

AGENDA

A G E N D A
City of Franklin, Kentucky
City Commission

January 28, 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** - Rev. Donzella Lee, Director of F-S Human Rights Commission
- III. Approval of Minutes** - Approval of Meeting Minutes from January 14, 2019 Regular Session *Pg. 5*
- IV. Recognitions** - Proclamation Recognizing Simpson County Bicentennial *Pg. 12*
- V. Hear the Public**
- VI. Community Services**
- Discussion and/or possible action regarding Community Development Block Grant *Pg. 14*
Presenter: Tammie Carey, Comm Development Director
 - Update from Scott Waste Services *Pg. 16*
Introduction By: Kenton Powell, City Manager
 - Update from Franklin-Simpson Human Rights Commission *Pg. 17*
Introduction By: Kenton Powell, City Manager
- VII. General Government**
- Discussion and/or possible action regarding West Madison Street Property Cleanup *Pg. 19*
Presenter: Chris Klotter, Public Works Director
 - Discussion and/or possible action regarding Possible Closure of Alley Located on West Madison Street Property *Pg. 21*
Presenter: Scott Crabtree, City Attorney
 - Discussion and/or possible action regarding Request for Street Closing for Shamrock Sprint *Pg. 33*
Presenter: Kenton Powell, City Manager
 - Discussion and/or possible action regarding Request for Temporary Closing of Parking Spaces *Pg. 35*
Presenter: Kenton Powell, City Manager
 - Discussion and/or possible action regarding 2019 Proposed Commission Meeting Dates *Pg. 37*
Presenter: Kenton Powell, City Manager
 - Discussion and/or possible action regarding Proposed Budget Planning for FY 2019-2020 *Pg. 39*
Presenter: Kenton Powell, City Manager
 - Discussion and/or possible action regarding Approval of Certified City of Ethics Recertification Training Contract *Pg. 40*
Presenter: Kenton Powell, City Manager

VIII. Public Services

IX. Public Safety

X. Utilities

- Discussion and/or possible action regarding Acceptance of Telephonic Payments for Franklin Municipal Utilities **Pg. 45**
Presenter: Shaunna Cornwell, Finance Director

XI. Ordinances

- Second 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* **Pg. 48**
Presenter: Cathy Dillard, City Clerk
- Possible First Reading of Ordinance No. 2019-002 entitled: *An Ordinance To Close The Public Way Known As The 0.24 Acre Tract Of Land On West Madison Street, Being A 20-Foot Wide Public Alley Which Runs Between Tract I and Tract II Of The Property Conveyed To The City Of Franklin In Commissioner's Deed Book 17, Page 171, Simpson County Clerk's Office* **Pg. 60**
Presenter: Cathy Dillard, City Clerk

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)}

XIII. City Attorney Reports

XIV. City Manager Reports

XV. Other Commission Business

XVI. Adjournment

MINUTES

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

January 14, 2019

**City Hall
117 West Cedar Street
Franklin, Kentucky**

The Franklin, Kentucky City Commission met in Regular Session at 12:00 Noon, Monday, **January 14, 2019**, in the City Hall meeting room located at 117 West Cedar Street, Franklin, Kentucky.

Members attending were as follows:

Mayor Larry Dixon	Present
Commissioner Jamie Powell	Present
Commissioner Herbert Williams	Present
Commissioner Brownie Bennett	Present
Commissioner Wendell Stewart	Present

Others present included City Manager Kenton Powell; City Attorney Scott Crabtree; City Personnel Director/Deputy Clerk, Rita Vaughn; City Finance Director, Shaunna Cornwell; City Police Chief, Roger Solomon; Public Works Superintendent Chris Klotter; City Clerk, Cathy Dillard; Community Development Director Tammie Carey; F-S Human Rights Commission Director, Donzella Lee; Franklin Favorite/WFKN media representative, Keith Pyles; U.S. Army Sgt. Brandon Bingham; Simpson County Judge Executive Mason Barnes; FPD Sgt. Zack Duke; Michael Carder and Troy Lamastus.

Mayor Dixon called the meeting to order at 12:00 Noon, and Dr. John Whitaker of the Franklin First Baptist Church offered the opening prayer.

APPROVAL OF MINUTES

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to approve the minutes as presented of the December 10, 2018, and December 17, 2018, special called meetings of the Franklin City Commission.

Voting aye: All. Motion carried unanimously.

RECOGNITION

Chief Roger Solomon introduced the most recently hired officers, Troy Lamastus and Michael Carder. City Attorney Scott Crabtree administered the oath of office for these incoming officers.

City Manager Kenton Powell introduced U.S. Army Sergeant Joshua Brandon Bingham from the Bowling Green Recruiting Center. Sgt. Bingham requested to address the Commission regarding his desire for community involvement and possible recruitment in Simpson County. Sgt. Bingham commended the quality of our school system, community events and citizen involvement.

COMMUNITY SERVICES

Community Development Director Tammie Carey provided an update regarding the Hoy Park Trail grant from the Kentucky Department for Local Government. The DLG awarded \$100,000.00 in grant funding for this project. Proposed developments include a walking trail, parking area, benches, trash cans and signage with historical information. Development is anticipated to begin in late spring or early summer.

GENERAL GOVERNMENT

City Attorney Scott Crabtree asked for two sponsors for an ordinance authorizing the closure of a public way on Hildegard Avenue. This portion of Hildegard Avenue was platted several years ago but was never developed. The adjoining property owner, Donald Gore, has maintained the property as a portion of his lawn and requested the City transfer the undeveloped public way to him.

Commissioner Powell and Commissioner Bennett agreed to sponsor the ordinance, first reading of Ordinance No. 2019-001 took place later in this meeting.

City Manager Kenton Powell asked the Commission to consider approval of local board members appointments or re-appointments which expired on December 31, 2018.

Motion was made by Commissioner Stewart and seconded by Commissioner Powell to authorize the following appointments to expire as specified below. Elected official appointments are for the term of office and other member appointments are for the terms indicated in the organizations bylaws.

Voting Aye: All. Motion carried unanimously.

<u>Board or Office</u>	<u>Appointment</u>	<u>Term Expires</u>
Mayor Pro Tem	Wendell Stewart	12-31-2020
Boys and Girls Club	Herbert Williams	12-31-2020
Electric Plant Board	Jamie Powell	12-31-2020
F-S Ambulance Board	Jennifer Delk	12-31-2020

<u>Board or Office</u>	<u>Appointment</u>	<u>Term Expires</u>
F-S Industrial Authority	Wendell Stewart	12-31-2020
F-S Parks Board	Herbert Williams	12-31-2020
F-S Parks Board	Lisa Bashant	12-31-2019
F-S Parks Board	Debbie Hudson	12-31-2022
F-S Parks Board	Tim Crocker	12-31-2022
F-S Renaissance	Brownie Bennett	12-31-2020
Housing Authority of Franklin	Larry Dixon	12-31-2022
Housing Authority of Franklin	Dick Timmerman	12-31-2022
F-S Code Enforcement Board	Peggy Cosby	12-31-2021

Commissioner Williams asked for clarification of his appointment to the F-S Parks Board. Commissioner Williams will be the City elected official representative on the F-S Parks Board and Lisa Bashant was appointed to fill his existing unexpired term on the Board.

City Manager Kenton Powell asked the Commission to consider approval of a date and time for a special called joint City/County meeting. The proposed date and time is Thursday, January 31, 2019, at 12:00 Noon at Franklin City Hall.

Motion was made by Commissioner Bennett and seconded by Commissioner Powell to approve a special called joint City/County meeting on Thursday, January 31, 2019, at 12:00 Noon to be held at Franklin City Hall.

