

AGENDA

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

July 8, 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** - David Pierce/Tom Otto – Faith Baptist Church
- III. Approval of Minutes** - Approval of Meeting Minutes from June 24, 2019 Regular Meeting *Pg. 5*
- IV. Recognitions**
- V. Hear the Public** - Jerry Kamuf and other Southgate and College Street Residents *Pg. 15*
- VI. Community Services**
- Discussion regarding Preparation for Census 2020 *Pg. 18*
Presenter: Daniel Reetzke, Tax/ABC Admin.
 - Discussion regarding Hometown Harvest Dinner *Pg. 21*
Presenter: Tammie Carey, Comm Dev Dir
 - Discussion regarding Upcoming Neighborhood Walk *Pg. 22*
Presenter: Tammie Carey, Comm Dev Dir
- VII. General Government**
- Discussion and/or possible action regarding Resolution F-2019 – City Government Month *Pg. 25*
Presenter: Scott Crabtree, City Attorney
 - Discussion and/or possible action regarding Proposed Ordinance Rezoning Three Parcels *Pg. 27*
Presenter: Scott Crabtree, City Attorney
 - Discussion and/or possible action regarding Agreements for Services *Pg. 76*
Presenter: Kenton Powell, City Manager
 - Discussion and/or possible action regarding Personnel Policy Revision *Pg. 87*
Presenter: Rita Vaughn, Personnel Director
- VIII. Public Services**
- IX. Public Safety**
- X. Utilities**

XI. Ordinances

- Second reading of Ordinance No. 2019-015 titled: *Ordinance Annexing to the City of Franklin Approximately 5.39 Acres Located on Peden Mill Road, Being Contiguous to the Existing City Limits of Franklin, Kentucky in Accordance with the Comprehensive Plan of Annexation* **Pg. 89**
- Possible first reading of Ordinance No. 2019-016 titled: *An Ordinance Rezoning 409 Hudspeth Avenue from I-1 (Light Industrial) to R-1 (Single Family); the Vacant Lot Located on 403 Brick Street from I-1 (Light Industrial) to R-2 (Single Family and Two Family); and the 2.50 Acre Vacant Lot Located on Morris Street and Hudspeth Avenue from I-1 (Light Industrial) to R-1S (Single Family Residential)* **Pg. 93**
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)}

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

XIII. City Attorney Reports

XIV. City Manager Reports

XV. Other Commission Business

XVI. Adjournment

MINUTES

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

June 24, 2019

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

The Franklin, Kentucky City Commission met in Regular Session at 12:00 Noon, Monday, **June 24, 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; Tammie Carey, Community Development Director; Lisa Deavers, Bicentennial Committee Chairperson; Jolie Brown and Carlton Hogan from the Franklin Housing Authority; Phil Lockhart; Jason Gill, Executive Director of Good Samaritan, Inc.; and Elizabeth Ramsey.

Mayor Dixon called the meeting to order at 12:00 Noon, and Jason Gill, Executive Director of Good Samaritan, Inc., offered the opening prayer.

APPROVAL OF MINUTES

Motion was made by Commissioner Powell and seconded by Commissioner Williams to approve the minutes as presented of the June 10, 2019, special called meeting of the Franklin City Commission

Voting aye: All. Motion carried unanimously.

RECOGNITION

Jolie Brown, Executive Director of Housing Authority of Franklin introduced Carlton Hogan, Maintenance Supervisor of the Housing Authority of Franklin. Mr. Hogan was nominated by Jolie Brown and selected from a state-wide pool of nominees as the Maintenance Person of the Year from the Kentucky Housing Association.

Mayor Dixon and the Commissioners thanked Carlton for his commitment to his job and for providing a vital and valuable service to the residents and employees at the Housing Authority.

COMMUNITY SERVICES

Lisa Deavers, Bicentennial Committee Chairperson, provided the Commission with a calendar of events and activities planned on July 4, 5 and 6 celebrating the 200th anniversary of the County of Simpson. July 4 will feature various events throughout the day with July 5 featuring and Firecracker 200 Kiddie Parade on the downtown square followed by F-S Renaissance Friday Night concert. July 6 will feature community activities throughout the day at the Jim Roberts Community Park.

Mrs. Deavers reminded everyone that more community events are planned throughout 2019 with New Year's Eve featuring a passing of the torch from the County Judge Executive to the Mayor in celebration of the City of Franklin's bicentennial.

Community Development Director Tammie Carey asked for the Commissions input regarding the next neighborhood walk. Mrs. Carey recommended Monday, July 22 at 6:00 PM with a special called City Commission meeting to follow at the Gentleman's Unlimited Club Pavilion at Lincoln Park to begin at 7:00 PM. Carey also presented a preliminary map for the Neighborhood Walk.

Motion was made by Commissioner Bennett and seconded by Commissioner Stewart to cancel the regularly scheduled Noon City Commission meeting on Monday, July 22, 2019, and to hold a special called meeting on Monday, July 22, 2019, at 7:00 PM at the Gentleman's Unlimited Club Pavilion at Lincoln Park.

Voting Aye: All. Motion carried unanimously.

GENERAL GOVERNMENT

City Attorney Scott Crabtree asked the Commission to consider a resolution amending the small purchases policy for purchases from \$20,000.00 to \$30,000.00 without formal procurement procedures. The Kentucky Legislature made a change in the law in the past Legislative session that becomes effective July 1, 2019, allowing the increase.

In addition, Crabtree asked the Commission to consider increasing per transaction spending limit, without Commission approval, of the City Manager and/or the Finance Director from \$5,000.00 to \$10,000.00.

Motion was made by Commissioner Powell and seconded by Commissioner Williams to authorize an increase in the transaction spending limit of the City Manager and/or the Finance Director from \$5,000.00 to \$10,000.00 and to further approve the following Resolution E-2019 which increased the City's small purchases policy to \$30,000.00, with both increases to become effective July 1, 2019.

Voting Aye: All. Motion carried unanimously.

CITY OF FRANKLIN, KENTUCKY

RESOLUTION NO. E-2019

A RESOLUTION OF THE CITY OF FRANKLIN, KENTUCKY AMENDING PREVIOUS RESOLUTION NO. N-2016 SETTING FORTH GUIDELINES FOR GENERAL PURCHASING AND CONTRACT OF GOODS AND SERVICES UNDER \$30,000

WHEREAS, the City of Franklin Board of City Commissioners desire to enact a Resolution setting forth guidelines for general purchasing and contracting of goods and services under \$30,000.00 which shall become effective July 1, 2019;

NOW, THEREFORE, BE IT RESOLVED by the City of Franklin, Board of City Commissioners, that the Municipal Order shall be amended as follows:

I. General Purchasing/Contracting Guidelines for all purchases and contracts under \$30,000.00

A. At the beginning of each fiscal year, the City Clerk shall place an advertisement in the local newspaper requesting any and all providers and contractors who desire to do business with the City of Franklin to send written notification to the City indicating what services or goods, i.e. electrical, plumbing, etc., they could provide to the City. Said advertisement shall specify that anyone desiring to provide services must supply a copy of the Contractor's General Liability Insurance Policy with limits not less than \$500,000.00, proof of workers compensation insurance and proof of a city occupational license must accompany said information. Upon receipt of said information, the City Clerk shall retain the original and deliver copies to each Department Head.

B. Any person or business entity providing any service to the City of Franklin for which said person or business entity would not be covered under the City of Franklin's Workers Compensation Insurance, shall have a written Contract for Service with the City of Franklin regardless of the amount of said Contract. Said Contract shall be approved by the Board of City Commissioners prior to the commencement of the duties under said Contract.

II. Purchase of Goods Under \$30,000.00

A. Purchases between \$5,000.00 and \$30,000.00 - For all individual purchase of goods between \$5,000.00 and \$30,000.00, the Department Head must contact providers and obtain at least three written quotes for said goods. When possible, the Department Head shall contact those providers who provided the City information pursuant to Section I herein indicating a desire to provide goods to the City of Franklin. The quotes shall not be made public until presented to the Board of City Commissioners for approval.

B. Purchases under \$5,000.00 - For all purchases of goods under \$5,000.00, quotes are not necessary. If said funds are not approved in the budget, then the Department Head desiring to purchase said goods, shall be required to get approval of Board of City Commissioners and the budget must be properly amended prior to making said purchase.

III. Contract for Services Under \$30,000.00

A. Contracts between \$5,000.00 and \$30,000.00 - For all contracts for services between \$5,000.00 and \$30,000.00, the Department Head must contact providers and/or contractors and obtain at least three written quotes for said services. When possible, the Department Head shall contact those contractors who have provided the City information pursuant to Section I herein indicating a desire to work for the City.

B. Contracts under \$5,000.00 -- For all contracts for services under \$5,000.00, quotes are not necessary. However, the Board of City Commissioners must approve said Contract prior to the purchase of goods or commencement of services. Provided, however, that if the good(s) or service(s) are included in the budget that was duly adopted by the Board of City Commissioners and the cost/purchase price is within the budgeted amount(s), no further action is necessary other than approval by the City Manager and/or Finance Director. Contracts for \$2,500.00 or less do not need to receive prior approval from the Board of City Commissioners.

C. Contract Requirements -- All contracts entered into under Section A and B must be in writing and the Contractor's general liability insurance policy with limits not less than \$500,000.00, proof of workers compensation insurance and proof of a city occupational license must be attached to said Contract prior to commencement of services.

D. Exceptions -- *For those businesses who have an annual contract for services, i.e. landscaping, said contract may be renewed one time without obtaining new quotes so long as said Contractor has performed a satisfactory job and the compensation is under \$30,000.00.*

IV. Contracts for Professional Service -- *In accordance with KRS 424.260, contracts for professional service shall not be subject to this order, regardless of the amount.*

V. Emergency Circumstances

An emergency circumstance is defined as any event in which persons or property is in immediate danger or harm. In such situations, if quotes and written Contracts for Services cannot be obtained, then the Mayor may approve said purchase of goods or contract for services. Said contractor shall still provide a copy of his/her general liability policy for not less than \$500,000.00, workers compensation certificate and occupational license.

RESOLVED this 24th day of June, 2019, with an effective date of July 1, 2019.

City Attorney Scott Crabtree asked the Commission to consider a proposed ordinance to annex 5.39 acres on Peden Mill Road owned by SAV Investments, LLC. Crabtree provided a draft ordinance along with supporting documentation.

Commissioner Powell and Commissioner Williams asked to sponsor the ordinance annexing the property. First summary reading of the ordinance took place during the ordinance portion of the meeting.

City Manager Kenton Powell asked the Commission to review and approve the street closure request by the Franklin-Simpson Chamber of Commerce for the annual Garden Spot Run/Walk on Saturday, August 10, 2019, and the Friday night children's event on August 9, 2019. F-S Chamber of Commerce Executive Director Steve Thurmond provided a course description by street name for both events.

Motion was made by Commissioner Bennett and seconded by Commissioner Powell to approve the Franklin-Simpson Chamber of Commerce street closure request for the annual Garden Spot Run/Walk on Saturday, August 10, 2019, and the Friday night children's event on August 9, 2019.

Voting Aye: All. Motion carried unanimously.

City Manager Kenton Powell discussed the current ordinance regarding fireworks within the City limits. The dates and hours for fireworks is July 3 and July 4 from 10:00 AM until 12:00 Midnight and will remain unchanged this year. Powell recommended informative videos for the City's social media outlets and airing on the local government cable channel to educate the public about the day and time restrictions for fireworks.

Elizabeth Ramsey addressed the Commission regarding her concerns that fireworks are being discharged outside of the timeframe authorized in the ordinance. She asked for increased efforts by law enforcement and was very receptive to educational efforts by City government.

No action was taken on this matter.

Community Development Director Tammie Carey asked the Commission to approve a request by the Bicentennial Committee to close West Kentucky Avenue between Main Street and College Street on Friday, July 5, 2019, beginning at 4:45 PM. This area will be utilized for the Firecracker 200 Kiddie Parade.

Motion was made by Commissioner Stewart and seconded by Commissioner Bennett to approve closing West Kentucky Avenue between Main Street and College Street on Friday, July 5, 2019, beginning at 4:45 PM until the Firecracker 200 Kiddie Parade event is over.

Voting Aye: All. Motion carried unanimously.

City Manager Kenton Powell asked the Commission to authorize the Mayor to sign a letter of support for Lewis Memorial Home's proposed expansion. The letter of support will assist Lewis Memorial's efforts to acquire a USDA loan to finance their expansion.

Motion was made by Commissioner Powell and seconded by Commissioner Bennett to authorize the Mayor to sign a letter of support for Lewis Memorial Home's proposed expansion of their assisted living facility.

Voting Aye: All. Motion carried unanimously.

City Manager Kenton Powell asked the Commission to consider the appointment of Wayne Powell to the Board of Directors of the Franklin Electric Plant Board to fill the unexpired term of Lester Key.

Motion was made by Commissioner Bennett and seconded by Commissioner Stewart to approve the appointment of Wayne Powell to the Board of Directors of the Franklin Electric Plant Board to fill the unexpired term of Lester Key which expires on September 16, 2021.

Voting Aye: All. Motion carried unanimously.

City Finance Director Shaunna Cornwell asked the Commission to award the City's property and casualty insurance coverage from the six bids which were received. Cornwell provided the Commission with a thorough analysis and estimate of all bids received as follows:

Kentucky League of Cities (Agent: Franklin Insurance)	\$158,133
Zurich (Agent: Franklin Insurance)	\$140,330
Glatfelter (Agent: Franklin Insurance)	\$149,164
Travelers (Agent: Higgins Insurance)	\$137,059
Tokio Marine/Houston Casualty (Agent: Higgins Insurance)	\$125,064
Brit-Lloyd (Agent: Gallagher Insurance)	\$149,245

Motion was made by Commissioner Powell and seconded by Commissioner Bennett to award the property and casualty insurance coverage bid to Higgins Insurance Agency, Tokio Marine/Houston Casualty, as the lowest and best responsive and responsible bidder for a three (3) year term and to further authorize the Mayor to sign any and all documents related to the award of this bid.

Voting Aye: All. Motion carried unanimously.

City Finance Director Shaunna Cornwell provided a summary of the Fiscal Year 2019-2020 budget prior to second reading of the ordinance approving the budget. Cornwell discussed each component and fund of the budget.

No action was taken by the Commission following this discussion, second reading of the budget ordinance took place during the ordinance portion of the meeting.

UTILITIES

Public Works Director Chris Klotter asked the Commission to consider approval to hire Jon Zambrano as an independent contractor for Geographic Information System (GIS) Administrator services. Klotter indicated funding for the independent contract was budgeted.

Motion was made by Commissioner Powell and seconded by Commissioner Williams to approve hiring Jon Zambrano as an independent contractor for Geographic Information System (GIS) Administrator services subject to review and approval of the Independent Contractor Agreement with Contractor by Zambrano, with any revisions or changes subject to approval by City Manager and City Attorney, and further authorized the Mayor to sign the Agreement upon final approval.

Voting Aye: All. Motion carried unanimously.

Public Works Director Chris Klotter asked the Commission to consider participation in the National League of Cities Service Line Warranty Program which offers homeowners in the City the opportunity to purchase repair service plans for broken or leaking outside water and sewer lines. This program offering is at no cost to the City.

Motion was made by Commissioner Powell and seconded by Commissioner Bennett to approve participation in the National League of Cities Service Line Warranty Program, which is at no cost to the City of Franklin, and to further authorize the Mayor to sign any and all documents necessary to participate in this program.

Voting Aye: All. Motion carried unanimously.

ORDINANCES

City Clerk Cathy Dillard provided second summary reading of Ordinance No. 2019-014 titled: *An Ordinance of the Board of Commissioner of the City of Franklin, Kentucky, Authorizing The Grant of an Inducement for the Acquisition and Construction of a Project Pursuant to The Kentucky Business Investment Program (KRS 154.32-010 to 154.32-100) Whereby the City Agrees to Forego the Collection of the One Percent (1%) City Occupational License Fee on Wages from Holley Performance Products, Inc. that would Otherwise be Due with Respect To Project Employees, which Amounts shall be Collected and Remitted to the City to be Refunded Upon Employer's Request Over a Term of Not Longer than Ten (10) Years from the Activation Date Established by Said Program; and Taking Other Related Action*

Motion was made by Commissioner Powell and seconded by Commissioner Williams to approve Ordinance No. 2019-014 and was unanimously approved by the following 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 second summary reading of Ordinance No. 2019-011 titled: *An Ordinance Adopting the Annual Budget for the Fiscal year Beginning July 1, 2019 and Ending June 30, 2020 by Estimating Revenues and Appropriations*

Motion was made by Commissioner Bennett and seconded by Commissioner Stewart to approve Ordinance No. 2019-011 and was unanimously approved by the following 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. 2019-015 titled: *Ordinance Annexing to the City of Franklin, Kentucky Approximately 5.39 Acres Located on Peden Mill Road, Being Contiguous to the Existing City Limits of Franklin, Kentucky in Accordance with the Comprehensive Plan of Annexation*

No action is taken on first reading of an ordinance.

