

AGENDA

A G E N D A

City of Franklin, Kentucky City Commission

**February 11, 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

III. Approval of Minutes

- Approval of Meeting Minutes from January 28, 2019 Regular Session *Pg. 5*
- Approval of Meeting Minutes from January 31, 2019 Special Called Joint Meeting *Pg. 12*

IV. Recognitions

- Recognize and Swear In Two Police Officers *Pg. 17*

V. Hear the Public

VI. Community Services

- Review and Discuss 2nd Edition of frankLINKentucky Newsletter *Pg. 19*
Presenter: Tammie Carey, Comm Dev Director

VII. General Government

- Discussion and/or possible action regarding Collection and Administration of 911 Fees on Utility Bills *Presenter: Kenton Powell, City Manager Pg. 26*
- Discussion and/or possible action regarding Direct Deposit of Retiree Benefit Payments *Presenter: Shaunna Cornwell, Finance Director Pg. 31*
- Discussion regarding Business License Enforcement *Presenter: Daniel Reetzke, Tax Collector Pg. 33*
- Discussion and/or possible action regarding GovDeals Memorandum of Understanding *Presenter: Cathy Dillard, City Clerk Pg. 38*
- Discussion and/or possible action regarding proposed Ordinance to Close a Public Roadway *Presenter: Scott Crabtree, City Attorney Pg. 46*

VIII. Public Services

IX. Public Safety

X. Utilities

- Discussion and/or possible action regarding Wastewater Discharge Permit

Presenter: Trent Coffee, WWTP Supervisor **Pg. 61**

XI. Ordinances

- Second Reading of Ordinance No. 2019-002 entitled: **Pg. 70**
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
Presenter: Cathy Dillard, City Clerk

- Possible First Reading of Ordinance No. 2019-003 entitled: **Pg. 74**
An Ordinance To Close The Public Way Known As The 0.090 Acre Tract Of Land Off The Northwest Side Of Edgewood Drive Approximately 412 Feet North Of Akin Avenue At 208 Edgewood Drive Known As Bart Street
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)}

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

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

1944-1945

1946-1947

1948-1949

1950-1951

1952-1953

1954-1955

1956-1957

1958-1959

1960-1961

1962-1963

1964-1965

1966-1967

1968-1969

1970-1971

1972-1973

1974-1975

1976-1977

1978-1979

1980-1981

1982-1983

1984-1985

1986-1987

1988-1989

1990-1991

MINUTES

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

January 28, 2019

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

The Franklin, Kentucky City Commission met in Regular Session at 12:00 Noon, Monday, **January 28, 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; F-S Human Rights Commission Director, Donzella Lee; Franklin Favorite/WFKN media representative, Keith Pyles; Lisa Deavers, Gallery on the Square Executive Director and Bicentennial Committee Event Coordinator; Jennifer Knight, Utility Billing Supervisor; Pete Reckard of Scott Waste Services; Simpson County Judge Executive Mason Barnes and Jessica Barnes.

Mayor Dixon called the meeting to order at 12:00 Noon, and Rev. Donzella Lee offered an opening prayer.

APPROVAL OF MINUTES

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to approve the minutes as presented of the January 14, 2019, regular meetings of the Franklin City Commission.

Voting aye: All. Motion carried unanimously.

RECOGNITION

The Commission presented a Proclamation to Lisa Deavers, Event Coordinator for Simpson County Bicentennial Celebration, to honor the 200th birthday of Simpson County.

Motion was made by Commissioner Bennett and seconded by Commissioner Williams to approve the proclamation to proclaim Monday, January 28, 2019 as "Simpson County Day" in honor of the County's creation on January 28, 1819.

Voting Aye: All. Motion carried unanimously.

Bicentennial Committee Event Coordinator Lisa Deavers accepted the proclamation on behalf of the Committee and provided the Commission with a brief update of upcoming events to celebrate the 200th birthday of the County and the City's upcoming bicentennial in 2020.

On Thursday, January 24, 2019, Commissioner Stewart accepted, on behalf of the City, the United Way "Community Impact Partnership Award". This award was presented in recognition of the City's partnership with United Way's 2-1-1 Program.

Commissioner Stewart provided some brief comments about the award ceremony and focused on the wide-reaching impact of United Way and the many programs they support in southern Kentucky.

COMMUNITY SERVICES

Community Development Director Tammie Carey provided an update regarding utilizing Community Development Block Grant ("CDBG") funds to assist with the purchase of the property located at 501 West Madison Street. The Department of Local Government approved use of the program income due to the blighted condition of the property.

Motion was made by Commissioner Powell and seconded by Commissioner Bennett to approve the use of CDBG program income funds, subject to the rules and regulation governing such funds, to eliminate slum and blight at 501 West Madison Street and further authorized the Mayor to sign any and all documents necessary to effectuate the intent of the use of these grant funds.

Vote Aye: All. Motion carried unanimously.

City Manager Kenton Powell asked Pete Reckard of Scott Waste Services to provide an update to the Commission regarding their services and to answer questions.

Mr. Reckard discussed holiday pickup schedules, recycling pickup schedules and notification procedures for large or bulk item pickup.

F-S Human Rights Commission Director Donzella Lee provided an update regarding upcoming Human Rights Commission events. Those events are as follows:

January – Dr. Martin Luther King, Jr. Celebration
February – Black History Month
March – Women’s History Month
April – Fair Housing Month and Unsung Heroes Banquet
May – Police Officer Appreciation Month
August – Retreat for Educational Training
October – Trunk or Treat and LGBTQ Month
November – Partner with Middle School to provide Thanksgiving Baskets
December – HRC Annual Christmas Dinner

The F-S Human Rights Commission provides programs and services in our community and advocates for fair and equal treatment of all citizens.

GENERAL GOVERNMENT

Public Works Director Chris Klotter asked the Commission to review and approve the bid proposal from Bushels and Blooms for wood product grinding and cleanup for the property located at 501 West Madison Street. The bid for services was \$19,800.00.

Motion was made by Commissioner Stewart and seconded by Commissioner Powell to approve the bid from Bushels & Blooms in the amount of \$19,800.00 for the wood product removal/grinding and cleanup for the property located at 501 West Madison Street and further authorized the Mayor to sign any documents necessary for the completion of this cleanup project. The acceptance of this bid is contingent upon Bushels & Blooms verification of liability insurance coverage.

Voting Aye: All. Motion carried unanimously.

Upon further discussion it was determined that Bushels & Blooms would need access to Pea Ridge Street for their dump trucks for debris removal. Currently Pea Ridge Street has a “No Trucks” restriction.

Motion was made by Commissioner Powell and seconded by Commissioner Bennett to temporarily allow trucks to utilize Pea Ridge Street until all cleanup work is completed at 501 West Madison Street.

Voting Aye: All. Motion carried unanimously.

City Attorney Scott Crabtree asked the Commission to consider sponsorship of an ordinance to close a public way (alley) located through the land the City recently acquired on West Madison Street. This alley was platted some time ago and is part of the paved area on the land.

Commissioner Powell and Commissioner Stewart agreed to sponsor the proposed ordinance to close the public way (alley).

Upon further discussion it was determined that several documents required a signature by a City official in order to proceed with the process to close the public way (alley).

Motion was made by Commissioner Bennett and seconded by Commissioner Stewart to authorize the Mayor to sign any and all documents necessary to close the public way (alley) located on City property at 501 West Madison Street.

Voting Aye: All. Motion carried unanimously.

City Manager Kenton Powell requested, on behalf of Kids on the Block, a street closure on Saturday, March 16, 2019, for the 5th Annual Citizens First Shamrock Sprint.

Motion was made by Commissioner Powell and seconded by Commissioner Bennett to close South College Street just past the four-way stop on South College Street and West Madison Street to just past the curve on South College Street at Cardinal Drive from 9:30 AM until 11:00 AM on Saturday March 16, 2019, for the Kids on the Block 5th Annual Citizens First Shamrock Sprint.

Voting Aye: All. Motion carried unanimously.

Lisa Deavers, Executive Director of Gallery on the Square asked the Commission to consider closing seven (7) parking spaces south of the Gallery (not including the ADA space) in front of the vacant building on Main Street. The Gallery on the Square will host the Modern Chinese Art exhibit in conjunction with WKU Confucius Center on Thursday, February 7, 2019 from 5:00 pm until 6:30 pm.

Motion was made by Commissioner Bennett and seconded by Commissioner Powell to authorize the temporary closing of seven (7) parking spaces south of the Gallery on the Square (not including the ADA space) in front of the vacant building on Main Street on Thursday, February 7, 2019, from 7:00 am until 7:00 pm.

Voting Aye: All. Motion carried unanimously.

City Manager Kenton Powell provided the Commission with a 2019 calendar with regular meeting dates marked and asked the Commission to consider cancelling any regular meetings that conflict with holidays and recommendations for upcoming budget work sessions and re-scheduling.

Motion was made by Commissioner Powell and seconded by Commissioner Bennett and was unanimously approved to change the following Commission meeting dates:

Cancel: Monday, May 27, 2019 (Memorial Day Holiday)
Monday, November 11, 2019 (Veterans Day Holiday)
Monday, December 23, 2019 (Christmas Holiday)

Budget Work Monday, May 13, 2019 – 9:00 a.m. to 11:00 a.m.
Sessions : Monday, June 10, 2019 – 9:00 a.m. to 11:00 a.m.

City Manager Kenton Powell provided the Commission with a proposed schedule for Fiscal year 2019-2020 budget planning. Budget work session dates will be Monday, May 13, 2019, from 9:00 a.m. until 11:00 a.m. and Monday, June 3, 2019, from 9:00 a.m. until 11:00 a.m.

No action was required on this matter, the Commission previously approved these dates.

City Manager Kenton Powell asked the Commission to approve the proposed agreement with the Kentucky League of Cities to provide training for recertification for the Certified City of Ethics program. The recertification training is scheduled for Monday, February 25, 2019 at 9:30 a.m.

Motion was made by Commissioner Williams and seconded by Commissioner Bennett to authorize the Mayor to sign the agreement with the Kentucky League of Cities Certified City of Ethics recertification training to be held on Monday, February 25, 2019, at 9:30 a.m.

Voting Aye: All. Motion carried unanimously.

UTILITIES

City Finance Director Shaunna Cornwell requested the Commission approve implementation of an Interactive Voice Response (“IVR”) payment system with Springbrook for payment of utility bills and further requested an increase, if necessary, of the current \$1.00 per transaction fee. The fee increase would be implemented only if necessary to cover operating costs and per transaction fees and is not designed to generate income.

Motion was made by Commissioner Bennett and seconded by Commissioner Powell to authorize the implementation of an Interactive Voice Response (“IVR”) payment system and to approve an increase of the convenience fee only if necessary to cover operating costs and expense and to additionally authorize the Mayor to sign any documents necessary to effectuate the implementation of this program.

Voting Aye: All. Motion carried unanimously.

ORDINANCES

City Clerk Cathy Dillard provided second 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

Motion was made by Commissioner Powell and seconded by Commissioner Stewart to approve Ordinance No. 2019-001 and unanimously approved by the following roll call vote:

Roll Call Vote:	Mayor Dixon	<u>Aye</u>
	Commissioner Powell	<u>Aye</u>
	Commissioner Williams	<u>Aye</u>
	Commissioner Bennett	<u>Aye</u>
	Commissioner Stewart	<u>Aye</u>

City Clerk Cathy Dillard provided first summary 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*

No action is taken on first reading of an ordinance.

EXECUTIVE SESSION

At 1:03 PM, motion was made by Commissioner Bennett and seconded by Commissioner Williams to enter into Executive Session for the purpose of:

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 Dixon; Commissioners Powell, Bennett, Williams and Stewart; City Manager Kenton Powell; and City Attorney Scott Crabtree.

At 1:20 PM, motion was made by Commissioner Stewart and seconded by Commissioner Williams to exit Executive Session and return to open session.

Voting Aye: All. Motion carried unanimously.

ADJOURNMENT

At 1:21 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

MINUTES

SPECIAL CALLED MEETING

CITY OF FRANKLIN CITY COMMISSION and SIMPSON COUNTY FISCAL COURT

Thursday, January 31, 2019, at 12:00 Noon

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

The Franklin, Kentucky City Commission met in Special Called Session at 12:00 Noon on Thursday, January 31, 2019, in the City Hall meeting room located at 117 West Cedar Street, Franklin, Kentucky. Mayor Larry Dixon called the City Commission to order and County Judge Executive Mason Barnes called the Fiscal Court to order at 12:00 Noon, the member attendance was as follows:

Franklin City Commission

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

Simpson County Fiscal Court

County Judge Executive Mason Barnes
Magistrate Marty Chandler
Magistrate Myron Thurman
Magistrate Nathaniel Downey
Magistrate Scott Poston

Others present included City Manager, Kenton Powell; City Attorney, Scott Crabtree; City Clerk, Cathy Dillard; Fiscal Court Clerk, Pam Rohrs; County Attorney, Sam Phillips; Carter Munday, Chairman of F-S Planning & Zoning Commission; Simpson County Sheriff Jere Dee Hopson; Chad Drake, Deputy Jailer; Fire Chief Leslie Goodrum; EMS Director Robert Palmer; EMS Nelson Slaughter; Gary Sliger; and, Franklin Favorite/WFKN media representative Keith Pyles.

Mayor Larry Dixon offered an opening prayer and Judge Executive Mason Barnes asked everyone in attendance to join in the Pledge of Allegiance.

REPORTS

City Commissioner Brownie Bennett thanked everyone who attended the Simpson County Bicentennial Celebration held at the Courthouse on Monday, January 28, 2019. Commissioner Bennett also thanked Mayor Dixon and City Manager Kenton Powell for the opportunity to attend the newly elected officials training sponsored by Kentucky League of Cities.

Judge Executive Barnes thanked the Mayor and Commissioners for the proclamation presented to Simpson County Fiscal Court at the Bicentennial Celebration in recognition of the County's 200th birthday.

Judge Barnes also reminded everyone that the Barnes School Road low water crossing was closed for repairs until the first week of April.

REGULAR BUSINESS

City Manager Kenton Powell led the Commission and Fiscal Court in a discussion regarding Scott Waste Services. The City and County both utilize Scott Waste Services for garbage collection and operate under separate contracts. There may be an opportunity to renegotiate both contracts collectively. Mr. Powell asked the Commission and Fiscal Court to authorize to allow him, City Finance Director Shaunna Cornwell, Judge Executive Barnes and County Finance Officer Nicole Law to explore possible options available under a collective contract.

Motion was made by Commissioner Bennett and seconded by Commissioner Stewart to authorize City Manager Kenton Powell and City Finance Director Shaunna Cornwell to explore the feasibility of combining garbage collection services by Scott Waste Services with the County representatives, Judge Executive Barnes and County Finance Officer Nicole Law, and to provide a report at the next joint City/County meeting on March 5, 2019.

Voting Aye: All. Motion carried unanimously.

Motion was made by Magistrate Chandler and seconded by Magistrate Thurman to authorize Judge Executive Barnes and County Finance Officer Nicole Law to explore the feasibility of combining garbage collection services by Scott Waste Services with the City representatives, City Manager Kenton Powell and City Finance Director Shaunna Cornwell, and to provide a report at the next joint City/County meeting on March 5, 2019.