Voting Aye: All. Motion carried unanimously.

City Manager Kenton Powell asked the Commission to consider approving the extension of the City's Independent Contractor Agreement with Carter Munday. This extension will allow Mr. Munday to continue in his role as temporary office manager for Franklin-Simpson Planning & Zoning and will further allow ample time for the City and County to examine the future needs of the planning and zoning office.

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to approve the extension of the City's Independent Contractor Agreement with Carter Munday beginning January 1, 2019 through June 30, 2019, and to further authorize the Mayor to sign the agreement on behalf of the City.

Voting Aye: All. Motion carried unanimously.

City Manager Kenton Powell reviewed upcoming training opportunities for incoming elected officials and employees as follows:

January 16 – City Department Tours

January 23-25 – Kentucky League of Cities Newly Elected Officials Academy

January 28 – City Budget Preparation / Presentation and Explanation

February 13 – City Day / City Night

February 20-21 – Kentucky Rural Water Association Management Conference

February 25 – Kentucky League of Cities Ethics Training

City Manager Kenton Powell asked the Commission to consider adopting Resolution No. A-2019 authorizing the appointment of Robert Palmer, Director of the Simpson County Office of Emergency Management, as the Application Agent for FEMA/Emergency Management for the City of Franklin.

Motion was made by Commissioner Bennett and seconded by Commissioner Stewart and was unanimously approved to adopt City of Franklin 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.

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 the 14th day of January, 2019.

City Finance Director Shaunna Cornwell asked the Commission to approve adding Mayor Larry Dixon as an authorized signer to all of the City of Franklin bank accounts, except the Police Department Drug Fund and the Police Department Evidence Account, and to further authorize removing Ronnie Clark as an authorized signer from these same accounts.

Motion was made by Commissioner Powell and seconded by Commissioner Williams to authorize adding Mayor Larry Dixon as an authorized signer to all of the City of Franklin bank accounts at all banks where the City has an open account, except the Police Department Drug Fund and the Police Department Evidence Account, and to further authorize removing Ronnie Clark as an authorized signer from these same accounts.

Voting Aye: All. Motion carried unanimously.

PUBLIC SAFETY

Chief Roger Solomon provided the Commission with an update regarding an upcoming traffic enforcement detail known as “Operation Slow Down Franklin” and played the video by Lt. Dale Adams, the City’s Public Information Officer. The latest enforcement detail is designed to encourage drivers to observe the posted speed limit and practice overall safe driving habits.

ORDINANCES

City Clerk Cathy Dillard provided 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*

No action is taken on first reading of an ordinance.

EXECUTIVE SESSION

At 12:55 PM, motion was made by Commissioner Powell and seconded by Commissioner Bennett to enter into Executive Session for the purpose of: (1) 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)}; (2) Litigation – Discussion of proposed or pending litigation {KRS 61.810(1)(c)}; (3) Personnel – Discussions or hearings which might lead to the appointment, discipline, or dismissal of an individual employee or member {KRS 61.810(1)(f)}; and, (4) 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)}.

Voting Aye: All. Motion carried unanimously.

Entering Executive Session were Mayor Dixon; Commissioners Powell, Bennett, Williams and Stewart; City Manager Kenton Powell; and, City Attorney Scott Crabtree.

At 2:03 PM, motion was made by Commissioner Williams and seconded by Commissioner Stewart 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 authorize the Mayor to sign the contracts for the newly hired police officers.

Voting Aye: All. Motion carried unanimously.

ADJOURNMENT

At 2:04 PM, motion was made by Commissioner Powell and seconded by Commissioner Stewart to adjourn the regular meeting of the Franklin City Commission.

Voting Aye: All. Motion carried unanimously.

Larry Dixon, Mayor
City of Franklin, Kentucky

Cathy Dillard, City Clerk
City of Franklin, Kentucky

RECOGNITIONS

Proclamation

City of Franklin, Kentucky



WHEREAS, on January 28, 1819, the Kentucky Legislature approved the creation of Simpson County, Kentucky; and,

WHEREAS, January 28, 2019, marks the 200th anniversary year of the creation of Simpson County, Kentucky; and,

WHEREAS, the bicentennial celebration of Simpson County presents a unique opportunity to honor and showcase Simpson County's heritage, history, citizens and culture; and,

WHEREAS, the City of Franklin recognizes the importance of this bicentennial celebration as a way to honor the citizens and the history of Simpson County, and set a course for success over our next 200 years; and,

NOW, THEREFORE, the Mayor and City Commission of the City of Franklin do hereby recognize and proclaim today, January 28, 2019, as

Simpson County Day

and encourage all citizens of Simpson County to recognize and celebrate the bicentennial of our county.

PROCLAIMED on this the 28th day of January, 2019.



In witness whereof I have set my hand and caused the City seal to be affixed hereto:

LARRY DIXON, Mayor

ATTEST:

Cathy Dillard, City Clerk

COMMUNITY SERVICES



MEMO

TO: Mayor and Commissioners

FROM: Tammie Carey, Community Development Director

DATE: January 23, 2019

RE: Utilizing Program Income Monies for West Madison Street Property

Over the last 15 years the City of Franklin has received several grants through the Community Development Block Grant program. The City of Franklin currently has \$50,961.71 in program income monies that were generated through a previous CDBG project.

After discussions with the City Manager, I submitted a request to use those funds to assist with the purchase of the property at 501 West Madison Street. That request was approved. Included is a letter from the Department for Local Government.



**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
117 West Cedar St.
P.O. Box 2805
Franklin, KY 42135-2805

RE: City of Franklin Program Income

Dear Mayor Clark:

The Department for Local Government is in receipt of your Approval for Use Request for program income earned by the City of Franklin. The proposed use per your letter dated December 4, 2018 is to eliminate slum and blight at 501 West Madison Street..

Please remember that program income must be used for eligible CDBG activities. Program income is subject to all of the rules and regulations governing CDBG funds including, but not limited to, compliance with: national objective, procurement, equal opportunity, environmental, labor standards, lead-based paint hazard treatment, etc.

Based on certifications made by the city, we are hereby approving use of program income funds for this project. Please reflect these expenditures on your next report due on December 31, 2018.

Please contact Gabe Nickell at 502/892-3464, should you need assistance.

Sincerely,

A handwritten signature in cursive script that reads "Sandra K. Dunahoo".

Sandra K. Dunahoo
Commissioner



An Equal Opportunity Employer M/F/D



MEMORANDUM

To: Mayor Larry Dixon and Commissioners

From: Kenton Powell, City Manager

Subject: Scott Waste Services Update

Date: January 24, 2019

Pete Reckard from Scott Waste Services will be at our meeting on Monday, January 28, 2019, to provide information, updates and answer questions regarding their services.



MEMORANDUM

To: Mayor Larry Dixon and Commissioners

From: Kenton Powell, City Manager

Subject: F-S Human Rights Commission Updates

Date: January 24, 2019

Rev. Donzella Lee, Director of the Franklin-Simpson Human Rights Commission, will provide an update to the Commission regarding upcoming HRC events.