EXECUTIVE SESSION

At 1:20 PM, motion was made by Commissioner Williams and seconded by Commissioner Bennett 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)}

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

BUSINESS – Discussions between a public agency a representative of a business entity concerning a specific proposal, where open discussions would jeopardize the siting, retention, expansion, or upgrading of the business {KRS 61.810(1)(g)}

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. Dennis Griffin of the Franklin-Simpson Industrial Authority entered Executive Session at 1:20 PM and exited at 1:40 PM. Public Works Director Chris Klotter and Police Chief Roger Solomon entered Executive Session at 1:40 PM. Chief Solomon exited Executive Session at 1:41 PM and Mr. Klotter exited Executive Session at 2:17 PM.

At 2:24 PM, motion was made by Commissioner Stewart and seconded by Commissioner Bennett to exit Executive Session and return to open session.

Voting Aye: All. Motion carried unanimously.

OTHER COMMISSION BUSINESS

Motion was made by Commissioner Powell and seconded by Commissioner Williams to promote Officer Zack Duke to Franklin Police Department third shift Sergeant's position effective July 1, 2019.

Voting Aye: All. Motion carried unanimously.

Mayor Dixon asked the City Manager for any other reports to the Commission. City Manager Kenton Powell thanked the Commission for passing the budget and asked them to pray for pension reform.

Mayor Dixon asked the City Attorney for a report to the Commission. City Attorney Scott Crabtree said September is City Government Month in the state of Kentucky and asked for the Commission's support.

Mayor Dixon asked of the Commissioners for any comments:

Commissioner Stewart wished everyone a safe and happy July 4th holiday and reminded the public that unauthorized fireworks are difficult to control and asked the public be supportive of the days and hours approved for fireworks.

Commissioner Bennett asked the public to please attend the Bicentennial events planned for July 4, 5, and 6.

Commissioner Williams asked City Manager Kenton Powell to confirm the total approved budget amount for Fiscal Year 2019-2020. Powell confirmed the total budget was \$14 million.

Commissioner Powell wished everyone a safe and happy 4th of July holiday.

ADJOURNMENT

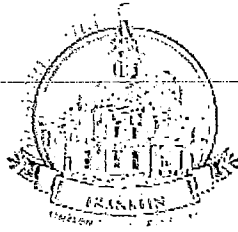
At 2:29 PM, motion was made by Commissioner Powell and seconded by Commissioner Stewart to adjourn the regular meeting of the Franklin City Commission.

Voting Aye: All. Motion carried unanimously.

Larry Dixon, Mayor
City of Franklin, Kentucky

Cathy Dillard, City Clerk
City of Franklin, Kentucky

HEAR THE PUBLIC



City of Franklin, KY

City Commission Meeting

Hear the Public Speaker Request

DATE July 3, 2019

NAME Southgate & College St Residents w/
land connected to stores on Kennedy Lane

CONTACT INFORMATION:

PHONE NUMBER 270-776-2545

AND/OR

EMAIL ADDRESS _____

GENERAL TOPIC OF TALK - Ordinance on land in city

bigger than 5 acres

Any Comments or Date Restrictions: _____

Deliver completed form to City Clerk. You will be notified when confirmed.
If you have any dates that you could not appear, please note above.

GUIDELINES FOR CITIZENS ADDRESSING THE CITY COMMISSION

(When recognized by the Chair) The public is given an opportunity to speak before the Board of Commission during a regularly scheduled City Commission meeting, a speaker shall:

- Register with the City Clerk or Deputy Clerk and provide name, address, notification phone number and/or email address, and topic of talk.
- Registration begins at the conclusion of any Commission meeting and ends one business day before the next scheduled meeting.
- Speakers are requested to speak a maximum of five (5) minutes. If there are several people registered to speak on the same topic, the meeting chair will determine the amount of time allocated to each speaker.
- The Meeting Chair shall recognize those persons wishing to address the City Commission, and after being recognized, they should proceed to the podium and state their name, address, and subject before asking any questions or making any comments.
- Individual speakers shall refrain from any inappropriate language or naming any person individually in a negative manner during their comments.
- If a speaker desires to present materials to the Commission, seven (7) copies should be provided to the City Clerk for distribution purposes prior to or at the beginning of the meeting at which the person will be speaking.
- **In all matters concerning actions at a public meeting, the decision of the Meeting Chair shall take precedence and be final.**

Guidelines adopted -2013 City Commission action

COMMUNITY SERVICES



MEMO

TO: Mayor Larry Dixon and Commissioners
FROM: Daniel Reetzke, Tax Collector
DATE: July 8, 2019
SUBJECT: 2020 Census

Caitlyn Sperling, a Partnership Specialist from the U.S. Census Bureau, will be at the Commission meeting to give an overview of the upcoming 2020 Census.

How the 2020 Census will invite everyone to respond



Every household will have the option of responding online, by mail, or by phone.

Nearly every household will receive an invitation to participate in the 2020 Census from either a postal worker or a census worker.



95% of households will receive their census invitation in the mail.



Almost 5% of households will receive their census invitation when a census taker drops it off. In these areas, the majority of households may not receive mail at their home's physical location (like households that use PO boxes or areas recently affected by natural disasters).



Less than 1% of households will be counted in person by a census taker, instead of being invited to respond on their own. We do this in very remote areas like parts of northern Maine, remote Alaska, and in select American Indian areas that ask to be counted in person.

Note: We have special procedures to count people who don't live in households, such as students living in university housing or people experiencing homelessness.

How the 2020 Census will invite everyone to respond



What to Expect in the Mail

When it's time to respond, most households will receive an invitation in the mail.

Every household will have the option of responding online, by mail, or by phone.

Depending on how likely your area is to respond online, you'll receive either an invitation encouraging you to respond online or an invitation along with a paper questionnaire.

Letter Invitation

- Most areas of the country are likely to respond online, so most households will receive a letter asking you to go online to complete the census questionnaire.
- We plan on working with the U.S. Postal Service to stagger the delivery of these invitations over several days. This way we can spread out the number of users responding online, and we'll be able to serve you better if you need help over the phone.

Letter Invitation and Paper Questionnaire

- Areas that are less likely to respond online will receive a paper questionnaire along with their invitation. The invitation will also include information about how to respond online or by phone.

WHAT WE WILL SEND IN THE MAIL

On or between	You'll receive:
March 12-20	An invitation to respond online to the 2020 Census. (Some households will also receive paper questionnaires.)
March 16-24	A reminder letter.
	If you haven't responded yet:
March 26-April 3	A reminder postcard.
April 8-16	A reminder letter and paper questionnaire.
April 20-27	A final reminder postcard before we follow up in person.

We understand you might miss our initial letter in the mail.

- Every household that hasn't already responded will receive reminders and will eventually receive a paper questionnaire.
- It doesn't matter which initial invitation you get or how you get it—we will follow up in person with all households that don't respond.



MEMO

TO: Mayor and Commissioners

FROM: Tammie Carey, Community Development Director

DATE: July 2, 2019

RE: Hometown Harvest Dinner

The Franklin Simpson Farmers Market is making plans for the 2019 Hometown Harvest Dinner. It is scheduled for Friday, July 19th at 6:00 pm in the West Cedar Street Alley. The City took on an alley scape project after leasing the parking lot at the corner of High Street and Madison Street. The purpose of the alley project is to create a safe, inviting route for visitors and community members to get to our restaurants and shops downtown.

Kim Roberts, President of the Franklin-Simpson Farmers Market, will share at the Commission meeting about the dinner and the use of the parking lot and alley.



MEMO

TO: Mayor and Commissioners

FROM: Tammie Carey, Community Development Director

DATE: July 2, 2019

RE: Neighborhood Walk

In an effort to foster community involvement in city government, our second Neighborhood Walk for 2019 is scheduled for Monday, July 22nd.

Plans for the day include:

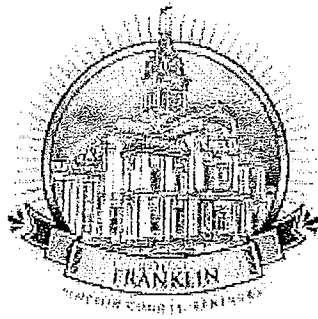
6:00 pm	Meet at the Gentleman's Unlimited Club Pavilion at Lincoln Park and Walk the Neighborhood
7:00 pm	Hold City Commission meeting at the Gentleman's Unlimited Club Pavilion at Lincoln Park.

Would like to invite the public and community to join us to walk an area that includes portions of John J. Johnson, Roosevelt Street, Brevard Street, Bell Street, Jackson Street, Jefferson Street, Pelham Street, and Walker Street. Then we would like to invite the public and community to join us for the commission meeting at 7:00 pm.

The Neighborhood Walk and Commission meeting will replace the meeting normally held at noon on that same day. In the event of inclement weather, the walk could be cancelled and the meeting held at 6:00 pm at City Hall.



GENERAL GOVERNMENT



MEMO

TO: Franklin City Commission and Simpson Fiscal Court
FROM: Scott Crabtree
DATE: June 25, 2019
SUBJECT: City Government Month

Attached is a resolution regarding civics education for which Mayor Dixon would like for the City to participate. It is regarding civics education in our public schools, connecting students and their families to vital city services and programs. Mayor Dixon would like to proclaim the month of September 2019 as City Government Month and have city officials and employees collaborate with local elementary schools to educate students about their city government.

RESOLUTION NO. F-2019

CITY OF FRANKLIN

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

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

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

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

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

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

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

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

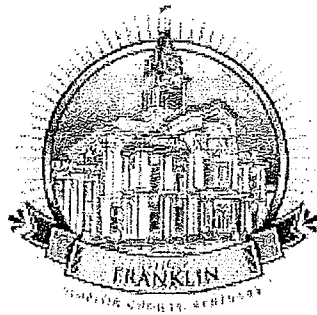
BE IT FURTHER RESOLVED, that city officials and employees are encouraged to collaborate with local elementary schools to educate students about their city government and to engage them in city services.

Dated this _____ day of July, 2019.

LARRY DIXON, MAYOR

ATTEST:

CATHY DILLARD, CITY CLERK



MEMO

TO: Mayor Larry Dixon and Commissioners
FROM: Scott Crabtree
DATE: June 24, 2019
SUBJECT: Ordinance Rezoning Three Parcels

Attached is an ordinance, along with its backup, rezoning 409 Hudspeth Avenue from I-1 (Light Industrial) to R-1 (Single Family); the vacant lot located on 403 Brick Street from I-1 (Light Industrial) to R-2 (Single Family and Two Family); and the 2.50 acre vacant lot located on Morris Street and Hudspeth Avenue from I-1 (Light Industrial) to R-1S (Single Family Residential). The requests are made by Wilburn Jackson, Trustee of the Nancy B. Jackson and Wilburn A. Jackson Trust. If the Commission approves, we will need two sponsors, and we can have First Reading under the Ordinance portion of the meeting.

Proposed Action: We need two sponsors for the attached ordinance.

ORDINANCE NO. 2019 - 016

AN ORDINANCE REZONING 409 HUDSPETH AVENUE FROM I-1 (LIGHT INDUSTRIAL) TO R-1 (SINGLE FAMILY); THE VACANT LOT LOCATED ON 403 BRICK STREET FROM I-1 (LIGHT INDUSTRIAL) TO R-2 (SINGLE FAMILY AND TWO FAMILY); AND THE 2.50 ACRE VACANT LOT LOCATED ON MORRIS STREET AND HUDSPETH AVENUE FROM I-1 (LIGHT INDUSTRIAL) TO R-1S (SINGLE FAMILY RESIDENTIAL)

WHEREAS, Wilburn Jackson, Trustee of the Nancy B. Jackson and Wilburn A. Jackson Trust, filed a petition to rezone three different parcels of land known as 409 Hudspeth Avenue, 403 Brick Street and a 2.50 acre vacant lot located on Morris Street and Hudspeth Avenue; and

WHEREAS, Wilburn Jackson, Trustee of the Nancy B. Jackson and Wilburn A. Jackson Trust desires to rezone 409 Hudspeth Avenue from I-1 (Light Industrial) to R-1 (Single Family) to make the property more productive for the community, and this change is appropriate and consistent with the use of this property and surrounding properties; and

WHEREAS, Wilburn Jackson, Trustee of the Nancy B. Jackson and Wilburn A. Jackson Trust desires to rezone 403 Brick Street from I-1 (Light Industrial) to R-2 (Single Family and Two Family) to make the property more productive for the community, and this change is appropriate and consistent with the use of this property and surrounding properties; and

WHEREAS, Wilburn Jackson, Trustee of the Nancy B. Jackson and Wilburn A. Jackson Trust desires to rezone the 2.50 acre vacant lot located on Morris Street and Hudspeth Avenue from I-1 (Light Industrial) to R-1S (Single Family Residential) to make the property more productive for the community, and this change is appropriate and consistent with the use of this property and surrounding properties; and

WHEREAS, a public hearing was held on April 9, 2019, after due public notice, in the manner provided by law; and

WHEREAS, the Planning & Zoning Commission recommended the granting of said zone changes as they are in agreement with the community's comprehensive plan;

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

1. 409 Hudspeth Avenue is granted a zone change from I-1 (Light Industrial) to R-1 (Single Family). A copy of the property description is attached hereto as Exhibit 1.

2. 403 Brick Street is granted a zone change from I-1 (Light Industrial) to R-2 (Single Family and Two Family). A copy of the property description is attached hereto as Exhibit 2.

3. A 2.50 acre vacant tract of land located on Morris Street and Hudspeth Avenue is granted a zone change from I-1 (Light Industrial) to R-1S (Single Family Residential). A copy of the property description is attached hereto as Exhibit 3.

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 City Commission of the City of Franklin, Kentucky, held on _____, on motion made by _____ and seconded by _____, the foregoing ordinance was adopted, after full discussion, by the following vote:

- _____ LARRY DIXON, MAYOR
- _____ JAMIE POWELL
- _____ BROWNIE BENNETT
- _____ WENDELL STEWART
- _____ HERBERT WILLIAMS

APPROVED BY:

Larry Dixon, Mayor

ATTEST:

Cathy Dillard, City Clerk

JACKSON RE-ZONING

I-1 to R-1

409 Hudspeth Ave.: PVA Map # 014-00-12-006.00

Certain real property situated in Franklin, Simpson County, Kentucky, in the New Town Addition to the City of Franklin, and more particularly described as follows:

First Tract: A certain house and lot of land lying and being in Franklin, Simpson County, Kentucky, in New Town and bounded thus:

Beginning at Marth Hudspeth's corner, the southwest corner, running thence west with a street or alley 67½ feet to a stake, corner to Lot No. 2; thence north to the line of Jess Bradley; thence about east 67 feet to Hudspeth's corner, now Phillips; thence south to the beginning.

Second Tract: Beginning at the southwest corner of Lot No. 1, running thence west along said street or alley 67½ feet to a Matilda Hudspeth's corner; thence north 106 feet; thence east 67½ feet to a stake, corner to Lot No. 1; thence south 105 feet to the beginning.

Being a part of the same property conveyed to Nancy B. Jackson and Wilburn A. Jackson, trustees of the Wilburn A. Jackson and Nancy B. Jackson Trust by Nancy Bailey Jackson and spouse, Wilburn A. Jackson by deed dated December 23, 2005, of record in Deed Book 262, Page 272, Simpson County Clerk's Office.

EXHIBIT 1

JACKSON RE-ZONING

I-1 to R-2

403 Brick Street; PVA Map # 014-00-12-004.00

A certain tract of land lying in Franklin, Simpson County, Kentucky and beginning at S. Browns corner now W. Drapers corner, north with 30 foot street 105 feet or thereabout; thence east 266 feet; thence south 105 feet to the beginning, being a part of Lot No. 5 in Mrs. Nancy Suddath's division of lots of her lands.

