business License.

SECTION FIVE
INSURANCE

Munday shall carry throughout the term of this Agreement and any extensions hereto, insurance, properly extended to cover and protect City, with an insurance company or companies

acceptable to City to cover Munday in the performance of his duties. Munday shall name City as additional insureds under said policy of insurance. City shall pay Contractor, in addition to any other sums set forth hereunder, an amount equal to the insurance premiums for said insurance or, alternatively, City can pay the premiums directly to the insurance company on behalf of Munday. Munday's failure to keep insurance coverage shall result in termination of this Agreement.

SECTION SIX
ASSIGNMENT OF RIGHTS

The rights of each party under this agreement are personal to that party and may not be subcontracted, assigned and/or transferred to any other person, firm, corporation, or other entity without the prior, express, and written consent of the other party which consent may be withheld due to the personal nature of this Agreement.

SECTION SEVEN
ATTORNEY'S FEES

In the event that either party hereto defaults on any of its obligations pursuant to the terms of this Agreement, and the other party shall incur attorney fees in order to enforce rights under this contract, the breaching party shall be obligated to pay the non-breaching party's attorney fees incurred in enforcing its rights.

SECTION EIGHT
NO WAIVER

The failure of either party to this Agreement to insist upon the performance of any of the terms and conditions of this Agreement, or the waiver of any breach of any of the terms and conditions of this agreement, shall not be construed as thereafter waiving any such terms and conditions, but these shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.

SECTION NINE
ENTIRE AGREEMENT

This Agreement shall constitute the entire agreement between the parties and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in this agreement.

SECTION TEN
MODIFICATION OF AGREEMENT

Any modification of this agreement or additional obligation assumed by either party in connection with this agreement shall be binding only if placed in writing and signed by each party or an authorized representative of each party.

SECTION ELEVEN
NOTICES

Any notice provided for or concerning this agreement shall be in writing and be deemed sufficiently given when hand delivered or sent by certified or registered mail to the respective address of each party as set forth at the beginning of this agreement.

SECTION TWELVE
COUNTERPARTS

This Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, however all of which together shall constitute but one and the same instrument.

SECTION THIRTEEN
GOVERNING LAW

It is agreed that this Agreement shall be governed by, construed, and enforced in accordance with the laws of the Commonwealth of Kentucky, with the venue being Simpson County, Kentucky.

SECTION FOURTEEN
PARAGRAPH HEADINGS

The titles to the paragraphs in this agreement are solely for the convenience of the parties and shall not be used to explain, modify, simplify, or aid interpretation of the provisions of this agreement.

IN WITNESS WHREOF, the City of Franklin, Kentucky has caused this Independent Contractor Agreement to be signed and executed on its behalf by its Mayor and duly attested by its City Clerk, and Munday has signed and executed this Independent Contractor Agreement, both in duplicate, the day and year first above written.

INDEPENDENT CONTRACTOR

_____
Carter Munday

CITY OF FRANKLIN KENTUCKY

_____
Larry Dixon, Mayor

ATTESTED BY:

_____
Cathy Dillard, City Clerk

ADDENDUM TO CONTRACT

Planning & Zoning Temporary Office Manager

Job Description

Cater Munday, the P&Z Temporary Office Manager will organize and coordinate office administration and procedures, in order to ensure organizational effectiveness, efficiency and safety. The P&Z Temporary Office Manager is responsible for developing intra-office communication, streamlining administrative procedures, office staff supervision and task delegation as well as the following duties, which shall be added to the duties currently provided by contract from Carter Munday.

Responsibilities:

- Organize and schedule meetings, inspections, and appointments
- Organize office operations and procedures
- Manage relationships with contractors and citizens of Simpson County or surrounding areas
- Responsible for managing office services by ensuring office operations and procedures are organized, correspondences are controlled, filing systems are designed, and that clerical functions are properly assigned
- Ensure that results are measured against standards (Franklin-Simpson County Zoning Regulations), and make necessary changes when required
- Allocate tasks and assignments to subordinates and monitor their performance
- Assign and monitor administrative and clerical responsibilities and tasks among office staff
- Perform review and analysis of special projects and keep the management properly informed
- Determine current trends and provide a review to both City and County Governments
- Ensure top performance of office staff by providing them adequate coaching and guidance
- Remain updated on technical and professional knowledge by attending educational workshops, joining professional associations, building networks with fellow professionals and reviewing of industry publications
- Responsible for developing standards and promoting activities that enhance operational procedures
- Allocate available resources to enable successful task performance
- Coordinate office staff activities to ensure maximum efficiency
- Evaluate and manage staff performance, per Simpson County Personnel Policy manual
- Coach, mentor and discipline office staff
- Ensure filing systems are maintained and current
- Establish and monitor procedures for record keeping
- Ensure security, integrity and confidentiality of data
- Design and implement office policies and procedures
- Analyze and monitor internal processes