GENERAL GOVERNMENT



MEMO

TO: Mayor Larry Dixon and Commissioners
FROM: Chris Klotter, Public Works Director
DATE: January 22, 2019
SUBJECT: W. Madison Street Property Cleanup

The City began researching cleanup/grinding options for the property located on W. Madison Street earlier this month. After discussion with the Department Heads and many calls to various factories, mulch companies, etc. the best option seems to be contracting the grinding and hauling of the pallets at the location. This option is the most time efficient and cost effective considering the scope of the work. This option will also eliminate the need for a capital purchase of equipment to handle the pallets. While a few industries have expressed some interest in small quantities of pallets, it would not be sufficient to make significant progress on the property cleanup. I would like to recommend giving those parties interested in picking up some pallets an opportunity to do so up until February 18, 2019 (3 weeks) prior to beginning the grinding and hauling operation. Several calls were made to request quotes on the grinding and hauling of the pallets with the following results:

Bushels and Blooms	\$19,800.00 (see attached quote)
Mighty Mulch BG	No quote
Franklin Pallets	No quote
Simply Mulch BG	No quote

Given the above quote, I would like to recommend awarding the grinding and cleanup of the W. Madison Street property to Bushels and Blooms at a price of \$19,800.00.

Proposed Motion:

Recommend the City approve the acceptance of the bid from Bushels and Blooms at the above cost and have the Mayor sign all necessary documents.



Date: 1/18/2019
Estimate

City of Franklin
Atten: Steve Akin

Email to: Chris Klotter
chris.klotter@franklinky.org

**JOB DESCRIPTION: GRINDING & CLEAN UP
W. Madison Warehouse**

Trip 1: Grind out and haul away all pallets outside of warehouse lot
(front, back, and side areas) **\$9,900.00**

City of Franklin to bring out remaining pallets that are inside of buildings, etc.,

Trip 2: When remaining pallets are brought out by City of Franklin, mobilize
to grind and haul away. **\$9,900.00**

TOTAL FOR BOTH GRINDING & CLEANUP **\$19,800.00**

**Thank you for your Business!!
Adam Crafton Certified Arborist Ky-0720A**

MEMORANDUM

TO: Mayor and City Commissioners
FROM: W. Scott Crabtree
DATE: January 28, 2019
RE: Request to Close Street/Alley

Attached hereto please find the proposed ordinance and documents to close the street/alley running through the land the City recently acquired on West Madison Street. It was platted and is part of the paved area (see drawing attached). We will need to have 2 sponsors for the ordinance closing the street/alley and, if we have the sponsors, we will have first reading during the ordinance portion of the meeting.

CITY OF FRANKLIN, KENTUCKY

ORDINANCE NO. 2019 - 002

AN ORDINANCE TO CLOSE THE PUBLIC WAY KNOWN AS THE 0.24 ACRE TRACT OF LAND ON WEST MADISON STREET, BEING A 20-FOOT WIDE PUBLIC ALLEY WHICH RUNS BETWEEN TRACT I AND TRACT II OF THE PROPERTY CONVEYED TO THE CITY OF FRANKLIN IN COMMISSIONER'S DEED BOOK 17, PAGE 171, SIMPSON COUNTY CLERK'S OFFICE

WHEREAS, at the request of the City of Franklin, Kentucky, it has been determined that the 0.24 acre tract of land on West Madison Street, being a 20-foot wide public alley which runs between Tract I and Tract II of the property conveyed to the City of Franklin in Commissioner's Deed Book 17, Page 171, Simpson County Clerk's Office, 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 owner in or abutting the portion of the property to be closed to be the City of Franklin, Kentucky; and,

WHEREAS, pursuant to KRS 82.405(2) (b) and (c), a written notice of the proposed closing was given to the property owner in or abutting that portion of the public way that is described in Exhibit A, and the property owner in or abutting that portion of the property has agreed to the closing of the public way, with said consent being attached 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 the City of Franklin, Kentucky; 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 0.24 acre portion of the public way on West Madison Street, being a 20-foot wide public alley which runs between Tract I and Tract II of the property conveyed to the City of Franklin in Commissioner's Deed Book 17, Page 171, Simpson County Clerk's Office, 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, as represented by the plat prepared by Gary Lee Dunning, #3290 dated January 7, 2019.
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 the City of Franklin, Kentucky.
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 0.24 ACRE TRACT BEING CLOSED

See attached Boundary Retracement Street Closure
Containing 0.24 Acres prepared by Gary Lee Dunning,
Licensed Surveyor No. 3290 dated 01/07/19.

Dunning Land Surveying

Description of a 0.24 acre tract (20 foot wide alley to be vacated)

The following paragraph describes a tract of land in Simpson County, Kentucky in the city of Franklin on West Madison Street; Being a 20 ft. wide public alley which runs between Tract I and Tract II of the property conveyed to the City of Franklin, in Commissioner's Deed Book 17 Page 171 of the public deed records of the Simpson County Clerk's office; said premises being more particularly described as follows:

Beginning at an iron pin found #3290 in the southerly right of way of West Madison Street (approximately 20 feet from centerline), the northeasterly corner of Tract II of the City of Franklin property as described in Commissioner's Deed Book 17 Page 171 at the intersection of said right of way with the westerly line of a 20 foot wide alley; thence along the southerly right of way of West Madison Street, North 84 degrees 22 minutes 17 seconds East a distance of 20.19 feet to a found railroad spike, the northwesterly corner of Tract I of the aforementioned City of Franklin property; thence leaving said right of way along the easterly side of a 20 foot wide alley and the westerly line of Tract I of the City of Franklin property the following two calls; South 02 degrees 08 minutes 26 seconds West a distance of 493.60 feet to an iron pipe found; thence South 01 degree 55 minutes 40 seconds West a distance of 39.08 feet to an iron pin set at the intersection of said alley with the northerly right of way of Pear Ridge Street (30 ft. R/W per plat of Lexington Bend Subdivision); thence along the northerly right of way of Pear Ridge Street, North 85 degrees 00 minutes 14 seconds West a distance of 20.03 feet to an iron pin found #3290; thence leaving said street along the westerly side of a 20 foot wide alley and the easterly line of Tract II of the City of Franklin property the following two calls; North 01 degree 55 minutes 40 seconds East a distance of 38.04 feet to an iron pin found #3290; thence North 02 degrees 08 minutes 26 seconds East a distance of 490.90 feet to the point of beginning. Surveyed parcel contains 0.24 acre more or less, intending to describe a 20 foot wide alley to be vacated and is subject to all legal conditions and easements of record. This description is based on an actual field survey originally performed by Gary Lee Dunning, Kentucky Registered Land Surveyor #3290 in May of 2004. Basis of bearing for this description is a magnetic observation on the traveled centerline of West Madison Street. Unless stated otherwise, all iron pins set this survey are 5/8" x 18" rebar with plastic identification cap stamped "Dunning #3290".

**SURVEY OF A 0.24 ACRE PORTION OF ALLEY TO BE VACATED
BETWEEN WEST MADISON STREET AND PEA RIDGE ST.
IN THE CITY OF FRANKLIN, KENTUCKY
SIMPSON COUNTY**

SOURCE OF TITLE: SEE COMMISSIONER'S DEED BOOK 17 PAGE 170
SIMPSON COUNTY CLERK RECORDS

20 FOOT ALLEY IS CALLED IN ALL PRIOR ORDERS ATTENDING THIS AREA.
SPECIFIC ORIGINAL DEDICATION IS NOT KNOWN. IT IS THE INTENTION OF
THE SURVEYOR TO MAKE A DESCRIPTION TO VACATE THE PUBLIC INTEREST
IN THIS 20 FOOT ALLEY.