Being the same property conveyed to Nancy B. Jackson and Wilburn A. Jackson, Trustees of the Wilburn A. Jackson and Nancy B. Jackson Trust by Cicely Ellis, unmarried by deed dated August 11, 2008, of record in Deed Book 278, Page 265, Simpson County Clerk's Office. Nancy B. Jackson died and Wilburn A. Jackson now serves as sole trustee of the trust.

EXHIBIT 2

JACKSON RE-ZONING

I-1 to R1-S

Morris Street and Hudspeth Ave. Lot: PVA Map # 014-00-12-005.00

A certain tract of land lying in the New Town Addition to the City of Franklin described as follows:

Bounded on the west by lands of Ollie Gamble and Bradley, bounded on the north by Breckenridge Street, bounded on the east by a street or alley between this property and the property of Ed Payne, bounded on the south by Hudspeth Avenue, containing 2 acres, more or less.

All of the foregoing described property contains 2½ acres, more or less and by up-to-date boundaries is described as follows:

Bounded on the west by the property of Lula Bradley, and the property of Jess Bradley (now Jackson Trust), bounded on the north by Morris Street, bounded on the east by Hudspeth Avenue and bounded on the south by Hudspeth Avenue.

Being a part of the same property conveyed to Nancy B. Jackson and Wilburn A. Jackson, trustees of the Wilburn A. Jackson and Nancy B. Jackson Trust by Nancy Bailey Jackson and spouse, Wilburn A. Jackson by deed dated December 23, 2005, of record in Deed Book 262, Page 272, Simpson County Clerk's Office.

EXHIBIT 3

FRANKLIN-SIMPSON JOINT PLANNING & ZONING COMMISSION

In Re the Petition for Zone Change from I-1 (Light Industrial) to R-1 (Single Family), R-2 (Single Family and Two Family), and R1-S (Single Family Residential)

FINDINGS OF FACT, CONCLUSIONS OF LAW,
AND RECOMMENDATION FOR ZONE CHANGE

A public hearing was held before this Commission on April 9, 2019, beginning at the hour of 6:30 p.m. on the petition of Wilburn Jackson, Trustee of the Nancy B. Jackson and Wilburn A. Jackson Trust ("Petitioner") that 409 Hudspeth Avenue ("the Property") be re-zoned from I-1 to R-1 (Single Family). The Chairman of the Commission, Carter Munday, presided. A quorum of the Commission was present. The petitioner was represented by G. William Leach, Jr. The hearing was stenographically recorded by a licensed court reporter.

The Commission then proceeded to hear an opening statement from attorney Leach and testimony in favor of the zone change from representatives of the Petitioner. There was an opportunity for cross-examination; some questions were asked and answered.

Having heard testimony, having reviewed the petition for zone change, the exhibits presented, and having reviewed the Comprehensive Plan for Simpson County, Kentucky, Carter Munday moved, George Weissinger seconded, and the Commission voted 4 for and 1 against with 2 abstentions to recommend the zone change. In connection with the zone change, the Commission finds, concludes, and recommends the following:

FINDINGS OF FACT

I

All three tracts in question are owned by The Nancy B. and Wilburn A. Jackson Trust, of which Wilburn Jackson serves as Trustee. Wilburn Jackson along with his son, Kevin Jackson, testified in favor of the zone change.

II

All of the property requested for re-zoning is currently zoned I-1 (Light Industrial) even though all of the lands surrounding the property are residential in nature. The three tracts adjoin each other and form a large undeveloped body of land between Morris Street and Hudspeth Avenue.

III

The Petitioner seeks to re-zone 409 Hudspeth Avenue from I-1 to R-1 because it lies directly across the street from property currently zoned R-1, on which are very nice homes. The property is more suitable for single family residences than for industrial development.

IV

The Petitioner seeks to re-zone the large vacant lot at 403 Brick Street from Light Industrial to Single Family and Two Family residential districts, given the nature of the surrounding properties which generally are small single family residences on very small lots.

V

The Petitioner seeks to re-zone a 2.50 acre vacant lot on Morris Street and Hudspeth Avenue from Light Industrial to R-1S which is Single Family Residential on a lot smaller than an R-1 lot. Most of the residential lots in the area are already small lots.

VI

Apparently the property was originally zoned Light Industrial due to its proximity to the L&N Railroad Track. However, development of the area has not proceeded along an industrial line, but rather has proceeded along a residential line making the current zoning classification of all three lots inappropriate. For example, I-1 zoning would allow for light manufacturing, assembly plants, distribution, storage, warehousing, wholesale businesses, mini warehouses, adult oriented businesses, and other activities not appropriate for the area. Accordingly, the current zoning classification is inappropriate and the proposed zoning classification for residential is appropriate.

VII

Moreover, because development in the area has been more of a residential nature rather than the contemplated industrial development along the L & N Railroad, there have been major changes of an economic, physical or social nature within the area involved which were not anticipated in the adopted Comprehensive Plan and which have substantially altered the basic character of the area from industrial in nature to residential in nature.

VIII

All three tracts lie within the heart of the City of Franklin and all utilities are available. The lots are encircled by roadways so that access is easily available. While the Petitioner feels that the tract at 409 Hudspeth Avenue should be zoned R-1 for single family residences since it lies directly across the street from other nice single family residences, he believes that the remainder of the property is conducive to small single family dwellings or duplexes which will be very compatible with the area, in fact the new development would be very beneficial to the area.

IX

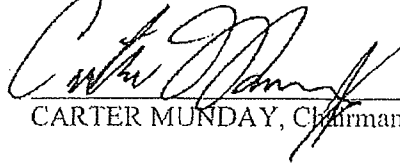
The commercial and industrial base of Franklin and Simpson County is growing, and efforts are underway to continue and accelerate the growth. Additional housing for the workers meeting the growth demand is essential and utilizing this area within the core of the City of Franklin is conducive with the Franklin Simpson County Comprehensive Plan Update of 2010 which touts the benefits of infill development. For example, at page 10-9, under the General Policies For Residential Development, it is stated that, "Complete neighborhoods, rather than monolithic subdivisions should be encouraged. Neighborhood designs should foster a mixture of compatibly scattered housing types on compact, urban lots." New residential development in the area will be a boost to the entire area, as it is in a generally declining state.

CONCLUSIONS OF LAW

The Light Industrial zoning classification of the subject property is inappropriate and given the history of the area and the nature of its growth, the proposed zoning classification changes to R-1, R-1S, and R-2 are appropriate. The zone changes are in order. The zone change requests meet the criteria of KRS 100.213 and § 10.7 of the Franklin-Simpson Zoning Regulations.

RECOMMENDATION

The Commission having adopted the foregoing Findings of Fact and Conclusions of Law, does now hereby recommend to the Franklin City Commission that the zone change requests be approved and that the property at 409 Hudspeth Avenue be re-zoned from I-1 to R-1, that the property at 403 Brick Street be re-zoned from I-1 to R-2, and that the property at Morris Street and Hudspeth Avenue approximately 2.50 acres in size be re-zoned from I-1 to R-1S. All three tracts are described in the attached Appendix.



CARTER MUNDAY, Chairman

JACKSON RE-ZONING

I-1 to R-1

409 Hudspeth Ave.; PVA Map # 014-00-12-006.00

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Second Tract: Beginning at the southwest corner of Lot No. 1, running thence west along said street or alley 67½ feet to a Matilda Hudspeth's corner; thence north 106 feet; thence east 67½ feet to a stake, corner to Lot No. 1; thence south 105 feet to the beginning.

Being a part of the same property conveyed to Nancy B. Jackson and Wilburn A. Jackson, trustees of the Wilburn A. Jackson and Nancy B. Jackson Trust by Nancy Bailey Jackson and spouse, Wilburn A. Jackson by deed dated December 23, 2005, of record in Deed Book 262, Page 272, Simpson County Clerk's Office.

JACKSON RE-ZONING

I-1 to R-2

403 Brick Street; PVA Map # 014-00-12-004.00

A certain tract of land lying in Franklin, Simpson County, Kentucky and beginning at S. Browns corner now W. Drapers corner, north with 30 foot street 105 feet or thereabout; thence east 266 feet; thence south 105 feet to the beginning, being a part of Lot No. 5 in Mrs. Nancy Suddath's division of lots of her lands.

Being the same property conveyed to Nancy B. Jackson and Wilburn A. Jackson, Trustees of the Wilburn A. Jackson and Nancy B. Jackson Trust by Cicely Ellis, unmarried by deed dated August 11, 2008, of record in Deed Book 278, Page 265, Simpson County Clerk's Office. Nancy B. Jackson died and Wilburn A. Jackson now serves as sole trustee of the trust.

JACKSON RE-ZONING

I-1 to R1-S

Morris Street and Hudspeth Ave. Lot; PVA Map # 014-00-12-005.00

A certain tract of land lying in the New Town Addition to the City of Franklin described as follows:

Bounded on the west by lands of Ollie Gamble and Bradley, bounded on the north by Breckenridge Street, bounded on the east by a street or alley between this property and the property of Ed Payne, bounded on the south by Hudspeth Avenue, containing 2 acres, more or less.

All of the foregoing described property contains 2½ acres, more or less and by up-to-date boundaries is described as follows:

Bounded on the west by the property of Lula Bradley, and the property of Jess Bradley (now Jackson Trust), bounded on the north by Morris Street, bounded on the east by Hudspeth Avenue and bounded on the south by Hudspeth Avenue.

Being a part of the same property conveyed to Nancy B. Jackson and Wilburn A. Jackson, trustees of the Wilburn A. Jackson and Nancy B. Jackson Trust by Nancy Bailey Jackson and spouse, Wilburn A. Jackson by deed dated December 23, 2005, of record in Deed Book 262, Page 272, Simpson County Clerk's Office.

Minutes of REGULAR MEETING
Franklin-Simpson Planning & Zoning Commission
Tuesday, April 9, 2019 6:30 pm.
City Hall Meeting Room, 117 West Cedar Street, Franklin, KY.

Members in attendance: Chairman Carter Munday, Vice Chairman Kent Wilson, Mark Andrews, Pat Jones, Gary Sliger, Debbie Thornton, George Weissinger

Members Absent: Chad Konow

Also Present: P&Z Attorney Bob Link, Building Inspector & Administrator Joe Perry, Administrative Assistant Julie Freeman, Kelly Gregory, David Carver, Gregory Rainey, Gary Dunning, and several residents and interested parties regarding the Wilburn Jackson zone change request

Chairman Munday called the meeting to order at 6:30 pm.

A motion was made by Chad Konow and seconded by Debbie Thornton to approve the minutes of the March 5th meeting. All members present voted in favor of the motion.

Kelly Gregory, Whitetail Properties, presented the preliminary subdivision plat of Whitetail Grove, six lots that is located in the 2000 block on the south side of Russellville Road. Although zoned R2 at their request, Mr. Gregory stated that there will be single family homes only on each lot and presented a list of the Restrictive Covenants which include: (1) space of each single family residence shall be no less than 1400 square feet, (2) exterior finish of each residence to be of modern material; foundation to be brick, (3) driveway of each residence shall be either concrete or asphalt, (4) set back and utility easements will be shown on plat, (5) each residence shall obtain a post office box, and (6) no parking of junked/inoperable vehicles, equipment, campers, etc., of any typed that can be parked on the lot or driveway.

A motion was made by Pat Jones and seconded by George Weissinger to approve preliminary subdivision plat for Whitetail Grove. All members voted in favor of the motion.

Gary Dunning, representing **Rolling Acres Subdivision**, bordered along **Roark Road and Kinnard Road** and owned by **Weldon Deweese**, presented the board with a plat amendment/lot line modification. The original plat, which was recorded on October 11, 1977, reveals Lots 19, 18, 17, 16, and 15, along Kinnard Road, were each recorded as having 117.50 feet of road frontage (requirement is 100 feet). However, Donald Wafford, owner of Lot 19 was deeded 29.4 feet of Lot 18 and Jackie Minnieks, owner of Lots 18 & 17 was deeded 22.16 feet of Lot 16, both without Board approval and plat modification at the time (1979). Therefore, lot lines shifted so that Lot 16 only had 95.34 feet of road frontage. In order to correct, Mr. Dunning explained, you would do so by taking Lot 16 with 95.34 feet of road frontage and Lot 15 with 117.50 feet if road frontage and adding those together for total of 212.84 feet, you would then divide by two in order to get each of these two lots with 106.42 feet of road frontage. In summary, remove the lot line between Lots 17 & 16, then amend the plat showing lot line between 16(A) and 15(A) being placed giving each one 106.42 of road frontage. There will be a vague change to Lot 14.

A motion was made by Debbie Thornton and seconded by Pat Jones to amend Rolling Acres Subdivision plat by removing the lot line between Lots 17 & 16, and moving the lot line between Lots 16(A) and 15(A) to give

them each 106.42 feet of road frontage, with a vague change to Lot (14A). All members voted in favor of the motion with the exception of Gary Sliger, who abstained.

Ruth Law, a resident of Roark Road whose right side yard joins the back of these lots that face Kinnard Road, asked if this was going to impact her property as well as the large field aka the "Johnson Place". Mr. Munday explained that the outer perimeter of the plat was not changing, just the lot lines in between these lots.

Patrick Garrett, representing **RKW**, presented the board with a site development plan for their expansion. The plan is for 31,000 square feet to be added at the back of the building in order to allow for a manufacturing line now and another later. Their retention basin currently is the site for the addition and therefore will have to be moved to the northeast corner (back) of the property. The design calls for a sloped roof as well as pipe carrying weather runoff from the building to the new basin. Mr. Munday shared with the board that the City's engineer has already review and certified RKW's water drainage report, and, with that said, suggested to the board that not only could they approve the preliminary at this time, but the final development plan as well.

A motion was made by Gary Sliger and seconded by Mark Andrews to approve the preliminary and the final development plan for the RKW expansion. All members voted in favor of the motion.

PUBLIC HEARING (Wilburn Jackson Properties located on or near to Hudspeth Street)

II to R1 for 409 Hudspeth, II to R2 for Brick Street, & II to R1S for Morris & Hudspeth Lot

Mr. Munday started the hearing off by stating to the audience that if the board votes in favor of the motion, it is just a recommendation to the City of Franklin. Mr. Link went on to say that one person speak at a time and that it was okay to ask questions. However, if anyone was going to make a statement, they would have to be sworn in by the court reporter.

Buddy Leach, counsel for the parcel owner, stated that he had 1 set of Findings of Fact and Conclusions of Law for all three zone requests and that he also had a set for each zone request (three findings). He then presented an aerial photo of Lot 12 of the PVA office (marked Exhibit A) as well as the colored map distinguishing the current zoning for these parcels as well as the zoning for surrounding parcels (marked Exhibit B). He pointed out to the east of these parcels on Hudspeth, the area is zone II (light industrial), and to the north and south is zoned R3 (residential, duplex, or multi). These three parcels are currently zoned II (light industrial) and have been since this area was mostly industrial many years ago. Mr. Jackson is seeking a zone change of R1 (single family) for 409 Hudspeth in order to complete the home remodel that is going on there. He is seeking R2 (single family & duplex) for the parcel at the corner of Morris and Brick Street, and he is seeking R1S (single family small lot) for the large parcel beginning at the northeast end of Morris and Hudspeth to allow for possible two smaller lot sizes. Mr. Jackson was sworn in and gave the following testimony: He married Nancy Bailey, a native of Simpson County now deceased, and these parcels were put into a trust after her father died in 1956. His intentions are to remodel the house at 409 Hudspeth immediately if the City passes the ordinance for the zone change and construct single family homes and one duplex because the area is now more residential than industrial.

Lawanda Jenkins, who lives at 407 Morris inquired about storm water drainage in the area which, according to her, is currently in need of attention. Mr. Munday stated that the Jacksons would have to file a preliminary plan with the City for approval. She also asked if, when they submit the plan, would the meeting be open to the public and Mr. Munday stated that it would be but the office would not be sending out notices to the adjoining landowners. Kent Wilson if she was concerned with a duplex constructed across the street from her; she stated that she was not but just concerned about the plumbing, water run-off, and heavy machinery. Mr. Wilson has some reservations that the request was for three difference zone requests and wondered why it couldn't be just

one and also building a duplex in an area that is single family structures only. He asked if the board had to make a recommendation all three to which Bob Link's reply was yes.

A motion was made by Carter Munday and seconded by George Weissinger to accept the Findings of Fact and Conclusions of Law and recommend to the City of Franklin the zone change for 409 Hudspeth from I1 to R1, I1 to R2 for parcel at the corner of Morris and Brick Street, and I1 to R1S for parcel that begins at northeast corner of Morris and Hudspeth Street. In Favor Of: Andrews, Jones, Weissinger, & Munday. Opposed: Wilson. Abstained: Sliger & Thornton. Four out of seven members in attendance voted in favor of the motion, therefore motion carries.