Vote Aye By Roll Call Vote: Judge Executive Barnes and Magistrates Chandler, Downey, Poston and Thurman. Motion carried unanimously.

City Manager Kenton Powell asked the Commission to review the proposed job description for the F-S Planning & Zoning Administrator and to further authorize to advertise and interview for the position of F-S Planning & Zoning Administrator.

Motion was made by Commissioner Powell and seconded by Commissioner Bennett to approve the job description for F-S Planning & Zoning Administrator, to post and/or advertise the position and interview potential candidates for the position.

Voting Aye: Mayor Dixon, Commissioners Powell, Williams and Bennett.

Voting No: Commissioner Stewart

Motion carried 4 to 1.

After further discussion and clarification, Fiscal Court approved the job description but did not authorize to post and/or advertise the position or to interview potential candidates for the position. Judge Barnes indicated the Court would take action on those two issues at a later meeting.

Motion was made by Magistrate Thurman and seconded by Magistrate Poston to approve the job description for F-S Planning & Zoning Administrator.

Voting Aye By Roll Call Vote: Judge Executive Barnes and Magistrates Chandler, Downey, Poston and Thurman. Motion carried unanimously.

Following this discussion, Mayor Dixon and the City Commission asked to restate their previous motion to approve the job description for F-S Planning & Zoning Administrator, to post and/or advertise the position and interview potential candidates for the position.

City Clerk Cathy Dillard asked for a roll call vote as follows: Mayor Dixon – Aye; Commissioner Bennett – Aye; Commissioner Stewart – Aye; Commissioner Powell – Aye; and, Commissioner Williams – Aye. The restated motion carried unanimously.

EXECUTIVE SESSION

At 12:45 PM, motion was made by Commissioner Stewart and seconded by Commissioner Powell to enter into Executive Session for the following purpose: Personnel - discussions, or hearings, which might lead to the appointment, discipline, or dismissal of an individual employee or member {KRS 61.810(1)(f)}.

Voting Aye: All. Motion carried unanimously.

At 12:45 PM, motion was made by Magistrate Poston and seconded by Magistrate Downey to enter into Executive Session for the following purpose: Personnel - discussions, or hearings, which might lead to the appointment, discipline, or dismissal of an individual employee or member {KRS 61.810(1)(f)}.

Voting Aye By Roll Call Vote: Judge Executive Barnes and Magistrates Chandler, Downey, Poston and Thurman. Motion carried unanimously.

Entering Executive Session were Mayor Dixon; Commissioners Powell, Bennett, Williams and Stewart; City Manager Kenton Powell; City Attorney Scott Crabtree; and, Carter Munday, Chairman of the Franklin-Simpson Planning and Zoning Commission.

All Simpson County Fiscal Court members were also present for Executive Session along with County Attorney Sam Phillips.

At 1:25 PM motion was made by Commissioner Bennett and seconded by Commissioner Powell to exit Executive Session.

Voting Aye: All. Motion carried unanimously.

At 1:25 PM motion was made by Magistrate Poston and seconded by Magistrate Downey to exit Executive Session.

Voting Aye By Roll Call Vote: Judge Executive Barnes and Magistrates Chandler, Downey, Poston and Thurman. Motion carried unanimously.

Motion was made by Commissioner Powell and seconded by Commissioner Williams to hire Jim Thomas as Electrical Inspector on a contract basis as needed until a permanent solution is determined at an amount not to exceed Mr. Thomas' proposed fee structure and also authorize County Judge Executive Barnes, Mayor Dixon, City Manager Kenton Powell and Carter Munday to negotiate the final amounts to be paid for Mr. Thomas' services and to further authorize Mayor Dixon, on behalf of the City of Franklin, and County Judge Executive Barnes, on behalf of Simpson County, to execute the contract for Mr. Thomas' services.

Voting Aye: All. Motion carried unanimously.

Motion was made by Magistrate Downey and seconded by Magistrate Thurman to hire Jim Thomas as Electrical Inspector on a contract basis as needed until a permanent solution is determined at an amount not to exceed Mr. Thomas' proposed fee structure and also authorize County Judge Executive Barnes, Mayor Dixon, City Manager Kenton Powell and Carter Munday to negotiate the final amounts to be paid for Mr. Thomas' services and to further authorize Mayor Dixon, on behalf of the City of Franklin, and County Judge Executive Barnes, on behalf of Simpson County, to execute the contract for Mr. Thomas' services.

Voting Aye By Roll Call Vote: Judge Executive Barnes and Magistrates Chandler, Downey, Poston and Thurman. Motion carried unanimously.

ADJOURNMENT

At 1:30 PM, motion was made by Commissioner Bennett and seconded by Commissioner Powell to adjourn the meeting.

Voting Aye: All. Motion carried unanimously.

At 1:30 PM, motion was made by Magistrate Chandler and seconded by Magistrate Thurman to adjourn the meeting.

Voting Aye By Roll Call Vote: Judge Executive Barnes and Magistrates Chandler, Downey, Poston and Thurman. 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: February 6, 2019

RE: Open Officer Vacancies

We currently have two open vacancies budgeted for our Police Department. We recently completed the hiring process for our last two open vacancies. Jenna Salza and Sergio Fuentes were previously recommended for hire upon successful completion of our process.

I would like for the City Commission to recognize the hiring of our two newest officers, Jenna Salza and Sergio Fuentes, and for them to be sworn in.

Chief Roger Solomon

Proposed Motion: Motion to authorize Mayor Dixon to sign any and all documents necessary for the hiring process.

COMMUNITY SERVICES



MEMO

TO: Mayor and Commissioners

FROM: Tammie Carey, Community Development Director

DATE: February 7, 2019

RE: Newsletter

Last year we put together our first edition of frankLINKentucky, a publication that highlighted many of the projects and accomplishments of previous years. Once again, we have worked with department heads to identify some of the projects that should be shared with the community. Attached is a “newsletter” that we would like to mail out using a mailing list of all water and sewer customers.

I have also attached the quote for printing that we received from Staples Business. This is a budgeted item and does not require action by the commission.

However, I would like to ask for the commission to review the publication and offer comments and feedback.

Quote # BKP013019A Brochures/Pamphlets
Description: Brochure - Tammie C - E - WES

ITEM NUMBER - BB9LB3589 40 BROCHURE-11 X 17

QUANTITY	6000
BASE PRICE	963.83
Folding	75.74
Shipping	54.86
Total Retail	1,094.43
Average Per Piece Price	.1824

- 6000X1/
- No artwork provided
- Pricing is the same with or without bleeds and heavy ink coverage
- Prints flat full color on both sides
- Quoted on 100# Gloss White Text with standard map fold (half fold, then tri-fold)
- Allow 5 business days in production
- To order, please email a completed quote approval form to quoteapproval@cccaltcenter.com
- Thank you!
- Gloss White 100# Text C2S-
- Special Size, Same Price With Or Without Bleeds / 11" x 17" with standard map fold (half fold to 8.5" x 11", then tri-fold to 3.67" x 8.5")



frankLINK Kentucky

linking you to city government

Volume 2 2018



From the Mayor

I love my community! I truly do! I was born and raised in Simpson County and spent 40 years as a businessman in Franklin. My heart is here and I am very appreciative to have been elected as the Mayor of Franklin. Over the next four years, I would like to work with the county on projects that will benefit all the citizens of Franklin and Simpson County.

Larry Dixon



Training for Excellence City Manager Kenton Powell was awarded the Master of City Governance by the Kentucky League of Cities. Mayor Larry Dixon was awarded the Excellence in City Governance. Both are certifications achieved through a voluntary education program that requires at least 50 hours of training. Powell said, "There's always room for improvement but in order to improve, we need to learn. Being a part of the KLC program has given me a better understanding of laws and requirements that govern our City. In turn, this aids in the decision making process as we continue to make improvements."



Franklin City Commission - Left to Right -

Commissioner
Jamie Powell

Commissioner
Herbert Williams

Mayor Larry Dixon

Commissioner
Brownie Bennett

Commissioner &
Mayor Pro Tem
Wendell Stewart

January 1st was the start of the New Year and New Leadership within the City of Franklin. Larry Dixon took office as Mayor after having served as a City Commissioner for 8 years. Brownie Bennett and Herbert Williams took office as newly elected Commissioners. Jamie Powell and Wendell Stewart returned to their seats as City Commissioners. In Franklin, the Mayor serves a four year term and the commissioners serve a two year term.

Since the Mayor and Commissioners have taken office, they have been busy learning the duties and responsibilities of their office as well as learning the day-to-day operations of City Government. On Wednesday, January 10th officials toured city departments. They met with department heads and employees to learn about the services and tasks the departments perform. The week of January 21st, new commissioners Bennett and Williams attended the Kentucky League of Cities training for Newly Elected Officials. It was 2 1/2 days packed full of information to help them better understand the role of the office they now hold. On Monday, January 28th the Commission met with department heads to review the budget and learn more about the financial status of the City. Commissioner Bennett said, "I have learned so much in the last few weeks. It has been a wonderful learning experience to meet the employees who are in charge of each department, and to see, first hand, how hard and efficiently they work to ensure our city is a safer, enjoyable and more economical place to live. In addition, attending the KLC training sessions and local budget reviews has helped me to understand how difficult the job of City Government will actually be. It has been mind boggling as there is a lot to learn! There are so many Laws, Statutes, and Policies that govern what we must or must not do, as we work on next year's budget and conduct the day to day business of the City of Franklin. However, I am up to the challenge!"

Keeping You Informed



February 2018 the City printed 6,000 copies and mailed the first edition of frankLINK Kentucky, a publication put together by city staff. The goal of the publication was to provide information and highlights of projects, work and information about where your tax dollars are spent. City staff plan to make this a yearly project.

In February of 2018, the City began posting short informational videos on its Facebook page, website and the city cable channel (channel 3 on Comcast). The videos range

in topics on what to do if you're pulled over by a police officer to the dangers of blowing your grass clippings in the street. The goal is to share information that you may not know and explain why certain things are done or needed within city government. The city also posts the City Commission meetings. These are public meetings and anyone is welcome to attend at any time. However, if you can't make it to a meeting you can stay informed by watching the meetings on Facebook, the website, or cable channel.



Franklin Municipal Utilities

Growing!

2018 proved to be a year of growth. Several industries expanded and new ones completed construction and began production. The construction of single family homes increased 57% over the previous year. New homes also means new infrastructure must be put in place. As a result of the new construction, developers installed 5,675 feet of sewer line and 14 manholes which is a \$445,700 infrastructure investment made in our community.



The Wastewater Collection department worked to improve infrastructure in 2018 by upgrading a lift station and 1,100 feet of 6" force main at a cost of \$253,300. They also installed 51 new sewer taps. It was a busy year!

Clean & Tasty

Each day, the Franklin Municipal Water Treatment Plant cleans and processes approximately 2,000,000 gallons of water.

Each day over 100 tests are performed to ensure the quality and safety of the drinking water in our City. Class IV Operator Johnnie Skipworth performs a manganese test on a sample of water.



WASTE WATER Clean & Reuse

The Franklin Municipal Wastewater Treatment Plant treats 2,700,000 gallons of wastewater each day. Prior to discharging water into Drakes Creek, the Wastewater Treatment Plant removes more than 95% of contaminants. The discharge water from the wastewater plant is better quality than the water already in the creek.

Lighting the Way

After 31-W was widened it was apparent there was a need for lighting along the corridor from highway 1008 going south to the Wal-Mart/Lowe's area. The City partnered with Warren Rural Electric Cooperative to install 20 new lights. These lights will increase safety to motorists and pedestrians. City employees were able to install the concrete bases for the lights then WRECC employees came in to install the light and electrical components. This team effort saved thousands of dollars for the City.

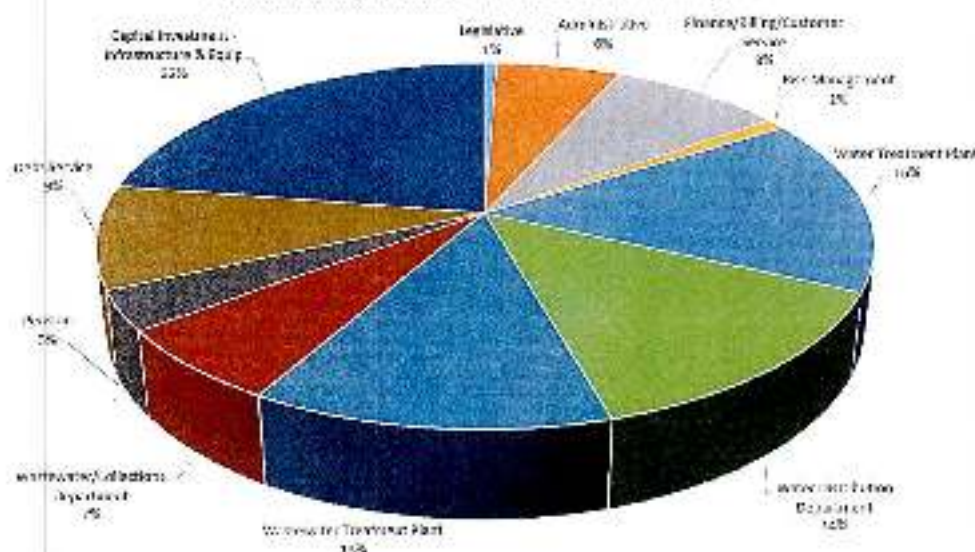


There are 1,295 street lights in the City of Franklin. The installation, maintenance and electricity costs for these lights is paid through the City General Fund at a cost of \$123,000 per year.

City Budget

The City's budget journey is a lengthy and thorough process. The budget process begins in March and is ongoing until final adoption in June. The City follows a "bottom up" approach to budgeting. This means each employee and their supervisors have a say in building the budget for their department. This allows everyone to have a voice in the budgeting process and ensures that City Leaders have a realistic understanding of what is needed to meet the needs of the upcoming fiscal year. Many budget strategy meetings are held, between the employees and the supervisors and then with the supervisors and the Finance Director and City Manager. At least two or three budget work sessions are held with the City Commission. At the budget work sessions, the City Manager and Finance Director discuss all the components of the budget in order to obtain guidance, direction and approval.

Franklin Municipal Utilities - Where Does Your Money Go?





Paving the Way

Our streets...something most take for granted until we encounter a large pothole or crack that disturbs our driving. 2018 was a year of improvements in our streets. City Manager Kenton Powell worked with Senate Field Representative Sandy Simpson and Kentucky Transportation

Cabinet District Director Joe Plunk for CSX Railroad and the State Highway Department to make over \$1,000,000 in needed road improvements. The railroad crossings at Cedar Street and Madison Street had recently been the site of numerous accidents, tractor trailer trucks damaged, and 2 trucks struck by trains after they were unable to cross the railroad. These crossings were re-worked, allowing an easier and safer crossing for vehicles. Also, the state resurfaced 31 W at a cost of almost \$800,000.

The City maintains 50 miles of streets. This does not include state roads such as Main Street, Cedar Street, Madison Street, Morgantown Road or many others. The Kentucky Department of Transportation maintains those roads. Each year, usually in February, the City of Franklin street department employees carefully inspect each street in the city. They count all the defects in the street such as potholes, alligator cracks, patches, etc. This information is put into a computer program that rates the streets from good to bad. From this rating, the streets are selected for repaving. Each yearly budget includes money for street resurfacing and maintenance. In 2018 the City spent \$253,979 to repave a total of 3.8 miles on portions of ten streets. As funding allows, the City plans to continue making small improvements each year.