- Implement procedural and policy changes to improve operational efficiency
- Handle contractors/citizens inquiries and complaints

Dated this 10th day of September, 2018

ADDENDUM APPROVED AND ACCEPTED BY:

Mayor Ronnie Clark

Carter Munday

Attest by:

Cathy Dillard, City Clerk

MEMO

TO: Mayor Ronnie Clark and Commissioners

FROM: City Manager Kenton Powell

DATE: September 6th 2018

SUBJECT: P&Z – Carter Munday Contract

On Tuesday, September 4th Judge Executive Jamie Spears and I discussed with the Planning and Zoning Personnel, Carter Munday's additional roles and responsibilities. These new responsibilities are listed on the following pages.

Carter has been working with the City & County P&Z office since September 12th, 2017 on updating and getting approval of the P&Z regulations, studying the operating budget plus reviewing best practices of other P&Z Offices in our surrounding areas.

Carter's additional duties should provide consistent support and direction on a daily basis for the P&Z staff, contractors and citizens. Franklin-Simpson has been blessed with a lot of residential, commercial and industrial growth. With this growth requires extra focus to customer service, job quality and dependability. Carter's experience and leadership will help P&Z staff navigate these challenging waters.

Proposed Motion

Add additional job duties to Carter Munday's contract.

MEMO

TO: Mayor Larry Dixon and Commissioners

FROM: City Manager Kenton Powell

DATE: January 9th 2019

SUBJECT: Elected Officials Training

Next several weeks there are several opportunities for training/orientation for Newly Elected Commissioners or a refresher for existing Commissioners. I look forward to discussing these opportunities on Monday.

January 16th		**City Department Tours**
	8:00 am	Water Treatment Plant Water Distribution – Public Works Waste Water Collections – Waste Water Treatment Plant
	12 noon	Lunch Police Department
January 23 – 25th		**KLC Newly Elected Officials Academy** Owensboro Kentucky
January 28th	9:30am – 11:00am	**City Budget Preparation / Presentation and Explanation** City Hall – Franklin Kentucky
February 13th		**City Day / City Night** Frankfort Kentucky
February 20-21st		**Kentucky Rural Water Association Management Conference** Bowling Green Kentucky
February 25th	9:30am – 11:00am	**KLC Ethics Training (All Department Heads and Commissioners)** City Hall – Franklin Kentucky

Note:
On the following pages are reference materials concerning the above training.

Kentucky League of Cities

KLC

CITY OFFICIALS ACADEMY

JAN 16-18

LEXINGTON

January 16-18, 2019
Embassy Suites
1801 Newtown Pike

$102/night, includes breakfast
Reservations: (800) EMBASSY
Reference: KLC City Officials Academy
Hotel reservation deadline: January 6

REGISTRATION

(for both locations)
$209 for KLC Members
$309 for Nonmembers
More details at klc.org.

OWENSBORO

January 23-25, 2019
Owensboro Convention Center
501 West Second Street

JAN 23-25

Host Hotels:

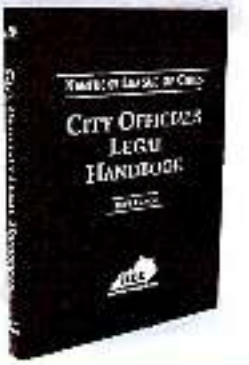
Hampton Inn & Suites, 401 West Second Street
$124/night, includes breakfast
Reservations: (800) HAMPTON
Reference: KLC City Officials Academy
Reservation deadline: January 11

Holiday Inn Riverfront, 701 West First Street
$117/night, includes breakfast
Reservations: (270) 683-1111
Reference: KLC City Officials Academy
Reservation deadline: January 8

The Kentucky League of Cities (KLC) City Officials Academy is an intense two-and-a-half-day training packed with practical information to help city leaders do their jobs. Whether you are newly elected, newly appointed or a seasoned official seeking a refresher course on the basics, you are guaranteed to leave this training with information that will be useful to your work in city government.

Attendees will enjoy sessions on city finances, personnel issues, conducting meetings, ethics, planning and zoning, taxes, procurement and much more! There will be opportunities to network with your peers, participate in small group discussions, ask questions and get to know the KLC staff.

KLC is here to help city officials succeed. Your citizens depend on you, and you can depend on KLC. Visit klc.org or call 800-876-4552 for more information.