Mr. Munday announced that he has accepted position with the county as Planning & Zoning Administrator effective April 15th and therefore must resign as board chairman. He urged the board to hold a called meeting as soon as possible to discuss his replacement. He will continue to attend board meetings and will coach a new chairperson. Mr. Munday's current position as consultant will dissolve just prior to April 15th.

The board discussed how soon they could have a called meeting and, because it has to be advertised in the Franklin Favorite, the earliest they could meet would be Thursday, April 25th. Keep it on Tuesday night, and then decided to do so at 6:30 p.m.

He also discussed with the board current and future situations regarding people using motor homes (RVs) as a permanent dwelling and suggested that P&Z implement a type of permit with an expiration date for those who may need to use an RV for a temporary situation. Ms. Thornton suggested that the permit be good for three months with possible renewal. Mr. Link stated that the permit should be issued to the property owner only and reminded the board that regulations will need to be amended.

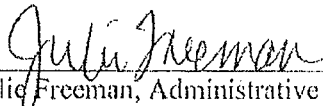
A motion was made by Deb Thornton and seconded by Gary Sliger to go into executive session.

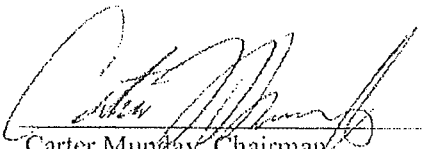
A motion was made by Deb Thornton and seconded by Pat Jones to come out of executive session.

No action was taken

A motion was made by Deb Thornton and seconded by Gary Sliger for the meeting to adjourn and did so at 8:26 p.m.

Respectfully Submitted by


Julie Freeman, Administrative Assistant


Carter Munday, Chairman

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FRANKLIN - SIMPSON COUNTY
PLANNING & ZONING COMMISSION

*** **

TRANSCRIPT OF PROCEEDINGS
DATE: APRIL 9, 2019

*** **

JAMES A. DALE, JR., REPORTER

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I N D E X

CALL TO ORDER AND APPROVAL OF MINUTES	3
WHITETAIL PROPERTIES	4
ROLLING ACRES SUBDIVISION	9
RKW PRELIMINARY DEVELOPMENT REVIEW	17
PUBLIC HEARING RE WILBURN JACKSON	23
WILBURN JACKSON	33
BY MR. LEACH:	33
BY COMMISSIONER THORNTON:	42
BY COMMISSIONER JONES:	42
BY MR. LINK:	43
KEVIN JACKSON	44
BY MR. LEACH:	44
BY MS. JENKINS:	45
Petitioner Exhibit A	29

18 Petitioner Exhibit B

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1 The TRANSCRIPT OF PROCEEDINGS, taken pursuant to
2 notice heretofore filed, in the City Hall Meeting Room,
3 117 West Cedar Street, Franklin, Simpson County,
4 Kentucky, on Tuesday, April 9, 2019, at 6:30 p.m.

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6 *** **

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8 A P P E A R A N C E S
9

10 Commissioners present:
11 Carter Munday, Chairman
12 Mark Andrews
13 Pat Jones
14 Kent Wilson
15 George Weisinger
16 Debbie Thornton
17 Gary Sliger

18 Staff Present:
19 Julie Freeman, Administrator
20 For the Franklin - Simpson County
21 Planning & Zoning Commission:
22 Robert Young Link
23 205 West Kentucky Avenue
24 P. O. Box 474
25 Franklin, KY 42135-0474

19
20 *** **

21 CALL TO ORDER AND APPROVAL OF MINUTES

22 CHAIRMAN MUNDAY: Call the meeting to order of
23 Franklin-Simpson Planning & Zoning at 6:30 p.m. on April
24 9th, 2019. On your advanced agenda I'm going to alter
25 this advanced agenda where we have three public hearings

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1 tonight on the first part of it.
2 Then we've got small, three other small items of
3 business. I'm going to go through the, bring the three
4 small items of business up first so we can get them out
5 of the way and then allow anybody else that comes here

6 for the public hearing some additional seating
 7 hopefully.
 8 Anyway the first item on the advanced agenda is
 9 the approval of the minutes of March 5th meeting. Floor
 10 is open for a motion.
 11 COMMISSIONER JONES: Make a motion to approve the
 12 minutes last week -- or last month's meeting.
 13 CHAIRMAN MUNDAY: Motion by Jones we approve the
 14 minutes of last month's meeting. Do I hear a second?
 15 COMMISSIONER WILSON: Second.
 16 COMMISSIONER THORNTON: As stated.
 17 CHAIRMAN MUNDAY: Second by Miss Thornton. All in
 18 favor. (Commissioners Indicating). Motion carries.
 19 Thank you, ladies and gentlemen.
 20 WHITETAIL PROPERTIES
 21 CHAIRMAN MUNDAY: Next item is Whitetail preliminary
 22 development on Russellville Road. We'll get into that.
 23 I think Mr. Gregory, are you here in representation of
 24 that?
 25 MR. GREGORY: Yes, sir.

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1 CHAIRMAN MUNDAY: In your packet you'll notice
 2 Whitetail Properties' plat. And basically you have the
 3 floor, Mr. Gregory. Field any questions from the board.
 4 MR. GREGORY: Sorry.
 5 CHAIRMAN MUNDAY: You're seeking a preliminary
 6 approval tonight on your --
 7 MR. GREGORY: Uh-huh.
 8 CHAIRMAN MUNDAY: Okay. Has everybody been able to
 9 find -- It's the plat with the long lots in design.
 10 MR. GREGORY: I've got a few bigger ones if you want
 11 to see the bigger ones.
 12 CHAIRMAN MUNDAY: If you've got a bigger one, we might
 13 be able to pass around, Mr. Gregory, so members can see
 14 it.
 15 MR. GREGORY: Yeah.
 16 CHAIRMAN MUNDAY: Let Bob and -- Any questions from
 17 the members of the board about it? The blocks on the
 18 drawing, I suppose, are the locations of houses? Blocks
 19 here are the locations of the residences?
 20 MR. On the: Yeah, uh-huh. Yeah. That's proposed
 21 locations anyway.
 22 CHAIRMAN MUNDAY: Okay.
 23 MR. GREGORY: Here's my restrictions that I'm planning
 24 on doing.
 25 MR. LINK: When you say each residence shall maintain

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1 a P. O. Box, what do you mean?

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2 MR. GREGORY: That's what we're hoping we can approve.
3 If they don't have a mail box strictly on Russellville
4 Road they have to have a P. O. Box.
5 MR. LINK: At the post office you mean?
6 MR. GREGORY: Yes, uh-huh.
7 COMMISSIONER THORNTON: Would they also have a
8 mailbox?
9 MR. GREGORY: No.
10 COMMISSIONER THORNTON: The concept is safer.
11 MR. GREGORY: The concept is safer to have a P. O.
12 Box.
13 COMMISSIONER THORNTON: Okay.
14 CHAIRMAN MUNDAY: Any other questions?
15 MR. LINK: On your drawing over here on the end of
16 each lot, is this a utility easement?
17 MR. GREGORY: No. It should be the ten foot.
18 MR. LINK: That's a setback line?
19 MR. GREGORY: Yeah, a setback. Uh-huh.
20 MR. LINK: Okay.
21 MR. GREGORY: Be ten foot from the sides, 25 front to
22 back.
23 COMMISSIONER THORNTON: [Unintelligible].
24 MR. GREGORY: Do what now?
25 MR. LINK: She was asking what kind of a setback line

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1 are you going to have.
2 COMMISSIONER THORNTON: Would the houses be --
3 MR. GREGORY: R-2 is 25 from the front, 25 from back,
4 ten on sides.
5 COMMISSIONER THORNTON: At least.
6 MR. GREGORY: Those would most likely be 75 at least,
7 because we wanted to line up with the trailers and
8 houses that's already there. Aside from this one. The
9 reason why that's got to be so far back, because the
10 power line runs through that corner. So there's no way
11 to get 25 feet up here. It has to be behind the power
12 line.
13 MR. LINK: Oh, is that what these boxes are?
14 MR. GREGORY: Yes.
15 MR. LINK: Proposed locations.
16 MR. GREGORY: Proposed location of each house, uh-huh.
17 Then things out to the left side of the proposed
18 driveways.
19 MR. LINK: Say that again.
20 MR. GREGORY: This here --
21 MR. LINK: Oh, that's the proposed driveways.
22 MR. GREGORY: Proposed driveways, uh-huh.
23 MR. LINK: Okay.

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24 COMMISSIONER THORNTON: Mr. Carver, are these houses
25 proposed to be the ones like that are on Witt Road?

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1 There are two there that have brick bases.

2 MR. CARVER: In our restrictions --

3 MR. GREGORY: Yeah. They'll be at least 1,400 square
4 feet.

5 COMMISSIONER THORNTON: Are those 1,400?

6 MR. CARVER: Yeah.

7 MR. CARVER: Yeah.

8 COMMISSIONER THORNTON: I looked, because you had told
9 me about, at the last meeting.

10 MR. CARVER: In our restrictions at least have some
11 brick or stone.

12 COMMISSIONER THORNTON: Concrete base and brick.

13 MR. GREGORY: Yeah. At least, yeah. Foundation has
14 to be brick, at least.

15 MR. CARVER: At least. The whole house can be but --

16 COMMISSIONER THORNTON: Yes, certainly.

17 MR. LINK: So if the board approves this preliminarily
18 tonight, then the next thing we have to do is get them
19 signed off to do all the utilities, correct?

20 CHAIRMAN MUNDAY: Yeah.

21 MR. LINK: Okay.

22 COMMISSIONER THORNTON: This is all on Warren Rural
23 Electric, this whole area.

24 MR. LINK: Uh-huh.

25 CHAIRMAN MUNDAY: Any other questions? We usually

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1 take a vote on preliminary. So wait. The floor is open
2 for a motion if there's no more questions.

3 COMMISSIONER JONES: Well, I make a motion we approve
4 this preliminary plat. All restrictions he's going to
5 do, everything we talked about we talked about a month
6 ago. So I make a motion we approve it.

7 COMMISSIONER WEISINGER: Second.

8 CHAIRMAN MUNDAY: Motion on the floor approve the
9 preliminary by Jones, second by Mr. Weisinger. All in
10 favor (Indicating). Motion carries.

11 MR. GREGORY: Thank you.

12 CHAIRMAN MUNDAY: Thank you, sir.

13 MR. GREGORY: Appreciate it, guys.

14 ROLLING ACRES SUBDIVISION

15 CHAIRMAN MUNDAY: Next we have Rolling Acres
16 subdivision. I think Mr. Dunning is here in
17 representation. Mr. Dunning, you have the floor.

18 MR. DUNNING: Thank you. Everybody got a copy of
19 this? Have you seen it?

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20 MS. FREEMAN: Here's a small copy.
21 CHAIRMAN MUNDAY: They're small copies. I think you
22 might want to show your larger copy, Gary.
23 MR. DUNNING: This is on Kinnard Road just off Roark.
24 What it is, it's an older subdivision that was approved
25 back in the '70s that's never developed. It's owned by

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1 Weldon DeWeese. It has lots that have been modified in
2 the past without coming to the Planning Commission.

3 They've got three lots existing frontage that
4 they would like to build houses on now. They had to do
5 a lot line removal to make the houses where they would
6 fit on the, you know, basically amending the lots to
7 make up for the lots that were previously changed.

8 There's a lot of subdivisions in town where
9 they've taken lots in the past and modified them and
10 never brought them to the board. And trying to just,
11 you know, since we're removing a line, it's something
12 that Joe couldn't approve inhouse. Took it to the
13 Planning Commission office, and he request we bring it
14 to a board meeting. Essentially just modifying three
15 lots.

16 COMMISSIONER JONES: Taking this lot line right here.

17 MR. DUNNING: Taking just a lot line out. 15-A and
18 16-A would be your two amended lots.

19 CHAIRMAN MUNDAY: Gary, could you explain that over
20 here just like you did over there, please?

21 MR. DUNNING: Sure, sure. Original lots were 117 feet
22 wide. Okay.

23 MR. LINK: We've got the old plat here.

24 MR. DUNNING: Right, right. This was approved back in
25 the '70s. And then this was deeded off by deed without

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1 any board approval. They deed off 22 feet of this lot.

2 COMMISSIONER THORNTON: Okay. 22.16.

3 MR. DUNNING: Right. And they've done that on a
4 couple of these other lots down here, too, which are
5 already owned by other people now.

6 These lots here are on frontage and had to be
7 reconfigured basically to have, you know, a legitimate
8 building lot.

9 COMMISSIONER THORNTON: Okay.

10 MR. LINK: Now, what is it they're asking for a lot
11 line removal of?

12 MR. DUNNING: Taking the original lot line out.

13 COMMISSIONER THORNTON: Which is this in the middle?

14 MR. DUNNING: Uh-huh. The original lot line.

15 MR. LINK: Here.

16 MR. DUNNING: Right. You're taking that lot line out
17 and making this lot bigger, this lot a little bit
18 smaller where you've got two to build on.

19 MR. LINK: The thing that I have brought up when I
20 heard this was on the agenda is, you know, with the laws
21 that we've got now as far as off-conveyances, I think
22 that this is going to have to be filed as an amended
23 plat on those two lots.

24 MR. DUNNING: Well, I think it says that on there, an
25 amendment plat and lot line removal. Or it should.

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1 MR. LINK: Okay. We just, our agenda just said lot
2 line modification.

3 MR. DUNNING: Right.

4 MR. LINK: So --

5 COMMISSIONER THORNTON: Is this county?

6 MR. LINK: This is in the county.

7 COMMISSIONER THORNTON: Will this remain an acre?

8 MR. LINK: Well, they're not an acre.

9 MR. DUNNING: But they have been approved in the past
10 without --

11 COMMISSIONER THORNTON: Granted.

12 MR. LINK: The whole subdivision has smaller than an
13 acre lot.

14 MR. DUNNING: Not every single lot but a lot of them
15 are.

16 COMMISSIONER THORNTON: Yeah. But you wouldn't --

17 MR. LINK: Well, I brought that up to say when we have
18 a motion, we need a motion really to approve this as an
19 amended plat instead of a lot line.

20 MR. DUNNING: Well, you're doing two things.

21 MR. LINK: Yeah.

22 MR. DUNNING: If it was just amending it, Joe would
23 approve that, but you're also removing a lot line. And
24 he wasn't comfortable with that without it coming to the
25 board.

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1 COMMISSIONER THORNTON: Yes, sir.

2 MR. DUNNING: That's why we're here.

3 MR. LINK: Well, what were you saying he could do?

4 MR. DUNNING: Well, we've done a few plat amendments.
5 We're just making a lot bigger. You know, but you're,
6 or adding something to it or taking some off where
7 you're not removing a lot line.

8 MR. LINK: All right.

9 MR. DUNNING: He's hesitant to issue a building permit
10 with anything close to an original lot line.

11 MR. LINK: Yeah. Are we really changing 14 at all? I

12 looked, compared --
 13 MR. DUNNING: Minimal. It's slightly changing.
 14 MR. LINK: All the measurements look the same.
 15 MR. DUNNING: Yeah.
 16 MR. LINK: Okay.
 17 COMMISSIONER THORNTON: Okay.
 18 CHAIRMAN MUNDAY: Any other questions for the board?
 19 COMMISSIONER THORNTON: I have a question for us.
 20 CHAIRMAN MUNDAY: Okay.
 21 COMMISSIONER THORNTON: So this is county, but this is
 22 a subdivision that has been approved.
 23 CHAIRMAN MUNDAY: Recorded, yes.
 24 COMMISSIONER THORNTON: So this is grandfathered in to
 25 county.

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1 CHAIRMAN MUNDAY: Yes.
 2 COMMISSIONER THORNTON: Okay. That's just for me to
 3 understand all of that.
 4 MR. DUNNING: Approved back in the late '70s.
 5 COMMISSIONER THORNTON: Absolutely. Sure.
 6 MR. LINK: Okay.
 7 COMMISSIONER THORNTON: I'll make a motion.
 8 CHAIRMAN MUNDAY: Okay. If there's no other
 9 discussion, the floor is open for a motion.
 10 FROM THE FLOOR: I've got some questions because this
 11 affected me, and I would like to understand it a little
 12 bit better. If that's possible.
 13 CHAIRMAN MUNDAY: Well, we wasn't planning on having a
 14 public hearing. I mean is that -- This wasn't --
 15 MR. LINK: We're open to the public. So, yes, if
 16 she's got a question, yeah.
 17 FROM THE FLOOR: How is that going to affect me? Are
 18 you going to make my lot smaller or larger or what?
 19 CHAIRMAN MUNDAY: Are you a neighbor?
 20 FROM THE FLOOR: Well, see --
 21 FROM THE FLOOR: Their land butts up against ours.
 22 CHAIRMAN MUNDAY: On the side or rear?
 23 FROM THE FLOOR: If you're coming on Kinnard Road, his
 24 field touches ours.
 25 MR. DUNNING: It's not changing your property at all.