Healthy Changes...Financially

Health care is a major topic in many circles these days. Local governments struggle with the same issues as private business. How do we give our employees quality health care coverage while maintaining a balanced and responsible budget? The City of Franklin has implemented several new programs that have successfully controlled the rise in insurance premiums at both the individual premium level and the overall city budget level. The City has restructured the coverage, added healthy lifestyle incentives, become a smoke free workplace and increased the plan deductibles in order to keep the cost of health care manageable. If the City had not made these changes they would have had to absorb 70% in increases over the last 8 years. This relates to approximately \$303,000 saved.

Healthy Changes...Lifestyle

2018 was a year of healthy lifestyle changes for long time city employee Jerry Farmer.



Jerry has worked for the City for 29 years and serves as the Superintendent of the Water Treatment Plant. He is dedicated to the City, his work and fellow employees.

In an effort to save money on health insurance premiums, the City implemented a higher premium on health insurance coverage for tobacco users. This increase was effective July 1, 2018. Prior to that implementation, Jerry made the decision to quit smoking.

He said, "After a lifetime of smoking, I thought it was time and wanted to see if I could." He started smoking in 1966 and said he was, "Way too young to be smoking!" Jerry hasn't had a cigarette since July 23rd and says he feels much better.

Shortly after Jerry quit smoking, an employee at the Water Plant suggested they take their daily morning meeting outside and discuss issues while they walk. So, in September they began walking, as a department, around the perimeter of the plant. Jerry said, "It's a great time together. We discuss plant operations, ways to make improvements, and encourage each other to live healthy." Jerry said he now walks 2.2 miles every day. He feels better and has more energy. He attributes this change to a healthier lifestyle. He plans to continue walking and has set a goal of participating in the Garden Spot Walk in August.



Preserving our History

2019 marks the 200th birthday of Simpson County. 2020 the City will celebrate 200 years! As we celebrate it is important that we preserve our past for future generations. The historic courthouse



was built in 1882. The buildings and shops that surround the courthouse add to the character and ambience of our town. In an effort to ensure the preservation of our beautiful historic downtown, the City Commission adopted an ordinance in April that allowed for the development of preservation standards and a preservation committee. The committee was formed and has worked to develop Historic Overlay Standards which were designed to protect the historical integrity of Downtown Franklin. The committee has also reviewed 22 requests for improvements to structures in the Historic District since it was formed. "Since 2013, a total of 41 different entrepreneurs have invested in the Downtown Historic District by opening a business. Not all of these businesses have remained open through the end of 2018, but this interest in our downtown has spurred growth and has created what is now a vibrant shopping district," said Amy Ellis, Executive Director of Franklin-Simpson Renaissance. "In addition, we have over 34 apartments and condos downtown. The mixture of living spaces, retail shops, offices and eateries has created an economic boost for our Downtown. The renovation of several downtown buildings has helped to create this environment. Renaissance is looking forward to what is in store for our downtown as we move forward."

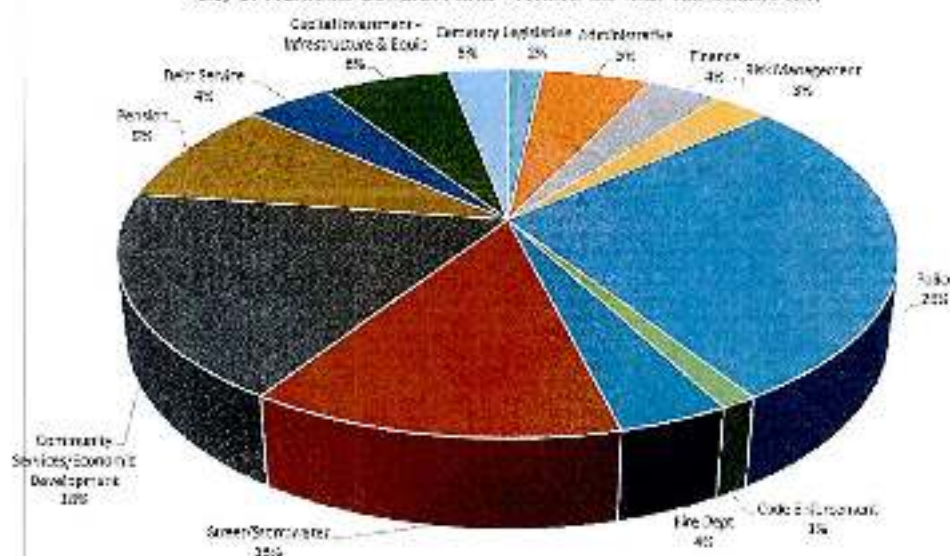
Police, a part of OUR Community!

Officers with the Franklin Police are involved in OUR community! In 2018 officers partnered with the Marine Corps and collected Toys for Tots. They also did a Coats for Kids drive. Lt. Dale Adams presented an update to the Human Rights Commission and shared with them statistics and information regarding police activities.

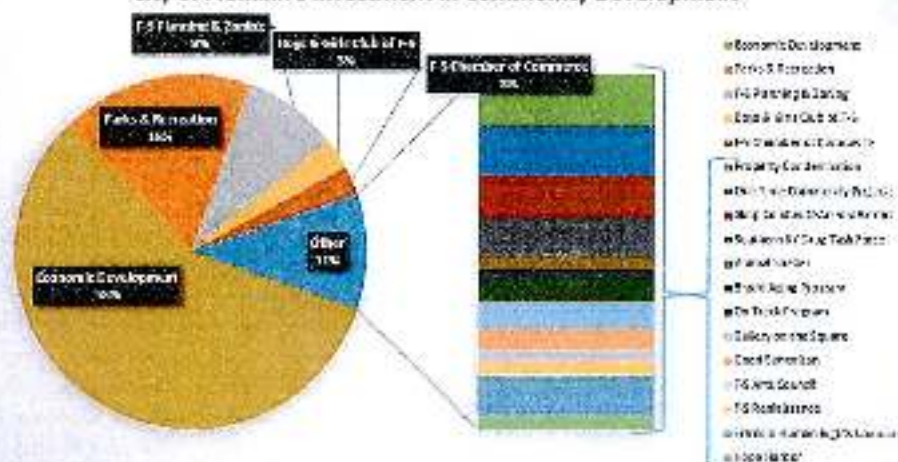


In December, two officers and K-9 Shadow, helped with the 2nd annual CSI Academy. The event was hosted by the Simpson County Extension Service and Simpson County Schools. Officers worked with 15 students and showed them the basics of processing a crime scene.

City of Franklin General Fund - Where Do Your Tax Dollars Go?



City of Franklin's Investment in Community Development



Pension Crisis.

What does this mean for our City?

Discussion of the State Pension Crisis was in the news a lot in 2018. A question that has been asked is: "Why can't the city do something different for retirement for city employees?" The Kentucky Retirement System is governed by the state and state statute (law). Local government employees are required to participate in the Kentucky Retirement System. The Kentucky Retirement Board sets the rate and local governments are required, by law, to pay that rate. Bottom line, opting out, is not an option.

So how does this affect our community? Legislators in Frankfort are currently discussing legislation that will be proposed to address the issue. The City of Franklin's Mayor and City Attorney both hold seats on KLC's Legislative Board, so they will play an active role in legislative lobbying efforts regarding this issue. Meanwhile, the oversight board for KRS increased employer contribution rates to help fund the shortfall. The shortfall is a result of years of underfunding without tax increases which, in turn, created the multi-billion dollar crisis. The City of Franklin will be required to increase their contribution to the state retirement fund by approximately \$500,000 from FY2019 to FY2023.



City of Franklin
www.franklinky.org

Leadership in Frankfort

Setting policies, proposing legislation, and working with cities has been a task that City Attorney Scott Crabtree has been involved with for the last 6 years as he has served on the Kentucky League of Cities Legislative Board of Directors. The past 4 years he also served on Kentucky League of Cities' Executive Board which is responsible for the day-to-day workings of KLC. During that time, he has written or co-written many pieces of legislation that have benefited cities and, more particularly, Franklin.

Mayor Larry Dixon was also appointed to serve on the Legislative Board of Directors in December. This is the first time in the history of the City of Franklin that we have had two members on this Board. Crabtree and Dixon will work together with other elected officials and leaders from across the state to set the legislative agenda to help lobby for, create, and advocate for legislation to assist municipalities. The Board also reviews laws that are being proposed to the State Legislature that affect cities. After careful review they may suggest modifications to the law or advocate for or against the proposed legislation.

Being a part of an organization for 6 years, Crabtree has developed many working relationships across the Commonwealth. He said, "I have a network of people to bounce ideas off of and a great opportunity to learn from others." He has also played a part in developing and re-writing the statutory scheme for code enforcement, a program now used across the state. Crabtree sees his involvement as beneficial in many ways. He said, "Not only am I fortunate enough to be able to make a difference and help our City, but I've been able to propose ideas for bills and statutes every year that help cities across the Commonwealth of Kentucky."

GENERAL GOVERNMENT



MEMO

TO: Mayor Larry Dixon and Commissioners
FROM: City Manager Kenton Powell
DATE: February 7th 2019
SUBJECT: 911 Fees on Utility Bills

Mason Barnes, Simpson County Judge Executive, would like to discuss with the Commission 911 Fees on Utility Bills. Judge Barnes has already discussed this item with Simpson County Fiscal Court on Tuesday, February 5th.

Note:

On the following 4 pages is information that was shared at last year's Joint Meeting on March 5th 2018 concerning 911 Fees.

Thank You,

Kenton Powell

Kentucky Supreme Court Decision Regarding 911 Service Fees

One of the biggest challenges facing cities in recent years is the decreasing revenue available to fund vital 911 telephone services. Recently, the issue reached the Kentucky Supreme Court, which had to decide whether or not to further restrict local governments' funding options and leave cities with almost no viable options for funding these emergency services.

In a landmark decision, the Court issued an opinion declaring a local government 911 service fee assessed against occupied residential and commercial units constitutional and a valid exercise of statutory authority.

In *Greater Cincinnati/ Northern Kentucky Apartment Association, et al v. Campbell County Fiscal Court*, Campbell County had enacted an ordinance replacing the landline subscriber charge with an annual service fee of \$45.00 levied on each occupied residential and commercial unit within Campbell County, and collected on the property tax bills. They did this under the authority of KRS 65.760(3), which allows local governments to fund 911 services through not only the landline fee, which has become largely useless in today's mobile world, but also through "any special tax, license, or fee not in conflict with the Constitution and statutes of this state."

The Apartment Association claimed the ordinance was unconstitutional and statutorily invalid, because to be a valid fee under KRS 65.760 and the statutes authorizing user fees (particularly KRS 91A.510), the fee must be assessed based on actual use of the services. Therefore, the Association claimed, the fee was actually an unconstitutional flat-rate tax.

The Court disagreed on all points. It noted that this was the Court's first opportunity to interpret KRS 65.760(3) or the user fee statutes. However, the Court saw no need to analyze whether the county's service fee was a valid user fee under KRS 91A.510, because KRS 65.760(3) does not place limits on the type of fee that could be assessed, as long as it does not conflict with the state constitution or laws. The Court noted that various fees exist to implement programs considered desirable by the state, and that nothing in KRS 65.760 qualified the nature or scope of the fee authorized to fund 911 telephone services.

Further, the Court held, nothing in the statute required that the fee be based on actual use. "To assess payment upon only those citizens actually telephoning 911 is not, nor has it ever been, the policy" of our state. Rather, a fee will be valid if it bears a reasonable relationship to the benefit received. The Court found that a 911 fee levied on occupied residential and commercial properties was a reasonable option, as demand for these life-saving services comes significantly from occupation and use of these properties where people spend most of their time.

The Kentucky League of Cities filed an *amicus curiae* brief in this case to urge the Court to preserve both the statutory funding options for 911 services and the integrity of the user fee statutes, which have never been interpreted to require fees to be based on actual use. We are pleased that the Supreme Court did both of these things in its decision. Cities may now assess 911 fees in any manner authorized by KRS 65.760 that does not violate the state constitution or statutes and that demonstrates a reasonable relationship to the benefits received from 911 services, such as occupied property units. Cities also can rest assured that the flexibility granted by the General Assembly in the user fee statutes remains intact, and there is no new mandate to calculate each charge to directly coincide with actual use of a city service.

City of Franklin
Analysis of 911 Fees if Assessed on Active Water Meters in City & County
As of 03.01.2018

of Active Meters:

City	4,900
County	3,500
	<u>8,400</u>

Projections - Amt Assessed per Meter/Per Month					
	\$ 1.00	\$ 1.50	\$ 2.00	\$ 2.50	\$ 3.00
City	58,800.00	88,200.00	117,600.00	147,000.00	176,400.00
County	42,000.00	63,000.00	84,000.00	105,000.00	126,000.00
	<u>100,801.00</u>	<u>151,201.50</u>	<u>201,602.00</u>	<u>252,002.50</u>	<u>302,403.00</u>

Net Projections (If Either Agency Implemented a Collection Fee)					
	0.50%	0.50%	0.50%	0.50%	0.50%
City Collection Fee	294.00	441.00	588.00	735.00	882.00
Net Revenue	58,506.00	87,759.00	117,012.00	146,265.00	175,518.00
County Collection Fee	210.00	315.00	420.00	525.00	630.00
Net Revenue	41,790.00	62,685.00	83,580.00	104,475.00	125,370.00
Total Collection Fee	504.00	756.00	1,008.00	1,260.00	1,512.00
Total Net Revenue	100,296.00	150,444.00	200,592.00	250,740.00	300,888.00

	1.00%	1.00%	1.00%	1.00%	1.00%
City Collection Fee	588.00	882.00	1,176.00	1,470.00	1,764.00
Net Revenue	58,212.00	87,318.00	116,424.00	145,530.00	174,636.00

	1.00%	1.00%	1.00%	1.00%	1.00%
County Collection Fee	420.00	630.00	840.00	1,050.00	1,260.00
Net Revenue	41,580.00	62,370.00	83,160.00	103,950.00	124,740.00

Total Collection Fee	1,008.00	1,512.00	2,016.00	2,520.00	3,024.00
Total Net Revenue	99,792.00	149,688.00	199,584.00	249,480.00	299,376.00

	1.50%	1.50%	1.50%	1.50%	1.50%
City Collection Fee	882.00	1,323.00	1,764.00	2,205.00	2,646.00
Net Revenue	57,918.00	86,877.00	115,836.00	144,795.00	173,754.00

	1.50%	1.50%	1.50%	1.50%	1.50%
County Collection Fee	630.00	945.00	1,260.00	1,575.00	1,890.00
Net Revenue	41,370.00	62,055.00	82,740.00	103,425.00	124,110.00

Total Collection Fee	1,512.00	2,268.00	3,024.00	3,780.00	4,536.00
Total Net Revenue	99,288.00	148,932.00	198,576.00	248,220.00	297,864.00

	2.00%	2.00%	2.00%	2.00%	2.00%
City Collection Fee	1,176.00	1,764.00	2,352.00	2,940.00	3,528.00
Net Revenue	57,624.00	86,436.00	115,248.00	144,060.00	172,872.00