Attendees will receive a complimentary copy of the 2019 edition of the *City Officials Legal Handbook*, a $50 value, and "must have" tool of first resort for every Kentucky city.

Register online at **klc.org** or 800.876.4552. #klccoa

CITY OFFICIALS ACADEMY

WEDNESDAY

Schedule subject to change.

7:30 a.m. – 9:00 a.m.	Registration
8:30 a.m. – 9:00 a.m.	PRE-CONFERENCE SESSION: Congratulations! You're Elected Now What?
9:00 a.m. – 9:15 a.m.	Welcome Remarks
9:15 a.m. – 9:45 a.m.	Framework of City Government
10:00 a.m. – 11:15 a.m.	Breakout Sessions: The Forms of Government: Mayor-Council; Commission; and Manager
11:30 a.m. – 12:15 p.m.	Ordinances, Orders & Resolutions
12:15 p.m. – 1:30 p.m.	Lunch & Learn - Code Enforcement & KLC Training Programs Overview
1:45 p.m. – 2:30 p.m.	Kentucky Open Meetings Law
2:30 p.m. – 3:15 p.m.	Conducting Effective Meetings Through Parliamentary Procedures
3:30 p.m. – 4:30 p.m.	Kentucky Open Records Law
4:30 p.m. – 5:30 p.m.	City Government Ethics
5:30 p.m. – 6:00 p.m.	Constructive Media Engagement
6:00 p.m. – 7:30 p.m.	Reception

THURSDAY

7:30 a.m. – 8:00 a.m.	Registration
8:00 a.m. – 9:00 a.m.	Working Together to Protect Your City
9:00 a.m. – 9:45 a.m.	Planning & Zoning
10:00 a.m. – 11:00 a.m.	Social Media and the First Amendment & Effective Use of Social Media
11:00 a.m. – 12:00 p.m.	Getting the Most Out of Your City Officials (Panel of Appointed Officials)
12:00 p.m. – 1:00 p.m.	Lunch & Learn: Local Economic Development 101 & Getting the Most from KLCIS
1:15 p.m. – 2:45 p.m.	Mini Sessions: Alcohol Beverage Control; Working with Area Development Districts; Transportation Funding; and Municipal Bonds/Municipal Debt
3:00 p.m. – 4:30 p.m.	Personnel Law for Supervisors: Mayors and Commissioners Personnel Law for Council Members and Building a Policy-Making Team
4:45 p.m. – 5:15 p.m.	Personnel Issues with Uniformed Employees
5:15 p.m. – 5:45 p.m.	Department for Local Government
5:45 p.m. – 6:15 p.m.	Being Your Best as a Community Leader
6:15 p.m. – 7:15 p.m.	Optional: Legal Trivia "Bee"
7:15 p.m.	Hospitality

FRIDAY

8:00 a.m. – 9:15 a.m.	Municipal Taxing Authority
9:15 a.m. – 10:15 a.m.	City Finances, Part I: Budgets, Audits & Financial Reporting
10:30 a.m. – 11:30 a.m.	City Finances, Part II: Procurement & Contracting
11:30 a.m. – 12:15 p.m.	Being an Effective Legislative Advocate for Your City
12:15 p.m.	Closing Remarks

Participants will be eligible for City Officials Training Center credit and/or Training Incentive Program (HB 119) credit. The program will be submitted for approval by the Kentucky Bar Association.

View the full agenda at klc.org.

City Day

February 13, 2019
8:00 a.m. to 4:30 p.m. EST
Thomas D. Clark Center for Kentucky History, KLC Frankfort Office, Capitol and Capitol Annex
Frankfort, KY

City Night

February 13, 2019
4:30 p.m. to 7:30 p.m. EST
William Exum Center, Kentucky State University
Frankfort, KY

Please join the Kentucky League of Cities for the annual day of city advocacy in Frankfort and evening of networking with city representatives, legislators and state leaders. A full agenda and reminder email will be sent to the email used to register below. The information entered below will be used for your name tag the day of the event. Please contact Elizabeth Schepens at 1-800-876-4552 with any questions.

2019 City Day / City Night Registration

City/Agency *

City/Agency Web Address

MANAGEMENT CONFERENCE

Water and wastewater professionals from across Kentucky will be gathering Wednesday and Thursday, February 20-21, 2019 at the Sloan Convention Center in Bowling Green, Kentucky, for Kentucky Rural Water Association's 2019 Management Conference.

2019 Conference Agenda

Twelve hours of continuing education credit will be offered again this year.