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1 FROM THE FLOOR: Well, that's what I'm wanting to
 2 know.
 3 MR. DUNNING: No, no. The existing boundaries don't
 4 change. All that they're changing is some of the lots
 5 that are inside that subdivision that surround your
 6 property.
 7 CHAIRMAN MUNDAY: All this is within the platted, it's

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8 within. The outer perimeter does not change at all.

9 FROM THE FLOOR: Okay.

10 MR. DUNNING: Your property stays the same. Nothing
11 is changing.

12 FROM THE FLOOR: What about the big field there beside
13 of me? And I don't know who they are now.

14 FROM THE FLOOR: The old Sam Johnson place is what
15 she's asking about.

16 MR. DUNNING: That won't affect that. These are three
17 lots that front on Kinnard Road.

18 FROM THE FLOOR: Okay.

19 MR. DUNNING: They back up to your property, but
20 they're not -- What's changing on this plat amendment
21 and modification is not affecting your land at all other
22 than it abuts to it which is how it's always been.

23 FROM THE FLOOR: That's what I wanted to know. Thank
24 you.

25 MR. DUNNING: Sure.

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1 CHAIRMAN MUNDAY: All right. Anything else? The
2 floor is open for a motion.

3 COMMISSIONER THORNTON: I move we remove the lot lines
4 between 16-A and 15-A, remove the lot line and -- What
5 else are we looking to do?

6 MR. DUNNING: Amending the lots.

7 COMMISSIONER THORNTON: And amending the --

8 MR. LINK: And approve --

9 COMMISSIONER THORNTON: And approve the amended lot
10 lines.

11 MR. LINK: Lots 15-A and 16.

12 COMMISSIONER THORNTON: 15-A and 16-A.

13 CHAIRMAN MUNDAY: Okay. There's a motion on the floor
14 by Thornton. Do I hear a second?

15 COMMISSIONER JONES: Second.

16 CHAIRMAN MUNDAY: Second by Jones. All in favor
17 (Commissioners Indicating). Motion carries with one
18 absent.

19 COMMISSIONER SLIGER: (Nodding head affirmatively).

20 CHAIRMAN MUNDAY: Absentee vote. I believe you're
21 recusing yourself from voting. Is that correct?

22 COMMISSIONER SLIGER: Yes, sir.

23 CHAIRMAN MUNDAY: All right.

24 MR. DUNNING: Thank you very much.

25 MR. LINK: Thank you.

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1 MR. DUNNING: See you all.

2 RKW PRELIMINARY DEVELOPMENT REVIEW

3 CHAIRMAN MUNDAY: Next item, we have RKW preliminary

4 development review. Is anyone here in representation of
5 RKW?

6 MR. GARRETT: I am. I am manager of the project.

7 CHAIRMAN MUNDAY: Okay. Go ahead and you have the
8 floor. And share your drawing with the group. I've put
9 a small drawing in your packet. Your name.

10 MR. GARRETT: Patrick Garrett.

11 CHAIRMAN MUNDAY: Mr. Garrett.

12 MR. GARRETT: Yes.

13 CHAIRMAN MUNDAY: I know we've talked a lot back and
14 forth, email.

15 MR. GARRETT: Sure.

16 CHAIRMAN MUNDAY: In essence you've also got in there
17 a statement from Richard Jones that he's looked over it.
18 What I understand about it, they're moving, due to the
19 expansion of RKW that's in the north industrial park,
20 they're going to be building -- They're going to be
21 building over the top of their present day retention
22 basin.

23 And thereby they're going to move that over. And
24 what Mr. Jones is stating in there as far as our good,
25 on the preliminary review what we would look at in this

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1 instance here is just the water retention. And that's
2 what he's certified. You have the floor, Mr. Garrett.

3 MR. GARRETT: Yes. As I mentioned earlier we're doing
4 about a 31,000 square foot expansion on the southeast
5 side of the existing RKW facility. Our current plans
6 are to relocate the existing retention pond on the site.
7 I guess at this time we submitted our storm water
8 calculations and that for the review.

9 We've had a few comments that we will address in
10 regards to the planned erosion control planning. So we
11 know we have some changes to do there. The use of the
12 building is going to be kind of in line with what
13 they're doing currently.

14 It will be for manufacturing space for one line
15 currently and potentially a second line in the future.
16 Very minimal vehicle use area. Changes with the
17 exception of just an access road to the facility.
18 That's kind of it in a nutshell.

19 If there's any other specifics, I'm more than
20 happy to attempt to answer.

21 CHAIRMAN MUNDAY: Because the limited view that we
22 have this is a little different than what we would do
23 with a subdivision. Because of the limited view that we
24 have, being only water, I know you're agenda says
25 tonight preliminary. I would urge the board to consider

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1 the motion to be for preliminary and final.
2 MR. LINK: I can't tell where this is. We're not
3 seeing enough drawing here in this smaller version.
4 MR. GARRETT: Okay.
5 MR. LINK: I know this is in the north industrial
6 park.
7 MR. GARRETT: It is.
8 MR. LINK: Now, locate me here and show us -- Where
9 are we like with 31-W?
10 MR. GARRETT: Reasonover Drive is right here.
11 (Indicating). I'm actually not exactly sure where 31-W
12 is to be quite honest with you.
13 COMMISSIONER THORNTON: This one is Reasonover Drive
14 right through here. So that would be 31-W right there.
15 MR. GARRETT: This is Reasonover right here, that
16 bend. See it there. Yeah, from the railroad tracks
17 here on the back side of the property. And this is the
18 existing facility.
19 COMMISSIONER THORNTON: This is 31-W here.
20 MR. LINK: So this is the railroad back here?
21 COMMISSIONER THORNTON: This is 31-W here.
22 MR. LINK: I can't tell. Did he say this is the
23 railroad tracks?
24 COMMISSIONER THORNTON: This is the railroad tracks.
25 MR. GARRETT: Yeah, that's correct. The railroad

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1 tracks are back there.
2 MR. LINK: So they run north-south. Okay. So by
3 definition --
4 COMMISSIONER THORNTON: That's 31.
5 MR. LINK: Well, 31 is going to be way out here.
6 MR. GARRETT: Yeah.
7 MR. LINK: Now, is this shaded portion what they're
8 adding on?
9 MR. GARRETT: That's correct. That's the 31,000.
10 MR. LINK: And that goes over an existing --
11 MR. GARRETT: Detention pond.
12 MR. LINK: Detention pond.
13 MR. GARRETT: That will be relocating back to the
14 southeast portion of the facility.
15 MR. LINK: So we don't have a drawing of the new
16 retention pond.
17 MR. GARRETT: We do actually have that drawing. I'm
18 not sure if it's in your packet, but we do have a
19 drawing.
20 MS. FREEMAN: Here's a copy.
21 COMMISSIONER JONES: On this copy.

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22 CHAIRMAN MUNDAY: It's right here.
23 MR. GARRETT: Thank you very much.
24 COMMISSIONER THORNTON: Thank you, Julie.
25 MR. GARRETT: It should be sheet 101.

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1 MS. FREEMAN: (Indicating).
2 MR. LINK: Here's the pond. They're going to build
3 over it.
4 COMMISSIONER THORNTON: The new pond is out here.
5 MR. LINK: Now, this sheet she's given us, where is
6 the new pond?
7 MR. GARRETT: It's right there, this depression area.
8 So we're damming that area right there, providing a new
9 headwall. One of the comments we did get was because
10 they were worried the erosion of that, we're going to be
11 looking at potentially relocating that headwall so it's
12 not so close to the property line. But this right here
13 would serve as the new retention pond.
14 MR. LINK: Okay. Okay. So. If Carter said since
15 this is not a development plan, this is just modifying
16 that one aspect, we can probably do in this one meeting
17 if the board is so inclined.
18 COMMISSIONER THORNTON: As long as the retention pond
19 meets specifications.
20 CHAIRMAN MUNDAY: Any other questions from the board?
21 If not, the floor is open for a motion.
22 COMMISSIONER THORNTON: I would like to make sure we
23 have assurances that the retention pond would meet all
24 specifications.
25 CHAIRMAN MUNDAY: In your packet there's a letter from

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1 Richard Jones which is the city's engineer.
2 COMMISSIONER THORNTON: Okay. Thank you. I didn't --
3 CHAIRMAN MUNDAY: Okay.
4 COMMISSIONER ANDREWS: I've got one quick question.
5 In between the two existing buildings, is that going to
6 be like a sloped hill going both directions?
7 MR. GARRETT: It will be a depression. Essentially
8 we'll have a catch basin in that area to move water down
9 and to the detention pond.
10 COMMISSIONER JONES: You'll have a pipe going back to
11 the --
12 MR. GARRETT: To the pond, yes.
13 COMMISSIONER JONES: To the pond.
14 MR. GARRETT: That's correct. Kind of, I guess, where
15 you see the road is being extended. It would go out
16 tying into that one and go give back to the new proposed
17 pond.

18 COMMISSIONER ANDREWS: Okay.
 19 COMMISSIONER SLIGER: I make a motion we approve the
 20 preliminary development plan and the final development
 21 plan.
 22 CHAIRMAN MUNDAY: Motion on the floor by Sliger we
 23 grant preliminary and final. Do I hear a second?
 24 COMMISSIONER WILSON: Second.
 25 CHAIRMAN MUNDAY: Second by Andrew. All in favor.

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1 (Commissioner Indicating). Motion carries. Thank you.
 2 MR. GARRETT: Thank you very much.
 3 COMMISSIONER THORNTON: Thank you.
 4 MR. GARRETT: Thank you.
 5 PUBLIC HEARING RE WILBURN JACKSON
 6 CHAIRMAN MUNDAY: We will go right into next, starting
 7 with the public hearings. We have, let me spend a
 8 little bit here. I noticed -- How many here is here
 9 tonight in respect to the public hearings. (Audience
 10 Indicating). Raise your hand, please. Okay.
 11 If you're here in respect to that, how many here
 12 is in opposition to the proposed changes? Okay.
 13 FROM THE AUDIENCE: What's it zoned as of right now?
 14 CHAIRMAN MUNDAY: I-1.
 15 FROM THE AUDIENCE: Okay. What does I-1 mean?
 16 CHAIRMAN MUNDAY: It means industrial.
 17 FROM THE AUDIENCE: Okay. So it's been industrial all
 18 of these years.
 19 CHAIRMAN MUNDAY: Yes, ma'am. Sure has.
 20 FROM THE AUDIENCE: Could have put a factory up.
 21 CHAIRMAN MUNDAY: They could, yes.
 22 FROM THE AUDIENCE: We just have a few little
 23 questions but --
 24 CHAIRMAN MUNDAY: Well, may I suggest that you'll have
 25 opportunity with questions when testimony is brought

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1 forth and findings of fact and exhibits made by counsel
 2 for the petitioner. And you will get an opportunity to
 3 ask questions of any testimony that's brought forth of
 4 witnesses in due time.
 5 And then they'll, he'll be asked to cross-examine
 6 anything that you want to bring up for exhibit or
 7 anything like that as well. It's more of a judicial
 8 process, close to it. And then once everything is done,
 9 the petitioner, in this case I believe is Mr. Leach,
 10 will present the board with findings of fact.
 11 Board will take about five minutes to digest
 12 that, read through it. And then if there's no other
 13 discussion after that, then I'll ask the floor open to

14 be, you know, for a motion.
 15 And let me recommend this just so you'll know;
 16 what this board renders tonight is just a
 17 recommendation. In this case it will be for the city of
 18 Franklin. City Commission would be the final vote.
 19 They would have the first and second reading on it.
 20 So that's the way it goes. I mean we make the
 21 recommendation. That's all. Okay? All right.
 22 MR. LINK: Let me go on and point out, too, if you
 23 start talking -- We can only have one person speak at a
 24 time, because the court reporter cannot take down what
 25 two people are saying at once.

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1 If you are going to ask a question, that's a
 2 simple matter. If you are going to give testimony or
 3 argue to the board that this should not be granted,
 4 you're going to need to be sworn in so that any
 5 testimony you give is a sworn statement, again, that the
 6 court reporter can take down.
 7 So if you just have a simple question, that's one
 8 thing. If you're going to present evidence or argue,
 9 present facts that you want the board to consider,
 10 you're going to need to be sworn in. So that's all I'll
 11 add to that.
 12 FROM THE FLOOR: I've got one more question. What if
 13 you have multiple family members that you need to
 14 consult?
 15 MR. LINK: If they're not here --
 16 FROM THE FLOOR: No.
 17 MR. LINK: They're not.
 18 FROM THE FLOOR: Represent. So that's it.
 19 MR. LINK: Well, one person can present the argument
 20 just as well as five people presenting the same
 21 argument. I mean if you're against it, you would need
 22 to tell why and argue to the board why it should not be
 23 done. There's no point in having five people get up and
 24 say the very same thing.
 25 FROM THE FLOOR: I understand that.

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1 CHAIRMAN MUNDAY: Does that answer your question,
 2 ma'am?
 3 FROM THE FLOOR: Sort of.
 4 CHAIRMAN MUNDAY: Okay. Mr. Leach, I believe you're
 5 the petitioner.
 6 MR. LEACH: Mr. Chairman, members of the Commission,
 7 I'm Buddy Leach. And I represent Wilburn Jackson who's
 8 here tonight with his son Kevin. And he's the trustee
 9 of the Wilburn and Nancy Jackson Trust which owns the

10 property that we seek to rezone.

11 I guess point of order is whether we have one
12 public hearing or three, because the amount of property
13 to be rezoned is so small, if it's not all rezoned
14 residential, we really don't want to rezone any of it.
15 Because there wouldn't be enough left to actually use
16 for industrial purposes.

17 So I have findings prepared both ways. I have
18 three sets for each of the three public hearings, or I
19 have one set of findings if we can conduct it all
20 together.

21 CHAIRMAN MUNDAY: What's the --

22 MR. LINK: Well, I thought we were here for three
23 hearings, but I didn't realize -- Buddy, what else
24 around here is zoned industrial? We have a drawing.

25 MR. LEACH: I've got a map I'm going to present as an

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1 exhibit. Let you take a look there.

2 FROM THE AUDIENCE: Do you have more than one map?

3 MR. LEACH: Yes, ma'am.

4 MR. LINK: This has no street names. So I'm having a
5 little trouble figuring out where we are.

6 MR. LEACH: Here's the aerial photo. This has the
7 names. So block 12 is the property in question, and you
8 can see that basically to the west of the property is
9 I-1 along the railroad. And then R-3 to the north and
10 to the east and southeast.

11 MR. LINK: Now, is south of Hudspeth residential,
12 zoned residential?

13 MR. LEACH: Look at that out there. This one.

14 MR. LINK: See, it doesn't have a --

15 MR. LEACH: It's zoned industrial. There's R-1 just
16 to the south. This is our property.

17 MR. LINK: Is this us?

18 MR. LEACH: Yes, but not this one. Not this one.

19 MR. LINK: Okay. Not that.

20 MR. LEACH: Yeah. So this is -- We seek to rezone
21 this one R-1, R1-S, R-2; which she has here. But we
22 don't own that. It's such a small area. It needs to be
23 either all residential or remain industrial.

24 MR. LINK: I mean if we were zoning everything the
25 same, I would see why. What is the purpose of three

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1 separate zones for these things right together? Why are
2 we wanting to zone something R-2 versus R-1 versus
3 R-1-S?

4 MR. LEACH: Just to be compatible with the
5 neighborhood. The R-1 is in front of existing R-1. The

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6 R1-S is adjacent to R-3. And then the R-2 is across the
7 street from R-3. So it's really more compatible with
8 what's around it, do it that way.

9 MR. LINK: Okay. Well, I have no objection to it
10 being all in one hearing.

11 CHAIRMAN MUNDAY: Okay. Proceed on.

12 MR. LEACH: Okay.

13 FROM THE FLOOR: What are the R-1, 2, 3? What does
14 that mean?

15 MR. LINK: They're zoning classifications based on lot
16 sizes and single-family versus two-family.

17 MR. LEACH: It's going to be our goal to make this all
18 really clear with everybody here. I think you'll find
19 it's really clear once we get into it. So hopefully
20 we'll be able to do that.