MAP REFERENCE: MAP F-13-10 PARCEL 3
PER P.V.A. TAX RECORDS

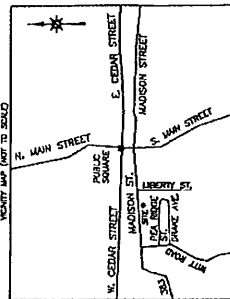
PRESENT OWNERS: CITY OF FRANKLIN

DATE: JANUARY 4, 2019

CLIENT ADDRESS:

CITY OF FRANKLIN
1000 E. MAIN STREET
FRANKLIN, KENTUCKY
42130

SEE DEED BOOK 233 PAGE 15 FOR
DEED RECORDS OF THIS ALLEY.
APPROXIMATE SURFACE OF THIS
FOR A 45' BY 110' LOT WHICH IS INCLUDED
IN THE MAP OF WEST MADISON STREET
DESCRIBED IN DEED BOOK 233 PAGE 22



- DENOTES IRON PIN SET UNLESS SHOWN OTHERWISE
- DENOTES WOODEN CORNER, MONUMENT NOT SET

SUBJECT TO ALL LEGAL CONDITIONS
AND EASEMENTS OF RECORD.

THIS SURVEY SUBJECT TO ALL FACTS WHICH WOULD
BE DISCLOSED BY A COMPLETE TITLE SEARCH.

THIS PROPERTY DOES NOT LIE IN A FLOOD PRONE AREA PER LATEST
FLOOD MAPPING.

IRON PINS SET THIS SURVEY ARE 5/8" X 18" REBARS WITH
FLAT HEADS. THE SURVEY WAS STAKED DURING 2000.
THIS SURVEY MEETS THE REQUIREMENTS OF A CLASS A SURVEY AS DEFINED
BY 201 K.A.R. 18.180.

I CERTIFY THAT THIS DRAWING REPRESENTS AN ACTUAL FIELD SURVEY PERFORMED UNDER MY
DIRECT SUPERVISION IN MAY OF 2004 & REVISSED IN JANUARY OF 2019. METHOD OF SURVEY IS BY CLOSED RANDOM
WALKS. THE SURVEY WAS STAKED DURING 2000. THIS DRAWING
KENTUCKY AS SET BY GOVERNING AUTHORITIES.

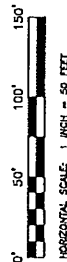
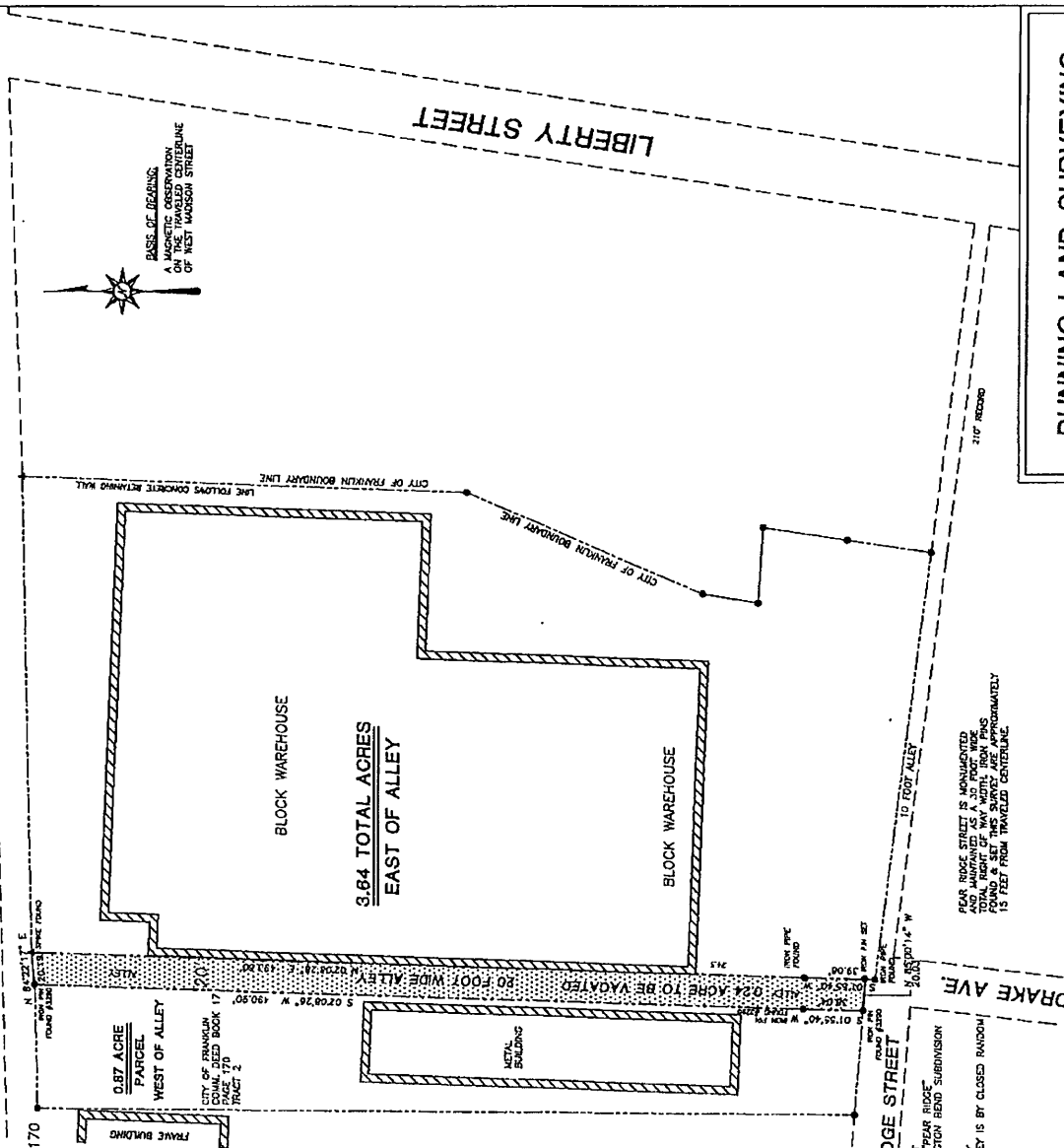
GARY LEE DUNNING
KENTUCKY REGISTERED LAND SURVEYOR #2590
DATE SIGNED: JANUARY 4, 2019

TITLE	2019-01-04
DATE	2019-01-04
BY	GARY LEE DUNNING
CHECKED BY	GARY LEE DUNNING

SEE: 04-53

WEST MADISON STREET (ALSO KNOWN AS KENTUCKY STATE ROUTE 201)
IS MONUMENTED AND MAINTAINED IN THIS AREA. A 20 FOOT WIDE 6' WAY
IRON PIN FOUND AND SET THIS SURVEY ARE APPROXIMATELY 20 FEET FROM
TRAVELLED CENTERLINE.

WEST MADISON STREET



DUNNING LAND SURVEYING

1212 NEOSHEO ROAD
FRANKLIN, KENTUCKY 42134
PHONE: (270) 586-8286 • dunn4@bellsouth.net

EXHIBIT B

**Copy of Consent to Closing a Public Way
from the City of Franklin, Kentucky**

CONSENT TO CLOSING A PUBLIC WAY

I, Mayor Larry Dixon, on behalf of the City of Franklin, Kentucky, 117 West Cedar Street, Franklin, Kentucky 42134, a property owner abutting the 0.24 acre tract of land on West Madison Street, being a 20-foot wide public alley which runs between Tract I and Tract II of the property conveyed to the City of Franklin in Commissioner's Deed Book 17, Page 171, Simpson County Clerk's Office, 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 January _____, 2019, and the undersigned understands, acknowledges, and agrees that the portion of the public way to be closed shall remain the property of the City of Franklin, Kentucky, and 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 Gary Lee Dunning, Kentucky Registered Land Surveyor #3290 dated January 7, 2019.