	2.00%	2.00%	2.00%	2.00%	2.00%
County Collection Fee	840.00	1,260.00	1,680.00	2,100.00	2,520.00
Net Revenue	41,160.00	61,740.00	82,320.00	102,900.00	123,480.00

Total Collection Fee	2,016.00	3,024.00	4,032.00	5,040.00	6,048.00
Total Net Revenue	98,784.00	148,176.00	197,568.00	246,960.00	296,352.00

	2.50%	2.50%	2.50%	2.50%	2.50%
City Collection Fee	1,470.00	2,205.00	2,940.00	3,675.00	4,410.00
Net Revenue	57,330.00	85,995.00	114,660.00	143,325.00	171,990.00

	2.50%	2.50%	2.50%	2.50%	2.50%
County Collection Fee	1,050.00	1,575.00	2,100.00	2,625.00	3,150.00
Net Revenue	40,950.00	61,425.00	81,900.00	102,375.00	122,850.00

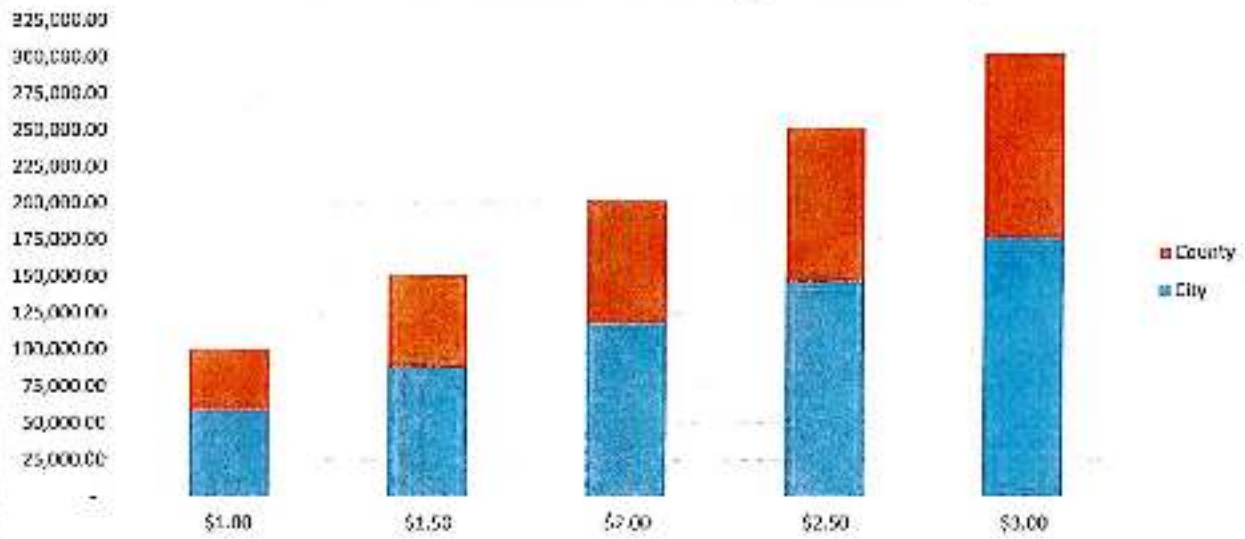
Total Collection Fee	2,520.00	3,780.00	5,040.00	6,300.00	7,560.00
Total Net Revenue	98,280.00	147,420.00	196,560.00	245,700.00	294,840.00

	3.00%	3.00%	3.00%	3.00%	3.00%
City Collection Fee	1,764.00	2,646.00	3,528.00	4,410.00	5,292.00
Net Revenue	57,036.00	85,554.00	114,072.00	142,590.00	171,108.00

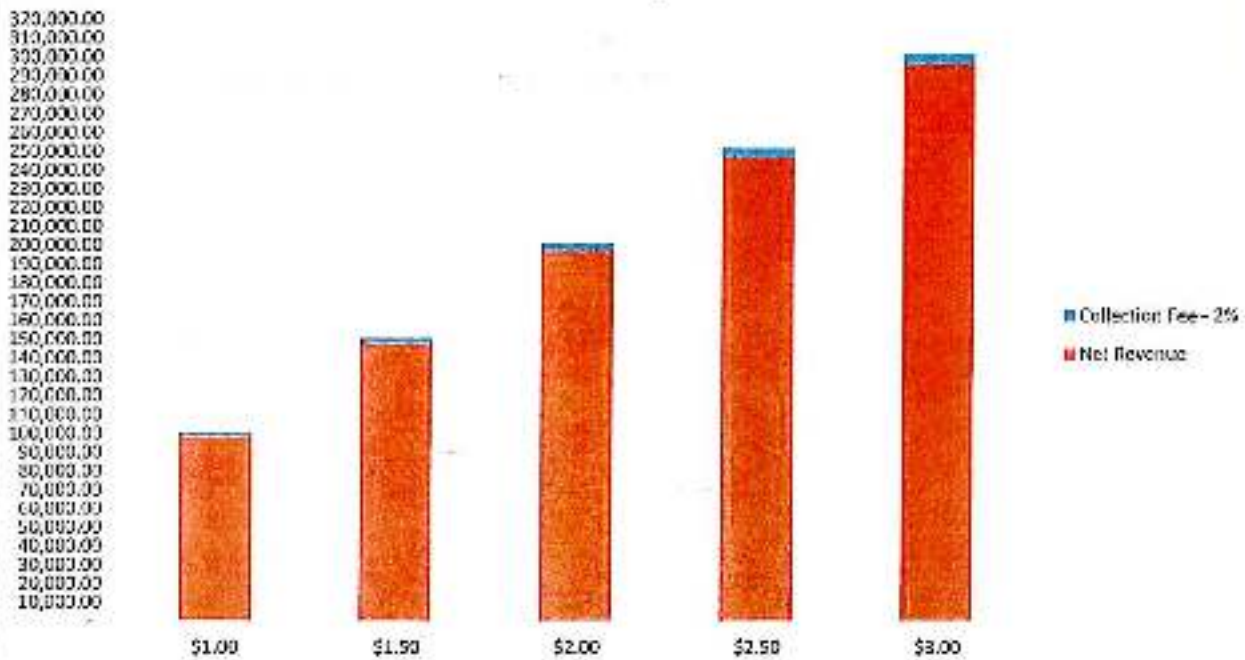
	3.00%	3.00%	3.00%	3.00%	3.00%
County Collection Fee	1,260.00	1,890.00	2,520.00	3,150.00	3,780.00
Net Revenue	40,740.00	61,110.00	81,480.00	101,850.00	122,220.00

Total Collection Fee	3,024.00	4,536.00	6,048.00	7,560.00	9,072.00
Total Net Revenue	97,776.00	146,664.00	195,552.00	244,440.00	293,328.00

911 Fees Per Water Meter Per Month (No Collection Fee)



Net Revenue - Assuming 2% Collection Fee



Appendix C

Local 911 Fees in Kentucky Counties (monthly wireline fee except where noted*)

Adair	2.00	Grayson	2.65	Metrofile	1.00
Allen	1.50	Green	2.00	Monroe	1.50
Anderson	1.89	Gretna	2.50	Montgomery	3.00
Belland	1.00	Hancock	0.95	Morgan	1.00
Barran	1.50	Hardin	2.70	Muhlenberg	0.00
Bell	3.00	Harden	1.25	Nelson	2.00
Bell	4.29	Hartness	4.00	Nichols	0.00
Beebe	2.75	Hart	1.50	Ohio	2.86
Benton	3.50	Henderson	2.50	Oldham Bus.	2.00
Boyd	(1)*	Henry	1.50	Oldham Res.	2.00
Boyle	0.00	Hickman	1.00	Owen	1.00
Brecken	2.50	Hopkins	0.75	Owsley	1.00
Breathitt	1.35	Jackson	3.00	Pendleton	2.50
Breckinridge	1.00	Jefferson	0.79	Perry	3.75
Bullitt	3.00	Jessamine	2.25	Pike	1.41
Bullock	4.00 (1) / 25 Geo. 71.00	Johnson	1.75	Powell	4.00
Caldwell	1.50	Kenton	(6)*	Pulaski	0.00
Calloway	1.00	Knot	1.00	Robertson	2.50
Campbell	(2)*	Knox	1.25	Rockcastle	2.50
Carlisle	3.00	Larue	2.75	Rowan	1.25
Carrick	1.25	Laurel	3.50	Russell	0.50
Carter	1.74	Lawrence	1.95	Scott	0.50
Cass	1.75	Lee	3.00	Shelby	2.00
Christian	0.75	Leslie	1.50	Simpson	2.00
Clark	2.00	Leitch	1.25	Spencer	1.81
Clay	4.00	Letcher	3.50	Taylor	1.00
Clinton	2.50	Lincoln	4.00 (3)*	Todd	2.50
Crittenden	1.00	Livingston	0.00	Trigg	1.25
Cumberland	4.00	Logan	2.00	Trimble	1.50
Daviess	1.25	Lyon	1.00	Union	0.60
Edmonson	2.04	Madison	3.50	Warren	0.60
Ellis	4.50	Magee	4.00	Washington	1.00
Estill	3.00	Martin	1.00	Wayne	0.50
Fayette	3.00	Marshall Bus.	2.50	Webster	2.00
Fleming	5.00	Marshall Res.	1.50	Whitley	3.00
Floyd/P-Long Business	1.50	Martin	(5)*	Wolfe	(6)*
Floyd/P-Long Residential	0.95	Mason	1.70	Woodford	3.50
Franklin	1.00	McCracken	1.50		
Fulton	1.00	McCrory	2.65		
Gallatin	2.00	McLean	2.25		
Garrard	0.00 (3)*	Meade	1.00		
Garrard	1.99	Mendenhall	2.00		
Groves	1.00	Mercer	0.80		

- 1) 17% of base telephone rate
2) \$45 annually per occupied bus/res
3) 25% collected on monthly water bill plus handling fee
4) \$50 annually per real estate parcel
5) \$75 Annually per real estate parcel
6) 5% of bill



MEMO

TO: Mayor Larry Dixon and Commissioners
FROM: Shaonna Cornwell, Finance Director
DATE: February 11, 2019
SUBJECT: Mandatory Direct Deposit Payments for Retirees/Post Employment Benefit Recipients

The Finance Department currently issues manual checks to retirees and other post-employment benefit recipients. Our post-employment benefits (that were available to employees prior to the required participation in CERS) consists of a monthly retirement payment and health insurance benefits.

We are currently manually processing these checks and the related health insurance benefit payments. In order to continue to move forward in departmental efficiency, and to continue to strengthen our internal control measures, we would like to convert these manual retirement and benefit payments to automated processing, via our new payroll module, and begin direct depositing these payments.

I'd like to open this up for discussion. And, if agreed, I'd like to make a motion to approve mandatory direct deposit of these payments subsequent to March 31, 2019. I've attached a sample of the letter I intend to mail out if this process is approved.

Proposed Motion: Approve an amendment to our current processing procedures, related to retiree/other post-employment benefit recipients, and authorize the implementation of direct deposit of these payments.



February 11, 2019

Retiree Name
Retiree Address
Retiree Address

Dear Retiree,

IMPORTANT NOTICE TO: All Retirees/Post Employment Benefit Recipients

Mandatory Direct Deposit of Pay:

Effective March 31, 2019, the City of Franklin is requiring all Retirees/Post Employment Benefit Recipients who have received their benefit payments previously through a check to convert to direct deposit. After this date, paper checks will no longer be issued.

If you do not currently receive your pay by direct deposit, you must:

Complete a direct deposit form and submit it to the Finance Department, with a voided bank or credit union check, no later than Friday, March 29, 2019. The direct deposit form is included with this letter. Please make sure this direct deposit form is completed prior to this date in order to avoid a delay in payments issued on or after the conversion date.

Your pay will be deposited directly into the bank or credit union account that you select. You must make your determination of a bank/financial institution to which we will direct your pay, via the direct deposit form referenced above. It can be changed later if you decide to change your bank or credit union by completing a new form. If you have any questions, please contact Shaunna Cornwell, Finance Director, at 270-586-4497. (As a note, if you are currently receiving Social Security Benefits, we can deposit these benefits into this same account.)

Timing of Direct Deposits:

These benefit payments are typically mailed the third week of the month. Therefore, we will schedule the direct deposit of these payments the third Friday of every month.

Advantages of Direct Deposit of Pay:

We realize some of you may not support converting to direct deposit however there are several advantages. It provides assurance that your payments will be in your bank account as of the bank opening on the date of payment, even if severe weather such as a snowstorm or other circumstances prevent you from picking up your check. Individuals on direct deposit also do not have to make a bank deposit for this payment and possibly wait in line. Direct deposit is secure, convenient, and fast; and with direct deposit there are no lost checks.

Direct deposit also improves internal controls by eliminating the handling of negotiable checks and increasing efficiency by not having to perform the check-signing process.

Thank You,

Shaunna Cornwell, CPA
Finance Director



MEMO

TO: Mayor Larry Dixon and Commissioners
FROM: Daniel Reetzke, Tax Collector
DATE: February 11, 2019
SUBJECT: City Tax on Rental Activity

Four years ago, Shauna presented to the Commission areas in the City of Franklin's Occupational Tax Ordinance in which we were under collecting (See attached memo from February 2015.) One of the areas that was mentioned in her presentation was rental property owners. According to City Ordinance No. 220 Section 110.009 Paragraph E a person is considered to be engaged in the real estate business and required to obtain a business license if they own, control or rent commercial property or have three or more units of residential rental property.

In the Finance Department we have been working hard at implementing standard operating procedures in our collection efforts, whether that be collecting utility payments, property taxes or occupational taxes. We have recently created a procedure in which we can identify all rental property owners who surpass the rental activity test as described in City Ordinance No. 220. We are now able to get a complete listing of all rental property owners who are required to purchase a business license and will be mailing a collection letter in the near future.

I'd like to discuss this process and answer any questions you may have.



MEMO

TO: Mayor Ronnie Clark and Commissioners
FROM: Shaunta R. Cornwell, Director of Finance
DATE: February 9, 2015
SUBJECT: City Tax Revenue Audit

As a result of the Commissions meeting on November 24, 2014 our Tax Collector, Daniel Head, has taken on the responsibility of identifying areas where the most common taxpayer errors and oversights exist. During this audit of uncollected taxes, our Tax Collector, Daniel Head, has read thru Ordinance No. 220 regarding business licenses and has identified several areas and taxing situations that are not being reported properly and, as a result, he has identified a significant number of taxpayers that have areas of unreported revenue and unpaid taxes.

Based on his reading of Ordinance No. 220 and comparing it to federal income tax returns, property tax records and filed 1099s, the City's Tax Collector has identified several circumstances that appear to have a significant volume of taxpayers who aren't complying with the law as written and interpreted.

In the six months that Daniel has held the position of Tax Collector the City has collected approximately \$65,000 in back taxes. He brings a very valuable skill set to the table and has worked diligently toward identifying all taxable transactions and tax structures in adherence with our Ordinance. Daniel also incorporates an educational factor into his communication and correspondence which appears to be well appreciated by the taxpayers that have been notified of unpaid and/or unfiled back taxes. Once they understand our municipal law and the specific sections being discussed, they tend to become more understanding of the City's position regarding collection of back taxes.