21 What I, to get the board acclimated, I'd like to
22 pass out and make Petitioner's Exhibit A an aerial photo
23 of the area.

24 CHAIRMAN MUNDAY: Are you wanting to mark this an
25 exhibit?

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1 MR. LEACH: Uh-huh. Exhibit A.

2 CHAIRMAN MUNDAY: Mr. Dale, if you would mark this as
3 Exhibit A for the record, please.
4 (Petitioner Exhibit A was duly marked for
5 identification).

6 MR. LEACH: I've highlighted block 12. This is an
7 aerial photo from the city aerial map from the PVA
8 office. And what we're seeking to rezone is numbers
9 four, five and six in that rectangular block 12, not
10 seven. Mr. Jackson's trust doesn't own seven; but four,
11 five and six.

12 I'd like to make Petitioner Exhibit B the zoning
13 map of the area.

14 CHAIRMAN MUNDAY: Mr. Dale, if you, mark that for the
15 record Exhibit B, please.
16 (Petitioner Exhibit B was duly marked for
17 identification).

18 MR. LEACH: If you look at these together you'll
19 notice that along the railroad track to the east of it,
20 that's all zoned I-1 which is light industrial. To the
21 north of Morris Street it's zoned R-3 which is -- You
22 could have a four-plex there.

23 And to the east of Hudspeth it's also zoned R-3
24 which would allow for a four-plex. To the south of
25 Hudspeth there's a square there that's zoned R-1,

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1 single-family residence. Mr. and Ms. Bland live there.

2 I don't know if you're 400 or 402.

3 MS. BLAND: 402.

4 MR. LEACH: 402. Those are very nice homes. We drove
5 up there and looked. We thought it would be more
6 appropriate for there to be R-1 zoning right across from
7 their house. So there could be single-family residences
8 and that it be more compatible to do that.

9 The lot that's number five which I will refer to
10 as the vacant lot we seek to rezone R-1-S which is still
11 single family but on slightly smaller lots. You could
12 build one on a 70-foot wide lot.

13 If you look at the aerial photo a lot of the lots
14 are even narrower than 75 feet that were in the
15 neighborhood. So it would be compatible with what's
16 there already in terms of size of the lots.

17 And then property number four, we seek to make
18 that R-2 which would be single family or a duplex. But
19 there's R-3 right across the street where you could put
20 a four-plex if you wanted to. So we think that's
21 compatible. So that's the rationale for the three
22 different zoning classifications.

23 This property has been zoned industrial since the
24 regs were promulgated, I guess in 1972. And it's just
25 never developed that way. It's developed residential

00031

1 rather than industrial.

2 And I assume the industrial classification was
3 because it was adjacent to railroad tracks and for some
4 reason people thought there would be industrial
5 development along the tracks.

6 So we're seeking to actually make this
7 residential which I think is what most of you would like
8 and what you would all expected. But it's actually
9 zoned I-1. It's light industrial.

10 I'll read for you of what can go in an I-1 zone.
11 This is in the zoning regs section 8.15.1. That's the
12 purpose. And 8.15.2 is permitted uses. There's a whole
13 checklist of items.

14 General manufacturing, sales and construction,
15 warehousing and storage, public warehousing, mini
16 warehouses, an industrial park, adult oriented uses and
17 sexually oriented businesses. And then conditional uses
18 would be a machine shop, welding shop, fabrication,
19 contractor yards, most of which I don't think you'd want
20 to live next to.

21 So I guess on the one hand we feel like we might
22 be doing the neighborhood a favor by rezoning this to a
23 residential classification instead of an industrial

24 classification.

25 There's no immediate plans to develop up there.

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1 Mr. Jackson and his son are present, and they'll be
2 witnesses. But they'd like to get it in a position
3 where they can do that when they're ready.

4 All the utilities are available. Obviously
5 there's roads there, surrounded by roads. Any
6 development would be good for the neighborhood, I think,
7 because any development will be new. It will be good
8 for the area. But because the area is pretty small, if
9 it's not all zoned residential in one classification or
10 another we'd like to leave it I-1.

11 I notice from your new Comprehensive Plan there's
12 a long checklist of general policies for residential
13 development. I think this meets it, some of those
14 exactly.

15 It's stated that complete neighborhoods rather
16 than monolithic subdivisions should be encouraged.
17 Neighborhood design should foster a mixture of
18 compatibly scattered housing types on compact urban lots
19 which is what we propose here.

20 Then it goes on to say new urban residential
21 development should be designed in such a way that
22 provides choices of densities. Densities like we have
23 one house on a lot or a duplex on a lot or more each of
24 which are compatible with adjacent residential and
25 commercial areas. That's why we have three

00033

1 classifications. We're trying to make them just exactly
2 like what fits the area the most.

3 That's my opening statement. I'd like to call a
4 witness. I'll call Wilburn Jackson.

5 CHAIRMAN MUNDAY: Mr. Jackson, before you take the
6 chair I would ask you to be sworn in please, sir.

7 MR. LEACH: He's hard of hearing. So --

8 CHAIRMAN MUNDAY: Mr. Jackson, raise your right hand,
9 please, sir. Mr. Dale, if you would.

10 WILBURN JACKSON, called on behalf of the
11 Petitioner, being first duly sworn, was examined and
12 testified as follows:

13 E X A M I N A T I O N

14 BY MR. LEACH:

15 Q. You're Wilburn Jackson, aren't you?

16 A. Yes.

17 Q. And, Mr. Jackson, you were married to Nancy
18 Jackson, weren't you?

19 A. Yes.

20 Q. And Nancy was Nancy Bailey, wasn't she?
 21 A. Nancy Corene Bailey.
 22 Q. And she grew up here in Simpson County, didn't
 23 she?
 24 A. Yes, part of her life.
 25 Q. And the property that's in her trust, what, your

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1 wife, Nancy predeceased you, didn't she. Your wife is
 2 dead, isn't she?
 3 A. Yes, she's deceased.
 4 Q. She's deceased. But you put the property in this
 5 trust?
 6 A. Yes.
 7 Q. In the trust. Now, has this property been in
 8 Nancy's family for a long time?
 9 A. To my knowledge since about 1956, I believe.
 10 Q. So 50 or 60 years, and it's wound up in this
 11 trust now?
 12 A. No. We put it in the trust later after we were
 13 married, sometime after her father died. I believe
 14 that's right.
 15 Q. Okay. But you would like, you know, it's zoned
 16 I-1. You found out it's zoned light industrial, haven't
 17 you?
 18 A. Yes, I think.
 19 Q. And you'd like to rezone it to different
 20 classifications of residential for development?
 21 A. Yes. I think it would enhance the area.
 22 Q. And --
 23 A. Residential.
 24 Q. You've asked for R-1 which is single family, and
 25 that's on Hudspeth Street across from Mr. and Mrs. Bland

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1 and Mr. and Mrs. Savage, haven't you?
 2 A. Yes.
 3 Q. Then you've got a side lot that's vacant that
 4 overlooks some other vacant land. You're still looking
 5 for single family but on the smaller plots, correct?
 6 R-1-S?
 7 A. Yes.
 8 Q. And then the property on the south that borders
 9 Morris Street, that's across the street from R-3
 10 property, you'd like to rezone that R-2, wouldn't you?
 11 A. Yes.
 12 Q. Okay. Do you have any immediate plans to build
 13 up there?
 14 A. Only plan is to remodel the house first, and from
 15 there we'll lay the ground.

16 Q. For the plan.
 17 A. For the plan, yeah.
 18 Q. Over the years you've seen that area up there,
 19 haven't you, develop or not develop. It's developed
 20 more residential than it has industrial, hasn't it?
 21 A. Yes, it has. I'd like to keep it that way.
 22 Q. I think you're neighbors would like to keep it
 23 that way, too. And that's your intent, to make it all
 24 residential.
 25 A. Yes.

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1 MR. LEACH: Okay. I believe that's all.
 2 CHAIRMAN MUNDAY: Is there anyone here that would like
 3 to ask any questions, cross-examine the witness?
 4 FROM THE AUDIENCE: I'd like to ask, I seen the --
 5 CHAIRMAN MUNDAY: Just a minute. Just a minute. I'll
 6 need you to state your name for the name record, please.
 7 MS. JENKINS: My name is Luanda Jenkins. I live at
 8 407 Morris Street.
 9 CHAIRMAN MUNDAY: All right. Go right ahead.
 10 MS. JENKINS: Okay. My question is: Is it going to
 11 be immediate or something in the future for the housing
 12 to go up or the apartments or whatever it might be?
 13 Q. Did you hear her? She asked how soon before you
 14 plan to do something up there.
 15 A. I started remodeling the house with all
 16 situations. I will complete that house immediately.
 17 Then my son and family, we will do what's best to get
 18 the project started.
 19 Q. Okay. All right. Can you put it in terms of
 20 time, six months, a year, five years? This is talking
 21 about now just over on Morris Street?
 22 A. On Morris Street.
 23 Q. On the north side there.
 24 A. Once, once 409 is completed, I'll be in the
 25 process, my son and I, trying to move forward planning

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1 as soon as 409 is completed.
 2 MR. LEACH: Okay. 409 is the house that's under
 3 construction across the street from Mr. and Mrs. Bland.
 4 So he intends to complete that construction and then
 5 turn his attention over to Morris Street.
 6 CHAIRMAN MUNDAY: Does that answer your question,
 7 ma'am?
 8 MS. JENKINS: Somewhat. But I have, it's a little
 9 complicated on the questioning. But you said only ask
 10 one question at a time.
 11 CHAIRMAN MUNDAY: Well if you have another one, go

12 right ahead.

13 MS. JENKINS: Well, I don't know that they might know
14 this. But I'd like to know when all of this is going to
15 take place. Are we going to do something with the
16 drainage, the storm, drain? I'm having great issues
17 with that where I'm located.

18 And with all the plumbing and stuff that's
19 getting ready to go in, are we going to take care of all
20 of that? I mean whoever constructs it, is that going to
21 be in the plan? Do I have to --

22 CHAIRMAN MUNDAY: Well, the first step -- And I can
23 answer that for you. Because he's within the city of
24 Franklin, okay, there's an ordinance that, for that very
25 thing; that development, when they develop multiple

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1 lots, they have to file a plan to show where the water
2 is going to go from the construction.

3 And that comes before this very board in the
4 developmental plan like we looked at one or two of them
5 tonight. We look at those all the time, and we get
6 feedback from the city in their ordinance. So ordinance
7 has to be complied with.

8 And it's quite stringent. I mean it's not like,
9 I'm going to put the water over here. It has to be
10 flowage and calculated and everything associated with
11 that so that it stands flooding, withstands the
12 flooding, hundred-year flood.

13 And so I'm, rest assured that that will be
14 addressed but not here tonight, because we're discussing
15 zone change. Developmental phase comes later after the
16 zone change.

17 MS. JENKINS: Okay.

18 MR. LINK: Would this come back before us for any
19 reason? If he's got an existing lot that is zoned R-2
20 -- He's got an existing lot -- I don't think it would
21 back before us, would it?

22 MR. LEACH: Well, we would subdivide it, and then we'd
23 divide it into lots.

24 CHAIRMAN MUNDAY: Yeah.

25 MR. LINK: Oh, I didn't know that that was under

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1 discussion.

2 MR. LEACH: Well, it's really not.

3 CHAIRMAN MUNDAY: It's not tonight, but it could be
4 down the road.

5 MR. LINK: If they do multiple --

6 CHAIRMAN MUNDAY: Exactly. It could be a
7 developmental plan.

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8 MR. LINK: If they -- Okay.

9 CHAIRMAN MUNDAY: Of course, we can't dwell on that
10 tonight, because that's not the subject matter tonight
11 before us. Before us is: Should it be residential, or
12 should it remain the same as industrial. That's --

13 MS. JENKINS: I understand that. But I want everybody
14 to know that I'm the lowest line area housing in that
15 area. The water is flowing all on me. Something needs
16 to be done.

17 CHAIRMAN MUNDAY: Yes, ma'am. Anything else?

18 MS. JENKINS: I'm good.

19 CHAIRMAN MUNDAY: All right. Does anyone else have
20 anything?

21 COMMISSIONER WILSON: I'd just like to ask Mr. Leach,
22 I know she said she was 407. Can you tell, do you have
23 any idea of who like 308 is, 401, 403 and 405, are those
24 single family homes on those lots also?

25 MR. LEACH: I think they are. They would have gotten

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1 notice, certified mail notice of the hearing tonight
2 since they were across the street from it. But I don't
3 know who those folks are.

4 COMMISSIONER WILSON: But those are single family
5 homes on those lots?

6 MR. LEACH: Yes. Actually if you look at the zoning
7 map, you can see the see the, you can see the squares
8 there for the home. I think they're all single family,
9 but it's zoned R-3.

10 COMMISSIONER WILSON: Well, that's the only --

11 MS. BLAND: I can answer that, because I was raised
12 there. They're all single family.

13 CHAIRMAN MUNDAY: State --

14 MS. BLAND: Annie Bland.

15 CHAIRMAN MUNDAY: All right. Sorry.

16 MS. BLAND: And they are all single family. And my
17 only question was, which has already been answered; that
18 you're going -- What about the other lots? You all
19 grandfathered the zone change would apply to everything.
20 So that was going to be my only question since you don't
21 have to have multiple meetings. I was thinking, well,
22 I'll come back. But anyway --

23 COMMISSIONER THORNTON: I have a question.

24 MR. LINK: Is Kent through?

25 COMMISSIONER WILSON: Well, I was just going to say I

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1 don't, I personally don't have a problem with being
2 zoned residential. But I possibly do with that being
3 R-2 across the street from all single family homes. And

4 I also, I really don't see, I mean us making three
5 different zoning changes there.

6 I mean I can see it being one zone to like R-1
7 for all of them possibly. But I don't, I don't see us,
8 see the reason for having three different zoning
9 regulations here on that one property, especially across
10 from those. I don't see -- We would need to put
11 duplexes across from single family homes is my only
12 concern.

13 CHAIRMAN MUNDAY: Do you have any question for the
14 witness?

15 COMMISSIONER WILSON: No, sir.

16 CHAIRMAN MUNDAY: Does anyone have any other questions
17 for the witness?

18 COMMISSIONER JONES: I would just like to ask Mr.
19 Jackson --

20 MR. LEACH: Let me just respond to that. You know, if
21 one of those home -- And there are some, there is at
22 least one vacant lot there. You could build a four-plex
23 on it right now right next to your neighbor with no zone
24 change.

25 COMMISSIONER THORNTON: May I ask Mr. Jackson?

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1 CHAIRMAN MUNDAY: Are you going to ask Mr. Jackson?

2 COMMISSIONER THORNTON: Yes. I wanted to ask Mr.
3 Jackson.

E X A M I N A T I O N

5 BY COMMISSIONER THORNTON:

6 Q. Mr. Jackson, do you currently live at 409? You
7 said --

8 A. No. Live, no.

9 Q. But there is currently now a home there that you
10 are in construction on?

11 A. Yes.

12 Q. On 409. And it's a single family home there --

13 A. Yes.

14 Q. -- at 409. What is on the other two lots
15 currently?

16 A. Nothing.

17 Q. There's nothing on them. Okay. And nothing has
18 been for?

19 COMMISSIONER JONES: That's the question I wanted to
20 ask.

21 COMMISSIONER THORNTON: Yes.

E X A M I N A T I O N

23 BY COMMISSIONER JONES:

24 Q. So the house, that's when I drove up through
25 there. The house is sort of semi under construction.

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1 It looks like it's just been sitting there a while. You
 2 own that house right now?
 3 A. Yes, I do.
 4 COMMISSIONER JONES: Okay.
 5 COMMISSIONER THORNTON: Okay.
 6 CHAIRMAN MUNDAY: Any other questions for the witness?
 7 Mr. Jackson.
 8 MR. LINK: I'm curious about one thing.
 9 E X A M I N A T I O N
 10 BY MR. LINK:
 11 Q. Who owns this lot, Buddy, or Mr. Jackson, that's
 12 next to 409 that you said he doesn't own? Who owns
 13 that?
 14 A. The Bradley family.
 15 Q. The who?
 16 A. The Bradley family. It should be John Paul
 17 Bradley or Gladys Bradley. And they're since both
 18 deceased.
 19 Q. Okay.
 20 A. It may be under the William Bertha or Lela
 21 Bertha.
 22 Q. Okay. I was just curious, because it's zoned I-2
 23 also, I assume.
 24 MR. LEACH: I-1.
 25 MR. LINK: I-1.