Dated this January _____, 2019.

Larry Dixon, Mayor
City of Franklin, Kentucky

STATE OF KENTUCKY

COUNTY OF SIMPSON

Subscribed and sworn to before me by Larry Dixon, the Mayor of the City of Franklin, Kentucky, an abutting property owner, on this January _____, 2019.

Notary Public
Notary I.D. No. _____
My Commission Expires: _____

NOTICE OF INTENT TO CLOSE A PUBLIC WAY

TO: City of Franklin, Kentucky
c/o Mayor Larry Dixon
117 West Cedar Street
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 0.24 acre tract of land on West Madison Street, being a 20-foot wide public alley which runs between Tract I and Tract II of the property conveyed to the City of Franklin in Commissioner's Deed Book 17, Page 171, Simpson County Clerk's Office, abutting your property. Attached hereto as Exhibit A is a description of the portion of the public way proposed to be closed.

This January 24, 2019.

A handwritten signature in black ink, appearing to read 'W. Scott Crabtree', written over a horizontal line.

W. Scott Crabtree, City Attorney

EXHIBIT A

DESCRIPTION OF 0.24 ACRE TRACT BEING CLOSED

See attached Boundary Retracement of Street Closure
Containing 0.24 Acres prepared by Gary Lee Dunning,
Licensed Surveyor No. 3290 dated 01/07/19

Dunning Land Surveying

Description of a 0.24 acre tract (20 foot wide alley to be vacated)

The following paragraph describes a tract of land in Simpson County, Kentucky in the city of Franklin on West Madison Street; Being a 20 ft. wide public alley which runs between Tract I and Tract II of the property conveyed to the City of Franklin, in Commissioner's Deed Book 17 Page 171 of the public deed records of the Simpson County Clerk's office; said premises being more particularly described as follows:

Beginning at an iron pin found #3290 in the southerly right of way of West Madison Street (approximately 20 feet from centerline), the northeasterly corner of Tract II of the City of Franklin property as described in Commissioner's Deed Book 17 Page 171 at the intersection of said right of way with the westerly line of a 20 foot wide alley; thence along the southerly right of way of West Madison Street, North 84 degrees 22 minutes 17 seconds East a distance of 20.19 feet to a found railroad spike, the northwesterly corner of Tract I of the aforementioned City of Franklin property; thence leaving said right of way along the easterly side of a 20 foot wide alley and the westerly line of Tract I of the City of Franklin property the following two calls; South 02 degrees 08 minutes 26 seconds West a distance of 493.60 feet to an iron pipe found; thence South 01 degree 55 minutes 40 seconds West a distance of 39.08 feet to an iron pin set at the intersection of said alley with the northerly right of way of Pear Ridge Street (30 ft. R/W per plat of Lexington Bend Subdivision); thence along the northerly right of way of Pear Ridge Street, North 85 degrees 00 minutes 14 seconds West a distance of 20.03 feet to an iron pin found #3290; thence leaving said street along the westerly side of a 20 foot wide alley and the easterly line of Tract II of the City of Franklin property the following two calls; North 01 degree 55 minutes 40 seconds East a distance of 38.04 feet to an iron pin found #3290; thence North 02 degrees 08 minutes 26 seconds East a distance of 490.90 feet to the point of beginning. Surveyed parcel contains 0.24 acre more or less, intending to describe a 20 foot wide alley to be vacated and is subject to all legal conditions and easements of record. This description is based on an actual field survey originally performed by Gary Lee Dunning, Kentucky Registered Land Surveyor #3290 in May of 2004. Basis of bearing for this description is a magnetic observation on the traveled centerline of West Madison Street. Unless stated otherwise, all iron pins set this survey are 5/8" x 18" rebar with plastic identification cap stamped "Dunning #3290".



MEMORANDUM

To: Mayor Larry Dixon and Commissioners

From: Kenton Powell, City Manager

Subject: Street Closure Request

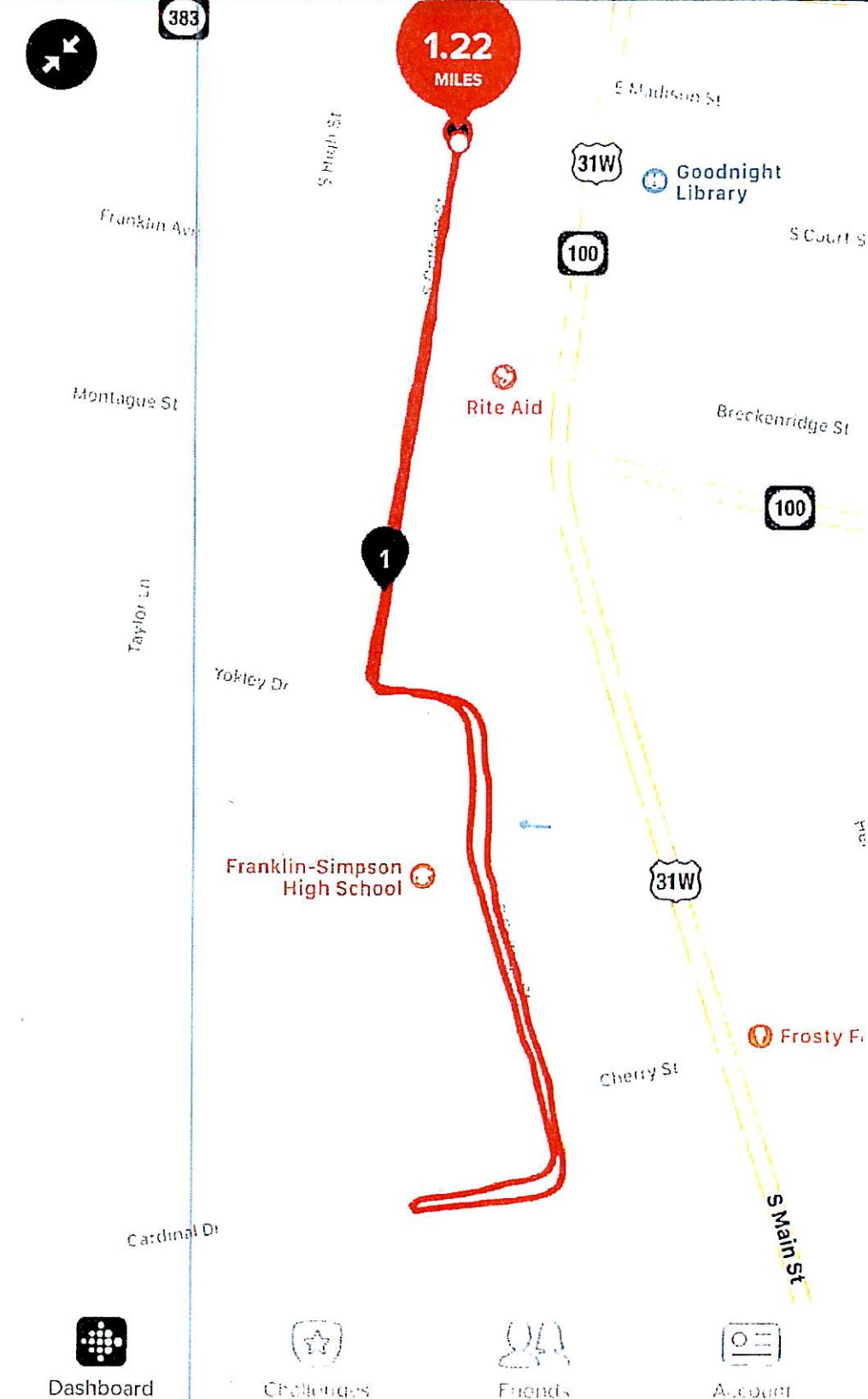
Date: January 24, 2019

Kids on the Block will host the 5th Annual Citizens First Shamrock Sprint on Saturday, March 16, 2019, and have requested the Commission authorize a street closure on South College Street from 9:30 AM until 11:00 AM. The Shamrock Sprint is a free kids only event and is a part of the Kids on the Block Healthy Habits program.