Wednesday and Thursday will both offer 6 hours of training. See the tentative agenda for details of the sessions being offered. All hours are pending approval from the Division of Compliance Assistance, Operator Certification Section and the Public Service Commission.

Once again, our Associate Members will be on hand to exhibit the most current industry trends and specialty products. These industry professionals will showcase the most up-to-date offerings in supplies, materials and services at the popular tabletop displays.

The Member Appreciation Reception on Wednesday evening, February 20, will give old and new friends a time to fellowship, relax and share some laughs. A tasteful array of hors d'oeuvres will be offered at this gathering to either satisfy your hunger or whet your appetite for dinner out on the town. Even though the Best Tasting Water contest has been moved to our Annual Conference venue, our Management Conference Luncheon will still provide a delicious buffet and will feature the Kentucky Chef Recipe presentation, Grandpa Jones, Country Musician & Comedian portrayed by David Hunt. But don't plan to leave quickly, more training sessions will follow after the Luncheon.

to search type and hit enter

238 Followers | 98 Likes | 6,574 Subscribers

UPCOMING TRAINING

DW & WW Online Training
January 01 | Online

DW Training
January 08 | Morehead, KY

DW Training
January 17 | Drakesville, KY

No Fee DW & WW Training
January 29 | Carrollton, KY

Management Conference
February 20 | Bowling Green, KY

No Fee DW & WW Training
March 12 | Ilinois, KY

UMT - Utility Org., Regulation & Law
March 19 | Somerset, KY

No Fee DW Training
March 20 | Calvert City, KY

No Fee DW & WW Training
April 02 | Carlisle, KY

DW Training
April 09 | Morehead, KY

DW Training
April 18 | Drakesville, KY

No Fee DW & WW Training
April 23 | Cadiz, KY

UMT - Utility Finance & Administration
May 07 | Morehead, KY

Operator EXPO
May 22 | Glendale, KY

No Fee DW & WW Training
June 04 | Elkhartville, KY

No Fee DW Training
June 10 | Bowling Green, KY

DW Training
July 09 | Morehead, KY

Check Your Operator Hours Here >>

SERVICES

TENTATIVE AGENDA

Kentucky Rural Water Association
MANAGEMENT CONFERENCE
February 20 - 21, 2019

ALL TIMES ARE CST

Day One - Wednesday, February 20, 2019

7:00 a.m. - 6:30 p.m.	**Registration Open**
7:00 a.m.	**Continental Breakfast**
7:30 a.m. - 5:00 p.m.	**Tabletop Exhibits Open**
8:00 a.m. - 9:00 a.m.	**The Impending Crisis in Rural Water** Michael Schmitt, Public Service Commission
9:20 a.m. - 10:20 a.m.	**So You Got Caught: Dealing with the PSC Show Cause Proceedings Against Your Water Utility** Gerald Wuetcher, Stoll Keenon Ogden, PLLC
10:40 a.m. - 11:10 a.m.	**ServLine Insurance Residential Leak Adjustment & Service Line Program** Gerry Harstine and Allie Terrell, ServLine
11:10 a.m. - 11:40 a.m.	**KRWA Apprenticeship Program** Gary Larimore, Andy Lange and Randall Kelley Kentucky Rural Water Association
11:40 a.m. - 1:00 p.m.	**Lunch on your own**
1:00 p.m. - 2:00 p.m.	**Development of Utility Management Leadership Skills** Robert Cashion, S4 Water Sales & Service Doran Thompson, Lebanon Water Works Company
2:15 p.m. - 3:15 p.m.	**Managing Generational Differences in the Utility Workplace** Roy Mundy, McWane Ductile
3:30 p.m. - 4:30 p.m.	**Complete Utility Locating System** Mike Moore, Copperhead Industries
5:30 p.m. - 7:00 p.m.	**Member Appreciation Reception**

Day Two - Thursday, February 21, 2019

7:00 a.m. - 4:00 p.m.	**Registration Open**
7:00 a.m.	**Continental Breakfast**
7:30 a.m. - 11:45 a.m.	**Tabletop Exhibits Open**
8:00 a.m. - 9:00 a.m.	**The Embezzlement Nightmare: How to Keep it Out of Your Office** Robert Mahon, The Neil Group
9:20 a.m. - 10:20 a.m.	**Water Loss Reporting** Paul Nesbitt, Nesbitt Engineering
10:40 a.m. - 11:40 a.m.	**Under Pressure Water & Sewer Main Repair Techniques: The Evolving Technologies** Tom Lewis, Lewis Municipal Sales
11:40 a.m. - 1:00 p.m.	**Management Conference Luncheon** **Featured Speaker - Kentucky Chautauqua presents** **Rose Leigh - Rosie the Riveter, portrayed by Kelly O. Brengelman**
1:00 p.m. - 2:00 p.m.	**Ethics in Utilities** Steve Capps, Kentucky Rural Water Association
2:10 p.m. - 3:10 p.m.	**Electrical Energy Reduction in Utilities** Jason Pennell, Kentucky Rural Water Association
3:20 p.m. - 3:50 p.m.	**Tips and Tricks for Maintaining Regulatory Compliance** Arianna Lageman, Kentucky Rural Water Association
3:50 p.m. - 4:20 p.m.	**Drinking Water Enforcement** Arianna Lageman, Kentucky Rural Water Association