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1 COMMISSIONER THORNTON: Are there any more questions
 2 for Mr. Jackson? If not --
 3 MR. LEACH: I am finished with this witness.
 4 CHAIRMAN MUNDAY: Okay. Mr. Jackson, you're excused.
 5 MR. LEACH: I'll call Kevin Jackson now.
 6 CHAIRMAN MUNDAY: Mr. Jackson, raise your right hand.
 7 Mr. Dale, if you'd swear him in, please.
 8 KEVIN JACKSON, called on behalf of the
 9 Petitioner, being first duly sworn, was examined and
 10 testified as follows:
 11 E X A M I N A T I O N
 12 BY MR. LEACH:
 13 Q. Kevin, are you the son of Wilburn Jackson?
 14 A. Yes, I am.
 15 Q. And you've been working with him on this project,
 16 haven't you? You're pretty familiar with the zone
 17 change request?
 18 A. Yes, that is correct.
 19 Q. And did you and your father talk about the three
 20 different classifications to try to put the right
 21 classification on the right property based on what's

22 it's across the street from and the area?
 23 A. Yeah. We've had many discussions on that trying
 24 to make sure that we categorize at on an area at least a
 25 zoning that we thought would be appropriate for the

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1 area.

2 Q. Okay. And given your younger age, probably if
 3 there's any development, you're going to be in on that,
 4 too, aren't you?

5 A. That is correct.

6 Q. Is there anything that I've said or that your
 7 father said that you disagree with or you'd want to
 8 explain any further?

9 A. Not. Everything you said is the truth.

10 Q. Okay.

11 A. And fact.

12 MR. LEACH: That's all the questions I have.

13 CHAIRMAN MUNDAY: Okay. Is there any questions from
 14 the group here for Mr. Jackson?

15 E X A M I N A T I O N

16 BY MS. JENKINS:

17 Q. The existing house, how long have you been
 18 working on that? It's been in bad shape for a little
 19 while?

20 A. Yes, ma'am. That is correct.

21 Q. Is that a priority to get that?

22 A. It is a priority. Once we get through the zoning
 23 part of it, we will go ahead and complete that portion
 24 for the house. Right now it's just sitting there still
 25 in partial construction.

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1 Q. Yeah. Besides these single family homes, do you
 2 have the two, three, four bedroom? How many square
 3 feet?

4 A. That's a little bit further downstream. We have
 5 not gotten that far in the planning. We're just trying
 6 to focus on the zoning, then the one house on 409. Then
 7 we'll start looking at developing and deciding what type
 8 of homes to put on those.

9 CHAIRMAN MUNDAY: That, Miss Doss, if I might add,
 10 that will be in the developmental phases of the rest of
 11 the property. Which if they're successful tonight in
 12 their petition, they'll have to file a developmental
 13 plan of what they're going to do that would consist of
 14 the water and where it's going to go and utility
 15 placement, the type of homes that you alluded to and
 16 what they may look like.

17 MS. JENKINS: Yeah. I'm sure the one that live there

18 don't want anything that's going to --
 19 CHAIRMAN MUNDAY: Sure.
 20 MS. JENKINS: That doesn't compare what they've built.
 21 CHAIRMAN MUNDAY: That's right. Does that answer your
 22 deposition?
 23 MS. JENKINS: Yeah.
 24 CHAIRMAN MUNDAY: Okay. Is there any other questions
 25 for the witness? From the board? Okay. Buddy.

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1 MR. LEACH: No other questions and no other witnesses.
 2 CHAIRMAN MUNDAY: Mr. Jackson, you're excused.
 3 THE WITNESS: Thank you.
 4 MR. LEACH: I have findings of all types. I've got
 5 one for each one, and I've got one for all three.
 6 CHAIRMAN MUNDAY: I've never had one like this. So --
 7 MR. LINK: Buddy, can I ask a question here that's
 8 dawned on me? Do we know anything dimensionally about
 9 these lots? Like 409, now as I understand as you're
 10 asking it to be zoned R-1, is it dimensionally
 11 sufficient for an R-1?
 12 MR. LEACH: It is. It's a large lot.
 13 CHAIRMAN MUNDAY: It is. I looked at it on -- I
 14 looked at all three lots on our GIS and did some
 15 measurements just on the system. And all lots comply
 16 with the minimum standards for each one of the zones.
 17 MR. LINK: That's the one where 409 is? Is a hundred
 18 feet of frontage and it is sufficient square footage --
 19 CHAIRMAN MUNDAY: Yes.
 20 MR. LINK: -- for an R-1?
 21 CHAIRMAN MUNDAY: Yeah.
 22 MR. LINK: Okay. That's what I wondered; is we were
 23 creating a lot that's --
 24 CHAIRMAN MUNDAY: Yeah. R-1 was -- And I'll read it
 25 out just for the record. The proposed R-1 lot is 162

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1 feet along Hudspeth and 128, 123 feet deep. And
 2 proposed R-2 lot is 258 feet along Morris and 135 feet
 3 along the adjacent vertical street.
 4 And then the proposed R-1-S lot is 241 and a half
 5 feet along Morris, 241 and a half feet along Hudspeth.
 6 Horizontal street is 216 feet.
 7 MR. LINK: Okay.
 8 CHAIRMAN MUNDAY: So there's plenty of room there.
 9 MR. LINK: And square footage, we meet the R-1
 10 requirement, I assume.
 11 CHAIRMAN MUNDAY: Yes.
 12 MR. LINK: Okay. I just didn't want us to create a
 13 lot that was illegal from the get-go.

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14 CHAIRMAN MUNDAY: That one R-1-S lot comes to 1.38
15 acres.
16 FROM THE AUDIENCE: I had a question.
17 CHAIRMAN MUNDAY: Yes, ma'am.
18 FROM THE AUDIENCE: The R-2 lot that face that's -- I
19 don't know if it's going to be a duplex or not. Would
20 the front face Morris Street instead of Brick?
21 CHAIRMAN MUNDAY: I don't know how to answer that one.
22 MR. LEACH: It's probably up to the engineer, but
23 there could be -- There could be one on Brick. But most
24 of the frontage is on Morris.
25 FROM THE AUDIENCE: Morris, because, you know, we have

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1 a little, try to get out that street now is kind of
2 tricky when they park their cars. That could cause --
3 Because Brick is a very small street. Morris was
4 accommodated better with the driveway. I just didn't
5 know.
6 CHAIRMAN MUNDAY: All right. Well, again, that very
7 thing would be looked at in the developmental phases.
8 Is there any other questions?
9 FROM THE FLOOR: Yes, I got one. When you all have
10 your all's next meeting, would residents be included?
11 Or is this just going to be privately by the people?
12 CHAIRMAN MUNDAY: It will be in open session just like
13 --
14 FROM THE FLOOR: It will be just like it is now?
15 CHAIRMAN MUNDAY: Yes, ma'am. We just don't go
16 through the notification, through that process like we
17 do with a hearing. You know, in other words, I believe
18 you all were notified by mail.
19 FROM THE FLOOR: Yes.
20 CHAIRMAN MUNDAY: Okay. We don't go through that.
21 You know, we publicize it as on the agenda in the
22 newspaper. And we meet every Tuesday -- First Tuesday
23 of the month every month. So if Mr. Jackson is ready
24 with some sort of developmental plan, then he'll ask to
25 be placed on the agenda.

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1 FROM THE AUDIENCE: Okay.
2 CHAIRMAN MUNDAY: You'll just have to read the paper.
3 I'm sorry.
4 FROM THE AUDIENCE: I don't even get a paper.
5 COMMISSIONER JONES: One other question. The house
6 that's under partial construction right now is on the
7 R-1 lot.
8 FROM THE AUDIENCE: Yes.
9 COMMISSIONER JONES: Am I correct on it?

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10 MR. JACKSON: Yes, sir.
11 COMMISSIONER THORNTON: That's already on I-1.
12 COMMISSIONER JONES: That's going to be the house on
13 the R-1 lot already. Correct?
14 MR. JACKSON: That is correct.
15 COMMISSIONER JONES: Okay.
16 COMMISSIONER THORNTON: Do you know how long that
17 these lots, the two lots have been vacant or in the,
18 like they fit now?
19 MR. LEACH: There's never been --
20 COMMISSIONER THORNTON: There's never been anything on
21 the two lots.
22 CHAIRMAN MUNDAY: I think since 1957 is his testimony.
23 MR. LEACH: It was farmland.
24 COMMISSIONER THORNTON: Really? Wow.
25 MR. LEACH: It was a donut hole inside residential.

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1 COMMISSIONER THORNTON: Really.
2 CHAIRMAN MUNDAY: Any other remarks need to be made?
3 If not Mr. Leach would like to tender his findings of
4 fact.
5 MR. LINK: Does the board want to discuss this among
6 themselves first before we review these? Comments? I
7 know Kent had some reservations.
8 CHAIRMAN MUNDAY: Okay. Mr. Leach, if you want to.
9 MR. LEACH: These are dated March 5, but I can change
10 the first page, we can just mark through March 5.
11 COMMISSIONER JONES: One other question. The little
12 corner lot that's not going to be rezoned, who owns that
13 little corner lot? Is it big enough to even build a
14 house on or anything?
15 FROM THE AUDIENCE: That's what I want to know.
16 MR. JACKSON: I don't know how big it was, but the
17 Bradley family --
18 COMMISSIONER JONES: So it's already zoned to what, an
19 R-2? Is it already zoned?
20 COMMISSIONER WILSON: That little island.
21 COMMISSIONER JONES: That's still I-1, that little lot
22 right there.
23 COMMISSIONER WILSON: Yeah.
24 COMMISSIONER JONES: Yeah, that little lot right,
25 right there.

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1 COMMISSIONER WILSON: I guess I have a question for
2 Miss Jenkins. If that's okay.
3 CHAIRMAN MUNDAY: Yeah.
4 COMMISSIONER WILSON: You live across from where
5 they're proposing to rezone it R-2 which potentially

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6 could be duplexes or -- Do you have an issue with there
7 being duplexes across from your house or not?

8 MS. JENKINS: Well, I don't have a problem with it, if
9 they're going to take care of all the plumbing and
10 whatever else. Because the main outside, the road ain't
11 handling it. The road is small. So I mean it's -- It's
12 complicated.

13 Sometimes you get machinery and heavy duty stuff
14 coming up through there. I mean you can get blocked
15 there and can't get out.

16 COMMISSIONER WILSON: Well, I just didn't know. Some
17 people have an issue that have their own family home.
18 They don't want -- I mean not to say there's bad people
19 live in duplexes, but you have more people there across
20 the street from you and it's a different type of housing
21 sometimes.

22 FROM THE AUDIENCE: It is.

23 COMMISSIONER WILSON: I didn't know if you were
24 opposed to that or not.

25 FROM THE AUDIENCE: I'm not fond of it. But I mean I

00053

1 can't keep anybody from putting what they want on their
2 property. But it's some shady stuff going on on these
3 little side streets.

4 COMMISSIONER THORNTON: You mean primarily with the
5 water retention and things like --

6 FROM THE AUDIENCE: Well, water retention. The
7 residential area where we used to know everybody, nobody
8 knows anybody in any more. And you got people creeping
9 at two and three and four o'clock in the morning.

10 COMMISSIONER THORNTON: Really?

11 FROM THE AUDIENCE: Yes.

12 COMMISSIONER THORNTON: My concern is primarily that
13 whatever is done will enhance the neighborhood. And I
14 know that that's -- I feel like that's what all of you
15 will want your property value to remain the same or be
16 lifted up.

17 FROM THE AUDIENCE: That's right.

18 COMMISSIONER THORNTON: So one hand if business
19 developed, it may lift it up. Right. And on the other
20 hand, yes. So --

21 FROM THE AUDIENCE: If it's developed like currently
22 it is, it may lift it up and look similar. We don't
23 want to build a nice big brick house and then have
24 something that's not comparable.

25 COMMISSIONER THORNTON: Right.

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1 FROM THE FLOOR: And there's people that's coming in

2 and going in the empty house over there. So they need
 3 to know that.
 4 COMMISSIONER THORNTON: Waters?
 5 FROM THE FLOOR: It would be good to get it built in
 6 the area.
 7 COMMISSIONER THORNTON: Yes, it would. I see. That's
 8 what --
 9 FROM THE FLOOR: Yeah.
 10 CHAIRMAN MUNDAY: Any other open discussion? Has
 11 everybody had time to read through these findings of
 12 fact presented by counsel for the petitioner?
 13 FROM THE AUDIENCE: I'd like a couple of those papers
 14 that you have if you have any extra, the little yellow
 15 map. I had one on both of them. The little black one,
 16 too.
 17 CHAIRMAN MUNDAY: If there's no other discussion,
 18 everybody has had time to read through the findings of
 19 fact, the floor will be open for a motion to --
 20 COMMISSIONER WILSON: I guess I have a question. Do
 21 we have to pass all three tonight, or can we just pass
 22 one or two of them here?
 23 MR. LINK: Well, we're having one hearing on the whole
 24 shebang as I understand it.
 25 CHAIRMAN MUNDAY: As presented.

00055

1 MR. LINK: So I think it's an all or nothing
 2 proposition.
 3 MR. LEACH: Yeah. That's the way we view it. It's so
 4 small. Part of it is zoned residential. The rest of it
 5 isn't big enough to do anything with from an industrial
 6 standpoint. So it needs to be all, one or the other.
 7 COMMISSIONER SLIGER: It ought to be all residential.
 8 CHAIRMAN MUNDAY: Any other discussion? I'll make a
 9 motion we accept the findings of fact as tendered
 10 because any change at this point moving from an I-1 is
 11 an improvement, knowing what I know can be put in an I-1
 12 zone.
 13 And I know those people would not appreciate
 14 having adult entertainment located in their
 15 neighborhood. Okay? That's got, let's cut the bleeding
 16 off. This does that tonight.
 17 COMMISSIONER WEISINGER: I'll second.
 18 CHAIRMAN MUNDAY: So motion by me, second by
 19 Weisinger. All in favor. (Commissioners indicating).
 20 Okay. That's one, two, three, four. All opposed?
 21 (Commissioner indicating). One opposed. And then --
 22 COMMISSIONER SLIGER: Abstaining.
 23 CHAIRMAN MUNDAY: Abstaining.

24 COMMISSIONER THORNTON: Abstain.
25 CHAIRMAN MUNDAY: Two abstain. So the motion passes,

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1 right?
2 MR. LINK: We have how many board members here? One,
3 two, three, four, five, six, seven. All right.
4 CHAIRMAN MUNDAY: We had four --
5 MR. LINK: And we have four for.
6 CHAIRMAN MUNDAY: Yes.
7 MR. LINK: Okay. So it passes.
8 CHAIRMAN MUNDAY: Motion passes. Thank you, ladies
9 and gentlemen. That ends this hearing. Give Mr. Dale
10 five minutes to polish up and exit. Thank you, sir.

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1 STATE OF KENTUCKY)
) SS.
2 COUNTY OF WARREN)
3 I, James A. Dale, Jr., a Notary Public, within and
4 for the State of Kentucky, do hereby certify that the
5 foregoing TRANSCRIPT OF PROCEEDINGS, was taken before me
6 at the time and place and for the purpose in the caption
7 stated; that the said witnesses were first duly sworn to
8 tell the truth, the whole truth and nothing but the
9 truth; that the Transcript of Proceedings was reduced to
10 shorthand writing by me in the presence of the
11 witnesses; that the foregoing is a full, true and
12 correct transcript of said proceedings so given; and
13 that the appearances were as stated in the caption.
14
15 I further certify that I am neither of kin nor of
16 counsel to either of the parties to this action, and am
17 in no wise interested in the outcome of said action.
18

040919TP

19 WITNESS MY SIGNATURE, this 22nd day of April, 2019.
20 My commission expires May 18, 2019.
21

22 Notary Public, Notary ID 442893
State at Large, Kentucky
23
24
25



MEMORANDUM

To: Mayor Larry Dixon and Commissioners

From: Kenton Powell, City Manager

Subject: Agreements for Services – Community Service Organizations

Date: July 3, 2019

The FY 2019-2020 budget approved funding for the following community service organizations. A new Agreement for Services for each organization is attached for your review and approval.