I have provided the attached information for your review. Please feel free to contact me next week to set up a time to discuss this in more detail – I would love the opportunity to discuss this audit and its results with each of you.

Thank You.

City Tax Revenue Audit Discussion of Findings

Our Tax Collector has been charged with the responsibility of identifying areas where delinquent taxes exist. During this audit of uncollected taxes, our Tax Collector, Daniel Head, has read thru Ordinance No. 220 regarding business licenses and has identified several areas and taxing situations that are not being reported properly and, as a result, he has identified a significant number of tax payers that have areas of unreported revenue and unpaid taxes.

Based on his reading of Ordinance No. 220 and comparing it to federal income tax returns, property tax records and filed 1099s, the City's Tax Collector has identified the following circumstances that appear to have a significant volume of taxpayers who aren't complying with the law as written and interpreted:

1. Independent contractors who receive a 1099 for nonemployee compensation

Section 110.009 of Ordinance No. 220 specifically lists business activities that are subject to the business license fee, which includes independent contractors (Paragraph D). According to Section 110.009 an independent contractor is defined as, *"a person who, while performing services for another, is not under the direction and control of such other person as to the result to be accomplished by the work as to the details and means by which that result is accomplished, such as authors, professional persons, seamstresses, laundresses, tailors, and registered nurses."*

If you provide services to another company in which you are compensated and are not an employee, whether you receive a 1099 or not, you are required to obtain a business license. There is authoritative IRS guidance that states that consultants and board members, for example, who receive remuneration for their services, are defined as Independent Contractors and, as a result, Ordinance No. 220 would be applicable. This would include, but not be limited to, consultants, board of director members, contract labor etc.

2. Commercial rental of one unit/Residential rental of three or more units

Another specific business activity listed under Section 110.009 of Ordinance No. 220 that is subject to a business license fee is the rents of real estate (Paragraph E). According to part 2 of paragraph E a business license is required, *"To the extent that a person owns, controls or rents commercial property or has three or more units of residential rental property, he is engaged in the real estate business."*

The City's Tax Collector has noted several circumstances where an individual owns a commercial building and will rent it to a separate business entity in which he/she owns (i.e., related party rents). The reason this structure is established is for the business owner's efforts to lower their income tax burden and for liability purposes. It is our opinion that, based on our interpretation of the City's Ordinance, this situation would require the purchase of two business licenses – one from each business entity. One from the business (also the tenant) for their general business purpose and one from the lessor (for the business of renting) because they are two distinct business entities. Additionally, Gross Receipt Returns would be required annually. Please note that in all

these tax structure scenarios these businesses are properly filing federal and state returns, independently of each other. They are simply delinquent in also their local Gross Receipts Returns.

3. Leasing tangible personal property (i.e. printers, copiers, equipment)

Unlike independent contractors and renting commercial or residential property, leasing tangible personal property is not listed as a specific business activity. However, it is implied in Section 110.003 which states, *"There is also hereby levied and imposed an annual license fee upon all businesses or manufacturers which pursue, conduct, or carry on any business activity located within the City, or elsewhere, and doing business in the City."* Furthermore, it is explicitly stated in the Gross Receipts definition in Section 110.001 which reads, *"All revenue or proceeds derived from the sale, lease, or rental of goods, services, or property by a business entity reduced by sales and excise taxes paid, returns and allowances and alcoholic beverage sales subject to license fees pursuant to Ordinance No. 220.500 and all other ordinances relating to and/or regulating alcohol beverages."*

As a result, an individual or business does not have to be a resident of the City of Franklin, nor does the business have to be located inside the City for this to apply. If the property is delivered or shipped to a purchaser, other than the United States government, or to the designee or the purchaser within the tax district regardless of the f.o.b. or other condition of the sales (Section 110.042) then it is subject to the City's taxation.

In most cases our Tax Collector has found that lessors or tangible personal property holders are out of state. However, they are leasing property to businesses located inside the City of Franklin, thus the business presence. This can easily be found searching through tangible property tax records and is something the City should have been tracking and enforcing since the establishment of Ordinance 220.

4. Each business is a separate entity and requires a separate business license

If you are a sole proprietor one business license does not necessarily include all of your activities. Each business activity is treated as its own separate business activity. Section 110.001 defines a business or business entity as, *"Each separate corporation, limited liability company, business development corporation, partnership, limited partnership, sole proprietorship, association, joint stock company, receivership, trust, professional service organization, or other legal entity through which business is conducted. Provided, however, this definition does not include the usual activities of board of trades, chambers of commerce, or trade associations, or unions; community chest funds or foundations; corporations or other organizations organized and operated exclusively for religious, charitable, scientific, literary, educational, or civic purposes, or for the prevention of cruelty to children or animals, or clubs or fraternal organizations operated exclusively for social, literary, educational, or fraternal purposes where no part of the earnings, income, or receipts for such units, groups, or associations enures to the private benefit of any private shareholder or individual."* It is our understanding that if you are a sole proprietor and have multiple businesses you must obtain a business license for each.

For example, if you operate a business selling goods, own three or more residential rental units and operate as an independent contractor unrelated to the two business activities previously mentioned, you are required to purchase three separate business licenses, as one business activity does not coincide with the other per the definitions within Ordinance 220. In nearly all of these cases our Tax Collector has found that an individual only obtains one business license and does not pick up the revenue from the other sources on his/her gross receipts tax return. Therefore, even in the minds of the taxpayers, they are treated as separate entities.

5. Not including sales of real estate held for investment or rental purposes on Gross Receipts tax returns

According to the Section 110.001 Gross Receipts is defined as, "All revenue or proceeds derived from the sale, lease, or rental of goods, services, or property by a business entity reduced by sales and excise taxes paid, returns and allowances and alcoholic beverage sales subject to license fees pursuant to Ordinance No. 220.500 and all other ordinances relating to and/or regulating alcohol beverages."

Therefore the Gross Proceeds received on the sale of property used in the course of business should be taxable on the Gross Receipts Return.



MEMORANDUM

To: Mayor Larry Dixon and Commissioners

From: Cathy Dillard, City Clerk

Subject: GovDeals Memo of Understanding

Date: January 24, 2019

Attached with this memorandum is the Online Auction Memo of Understanding ("MOU") between GovDeals, Inc. and the City of Franklin for your consideration and possible approval.

GovDeals is an online auction that facilitates the sale of surplus property for government entities. Utilizing this asset disposal option would allow us to tap into a buyer market that we did not have access to using our prior surplus sale methods. In previous years we advertised our surplus items in the local newspaper and posted them on our website and the only bids we received were local. GovDeals indicates over 9,800 registered bidders exist within a 50 mile radius of Franklin allowing more buyers to bid on the items which would provide a broader market for industry specific items (e.g. water meters) and a larger pool of potential bidders.

Several pricing options exist and are detailed on page two and on Exhibit A attached with the MOU.

Proposed Action: Recommend a motion to approve the Online Auction Memo of Understanding with GovDeal, Inc., choose a pricing option and authorize the Mayor to sign any documents necessary to utilize this service for the disposal of surplus property.

Online Auction Memo of Understanding

This Online Auction Memo of Understanding (MOU) is between GovDeals, Inc. ("GovDeals"), a Delaware corporation having its principal place of business at 100 Capitol Commerce Boulevard - Suite 110 - Montgomery, Alabama, 36117 and the City of Franklin ("Client"), having its principal place of business 117 West Cedar Street – Franklin, Kentucky 42134.

- 1.0 **Description of Services:** GovDeals provides a means for Client to post assets for sale and for potential buyers to bid on these assets via an online auction system. Although GovDeals provides system access for Client to list assets, GovDeals is not a party to the actual sale and has no control over the listed information or the ability of the buyer and Client to complete the transaction.
- 2.0 **GovDeals' Responsibilities:** In addition to maintaining and operating an online auction system, GovDeals will provide Client with the following services for the period agreed to in 5.0 below:
 - 2.1 Access to a GovDeals online "Client Asset Server" (CAS), which will allow Client to load assets to the online auction system, maintain information about assets and view and run reports. The CAS will provide Client with the following capabilities:
 - Accept descriptive information concerning an asset including unlimited photos
 - Allow different auction phases based upon dates and times
 - Allow Client to set minimum starting prices, bid increments and reserves
 - 2.2 Training and support services to assist Client in implementing the GovDeals online auction system, which will include:
 - Familiarization with the nature and operation of CAS
 - Guidance in the posting of assets and provide ongoing support
 - Procedures for taking and posting pictures of assets
 - Based on mutual agreement between GovDeals and Client, training and support services will be provided on-site or via telephone or Internet
 - 2.3 Help Desk support available via telephone or email during normal business hours, except announced holidays.
 - 2.4 Provide marketing of assets posted to the online auction site and promote use of the site to potential buyers.
 - Work with Client to identify items that may benefit from marketing attention.
 - Provide documented proof of all marketing efforts made on behalf of Client.
 - Assist in determining values and starting prices for unique and high dollar assets.
- 3.0 **Fees:** Please elect a Flexible Pricing Option (FPO) from Exhibit A and enter selection below signature block on MOU page two (2).
- 4.0 **Payment:**
 - 4.1 If Client elects to collect auction proceeds, GovDeals will invoice Client for fees on the first business day of the month following the month assets are sold. Client agrees to remit payment to GovDeals within thirty (30) calendar days from receipt of invoice, unless an applicable prompt payment act or similar legislation specifies a different time period.

- 4.2 Client shall promptly, but no more than fifteen (15) business days after the auction end date, notify GovDeals of any transaction that was not completed. The fees for said transaction shall be credited to Client during the next invoice period.
- 4.3 If Client elects GovDeals to collect auction proceeds electronically via PayPal, credit card or wire transfer please review and complete **Exhibit B**.
- 5.0 **Term of MOU:** This MOU shall commence on the date it is signed by the second party and will continue for a period of twelve months unless otherwise terminated upon sixty days written notice by either party. This MOU shall automatically extend for additional one-year periods, unless either party notifies the other in writing of its intent not to renew at least sixty days prior to the anniversary date.
- 6.0 **Terms and Conditions:** Please find **Exhibit C** attached as an example of suggested Client Terms and Conditions. At any time during the term of this MOU, Client may modify the Terms and Conditions. Any substitutions or modification must be submitted to GovDeals in writing before posting assets to the GovDeals auction site.
- 7.0 **Governance:** This MOU will be governed, interpreted, construed and enforced in accordance with the laws of the State of Kentucky.
- 8.0 **Non-Exclusive Engagement:** This MOU is not exclusive. Client may utilize other approaches, including traditional auctioneer services or sealed bids. However, it is understood and agreed that Client will not utilize other disposal approaches for an asset at the same time the asset is listed on the GovDeals online auction site or sell by some other means to a prior bidder any item currently or previously listed on the GovDeals site for the purpose of avoiding payment of the GovDeals fee. Client agrees to not manipulate or interfere with the bidding process on the GovDeals site.

This online auction memo of understanding is agreed to by:

GovDeals, Inc

Client: City of Franklin

Signature: _____

Signature: _____

Print Name: Roger Gravley

Print Name: _____

Title: President

Title: _____

Date: _____

Date: _____

Memo of Understanding Contact:

Attention: Sales Support
100 Capitol Commerce Blvd, Ste 110
Montgomery, AL 36117
Telephone Number: 866.377.1494
Fax Number: 334.387.0519
Email: salesupport@govdeals.com

Flexible Pricing Options (FPO)

Select one from options described in GovDeals Memo of Understanding- **Exhibit A:**

Client Collects Proceeds

☐ Option A1 (7.5% Seller- 0% Buyer)

☐ Option A2 (0% Seller- 7.5% Buyer)

Client elects FBS (GovDeals collects proceeds)

☐ Option B1 (7.5% Seller- 5% Buyer)

☐ Option B2 (5% Seller- 7.5% Buyer)

☐ Option B3 (2.5% Seller- 10% Buyer)

☐ Option B4 (0% Seller- 12.5% Buyer)

Flexible Pricing Options (FPO)

The Client has the option to choose from the following alternative plans:

A - Client Collects Proceeds

Option A1: The Client pays a 7.5% fee, but not less than \$5.00, which will be reduced according to the Tiered Fee Reduction Schedule described below. GovDeals will invoice the client each month for fees on items sold in the previous month. The client is allowed thirty (30) calendar days from date of invoice receipt to remit payment.

Option A2: The Client pays a 7.5% fee, but not less than \$5.00, and is given the capability to easily pass the entire fee on to the winning bidder as an Administrative Fee based on the Tiered Fee Reduction Schedule described below. The amount invoiced to the winning bidder will include the gross sale amount of the item, the administrative fee, and any special fees and sales tax. GovDeals will invoice the client each month for fees on items sold in the previous month. This invoice will equal the Administrative fees collected, therefore, making the client's effective fee zero percent (0%). The client is allowed thirty (30) calendar days from date of invoice receipt to remit payment.

B - Client Elects GovDeals Financial Settlement Services (FSS) allowing GovDeals to Collect Proceeds. Only one option below can be used and once this option is chosen, it cannot be changed for twelve (12) months.

Option B1: The Client pays a 7.5% fee, but not less than \$5.00, and the winning bidder pays a 5% Buyers Premium.*

Option B2: The Client pays a 5% fee, but not less than \$5.00, and the winning bidder pays a 7.5% Buyers Premium.

Option B3: The Client pays a 2.5% fee, but not less than \$5.00, and the winning bidder pays a 10% Buyers Premium.

Option B4: The Client pays 0% and the winning bidder pays a 12.50% Buyers Premium.

*If the Client chooses to pay the full 7.5% fee, they will have access to the **Tiered Fee Reduction Schedule**.

Tiered Fee Reduction Schedule

GovDeals' **Tiered Fee Reduction Schedule** below explains how the base auction fee of 7.5% is reduced for assets that sell in excess of \$100,000 on www.govdeals.com.

1. **When an asset sells for up to \$100,000 in a winning bid, the GovDeals fee is seven and one-half percent (7.5%) of the winning bid, but not less than \$5.00.**
2. **Where an asset sells for more than \$100,000, and up to \$500,000 the GovDeals fee is seven and one-half percent (7.5%) of the winning bid up to \$100,000, plus five and one-half percent (5.5%) of the winning bid for auction proceeds in excess of \$100,000 up to \$500,000.**
3. **Where an asset sells for greater than \$500,000, and up to \$1,000,000 the GovDeals fee is seven and one-half percent (7.5%) of the first \$100,000 of the winning bid, plus a fee of five and one-half percent (5.5%) of the next \$400,000 of the winning bid, plus a fee of three and one-half percent (3.5%) of the bid amount in excess of \$500,000 up to \$1,000,000.**
4. **Where an asset sells for greater than \$1,000,000 the GovDeals fee is seven and one-half percent (7.5%) of the first \$100,000 of the winning bid, plus a fee of five and one-half percent (5.5%) of the next \$400,000 of the winning bid, plus a fee of three and one-half percent (3.5%) of the next \$500,000 of the winning bid, plus a fee of two and one-half percent (2.5%) of the bid amount in excess of \$1,000,000.**

EXHIBIT B - Online Auction Memo of Understanding

Financial Settlement Services (FSS)

It is understood the Client elects GovDeals to collect all proceeds due the Client from the winning bidder and remit the proceeds to the Client less the GovDeals fee. Optionally, the Client may elect to not have GovDeals withhold the fee by electing the appropriate section on the following page of this exhibit.