Kentucky League of Cities

CERTIFIED CITY OF ETHICS

February 25th

Certification under the Kentucky League of Cities (KLC) Certified City of Ethics Program is a way to recognize cities and city officials that have adopted principles and procedures that offer guidance on ethical issues, and a mechanism to resolve complains at the local level. In addition, this program increases public trust and confidence in city governments and their services through the training and recognition that this program promotes.

Kentucky League of Cities Insurance Services (KLCIS) members receive a 20 percent discount on KLC Personnel Policy and Certified City of Ethics Services. Our goal is to help your city reduce claims and lower liability. Participation in these programs also impacts the KLCIS loss control safety and liability review.

Andrea Shindlebower Main
Personnel Services Manager
ashindlebower@klc.org

Courtney Risk Straw
Personnel Services Attorney
cstraw@klc.org

klc.org

TO EARN A "CERTIFIED CITY OF ETHICS" DESIGNATION, A CITY MUST TAKE THE FOLLOWING STEPS.

STEP 1 Review ethics ordinance that meets minimum standards set out in KRS 65.003.

The city's ethics ordinance should be reviewed to be certain that it contains all the required elements of KRS 65.003, including definitions, an enumeration of permissible and impermissible activities by elected officials, and due process procedures for elected officials charged with a violation of the ordinance.

City officials, along with their city attorney, can consult KLC's Sample Ethics Ordinance when considering provisions to include in a comprehensive code of ethics or when amending the code of ethics.

The ordinance must be emailed or mailed to the KLC Municipal Law and Training Department staff, for their cursory review. The review will consist of making sure that all requirements in KRS 65.003 have been met.

Email – ashindlebower@klc.org or cstraw@klc.org

Mail – Kentucky League of Cities, Attention: Andrea Shindlebower, 100 East Vine Street, Suite 800, Lexington, KY 40507

If the city ethics ordinance is found to be deficient, the city will need to amend the ordinance to bring it into compliance with the statute.

STEP 2 Adopt a resolution establishing the six ethics principles to govern the conduct of your city's officials and employees.

These principles are designed to guide the elected officials and employees as individuals and as a governing body.

These principles are:

- Serve the public interest, not our own
- Fulfill the duties and responsibilities of holding public office
- Be ethical and professional
- Be fiscally responsible with the city resources
- Communicate effectively and respectfully
- Create an environment of honesty, openness and integrity

The adopted resolution must include or at least reference the definitions of these principles. A sample resolution is available from KLC. A majority of the city's elected governing body must approve the resolution. A copy of the approved resolution should be mailed or emailed to KLC.

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STEP 3 Training on City Ethics Ordinance

Once the ordinance has been reviewed and is found to meet the requirements of KRS 65.003 and the resolution has been adopted, all elected city officials (and the Ethics Board/Commission) shall be trained on their specific city code of ethics.

The training shall take place at an open meeting of the city legislative body. City officials would be eligible for ethics training credit.

In addition, any employees, boards and commissions covered under the city code of ethics may also be trained at the rate of $150.00 per session.

STEP 4 Certification

Once it is determined that the ordinance and resolution meet the established requirements and the city has received the required training, the city will be designated as a "Certified City of Ethics."

Each city designated as a Certified City of Ethics will receive a framed certificate and a logo which can be incorporated into city stationery, road signs and other materials at the city's discretion. In addition, KLC will send news releases to the local media notifying them that the city has earned this designation, as well as provide recognition in KLC publications and events.

To maintain this status the city must receive training every four years on the ethics ordinance.

OTHER IMPORTANT ITEMS TO NOTE

- **Once a city adopts an ethics ordinance and qualifies as a Certified City of Ethics, it is important to note that KLC does not enforce the ordinance.**

  KLC does not act as an enforcement or regulating agency. It is the city's local enforcement board that determines the acceptable level of ethical conduct of those elected to and retained in office and employed by the city.

- Cost for the program.