The approximate one-half mile race route will begin on South College Street in front of the grassy area behind the former Grow Mortgage building and continue past the F-S High School with the turn-around point after the curve on South College Street. A route map is attached.

Kids on the Block Executive Director Ashley Reynolds indicates that each home along the route will be notified by a door-to-door visit and placement of a flyer regarding this road closure.

Proposed Action: Motion to approve the closure of a portion of South College Street for Kids on the Block Shamrock Sprint on Saturday, March 16, 2019 from 9:30 AM until 11:00 AM.



memo

Gallery on the Square

To: Kenton Powell, City Manager
From: Lisa Deavers, Gallery on the Square
CC: Mayor Larry Dixon; Commissioner Herbert Williams; Commissioner Brownie Bennett; Commissioner Wendell Stewart; Commissioner Jamie Powell
Date: 1/24/2019
Re: Parking Space Closure Request for Thursday February 7th

Comments: The Gallery on the Square will be hosting a new exhibit, Modern Chinese Art, in partnership with WKU Confucius Center and in celebration of the Chinese New Year. On behalf of the Gallery, I am requesting the closure of the 7 parking spaces (not including the ADA site) in front of the vacant. Old Sullivan's building and the Gallery so the Center may bring their mobile museum unit (size of a Tour Bus) as a part of the exhibit for opening night. This will allow them time to set up prior to the opening.

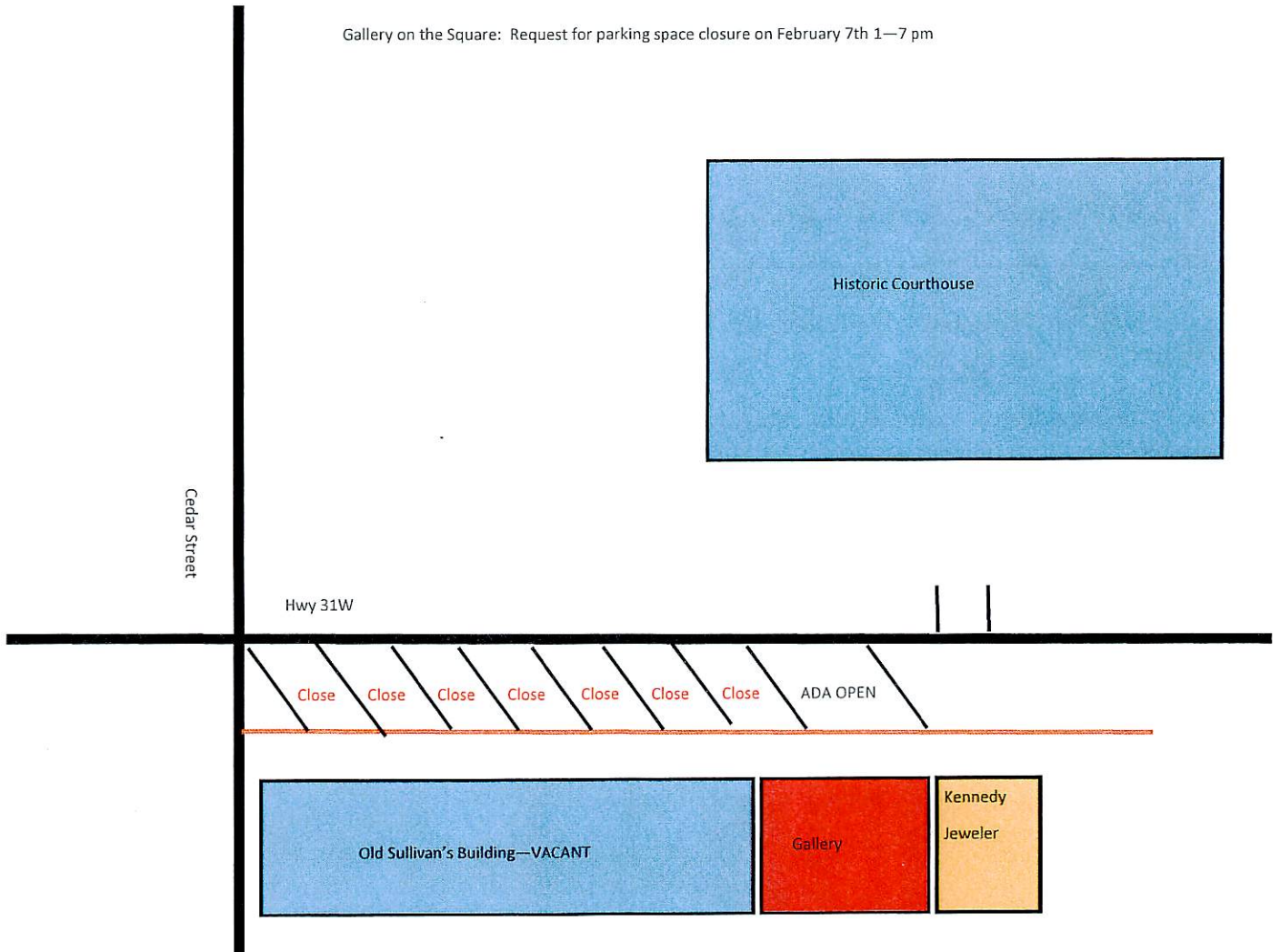
The request is to close the spaces from 1:00 pm – 7:00 pm to allow for set up and safe accessibility or the public onto the mobile unit.

The reception and tours of the mobile unit are open to the public at no cost from 5 pm – 6:30 pm

Thank you for your consideration.

I would also like to extend an invitation to each of you to attend; this will be the first time several of these pieces have been on exhibit in the State and we are fortunate to be the first to showcase them.

Gallery on the Square: Request for parking space closure on February 7th 1—7 pm





To: Mayor Larry Dixon and Commissioners

From: City Manager, Kenton Powell

Date: January 23rd, 2019

Re: 2019 Proposed Commission Meeting Dates

It's hard to believe it is 2019! With that, I would like to discuss and confirm this year's City Commission meeting schedule.

Below is the recommended schedule. Please note that May 27th is Memorial Day and November 11th is Veteran's Day. Both of these holidays fall on our regularly scheduled meeting dates, so I recommend that we cancel both of these meetings. Also, December 23rd is a regularly scheduled meeting date, but falls during Christmas week. We normally only have one regular meeting in December due to the Christmas holiday, so I recommend that we cancel that meeting also.