GovDeals will charge the winning bidder a "Buyer's Premium", therefore, the Client is not allowed to charge the winning bidder an additional "Buyer's Premium".

GovDeals will collect all proceeds from the winning bidder, including the "Buyer's Premium" through PayPal, credit card or wire transfer. This is the only means of payment by the bidder.

The Client will not release an asset to the winning bidder until the Client has received verification from GovDeals that payment has been received from the winning bidder. Prior to an item being released to the winning bidder, the Client will ensure the winning bidder or his/her agent has signed a "Bill of Sale" containing the following notation: "Asset is sold as is, where is and without warranty. Once the asset is removed from the seller's premises there is no refund of monies previously paid". The Bill of Sale must be printed from the Client Asset Server (CAS). Any other "Bill of Sale" used by the Client must be submitted to GovDeals for approval.

No proceeds will be remitted to the Client for any asset sold without verification of payment from GovDeals and verification from the Client the item has been picked up by the winning bidder. Approved payment from the winning bidder through PayPal, credit card or wire transfer will be noted in CAS. It is the Client's responsibility to notify GovDeals when an item has been picked up, which is accomplished by the Client accessing CAS and selecting the "Picked Up" option from the "Paid, not picked up" report.

GovDeals will remit all proceeds collected, less the "Buyer's Premium" and the GovDeals fee to the Client on a weekly basis for all assets marked in CAS as "Picked Up". However, if you choose to be invoiced for the GovDeals' fee, GovDeals will remit all proceeds collected, less the "Buyer's Premium" only. All proceeds will be remitted electronically by Automatic Clearing House (ACH) unless elected on the following page of this exhibit to receive a paper check. Whether proceeds are remitted electronically via ACH or via paper check, a detailed backup will be submitted to the Client to support the amount remitted.

Under no circumstance will the Client collect any proceeds directly from the winning bidder and if requested to do so, the Client should refer the winning bidder directly to GovDeals for payment instructions.

GovDeals will absorb all costs of Charge Backs by PayPal or a credit card company where an item is released to the winning bidder after the Client receives proper payment notification from GovDeals, GovDeals receives proper pickup notification from the Client and the Client obtained and retained a signed "Bill of Sale" from the winning bidder.

GovDeals will refund proceeds collected to the winning bidder in those rare occasions where the winning bidder pays for an asset but never picks it up and subsequently convinces PayPal or the credit card company to withdraw the amount from GovDeals' bank account. It is the Client's responsibility to request a credit on the asset paid for but not picked up as soon as the allowable pick up time passes. By taking the credit, it insures GovDeals will not charge the Client a fee and will allow the Client to resell the asset. If the asset is mistakenly placed in "picked up" status by the Client and GovDeals has remitted payment, the Client agrees to refund this amount back to GovDeals.

A GovDeals' Client Services Representative or a GovDeals Help Desk Representative will train the Client on how to effectively use the Financial Settlement Services feature and provide ongoing support as needed. There are no additional costs to the Client for training and support.

GovDeals is covered by a Crime Insurance Policy with a limit of \$5,000,000, which will protect the Client against any loss of funds.

Financial Settlement Services (FSS) Election and Information

Please complete payment instructions below:

If client elects FSS, this section must be completed when submitting the signed MOU back to GovDeals.

Accounting Contact: _____
(Person to receive checks and invoices) Name and Title

E-Mail Address: _____

Phone Number: _____

(Please choose only one option for payment)

If payment will be made by ACH, please provide the following information:

Name of Bank	
County of Bank	
Name of Client (Name on bank account)	
Bank Routing Number	
Bank Account Number	
Checking/Savings	

OR:

If payment will be made by paper check, please provide the following information:

Make check payable to: _____
Client's Legal Name

Mail check to: _____
Street Address / P.O. Box Number

City, State and Zip Code

☐ Please check here *only* if Client elects to **NOT** allow GovDeals to deduct the GovDeals fees from proceeds due the client.

City of Franklin

Franklin, Kentucky

Online Sales - Terms and Conditions

All bidders and other participants of this service agree they have read and fully understand these terms and agree to be bound thereby.

Guaranty Waiver. All assets are offered for sale "AS IS, WHERE IS." City of Franklin (Seller) makes no warranty, guaranty or representation of any kind, expressed or implied, as to the merchantability or fitness for any purpose of the property offered for sale. The Buyer is not entitled to any payment for loss of profit or any other money damages – special, direct, indirect or consequential.

Description Warranty. Seller warrants to the Buyer the property offered for sale will conform to its description. Any claim for misdescription must be made prior to removal of the property. If Seller confirms the property does not conform to the description, Seller will keep the property and refund any money paid. The liability of the Seller shall not exceed the actual purchase price of the property. **Please note upon removal of the property, all sales are final.**

Personal and Property Risk. Persons attending during exhibition, sale, or removal of goods assume all risks of damage of or loss to person and property and specifically release the Seller and GovDeals from liability therefore.

Consideration of Bid. Seller reserves the right to reject any and all bids and to withdraw from sale any of the assets listed at any time until the Seller has received payment in full for the assets and Buyer has removed the assets from the Seller's premises in their entirety.

Buyer's Certificate. If applicable, successful bidders will receive a Buyer's Certificate by email from GovDeals as their notice of award.

Buyer's Premium & Additional Fees. If a Buyer's Premium and/or Additional Fees are shown on the auction page Bid Box, then that amount (expressed as a percentage of the final selling price or a specified amount) will be added to the final selling price of all items in addition to any taxes imposed.

Payment. Payment in full is due not later than **5 business days** from the time and date of the close of the auction. Please refer to the payment instructions listed on the auction page for complete payment terms and methods. Please refer to the Bid Box for all fees and taxes that may be associated with the auction.

State/Local Sales and/or Use Tax. Buyers may be subject to payment of State and/or local sales and/or use tax. Buyers are responsible for contacting Seller or the appropriate tax office, completing any forms and paying any taxes that may be imposed. Buyers must provide any applicable tax exempt documents to Seller within 24 hours of the auction closing and before payment is made.

Removal. All assets must be removed within **ten (10) business days** from the time and date of the close of the auction. Purchases will be released only upon receipt of payment as specified. Successful buyers are responsible for loading and removal of any and all property awarded to them from the place where the property is located as indicated on the website and in the Buyer's Certificate. The Buyer will make all arrangements and perform all work necessary, including packing, loading and transportation of the property. Under no circumstances will **Seller** assume responsibility for packing, loading or shipping. See instructions on each auction page for complete removal details. A daily storage fee of \$25.00 may be charged for any item not removed within the **ten (10) business days** allowed and stated on the Buyer's Certificate.

Vehicle Titles. **Seller** will issue a title or certificate upon removal of the vehicle. Titles may be subject to restrictions as indicated in the asset description on the website.

Default. Default shall include (1) failure to observe these terms and conditions; (2) failure to make good and timely payment; or (3) failure to remove all assets within the specified time. Default may result in termination of the contract and suspension from participation in all future sales until the default has been cured. If the Buyer fails in the performance of their obligations, **Seller** may exercise such rights and may pursue such remedies as are provided by law. **Seller** reserves the right to reclaim and resell all items not removed by the specified removal date.

Acceptance of Terms and Conditions. By submitting a bid, the bidder agrees they have read, fully understand and accept these Terms and Conditions, and agree to pay for and remove the property, by the dates and times specified. These Terms and Conditions are available for review in the bid box at the top of each page of each asset listed on **GovDeals**. Specific Instructions (Payment, Removal, and Special) appearing on the asset page will override certain sections of these Terms and Conditions.

Sales to Employees. Employees of the **Seller** may bid on the property listed for auction, so long as they do NOT bid while on duty.

MEMORANDUM

To: Mayor Larry Dixon and Commissioners

From: Scott Crabtree, City Attorney

Subject: Closure of Bart Street

Date: February 8, 2019

The City has been asked by Johnny and Rachel Jarman to close Bart Street, this street was platted several years ago but was never developed. Bart Street is a 0.090 acre tract of land off the northwest side of Edgewood Drive approximately 412 feet north of Akin Avenue at 208 Edgewood Drive. It is currently a vacant piece of land that Mr. Jarman has maintained and it abuts his property.

All adjoining property owners have consented to the closing of Bart Street and we need two Commissioners to sponsor the ordinance and have first reading.

CITY OF FRANKLIN, KENTUCKY

ORDINANCE NO. 2019 - _____

AN ORDINANCE TO CLOSE THE PUBLIC WAY KNOWN AS THE 0.090 ACRE TRACT OF LAND OFF THE NORTHWEST SIDE OF EDGEWOOD DRIVE APPROXIMATELY 412 FEET NORTH OF AKIN AVENUE AT 208 EDGEWOOD DRIVE KNOWN AS BART STREET

WHEREAS, at the request of Johnny Jarman and wife, Rachel D. Jarman, it has been determined that the 0.090 acre tract of land off the northwest side of Edgewood Drive approximately 412 feet north of Akin Avenue at 208 Edgewood Drive known as Bart Street 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 Johnny Jarman and wife, Rachel D. Jarman, Lucretia Howard, unmarried, Paulette Thomas and husband, Raymond Earl Thomas, and Shirley Ann Perdue (now Freedle), unmarried; and,

WHEREAS, pursuant to KRS 82.405(2) (b) and (c), written notices of the proposed closing was given to the property owners in or abutting that portion of the alley 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 alley, 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 Johnny Jarman; 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 Bart Street and being the 0.090 acre tract of land off the northwest side of Edgewood Drive approximately 412 feet north of Akin Avenue at 208 Edgewood Drive originally dedicated for public use in Deed Book 57, Page 293 dated June 3, 1938, 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, and shall no longer be maintained by the City of Franklin, Kentucky; provided that the City is allowed to retain a 12-foot wide ingress-egress easement running east of and parallel to the western line of the tract to be closed.
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 Johnny Jarman and wife, Rachel D. Jarman.

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 0.090 ACRE TRACT BEING CLOSED

See attached Boundary Retracement Bart Street Road Closure
Containing 0.090 Acres signed by Chris R. Kenner,
Licensed Surveyor No. 4120 dated 08/03/18.

Boundary Retracement
Bart Street Road Closure
Containing 0.090 Acres

Being a certain parcel of land located in the city of Franklin, KY off the northwest side of Edgewood Drive approximately 412 feet north of Akin Avenue at 208 Edgewood Drive, Franklin, KY 42134 and being further described as follows:

Unless stated otherwise, any monument referred to as an iron pin and cap is a 5/8-inch by 18-inch rebar with an orange plastic cap stamped "C. KENNER PLS 4120." All bearings contained herein are referenced to found monumentation along the west line as recorded in Deed Book 319 Page 371.

Beginning at a 3/4-inch iron pipe (found) in the north right-of-way line of Edgewood Drive (approximately 23.1' from the extension of the east-west centerline of Edgewood Drive), southwest corner to Johnny Jarman (Deed Book 319 Page 371), located South 81° 17' 47" West 95.86 feet from a 3/4-inch iron pipe (found), southeast corner to said Jarman; thence along the north right-of-way line of Edgewood Drive South 81° 17' 47" West 31.47 feet to an iron pin and cap (set) in the east line of Lucretia M. Howard (Deed Book 300 Page 42 - Lot 5 Massey Subdivision: Plat Book 1 Page 25); thence along the east line of Lucretia Howard and later Paulette C. Thomas (Deed Book 308 Page 213 - Lot 6 Massey Subdivision: Plat Book 1 Page 25) North 04° 04' 44" West 124.59 feet to an iron pin and cap (set), southwest corner to Shirley Ann Perdue (now Freedle) (Deed Book 174 Page 469); thence along the south line of Shirley Ann Perdue (now Freedle) North 80° 59' 53" East 31.88 feet to a 3/4-inch iron pipe (found); northwest corner to Johnny Jarman (Deed Book 319 Page 371); thence along the west line of Johnny Jarman South 03° 54' 00" East 124.79 feet to the Point of Beginning; containing 3,935 sq. ft. or 0.090 acres more or less, according to a field survey conducted by Kenner Randolph Engineering & Surveying under the direction of Chris R. Kenner, "PLS 4120," during the month of August 2018.

The herein described 0.090 acre tract is subject to a 12' wide Ingress-egress easement running east of and parallel to the western line of the above described tract (Deed Book 75 Page 577).

The above described 0.090 acre tract is not a buildable lot according to Simpson County Planning and Zoning regulations and is to become a part of the lands of the current adjainer to the east, Johnny Jarman (Deed Book 319 Page 371), and is not to be sold as a stand alone lot in future conveyances.

Being an unimproved road referenced in previous deeds as Bart Street of the City of Franklin which is also a part of the same property conveyed to Henry Akin, Winnie Crowds, Sarah Crowds and Jennie Crowds by John A. Crowds et al by deed dated June 3, 1938 in Deed Book 57 Page 293 in the office of the Simpson County Court Clerk, Franklin, Kentucky.

Chris R. Kenner

8/3/18

CHRIS R. KENNER
LICENSED SURVEYOR
STATE OF KENTUCKY
LICENSE NO. 4120
KENNER RANDOLPH ENGINEERING & SURVEYING

DATE

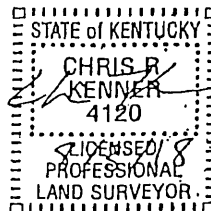


EXHIBIT B

**Copies of Consents to Closing a Public Way
from Johnny Jarman and wife, Rachel D. Jarman,
Lucretia Howard, unmarried,
Paulette Thomas and husband, Raymond Earl Thomas
and Shirley Ann Perdue (now Freedle), unmarried**

NOTICE OF INTENT TO CLOSE A PUBLIC WAY

TO: Lucretia Howard, unmarried
910 Elm 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 0.090 acre tract of land off the northwest side of Edgewood Drive, approximately 412 feet north of Akin Avenue at 208 Edgewood Drive, Franklin, Kentucky, and being the same property shown as Bart Street in a deed conveyed to Henry Akin, Winnie Crowdus, Sarah Crowdus and Jennie Crowdus by John A. Crowdus, et al, by deed dated June 3, 1938 in Deed Book 57, Page 293, in the office of the Simpson County Court Clerk, abutting your property. Attached hereto as Exhibit A is a description of the portion of the public way being closed.

This December 3, 2018.

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

W. Scott Crabtree, City Attorney

CONSENT TO CLOSING A PUBLIC WAY

I, Lucretia Howard, unmarried, 910 Elm Street, Franklin, Kentucky 42134, a property owner abutting the 0.090 acre tract of land off the northwest side of Edgewood Drive, approximately 412 feet north of Akin Avenue at 208 Edgewood Drive, Franklin, Kentucky, and being the same property shown as Bart Street in a deed conveyed to Henry Akin, Winnie Crowdus, Sarah Crowdus and Jennie Crowdus by John A. Crowdus, et al, by deed dated June 3, 1938 in Deed Book 57, Page 293, in the office of the Simpson County Court Clerk, 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 ~~December~~ ^{January} 28, 2018⁹, and the undersigned understands, acknowledges, and agrees that the portion of the public way to be closed shall remain the property of Johnny Jarman and wife, Rachel D. Jarman, but the City of Franklin shall retain a 12-foot wide ingress-egress easement running east of and parallel to the western line of the tract.