  The initial review time to make certain that the ordinance complies with KRS 65.003, preparation for training and the actual training will be five hundred dollars ($500.00). Additional costs associated with this program will be mileage from the KLC office to and from the training location, any per diem or hotel if required, and any additional employee and or board training sessions at one hundred and fifty dollars ($150.00) per session. The need to spend the night will be determined on a case-by-case basis. These costs will be billed to the city at the completion of this program.

  In the event that more than one city can be trained within one travel period, the additional travel costs will be divided between the two cities.

  Once training is complete, KLC will invoice the city for the remaining expenses to be paid within thirty (30) days from the date of the invoice.

  To officially engage the Kentucky League of Cities to complete this project, please provide a Resolution authorizing the signature below:

Signature: _____ Date: _____

Print: _____ Title: _____

Certification under the Kentucky League of Cities (KLC) Certified City of Ethics Program is a way to recognize cities and city officials that have adopted principles and procedures that offer guidance on ethical issues, and a mechanism to resolve complaints at the local level. In addition, this program increases public trust and confidence in city governments and their services through the training and recognition that this program promotes.

klc.org

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- Cost for the program.

  The initial review time to make certain that the ordinance complies with KRS 65.003, preparation for training and the actual training will be five hundred dollars ($500.00) due and payable before work begins. Additional costs associated with this program will be mileage from the KLC office to and from the training location, any per diem or lodging if required, and any additional employee and or board training sessions at one hundred and fifty dollars ($150.00) per session. The need to spend the night will be determined on a case-by-case basis. These costs will be billed to the city at the conclusion of this program.

  In the event that more than one city can be trained within one travel period, the additional travel costs will be divided between the two cities.

  Once training is complete, KLC will invoice the city for the remaining expenses to be paid within thirty (30) days from the date of the invoice.

  To officially engage the Kentucky League of Cities to complete this project, please provide a Resolution authorizing the signature below and the payment of five hundred dollars ($500.00).

Signature: _____ Date: 2-9-15

Print: Ronnie Clark Title: MAYOR, City of Franklin, KY

Idaho

RESOLUTION NO. A-2015
CITY OF FRANKLIN, KENTUCKY

A RESOLUTION OF THE LEGISLATIVE BODY OF THE CITY OF FRANKLIN, KENTUCKY APPROVING PARTICIPATION IN THE KENTUCKY LEAGUE OF CITIES CERTIFIED CITY OF ETHICS PROPOSAL

WHEREAS, the Legislative body of the City of Franklin, Kentucky does desire to become a Certified City of Ethics in accordance with the Kentucky League of Cities (KLC) Certified City of Ethics Program; and

WHEREAS, it is necessary to enter into an agreement with KLC to carry out the program requirements, including ordinance review, adoption of a resolution, and training; and

WHEREAS, the attached agreement outlines the program requirements and requires City approval of all elements;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE BODY OF THE CITY OF FRANKLIN, SIMPSON COUNTY, KENTUCKY: that the agreement attached to this resolution between the City of Franklin, and the Kentucky League of Cities, be and the same is approved; the mayor is authorized and directed to execute the agreement for and on behalf of the city; and the city clerk is authorized and directed to attest such signature.

Resolved this 9th day of February, 2015.

APPROVED:

Ronnie Clark, Mayor
City of Franklin, Kentucky

ATTEST:

Kathy Straadtner, City Clerk
City of Franklin, KY

MEMORANDUM

To: Mayor Larry Dixon and Commissioners

From: Kenton Powell, City Manager

Subject: Appointment of Application Agent for FEMA/Emergency Management

Date: January 10, 2019

Attached for your review and discussion is Resolution No. A-2019 to authorize the appointment of Robert Palmer as Application Agent for the City of Franklin for FEMA/Emergency Management disaster assistant programs. An appointment letter for the State is also included for review and approval for the Mayor to sign.

This appointment changes only when a new appointment is made or when a new senior elected official takes office.

Proposed Motion: Request a motion to approve Resolution No. A-2019 to appoint Robert Palmer as the Application Agent for the City of Franklin for FEMA/Emergency Management disaster assistant programs and to authorize the Mayor to sign the Appointment of Local Emergency Management Director required by the State.

DESIGNATION OF APPLICANT'S AGENT

CITY OF FRANKLIN, KENTUCKY

RESOLUTION NO. A-2019

BE IT RESOLVED by the Board of Commission of the City of Franklin, Kentucky that Robert Palmer, Director of the Simpson County Office of Emergency Management, is hereby authorized to execute for and on behalf of the City of Franklin, Kentucky, a public entity established under the laws of the Commonwealth of Kentucky, this application and to file it in the appropriate State office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93rd Congress) or otherwise available from the President's Disaster Relief Fund.