January 14 th and 28 th	12:00 noon – Regular Commission Meeting
February 11 th and 25 th	12:00 noon – Regular Commission Meeting
March 5 th	12:00 noon – Joint City/County Meeting (at City Hall)
March 11 th and 25 th	12:00 noon – Regular Commission Meeting
April 8 th and 22 nd	12:00 noon – Regular Commission Meeting
May 13 th	9:00 a.m. – 11:00 a.m. – Special Called Budget Work Session
May 27 th	12:00 noon – Regular Commission Meeting
June 3 rd	MEMORIAL DAY HOLIDAY – Cancel Meeting 9:00 a.m. – 11:00 a.m. – Special Called Budget Work Session
June 10 th and 24 th	12:00 noon – Regular Commission Meeting
July 8 th and 22 nd	12:00 noon – Regular Commission Meeting
August 12 th and 26 th	12:00 noon – Regular Commission Meeting
September 3 rd	12:00 noon – Joint City/County Meeting (at Fiscal Court)
September 9 th and 23 rd	12:00 noon – Regular Commission Meeting
October 14 th and 28 th	12:00 noon – Regular Commission Meeting
November 11 th	VETERANS DAY HOLIDAY – Cancel Meeting
November 25 th	12:00 noon – Regular Commission Meeting
December 9 th	12:00 noon – Regular Commission Meeting
December 23 rd	Christmas week – Cancel Meeting

2019

City Commission Meeting Dates

January						
S	M	T	W	T	F	S
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13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

February						
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17	18	19	20	21	22	23
24	25	26	27	28		

March						
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17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

April						
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28	29	30				

May						
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19	20	21	22	23	24	25
26	27	28	29	30	31	

June						
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23	24	25	26	27	28	29
30						

July						
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August						
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September						
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29	30					

October						
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27	28	29	30	31		

November						
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24	25	26	27	28	29	30

December						
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29	30	31				

	Regular Meeting Dates
	Holidays
	Budget Work Session
	Joint City /County Meeting



MEMORANDUM

TO: Mayor and City Commissioners
FROM: Kenton Powell
DATE: January 22nd 2019
SUBJECT: Budget Plan FY2019/12 Activities

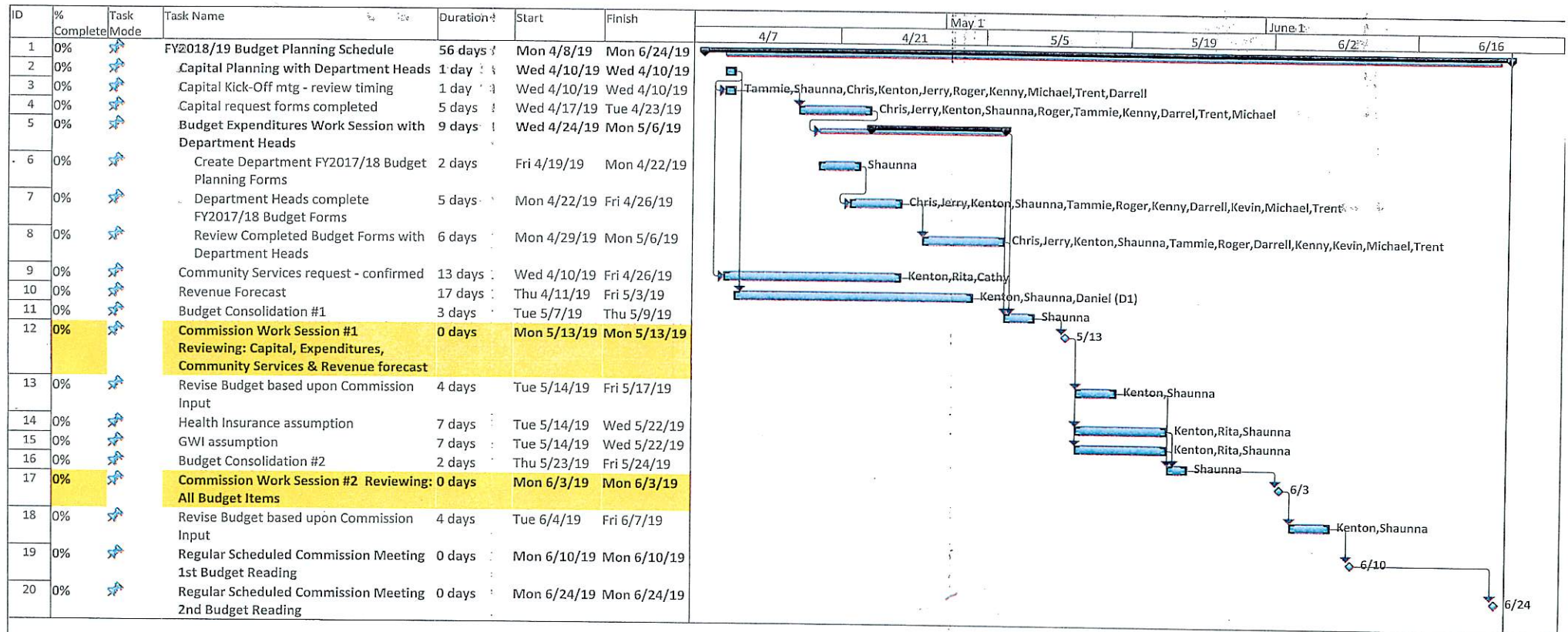
Budget Planning activities are in the near future, how exciting! On the next page is a Project Plan outlining each step from meeting with the Department Heads, Work Sessions with Commission, including the first and second reading of the FY2019/20 Budget.

Highlighted in yellow on the Budget Plan (next page) are two proposed dates concerning Commission Work Sessions. The first Work Session date is Monday, May 13th from 9am to 11:00am and the second is Monday, June 3rd from 9am to 11:00am.

Please let me know on Monday, during our regular scheduled Commission meeting if you have any questions.

Thank You,

Kenton Powell





MEMORANDUM

To: Mayor Larry Dixon and Commissioners

From: Kenton Powell, City Manager

Subject: KLC City of Ethics Recertification

Date: January 24, 2019

Attached for your review and approval is the proposed agreement with Kentucky League of Cities for recertification for the Certified City of Ethics program. The recertification training is scheduled for Monday, February 25, 2019 at 9:30 a.m.

Proposed Action: Request a motion to authorize the Mayor to sign the agreement with Kentucky League of Cities for recertification of the Certified City of Ethics program and to schedule the training for Monday, February 25, 2019 at 9:30 a.m.

Kentucky League of Cities

Proposal for Recertification under Certified City of Ethics Program

Recertification under the Kentucky League of Cities (KLC) program is a way to continue to recognize the efforts of cities and city officials that have adopted principles and procedures that offer guidance on ethical issues, along with a mechanism to resolve complaints at the local level. In addition, maintenance of this program increases public trust and confidence in city governments and their services, through the training and recognition that this program promotes. The Certified City of Ethics Program **requires recertification every four years** to maintain the designation. 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.

TO MAINTAIN A "CERTIFIED CITY OF ETHICS" DESIGNATION, A CITY MUST TAKE THE FOLLOWING STEPS:

Step 1) Statutory Compliance

If changes have been made to the code of ethics ordinance since the last certification, the latest ordinance must be emailed or mailed to the KLC Municipal Law and Training Department to verify 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, Ste 800, Lexington, KY 40507

KLC will review any changes made to the code of ethics ordinance since the date of initial certification, to be ensure that the city meets the minimum standards set out in KRS 65.003.

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

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) Contract Execution

The city will email, or mail this signed Agreement to:

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

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

Step 3) Training on City Ethics Ordinance

Once the ordinance has been reviewed and is found to meet the requirements of KRS 65.003, all elected city officials (and the Ethics Board/Commission) shall participate in a training on their specific city code of ethics conducted by KLC or a trainer mutually agreed upon by the city and KLC.

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

Any employees, boards and commissions covered under the city code of ethics may also be trained separately at the additional rate of \$150.00 per session.

The training(s) will occur as follows:

- Date(s): February 25, 2019
- Time(s): 9:30 a.m. central time
- Location(s): 117 West Cedar Street, Franklin, Kentucky 42135
- The City will furnish presentation equipment including a laptop computer and projector. The City will make available a screen or a blank wall that can be used for projection of materials.
- KLC will provide training materials to City by February 21, 2019.
- The City will provide handouts for the training.