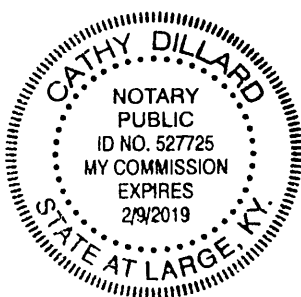
Dated this ~~December~~ ^{January} 28, 2018⁹ *cd lh*

Lucretia Howard
Lucretia Howard

STATE OF KENTUCKY

COUNTY OF SIMPSON

Subscribed and sworn to before me by Lucretia Howard, unmarried, and an abutting property owner on this ~~December~~ ^{January} 28, 2018⁹ *cd lh*



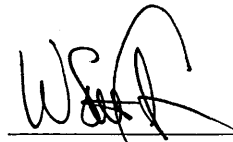
Cathy Dillard
Notary Public
Notary I.D. No. 527725
My Commission Expires: 2-9-2019

NOTICE OF INTENT TO CLOSE A PUBLIC WAY

TO: Shirley Ann Perdue (now Freedle), unmarried
205 York 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 0.090 acre tract of land off the northwest side of Edgewood Drive, approximately 412 feet north of Akin Avenue at 208 Edgewood Drive, Franklin, Kentucky, and being the same property shown as Bart Street in a deed conveyed to Henry Akin, Winnie Crowdus, Sarah Crowdus and Jennie Crowdus by John A. Crowdus, et al, by deed dated June 3, 1938 in Deed Book 57, Page 293, in the office of the Simpson County Court Clerk, abutting your property. Attached hereto as Exhibit A is a description of the portion of the public way being closed.

This December 3, 2018.

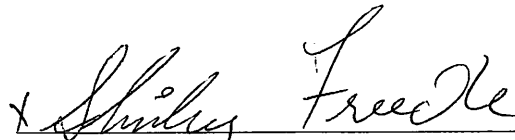
A handwritten signature in black ink, appearing to read 'W. Scott Crabtree', written over a horizontal line.

W. Scott Crabtree, City Attorney

CONSENT TO CLOSING A PUBLIC WAY

I, Shirley Ann Perdue (now Freedle), unmarried, 205 York Street, Franklin, Kentucky 42134, a property owner abutting the 0.090 acre tract of land off the northwest side of Edgewood Drive, approximately 412 feet north of Akin Avenue at 208 Edgewood Drive, Franklin, Kentucky, and being the same property shown as Bart Street in a deed conveyed to Henry Akin, Winnie Crowdus, Sarah Crowdus and Jennie Crowdus by John A. Crowdus, et al, by deed dated June 3, 1938 in Deed Book 57, Page 293, in the office of the Simpson County Court Clerk, 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 ~~December~~ ^{Feb} 4, 2018 ^{9 ca SF} and the undersigned understands, acknowledges, and agrees that the portion of the public way to be closed shall remain the property of Johnny Jarman and wife, Rachel D. Jarman, but the City of Franklin shall retain a 12-foot wide ingress-egress easement running east of and parallel to the western line of the tract.

Dated this ~~December~~ ^{Feb} 4, 2018 ^{9 ca SF}

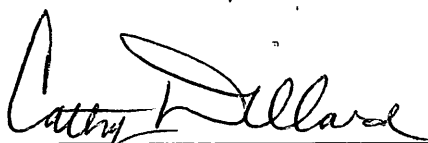


Shirley Ann Perdue (now Freedle)

STATE OF KENTUCKY

COUNTY OF SIMPSON

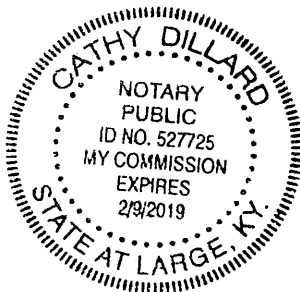
Subscribed and sworn to before me by Shirley Ann Perdue (now Freedle), unmarried, an abutting property owner, on this ~~December~~ ^{Feb} 4, 2018 ^{9 ca SF}



Notary Public

Notary I.D. No. 527725

My Commission Expires: 2-9-2019

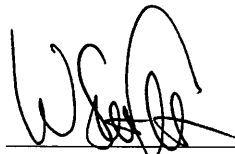


NOTICE OF INTENT TO CLOSE A PUBLIC WAY

TO: Paulette Thomas and husband,
Raymond Earl Thomas
505 Greenwood 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 0.090 acre tract of land off the northwest side of Edgewood Drive, approximately 412 feet north of Akin Avenue at 208 Edgewood Drive, Franklin, Kentucky, and being the same property shown as Bart Street in a deed conveyed to Henry Akin, Winnie Crowdus, Sarah Crowdus and Jennie Crowdus by John A. Crowdus, et al, by deed dated June 3, 1938 in Deed Book 57, Page 293, in the office of the Simpson County Court Clerk, abutting your property. Attached hereto as Exhibit A is a description of the portion of the public way being closed.

This December 3, 2018.

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

W. Scott Crabtree, City Attorney

CONSENT TO CLOSING A PUBLIC WAY

I, Paulette Thomas and husband, Raymond Earl Thomas, 505 Greenwood Drive, Franklin, Kentucky 42134, property owners abutting the 0.090 acre tract of land off the northwest side of Edgewood Drive, approximately 412 feet north of Akin Avenue at 208 Edgewood Drive, Franklin, Kentucky, and being the same property shown as Bart Street in a deed conveyed to Henry Akin, Winnie Crowdus, Sarah Crowdus and Jennie Crowdus by John A. Crowdus, et al, by deed dated June 3, 1938 in Deed Book 57, Page 293, in the office of the Simpson County Court Clerk, 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 ~~December~~ January 29, 2018^{9 ca} and the undersigned understand, acknowledge, and agree that the portion of the public way to be closed shall remain the property of Johnny Jarman and wife, Rachel D. Jarman, but the City of Franklin shall retain a 12-foot wide ingress-egress easement running east of and parallel to the western line of the tract.

Dated this ~~December~~ January 29, 2018^{9 ca} PS

Paulette C Thomas

Paulette Thomas

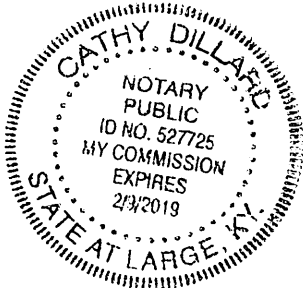
Raymond E. Thomas

Raymond Earl Thomas

STATE OF KENTUCKY

COUNTY OF SIMPSON

Subscribed and sworn to before me by Paulette Thomas and husband, Raymond Earl Thomas, abutting property owners, on this ~~December~~ January 29, 2018^{9 ca} PS.



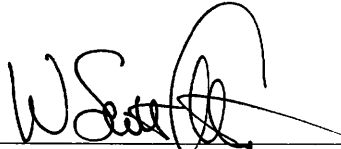
Cathy Dillane
Notary Public
Notary I.D. No. 527725
My Commission Expires: 2-9-2019

NOTICE OF INTENT TO CLOSE A PUBLIC WAY

TO: Johnny Jarman and wife,
Rachel D. Jarman
208 Edgewood 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 0.090 acre tract of land off the northwest side of Edgewood Drive, approximately 412 feet north of Akin Avenue at 208 Edgewood Drive, Franklin, Kentucky, and being the same property shown as Bart Street in a deed conveyed to Henry Akin, Winnie Crowdus, Sarah Crowdus and Jennie Crowdus by John A. Crowdus, et al, by deed dated June 3, 1938 in Deed Book 57, Page 293, in the office of the Simpson County Court Clerk, abutting your property. Attached hereto as Exhibit A is a description of the portion of the public way being closed.

This December 3, 2018.



W. Scott Crabtree, City Attorney

CONSENT TO CLOSING A PUBLIC WAY

We, Johnny Jarman and wife, Rachel D. Jarman, 208 Edgewood Drive, Franklin, Kentucky 42134, property owners abutting the 0.090 acre tract of land off the northwest side of Edgewood Drive, approximately 412 feet north of Akin Avenue at 208 Edgewood Drive, Franklin, Kentucky, and being the same property shown as Bart Street in a deed conveyed to Henry Akin, Winnie Crowdus, Sarah Crowdus and Jennie Crowdus by John A. Crowdus, et al, by deed dated June 3, 1938 in Deed Book 57, Page 293, in the office of the Simpson County Court Clerk, 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 ~~December~~ February 4, 2018⁹, and the undersigned understand, acknowledge, and agree that the portion of the public way to be closed shall remain the property of Johnny Jarman and wife, Rachel D. Jarman, but the City of Franklin shall retain a 12-foot wide ingress-egress easement running east of and parallel to the western line of the tract.

Dated this ~~December~~ February 4, 2018⁹.

+ Johnny Jarman
Johnny Jarman

Rachel D. Jarman
Rachel D. Jarman

STATE OF KENTUCKY

COUNTY OF SIMPSON

Subscribed and sworn to before me by Johnny Jarman and wife, Rachel D. Jarman, abutting property owners, on this ~~December~~ February 4, 2018⁹.



Cathy Dillard
Notary Public
Notary I.D. No. 527725
My Commission Expires: 2-9-2019

UTILITIES



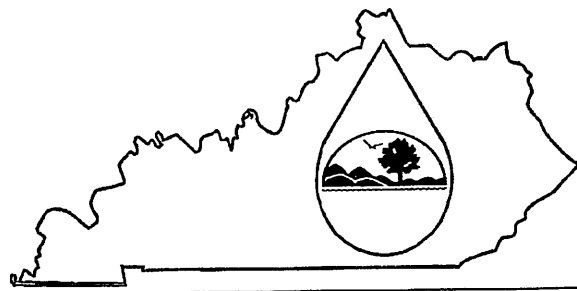
MEMO

TO: Mayor Larry Dixon and Commissioners
FROM: Trent Coffee
DATE: February 11, 2019
SUBJECT: City of Franklin Wastewater Discharge Permit

Every five years the City of Franklin has to renew the Kentucky Pollutant Discharge Elimination System Discharge Permit. This permit allows the Wastewater Treatment Plant to discharge treated water back into Drakes Creek. The current permit expires August 31, 2019. For the last month, I've been working on the permit application. Before I can submit the application to the Kentucky Division of Water, I need Mayor Dixon's signature.

REQUESTED ACTION: Motion and second to authorize for Mayor to sign all documents pertaining to the renewal application for the City of Franklin's Wastewater Discharge Permit.

KPDES FORM 1



KENTUCKY POLLUTANT DISCHARGE ELIMINATION SYSTEM

PERMIT APPLICATION

This is an application to: (check one)

- ☐ Apply for a new permit.
☒ Apply for reissuance of expiring permit.
☐ Apply for a construction permit.
☐ Modify an existing permit.
 Give reason for modification under Item II.A.

A complete application consists of this form and one of the following:

Form A, Form B, Form C, Form F, or Form SC

For additional information contact:

Surface Water Permits Branch (502) 564-3410

I. FACILITY LOCATION AND CONTACT INFORMATION		AGENCY USE							
A. Name of Business, Municipality, Company, Etc. Requesting Permit		City of Franklin							
B. Facility Name and Location		C. Primary Mailing Address (all facility correspondence will be sent to this address). Include owner's mailing address (if different) in D.							
Facility Location Name: Franklin Wastewater Treatment Plant		Facility Contact Name and Title: <input checked="" type="checkbox"/> Mr. <input type="checkbox"/> Ms. Trent Coffee, Wastewater Treatment Plant Superintendent							
Facility Location Address (i.e. street, road, etc., not P.O. Box): 1010 Blackjack Road		Mailing Address: P.O. Box 2835							
Facility Location City, State, Zip Code: Franklin, KY 42134		Mailing City, State, Zip Code: Franklin, KY 42135							
D. Owner's name (if not the same as in part A and C):		Facility Contact Telephone Number: 270-586-4497							
Owner's Mailing Address:		Owner's Telephone Number (if different):							

II. FACILITY DESCRIPTION

A. Provide a brief description of activities, products, etc: Franklin Wastewater Treatment Plant treats sewer from the city of Franklin and parts of Simpson County. The WWTP is permitted at 3.2 MGD with a peak flow of 14 MGD.

B. Standard Industrial Classification (SIC) Code and Description

Principal SIC Code & Description: 4952- Municipal wastewater treatment plant,

Other SIC Codes:

III. FACILITY LOCATION	
A. Attach a U.S. Geological Survey 7 1/2 minute quadrangle map for the site. (See instructions)	
B. County where facility is located: Simpson	City where facility is located (if applicable): Franklin
C. Body of water receiving discharge: West Fork Drakes Creek	
D. Facility Site Latitude (degrees, minutes, seconds): 36.744	Facility Site Longitude (degrees, minutes, seconds): -86.555
E. Method used to obtain latitude & longitude (see instructions): GPS	

IV. OWNER/OPERATOR INFORMATION	
A. Type of Ownership: <input checked="" type="checkbox"/> Publicly Owned <input type="checkbox"/> Privately Owned <input type="checkbox"/> State Owned <input type="checkbox"/> Both Public and Private Owned <input type="checkbox"/> Federally owned	
B. Operator Contact Information (See instructions)	
Name of Treatment Plant Operator: Trent Coffee	Telephone Number: 270-586-4497
Operator Mailing Address (Street): P.O. Box 2835	
Operator Mailing Address (City, State, Zip Code): Franklin, KY 42135	
Is the operator also the owner? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Is the operator certified? If yes, list certification class and number below. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Certification Class: WW Treatment III	Certification Number: 28760

V. EXISTING ENVIRONMENTAL PERMITS		
Current NPDES Number: KY00207456	Issue Date of Current Permit: September 1, 2014	Expiration Date of Current Permit: August 31, 2019
Other DOW Operational Permit #:	Kentucky DMR Permit Number(s):	Sludge Disposal Permit Number:
Other Existing Environmental Permit #:	Other Existing Environmental Permit #:	Other Existing Environmental Permit #:

Which of the following additional environmental permit/registration categories will also apply to this facility?

CATEGORY	EXISTING PERMIT WITH NO.	PERMIT NEEDED WITH PLANNED APPLICATION DATE
Air Emission Source		
Solid or Special Waste		
Hazardous Waste - Registration or Permit		

VI. DISCHARGE MONITORING REPORTS (DMRs)

KPDES permit holders are required to submit DMRs to the Division of Water on a regular schedule (as defined by the KPDES permit). Information in this section serves to specifically identify the name and telephone number of the DMR official and the DMR mailing address (if different from the primary mailing address in Section I.C).

A. DMR Official (i.e., the department, office or individual designated as responsible for submitting DMR forms to the Division of Water):	Trent Coffee, Wastewater Treatment Plant Superintendent
DMR Official Telephone Number:	270-586-4497

B. DMR Mailing Address:	
<ul style="list-style-type: none"> Address the Division of Water will use to mail DMR forms (if different from mailing address in Section I.C), or Contact address if another individual, company, laboratory, etc. completes DMRs for you; e.g., contract laboratory address. 	
DMR Mailing Name:	Franklin Wastewater Treatment Plant
DMR Mailing Address:	P.O. Box 2835
DMR Mailing City, State, Zip Code:	Franklin, KY 42135

VII. APPLICATION FILING FEE

KPDES regulations require that a permit applicant pay an application filing fee equal to twenty percent of the permit base fee. Please examine the base and filing fees listed in "Form 1 Instructions" and enclose a check payable to "Kentucky State Treasurer" for the appropriate amount. For permit renewals, please include the KPDES permit number on the check to ensure proper crediting. Please see the separate document "General Instructions" for an expanded description of the base fee amounts.