THAT the City of Franklin, Kentucky, a public entity established under the laws of the Commonwealth of Kentucky hereby authorizes its agent to provide to the State and to the Federal Emergency Management Agency (FEMA) for all matters pertaining to such Federal disaster assistance the assurances and agreements as indicated in the attachment to this Resolution.

RESOLVED and approved this _____ day of January, 2019.

_____
LARRY DIXON, MAYOR
City of Franklin, Kentucky

ATTEST:

_____
CATHY DILLARD, CITY CLERK
City of Franklin, Kentucky

APPLICANT ASSURANCES

The applicant hereby assures and certifies that he will comply with the FEMA regulations, policies, guidelines and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally-assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant, and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.

2. It will comply with the provisions of: Executive Order 11988, relating to Floodplain Management and Executive Order 11990, relating to Protection of Wetlands.

3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.

4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.

5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may need.

6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.

7. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.

8. It will require the facility to be designed to comply with the "American Standard
Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.

9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.

10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.

11. It agrees to comply with Section 311, P.L. 93-288 and with Title VI of the Civil Rights Act of 1964 (P.L. 83-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.

13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally assisted programs.

14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, P.L. 93-288 as amended, and applicable Federal Regulations.

15. It will comply with the provisions of the Hatch Act which limit the political activity of employees.

16. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institution employees of State and local governments.

17. (To the best of his knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal Financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 206, and applicable FEMA Handbooks.

18. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.

19. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishments of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding.

20. This assurance is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA, that such Federal Financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.

21. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, Public Law 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.

22. It will comply with the insurance requirements of Section 314, PL 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was replaced, restored, repaired, or constructed with this assistance.

23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.

APPLICANT ASSURANCES

The applicant hereby assures and certifies that he will comply with the FEMA regulations, policies, guidelines and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally-assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.

25. It will, for any repairs or construction financed herewith, comply with applicable standards of safety, decency and sanitation and in conformity with applicable codes, specifications and standards; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazards, including safe land use and construction practices.

STATE ASSURANCES

The State agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.

CERTIFICATION OF RESOLUTION
CITY OF FRANKLIN, KENTUCKY

I, Cathy Dillard, City Clerk of the City of Franklin, Kentucky, hereby certify the previous to be a true, exact, complete and unaltered copy of Resolution No. A-2019 designating the agency applicant for the President's Disaster Relief Fund and adopting Agreements and Assurances. This resolution adopted by a unanimous vote of the Board of Commissioners at a regular meeting held on January 14, 2019, of the City Commission of Franklin, Kentucky.

_____
Cathy Dillard, City Clerk

STATE OF KENTUCKY
COUNTY OF SIMPSON

Subscribed and sworn to before me by Cathy Dillard, City Clerk of the City of Franklin,, Kentucky, on this 14th day of January, 2019

_____
Notary Public
My Commission expires: _____

Appointment of Local Emergency Management Director

Director
Division of Emergency Management
State EOC Building – Boone Center
100 Minuteman Parkway
Frankfort, KY 40601

Under the provision of KRS 39B.070(3), **Robert J Palmer**,
(Name of Local EM Director)

P.O. Box 242, **Franklin**, Kentucky.
(Office Mailing Address) (City)

42135, **270-586-1800**, is appointed Director of
(Zip Code) (Telephone Number)

SIMPSON COUNTY OFFICE OF EMERGENCY MANAGEMENT – Franklin
(Name of Local Emergency Management Agency)

effective January 1, 2019.
(Date)

The above named local Emergency Management Director shall have the powers, authorities, rights, and duties as specified in KRS 39B.030, local ordinances, orders, rules, and codes, and shall direct, control, and manage all affairs of the local emergency management agency and comprehensive emergency management program of the local jurisdiction wherein appointed.

_____
(Signature of Chief Executive Officer)

_____
(Date)

KyEM Form 15
Revised: 2009

MEMO

TO: Mayor Larry Dixon and Commissioners

FROM: Shaunna R. Cornwell, Director of Finance

DATE: January 14, 2019

SUBJECT: Memo to Commission Regarding Authorized Signatures on City Bank Accounts

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With the change in the City's Mayor we need to update our Authorized Signors on all of the City bank accounts. Except for the Police Department's Drug Fund and the Police Department Evidence Account, all other City accounts have the following authorized signors – Mayor Ronnie Clark, Kenton Powell, Shaunna Cornwell, and Tammie Carey.

We need to approve an update to these signors – to remove Ronnie Clark as a signor on City accounts and add Mayor Larry Dixon as a signor.