Step 4) Recertification

Once it is determined that the ordinance and resolution meet the established requirements and the city has received the required training, the city will maintain its designation as a "Certified City of Ethics" for another four (4) year period.

Each city that maintains its designation as a Certified City of Ethics will receive an updated framed certificate and a logo which can be incorporated into city stationery, road signs and other materials at the city's discretion for an additional four (4) years. In addition, KLC will send press releases to the local media notifying them that the city has maintained this designation, as well as recognition in KLC publications and events.

Step 5) Cost of the Program

The city agrees to pay KLC two hundred fifty dollars (\$250.00) due and payable before work begins. The fee includes the review time to make certain that any updated ordinance complies with KRS 65.003, preparation for training and the actual training. 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 by KLC. All additional costs will be billed to the city at the completion of the program.

In the event 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 an authorizing signature below:

Signature: _____ Date: _____

Print: _____ Title: _____

UTILITIES



MEMORANDUM

To: Mayor Larry Dixon and Commissioners

From: Shaunna Cornwell, Finance Director

Subject: IVR Telephonic Payments

Date: January 25, 2019

Attached is a quote we have received from Accela, our Utility Billing Software.

The City began accepting credit card payments in 2014. Since then, this form of payment has become increasingly more popular with our customers. Particularly over the phone. Our Customer Service Representatives can take from 20 to 40 utility billing payments over the phone each day.

This is a service we want to continue to provide to our customers as another convenient alternative form of paying their bill. However, over the years, new Payment Card Security Standards (PCI Compliance Requirements) have been adopted that mandate various security compliance measures in order to protect customer identity and credit card information.

As a result, we have been researching ways to continue offering this service while maintaining compliance with the PCI Compliance requirements. One way is to implement an IVR Payment System (Interactive Voice Response payment system.) This would be an automated payment system via the telephone. This option will be integrated with our utility billing payment system and payments will be reflected on the customer accounts instantly.

There are costs to this service, however. These costs are noted in the attached quote. Currently we require customers paying via credit card to pay the merchant fee/convenience fee. This fee is assessed at a level that will allow us to break even on these costs – it is not intended to be a revenue making measure. If this IVR Process is implemented then this fee will be reviewed with respect to over the phone payments and likely increased slightly to cover the \$1.00 per transaction cost.

I would like to further discuss this service and answer any questions the Commission may have. In the end, if everyone is in favor of this service, I'd like to seek approval to enter into this service contract.

Proposed Motion: Approve implementation of this service, increase convenience fee if necessary to cover operating costs and per transaction fees, and authorize the Mayor to sign any and all documents related to this service.



2633 Camino Ramon, Suite 500
San Ramon, CA, 94583

Proposed by : Porsche Chambers-Winston
Contact Phone :
Contact Email : porsche.chambers-
winston@sprbrk.com
Quote ID : Q-11836
Valid Through : 1/2/2019
Currency : USD

Quote DRAFT

Address Information

Bill To:
Jennifer Knight
PO BOX 2805
FRANKLIN Kentucky, 42135
United States

Ship To:
Jennifer Knight
,
United States

Billing Contact :
Billing Phone:
Billing Email:

Services

Services	Start Date	End Date	Term (Mths)	Price	Qty	Net Total
Selectron IVR subscription	12/3/2018	12/2/2019	12	USD 0.40	5,400	USD 2,160.00
CivicPay transaction fee	12/3/2018	12/2/2019	12	USD 1.00		
					Total	USD 2,160.00

Total Quote USD 2,160.00

--- End of Quote ---
Thank You
DRAFT

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.

January 14, 2019

FIRST READING

January 28, 2019

SECOND READING

At a meeting of the Franklin Board of Commissioners held on January 28, 2019 on motion made by Commissioner _____ and seconded by Commissioner _____, 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 $\frac{1}{2}$ " 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 $\frac{1}{2}$ " 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 $\frac{3}{4}$ " 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 $\frac{3}{4}$ " 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.



PORTION
REQUESTED
TO BE
CLOSED

- 1 - DONALD + MARILYN GOVE
- 2 - ROBERT + JOE RAGAN
- 3 - CITY OF FRANKLIN
- 4 - NADIA PETERS
- 5 - NADIA PETERS
- 6 - ALLEN CUNNINGHAM
- 7 - VENERIA LAMBERT
- 8 - CURT + TERRY 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.

Jessie S. Watwood

Notary Public

Notary I.D. No.

553636

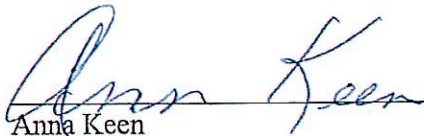
My Commission Expires:

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 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 01-07, 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.

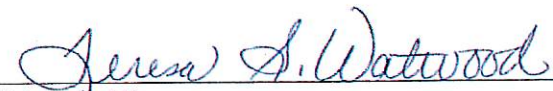


Anna Keen

STATE OF KENTUCKY

COUNTY OF SIMPSON

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



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.

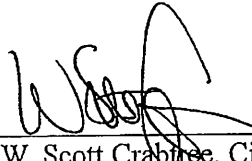
Jessie S. Watwood
Notary Public
Notary I.D. No. 553636
My Commission Expires: 04-23-20

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.



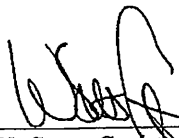
W. Scott Crabtree, City Attorney

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 Hildegard 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

CITY OF FRANKLIN, KENTUCKY

ORDINANCE NO. 2019 - 002

AN ORDINANCE TO CLOSE THE PUBLIC WAY KNOWN AS THE 0.24 ACRE TRACT OF LAND ON WEST MADISON STREET, BEING A 20-FOOT WIDE PUBLIC ALLEY WHICH RUNS BETWEEN TRACT I AND TRACT II OF THE PROPERTY CONVEYED TO THE CITY OF FRANKLIN IN COMMISSIONER'S DEED BOOK 17, PAGE 171, SIMPSON COUNTY CLERK'S OFFICE

WHEREAS, at the request of the City of Franklin, Kentucky, it has been determined that the 0.24 acre tract of land on West Madison Street, being a 20-foot wide public alley which runs between Tract I and Tract II of the property conveyed to the City of Franklin in Commissioner's Deed Book 17, Page 171, Simpson County Clerk's Office, 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 owner in or abutting the portion of the property to be closed to be the City of Franklin, Kentucky; and,

WHEREAS, pursuant to KRS 82.405(2) (b) and (c), a written notice of the proposed closing was given to the property owner in or abutting that portion of the public way that is described in Exhibit A, and the property owner in or abutting that portion of the property has agreed to the closing of the public way, with said consent being attached 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 the City of Franklin, Kentucky; 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 0.24 acre portion of the public way on West Madison Street, being a 20-foot wide public alley which runs between Tract I and Tract II of the property conveyed to the City of Franklin in Commissioner's Deed Book 17, Page 171, Simpson County Clerk's Office, 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, as represented by the plat prepared by Gary Lee Dunning, #3290 dated January 7, 2019.

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 the City of Franklin, Kentucky.

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 0.24 ACRE TRACT BEING CLOSED

See attached Boundary Retracement Street Closure
Containing 0.24 Acres prepared by Gary Lee Dunning,
Licensed Surveyor No. 3290 dated 01/07/19.

EXHIBIT B

**Copy of Consent to Closing a Public Way
from the City of Franklin, Kentucky**