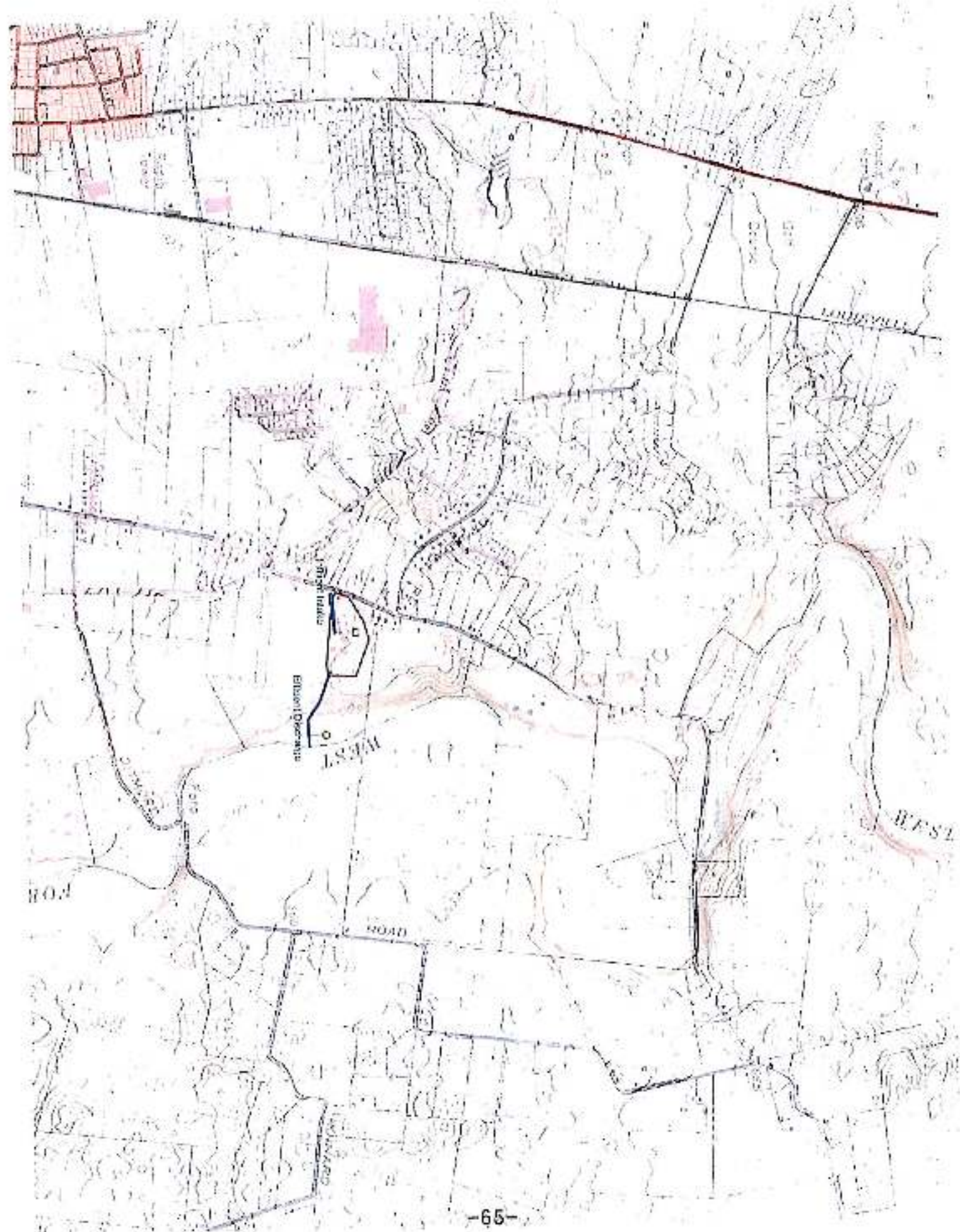
Facility Fee Category:	Filing Fee Enclosed:
Publicly Owned Treatment Plant	\$0

VIII. CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

NAME AND OFFICIAL TITLE (type or print):	PHONE NUMBER:
Mr. <input type="checkbox"/> Ms. <input type="checkbox"/>	EMAIL:
SIGNATURE	DATE:

Return completed application form and attachments to: Surface Water Permits Branch, Division of Water, 200 Fair Oaks Lane, Frankfort, KY 40601. Direct questions to: Surface Water Permits Branch at (502) 564-3410.



III. Facility Location

- A. Attach a U.S. Geological Survey (USGS), 7 1/2 minute topographic quadrangle map(s) extending at least one mile beyond the property boundary of the discharge source. Depict or mark the facility and each of its intake and discharge structures. Also mark the locations of those wells, springs, surface water bodies, and drinking water wells listed in public records or otherwise known to the applicant within one-quarter mile of the facility property boundary. USGS maps may be obtained from the University of Kentucky, Mines and Minerals Bldg. Room 104, Lexington, Kentucky 40506. Phone: (859) 257-3896.
- B. List the county and, if applicable, city where facility is located.
- C. List the body of water receiving discharge.
- D. List the latitude and longitude for the facility site. The latitude/longitude reading for the site should be taken at the influent to the wastewater treatment plant, if applicable.
- E. List the method used to obtain the latitude and longitude (i.e. topo map coordinates, GPS reading, etc.)
- F. List the facility's Dun and Bradstreet Number if applicable.

IV. Owner/Operator Information

- A. Place a check in the applicable type ownership as listed.
- B. These sections must be completed by all municipal and sanitary wastewater applicants.
For those facilities that require a Certified Operator, enter the name of a Certified Operator who will operate the treatment plant, or enter the name of an operator who will be certified before commencement of discharge. The operator of the treatment plant is often someone other than the operator of the facility identified in Part I.
List the name and address of the person who operates the sewage treatment plant.
Indicate if the operator is also the owner.
The operator must be currently certified with the Division of Water. For information concerning those requirements,
Contact: Division of Compliance Assistance, Certification Section, at (502) 564-0323.
List the Operator's Certification Class and Certification Number.
- V. List any existing environmental permits that the facility has or will be applying for. KPDES permits use an NPDES generated number.
- VI. List the address where Discharge Monitoring Report (DMR) forms are to be mailed. Complete this section if you are requesting a different address than the address in Part I (C.)

VII. Application Filing Fee

The payment of a filing fee as listed below must accompany the application for a KPDES Permit. Your check must be made payable to "Kentucky State Treasurer." For permit renewals, to ensure proper credit to your account, please include the KPDES permit number on the check. This fee will be applied toward the final discharge permit fee. The filing fee is not refundable if the application is withdrawn or the permit is denied. Listed below are the facility categories, associated base five-year fees, and application filing fees. (See the separate "General Instructions" for definitions of facility categories.)

Facility Category	Five-Year Fee (100%)	Application Filing Fee (20%)
Major Industry	\$7,000	\$1,400
Minor Industry	\$4,500	\$900
Non-Process Industry	\$2,200	\$440
Large Non-POTW	\$3,700	\$740
Intermediate Non-POTW	\$3,200	\$640
Small Non-POTW	\$2,200	\$440
Agriculture	\$1,200	\$240
Surface Mining Operation	\$3,300	\$660
501(c)(3)	\$100	\$20

If this application is for a new project, see separate General Instructions for the applicable Construction Permit fee.

A permit application cannot be processed unless the application filing fee and (if applicable) construction permit fee is enclosed. Make your check payable to "Kentucky State Treasurer."

VIII. Certification

The permit application must be signed as follows:

Corporation: by a principal executive officer of at least the level of vice president.

Partnership or sole proprietorship: by a general partner or the proprietor respectively.

Municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.

Section C—Activities Which Do Not Require KPDES Permits

You are not required to obtain a KPDES permit if your discharge is one of the following categories, as provided by the Clean Water Act (CWA) and KPDES regulations (401 KAR Chapter 5).

1. **Dredged or Fill Material:** Discharges of dredged or fill material as defined at 33 CFR 323.2 into waters of the Commonwealth do not need KPDES permits if the dredging or filling is authorized by a permit issued by the U.S. Army Corp of Engineers.
2. **Discharges into Publicly Owned Treatment Works (POTW):** The introduction of sewage, industrial wastes, or other pollutants into a POTW does not need a KPDES permit. You must comply with all applicable pretreatment standards promulgated under Section 307 (b) of the CWA, which may be included in the permit issued to the POTW. If you have a plan or an agreement to switch to a POTW in the future, this does not relieve you of the obligation to apply for and receive a KPDES permit until you have stopped discharging pollutants into waters of the Commonwealth.
3. **Dischargers into Privately Owned Treatment Works:** Dischargers into privately owned treatment works do not have to apply for or obtain KPDES permits except as otherwise required by the Cabinet. The owner or operator of the treatment works itself, however, must apply for a permit and identify all users in its application.
4. **Discharges from Agricultural and Silvicultural Activities:** Most discharges from agricultural and silvicultural activities to waters of the Commonwealth do not require KPDES permits. These include runoff from orchards, cultivated crops, pastures, range lands, and forest lands. However, the discharge listed below DO require KPDES permits.
 - a. **Discharges from Concentrated Animal Feeding Operations**
 - b. **Discharges from Concentrated Aquatic Animal Production Facilities.**
 - c. **Discharges associated with approved Aquaculture Projects.**
 - d. **Discharges from Silvicultural Point Sources.** Nonpoint source silvicultural activities are excluded from KPDES permit requirements. However, some of these activities, such as stream crossings for roads, may involve point source discharge of dredged or fill material which may require a Section 404 permit. See 33 CFR 209.120.
5. **Underground Injection Control Permits Under the Safe Drinking Water Act**

KPDES FORM 1 --- INSTRUCTIONS

Section A: General Instructions

With the exceptions described in Section C of these instructions, Federal and State laws prohibit you from the discharge of pollutants into the waters of the United States or waters of the Commonwealth.

Where to file

Return completed application forms to Surface Water Permits Branch, Division of Water, 200 Fair Oaks Lane, Frankfort, Kentucky 40601.

When to file

File the application at least 180 days prior to expiration of your current KPDES permit or at least 180 days prior to startup of a new facility.

Fees

Filing fees and five-year permit fees are listed in Section B. Filing Fees are not refundable.

Completion of Forms

Unless otherwise specified in the detailed instructions, each item in each form must be answered. To indicate that each item has been considered, enter "NA," for not applicable, if a particular item does not fit the circumstances or characteristics of your facility or activity. If more space is necessary to answer a question, attach a separate sheet entitled "Additional Information."

Section B: Completing Form 1

Listed below are explanations of select Form 1 questions. If further information is needed concerning any question, please contact Division of Water, Surface Water Permits Branch at (502) 564-3410.

I. Facility Location and Contact Information

- A. Use the official or legal name of the business, company, municipality, etc. requesting permit. Do not use a colloquial name. Give the name, as it is legally referred to, of the person, firm, public organization, or any other entity that operates the facility described in this application. This may or may not be the same name as the facility. The operator of the facility is the legal entity which controls the facility's operation rather than the plant or site manager. This use of "operator" in many cases is not the same as the treatment plant Certified Operator.
- B. The facility name should be the name by which the facility is commonly known and/or uniquely identified. Enter the facility's official or legal name. Do not use a colloquial name. The information given as the facility name and location address should be the for the actual location of the facility (i.e. road name, highway number, not the P O Box address). If there is no street address, identify the facility location by the most accurate alternative geographic information such as direction and distance to nearest intersection or permanent landmark (e.g., ½ mile east of intersection of KY 70 and US 127).
- C. The primary mailing address should be the legal permittee of record and is the address where correspondence regarding the application, permit, etc. for the facility will be sent unless otherwise indicated. This often is not the address used to designate the location of the facility or activity. Give the name, title, and work telephone number of a person who is thorough familiar with the operation of the facility and with the facts reported in this application and who can be contacted by reviewing offices if necessary. The owner mailing address is to be provided in "D" if different from the primary mailing address. Discharge Monitoring Reports will be mailed to the address indicated in part VI.
- D. If the applicant for the permit is not the owner of the facility, include the name of the owner of the facility. Include the mailing address of the owner of the facility if the owner is not the applicant for the permit.

II. Facility Description

- A. Briefly describe the nature of the business and the activities being conducted that require a KPDES permit.
- B. List, in descending order of significance, the four 4-digit standard industrial classification (SIC) codes that best describe your facility in terms of the principal products or services you produce or provide. Also, specify each classification in words. These classifications may differ from the SIC codes describing the operation generating the discharge. The SIC codes are numbers and descriptions of activities classified by the Executive Office of the President, Office of Management and Budget. These are found in the 1987 Edition of the Standard Industrial Classification (SIC) Manual. List the SIC codes(s) that best describe the products or services provided by the facility in descending order of importance. If an SIC code book is not available, please describe in detail the nature of the business and activities conducted so that an appropriate code can be assigned.

ORDINANCES

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**

CITY OF FRANKLIN, KENTUCKY

ORDINANCE NO. 2019 - 003

AN ORDINANCE TO CLOSE THE PUBLIC WAY KNOWN AS THE 0.090 ACRE TRACT OF LAND OFF THE NORTHWEST SIDE OF EDGEWOOD DRIVE APPROXIMATELY 412 FEET NORTH OF AKIN AVENUE AT 208 EDGEWOOD DRIVE KNOWN AS BART STREET

WHEREAS, at the request of Johnny Jarman and wife, Rachel D. Jarman, it has been determined that the 0.090 acre tract of land off the northwest side of Edgewood Drive approximately 412 feet north of Akin Avenue at 208 Edgewood Drive known as Bart Street 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 Johnny Jarman and wife, Rachel D. Jarman, Lucretia Howard, unmarried, Paulette Thomas and husband, Raymond Earl Thomas, and Shirley Ann Perdue (now Freedle), unmarried; and,

WHEREAS, pursuant to KRS 82.405(2) (b) and (c), written notices of the proposed closing was given to the property owners in or abutting that portion of the alley 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 alley, 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 Johnny Jarman; 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 Bart Street and being the 0.090 acre tract of land off the northwest side of Edgewood Drive approximately 412 feet north of Akin Avenue at 208 Edgewood Drive originally dedicated for public use in Deed Book 57, Page 293 dated June 3, 1938, 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, and shall no longer be maintained by the City of Franklin, Kentucky; provided that the City is allowed to retain a 12-foot wide ingress-egress easement running east of and parallel to the western line of the tract to be closed.

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 Johnny Jarman and wife, Rachel D. Jarman.

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 0.090 ACRE TRACT BEING CLOSED

See attached Boundary Retracement Bart Street Road Closure
Containing 0.090 Acres signed by Chris R. Kenner,
Licensed Surveyor No. 4120 dated 08/03/18.

EXHIBIT B

**Copies of Consents to Closing a Public Way
from Johnny Jarman and wife, Rachel D. Jarman,
Lucretia Howard, unmarried,
Paulette Thomas and husband, Raymond Earl Thomas
and Shirley Ann Perdue (now Freedle), unmarried**