Proposed Motion: Request a motion to authorize the removal of Ronald Clark from all of the City accounts and authorize adding Mayor Larry Dixon as a signor on all of the City accounts. As a note – Kenton, myself, and Tammie Carey will remain as authorized users on these accounts.

PUBLIC SAFETY

MEMORANDUM

TO: Mayor and City Commissioners

FROM: Chief Roger Solomon

DATE: January 9, 2019

SUBJECT: Traffic Enforcement Detail

I would like to address the Franklin City Commission in reference to an upcoming traffic enforcement detail that we will be working soon.

ORDINANCES

CITY OF FRANKLIN, KENTUCKY

ORDINANCE NO. 2019 - 001

AN ORDINANCE TO CLOSE THE PUBLIC WAY KNOWN AS THE 0.072 ACRE TRACT OF LAND BEING THE WESTERNMOST PORTION OF HILDEGARD AVENUE THAT HAS NOT BEEN PAVED OR SURFACED, LOCATED NEAR THE SOUTHWEST CORNER OF THE AREA KNOWN AS SENG SUBDIVISION, JUST WEST OF THE INTERSECTION OF HILDEGARD AVENUE AND WESTERN DRIVE

WHEREAS, at the request of Donald Gore and wife, Marilyn Gore, it has been determined that the 0.072 acre tract of land being the westernmost portion of Hildegard Avenue that has not been paved or surfaced, located near the southwest corner of the area known as Seng Subdivision, just west of the intersection of Hildegard Avenue and Western Drive will serve a more useful public purpose if the herein described portion is closed and no longer used as a public way; and,

WHEREAS, the Board of Commissioners of the City of Franklin has identified the property owners in or abutting the portion of the property to be closed to be Donald Gore and wife, Marilyn Gore, Anna Keen, unmarried, and Nancy Moseley, unmarried; and,

WHEREAS, pursuant to KRS 82.405(2) (b) and (c), written notices of the proposed closing were given to the property owners in or abutting that portion of the public way that is described in Exhibit A, and the property owners in or abutting that portion of the property have agreed to the closing of the public way, with said consents being attached collectively hereto as Exhibit B; and,

WHEREAS, the Board of Commissioners of the City of Franklin has determined that it is in the best interest of the City to close the public way which is described more specifically in the attached Exhibit A, and to authorize the City Attorney for the City of Franklin to take any and all actions necessary to convey a portion of the public way to be closed to Donald Gore and wife, Marilyn Gore; and,

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the City of Franklin, Kentucky, as follows:

1. The preambles to this Ordinance are true and correct and incorporated herein by reference.

2. The portion of the public way commonly known as the 0.072 acre tract of land being the westernmost portion of Hildegard Avenue that has not been paved or surfaced, located near the southwest corner of the area known as Seng Subdivision, just west of the intersection of Hildegard Avenue and Western Drive, described in Exhibit A, is hereby accepted by the City as a public way, as having been opened to the unrestricted use of the general public for more than five (5) consecutive years pursuant to KRS 82.400 and, further, said portion of the public way shall be hereinafter closed as a public way, street, and/or thoroughfare, and shall no longer be maintained by the City of Franklin, Kentucky; provided that the City is allowed to retain any easements, conditions or restrictions, written or unwritten, that previously applies to this property, and they shall remain in effect and apply to this property as represented by the plat prepared by Robert G. May, LPLS #2142 dated December 5, 2018.

3. The City Attorney is hereby directed to take any and all actions necessary, and/or all of his actions with respect to this ordinance are hereby ratified pursuant to this ordinance to close said public way and to convey a portion of the public way, more particularly described in the attached Exhibit A, to Donald Gore and wife, Marilyn Gore.

4. The Board of Commissioners authorizes and directs the Mayor to sign any and all documents necessary to effectuate the intent of this ordinance.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holdings shall not affect the validity of the remaining portions of Ordinance.

All ordinances or parts of ordinances in conflict herewith, are, to the extent of such conflict, hereby repealed.

_____ FIRST READING

_____ SECOND READING

At a meeting of the Franklin Board of Commissioners held on _____, on motion made by _____ and seconded by _____, the foregoing ordinance was adopted, after full discussion, by the following vote:

_____ HERBERT WILLIAMS

_____ JAMIE POWELL

_____ BROWNIE BENNETT

_____ WENDELL STEWART

_____ LARRY DIXON, MAYOR

APPROVED BY:

_____
Larry Dixon, Mayor

ATTEST:

_____
Cathy Dillard, City Clerk
City of Franklin, Kentucky