Boys & Girls Club of Franklin-Simpson	\$ 35,000.00
F S Chamber of Commerce	35,000.00
Southern KY Drug Task Force	20,000.00
Simpson County Friends of the Shelter	5,000.00
Simpson County Historical Society	5,000.00

In addition, the budget approved funding for Franklin-Simpson Parks & Recreation in the amount of \$225,000.00 but an agreement is not required for funding.

Proposed Motion: Recommend motion to approve the Agreements for Services for funding for the above community organizations and authorize the Mayor to sign the agreements on behalf of the City.

AGREEMENT FOR SERVICES

THIS AGREEMENT made and entered into on this _____ day of _____, 2019 by and between the CITY OF FRANKLIN, KENTUCKY, by and through its duly authorized and acting representative, hereinafter referred to as the "City", and the Boys & Girls Club of Franklin-Simpson, hereinafter referred to as the "**BOYS & GIRLS CLUB**".

WITNESSETH

WHEREAS, the City Commissioners of the City of Franklin, Kentucky, desire to enter into a contract with the **BOYS & GIRLS CLUB** for the public purpose of services provided by this agency to the citizens of the City of Franklin, Kentucky; and,

WHEREAS, the **BOYS & GIRLS CLUB** has agreed to provide the services set forth in this Agreement.

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

(1) Compensation.

The City agrees to pay the **BOYS & GIRLS CLUB** the sum of **Thirty-Five Thousand, Dollars (\$35,000.00)**, payable in four quarterly installments, for the services set forth in Section (2) of this Agreement during the contract term.

(2) Services.

- a.) One non-voting representative to be appointed by the City of Franklin shall serve on the Board of Directors of the **BOYS & GIRLS CLUB**; such representative to serve a two year term.
 - b.) The **BOYS & GIRLS CLUB** shall provide a safe place for the development and growth of youth in the City of Franklin, and other supportive services for the community in line with the mission of the organization.
 - c.) The **BOYS & GIRLS CLUB** shall develop and provide for the youth of our community programs which provide life-enhancing opportunities and character development experiences which will help our youth reach their full potential as productive and responsible citizens.
 - d.) The **BOYS & GIRLS CLUB** agrees to make a representative available, upon request, to attend City Commission meetings to inform the Commission of the duties and responsibilities of the **BOYS & GIRLS CLUB**, and further to educate the public as to the services available through the **BOYS & GIRLS CLUB** to the citizens of the City of Franklin
- (3) Assignment of Rights. The rights of each party under this Agreement are personal to that party and may not be assigned or transferred to any other person, firm, corporation, or other entity without the prior, express, and written consent of the other party.
- (4) Terms and Termination. This Agreement shall continue for one (1) year from **July 1, 2019** to and including **June 30, 2020**, and may not be renewed unless a new contract is issued by mutual consent of the other party.
- (5) Entire Agreement. This Agreement shall constitute the entire Agreement between the parties and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in this Agreement.
- (6) Modification of Agreement. Any modification of the Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if placed in writing and signed by each party or an authorized representative of each party.

- (7) No Waiver. The failure of the City to insist upon the performance of any of the terms and conditions of this Agreement or the waiver of any breach of any of the terms and conditions of this Agreement by the City, shall not be construed as thereafter being a waiver of any such terms and conditions, but the same shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.
- (8) Partial Invalidity. The invalidity of any portion of this Agreement will not and shall not be deemed to affect the validity of any other provision. In the event that any provision in this Agreement is held to be invalid by any court of competent jurisdiction, the parties agree that the remaining provisions shall be deemed to be in full force and effect.
- (9) Independent Contractor. The **BOYS & GIRLS CLUB**, in the performance of the work under and pursuant to this agreement, shall be an independent contractor and shall furnish at its own expense all workers, tools, and equipment necessary to perform such work. The City shall not have any supervision, direction, or control over the means or methods of the performance of the **BOYS & GIRLS CLUB** and shall have only the right to inspect the results of such work to assure full and complete performance by the **BOYS & GIRLS CLUB** under and pursuant to this Agreement.

IN WITNESS WHEREOF, each party to this Agreement has caused it to be executed at Franklin, Kentucky, on the ____ day of _____, 2019.

City of Franklin, Kentucky

Boys & Girls Club of Franklin-Simpson

By: _____

By: _____

Its: _____

Its: _____

ATTEST:

Cathy Dillard, City Clerk
City of Franklin, KY

AGREEMENT FOR SERVICES

THIS AGREEMENT made and entered into on this ____ day of _____, 2019 by and between the CITY OF FRANKLIN, KENTUCKY, by and through its duly authorized and acting representative, hereinafter referred to as the "City", and **FRANKLIN-SIMPSON CHAMBER OF COMMERCE**, 201 South Main Street, Franklin, Kentucky hereinafter referred to as "the Chamber".

WITNESSETH

WHEREAS, the City Commissioners of the City of Franklin, Kentucky, desire to enter into a contract with **the Chamber** for the public and corporate purpose of developing community relations and business interests for the City of Franklin, Kentucky; and,

WHEREAS, the City of Franklin has determined that it requires the services of **the Chamber** in providing the services set forth in this Agreement; and,

WHEREAS, **the Chamber** has agreed to provide the services set forth in this Agreement;

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

(1) Compensation. The City agrees to pay **the Chamber** the sum of **Thirty-Five Thousand Dollars (\$35,000.00)**, in four equal quarterly installments for the services set forth in Section (2) of this Agreement during the contract term.

(2) Services. **The Chamber** agrees to perform the following services for the City:

(a) Development and Distribution of Requested Promotional Material on the City of Franklin, Kentucky. **The Chamber** shall update and develop the editorial content of the portions of the Guide to Franklin-Simpson County that relate to the City of Franklin and prepare, update, and develop all general articles published in magazines and newspapers relating to the city of Franklin. The Chamber shall also design, update, and collect any pertinent printed information on the City of Franklin for distribution to prospective residents and business.

(b) Public Relations for the City of Franklin. **The Chamber** shall visit prospective businesses in other communities with or without representatives of the City and prepare for and respond to questions asked by the prospective business owners/directors. **The Chamber** shall also visit with prospective City residents and answer any and all questions relating to City services.

(c) Certify Community Partnership Program. **The Chamber** shall prepare and file any and all documents necessary to certify the Community partnership Program.

(d) Establish and Direct Community Visioning Program. **The Chamber**, through its employees, shall act as the director of the Community Visioning Program and perform all clerical work incidentals to the Program. In carrying out these responsibilities, **the Chamber** shall also be the City of Franklin's representative in the Community Visioning Program and **the Chamber** shall perform all duties incident thereto including, but not limited to maintaining contact between the Quality Council and the Hopkinsville and Knoxville TVA offices. The Chamber shall also be responsible for purchasing any and all supplies necessary to facilitate these duties with the money provided by the City through this Agreement.

(g) Membership in the Chamber of Commerce. **The Chamber** shall provide memberships for the City of Franklin, all City Commissioners, City Manager and the Mayor in the Chamber of Commerce.

(3) Assignment of Rights. The rights of each party under this Agreement are personal to that party and may not be assigned or transferred to any other person, firm, corporation, or other entity without the prior, express, and written consent of the other party.

(4) Terms and Termination. This Agreement shall continue for one (1) year from **July 1, 2019 to and including June 30, 2020**, and may not be renewed unless a new contract is issued by mutual consent of both parties.

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

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

(7) No Waiver. The failure of the City to insist upon the performance of any of the terms and conditions of this Agreement or the waiver of any breach of any of the terms and conditions of this Agreement by the City, shall not be construed as thereafter being a waiver of any such terms and conditions, but the same shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.

(8) Partial Invalidity. The invalidity of any portion of this Agreement will not and shall not be deemed to affect the validity of any other provision. In the event that any provision of this is held to be invalid by any court of competent jurisdiction, the parties agree that the remaining provisions shall be deemed to be in full force and effect.

(9) Independent Contractor. **The Chamber** in the performance of the services under and pursuant to this Agreement, shall be an independent contractor and shall furnish at its own expense all workers, tools, and equipment necessary to perform such services. City shall not have any supervision, direction, or control over the means or methods of the performance of **The Chamber's** work, and shall have only the right to inspect the results of such services to assure full and complete performance by **the Chamber** under and pursuant to this Agreement.

IN WITNESS WHEREOF, each party to this Agreement has caused it to be executed at Franklin, Kentucky, on the ____ day of _____, 2019.

City of Franklin, Kentucky

F-S Chamber of Commerce

By: _____

By: _____

Its: _____

Its: _____

ATTEST:

Cathy Dillard, City Clerk
City of Franklin, Kentucky

AGREEMENT FOR SERVICES

THIS AGREEMENT, made and entered into on this _____ day of _____, 2019 by and between the CITY OF FRANKLIN, KENTUCKY, by and through its duly authorized and acting representative, hereinafter referred to as the "City", and **SOUTH CENTRAL KENTUCKY DRUG TASK FORCE** hereinafter referred to as "**SCK DRUG TASK FORCE**".

WITNESSETH

WHEREAS, the City Commissioners of the City of Franklin, Kentucky, desire to enter into a contract with **SCK DRUG TASK FORCE**, for the public and corporate purpose of crisis intervention services; and,

WHEREAS, **SCK DRUG TASK FORCE** has agreed to provide the services set forth in this Agreement.

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

(1) Compensation. The City agrees to pay **SCK DRUG TASK FORCE** the sum of **Twenty Thousand Dollars (\$20,000.00)**, payable in four equal installments, for the services set forth in Section (2) of this Agreement during the contract term.

(2) Services.

- a.) **SCK DRUG TASK FORCE** agrees to perform public services for the City of Franklin to assist the City's residents in certain crisis situations.
- b.) **SCK DRUG TASK FORCE** agrees to make a representative available to attend City Commission meetings to inform the Commission of the duties and responsibilities of **SCK DRUG TASK FORCE** and to educate the public as to the services available to the citizens of the City of Franklin.

(3) Terms and Termination. This Agreement shall continue for one (1) year from **July 1, 2019 to and including June 30, 2020**, and may not be renewed unless a new contract is issued by mutual consent of the parties.

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

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

(6) No Waiver. The failure of the City to insist upon the performance of any of the terms and conditions of this Agreement or the waiver of any breach of any of the terms and conditions of this Agreement by the City, shall not be construed as thereafter being a waiver of any such terms and conditions, but the same shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.

(7) Partial Invalidity. The invalidity of any portion of this Agreement will not and shall not be deemed to affect the validity of any other provision. In the event that any provision of this is

held to be invalid by any court of competent jurisdiction, the parties agree that the remaining provisions shall be deemed to be in full force and effect.

(8) Independent Contractor. **SCK DRUG TASK FORCE**, in the performance of the work under and pursuant to this agreement, shall be an independent contractor and shall furnish at its own expense all workers, tools, and equipment necessary to perform such work. The City shall not have any supervision, direction, or control over the means or methods of the performance of **SCK DRUG TASK FORCE** work and shall have only the right to inspect the results of such work to assure full and complete performance by **SCK DRUG TASK FORCE** under and pursuant to this Agreement.

IN WITNESS WHEREOF, each party to this Agreement has caused it to be executed at Franklin, Kentucky, on the _____ day of _____, 2019.

City of Franklin, Kentucky

South Central Kentucky Drug Task Force

By: _____

By: _____

Its: _____

Its: _____

ATTEST:

Cathy Dillard, City Clerk
City of Franklin, KY

AGREEMENT FOR SERVICES

THIS AGREEMENT made and entered into on this _____ day of _____, 2019, by and between the CITY OF FRANKLIN, KENTUCKY, by and through its duly authorized and acting representative, hereinafter referred to as the "City", and **SIMPSON COUNTY FRIENDS OF THE SHELTER, INC.** herein referred to as "**SIMPSON COUNTY SHELTER**"

WITNESSETH:

WHEREAS, the City Commissioners of the City of Franklin, Kentucky, desire to enter into a contract with **SIMPSON COUNTY SHELTER** for the public purpose of services provided by this agency to the citizens of the City of Franklin, Kentucky; and,

WHEREAS, **SIMPSON COUNTY SHELTER** has agreed to provide the services set forth in this Agreement.

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

1. Compensation. The City agrees to pay **SIMPSON COUNTY SHELTER** the sum of **Five Thousand Dollars (\$5,000.00)** for the services set forth in Section (2) of this Agreement during the contract term.
2. Services.
 - a. **SIMPSON COUNTY SHELTER** shall continue to operate the Simpson County Animal Shelter in Franklin, Kentucky and provide animal shelter services to the residents of Franklin.
 - b. **SIMPSON COUNTY SHELTER** shall designate a representative to appear before the City Commission, at the Commission's request, to report on the status of the organization and/or report on upcoming events.
3. Assignments of Rights. The rights of each party under this Agreement are personal to that party and may not be assigned or transferred to any other person, firm, corporation, or other entity without the prior, express, and written consent of the other party.
4. Terms and Termination. This Agreement shall continue for one (1) year from **July 1, 2019 to and including June 30, 2020**, and may not be renewed unless a new contract is issued by mutual consent of both parties.
5. Entire Agreement. This Agreement shall constitute the entire Agreement between the parties and any prior understanding or representation of any kind preceding the date of

this Agreement shall not be binding upon either party except to the extent incorporated in this Agreement.

6. Modification of Agreement. Any modification of the Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if placed in writing and signed by each party of an authorized representative of each party.
7. No Waiver. The failure of the City to insist upon the performance of any of the terms and conditions of this Agreement or the waiver of any breach of any of the terms and conditions of this Agreement by the City, shall not be construed as thereafter being a waiver of any such terms and conditions, but the same shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.
8. Partial Invalidity. The invalidity of any portion of this Agreement will not and shall not be deemed to affect the validity of any other provision. In the event that any provision of this is held to be invalid by any court of competent jurisdiction, the parties agree that the remaining provisions shall be deemed to be in full force and effect.
9. Independent Contractor. **SIMPSON COUNTY SHELTER** in the performance of the services under and pursuant to this Agreement, shall be an independent contractor and shall furnish at its own expense all workers, tools, and equipment necessary to perform such services.

The City shall not have any supervision, direction, or control over the means or methods of the performance of **SIMPSON COUNTY SHELTER**, and shall have only the right to inspect the results of such services to assure full and complete performance by **SIMPSON COUNTY SHELTER** under and pursuant to this Agreement.

IN WITNESS WHEREOF, each party to this Agreement has caused it to be executed at Franklin, Kentucky, on the _____ day of _____, 2019.

Larry Dixon, Mayor
City of Franklin, KY

Simpson County Friends of the Shelter, Inc.

By: _____

Title: _____

ATTEST:

Cathy Dillard, City Clerk
City of Franklin, KY

AGREEMENT FOR SERVICES

THIS AGREEMENT made and entered into on this ____ day of _____, 2019, by and between the CITY OF FRANKLIN, KENTUCKY, by and through its duly authorized and acting representative, hereinafter referred to as the "City", and **SIMPSON COUNTY HISTORICAL SOCIETY, INC.**

WITNESSETH:

WHEREAS, the City Commissioners of the City of Franklin, Kentucky, desire to enter into a contract with **SIMPSON COUNTY HISTORICAL SOCIETY, INC.** for the public purpose of services provided by this agency to the citizens of the City of Franklin, Kentucky; and,

WHEREAS, **SIMPSON COUNTY HISTORICAL SOCIETY, INC.** has agreed to provide the services set forth in this Agreement.

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

- (1) Compensation. The City agrees to pay **SIMPSON COUNTY HISTORICAL SOCIETY, INC.** the sum of **Five Thousand Dollars (\$5,000.00)** for the services set forth in Section (2) of this Agreement during the contract term.
- (2) Services. **SIMPSON COUNTY HISTORICAL SOCIETY, INC.** shall provide opportunities for citizens to experience artistic and cultural events, and shall designate a representative to appear before the City Commission, at the Commission's request, to report on the status of the organization and/or report on upcoming events.
- (3) Assignments of Rights. The rights of each party under this Agreement are personal to that party and may not be assigned or transferred to any other person, firm, corporation, or other entity without the prior, express, and written consent of the other party.
- (4) Terms and Termination. This Agreement shall continue for one (1) year from **July 1, 2019 to and including June 30, 2020** and may not be renewed unless a new contract is issued by mutual consent of both parties.
- (5) Entire Agreement. This Agreement shall constitute the entire Agreement between the parties and any prior understanding or representation of any kind preceding the date of this Agreement shall not be binding upon either party except to the extent incorporated in this Agreement.

- (6) Modification of Agreement. Any modification of the Agreement or additional obligation assumed by either party in connection with this Agreement shall be binding only if placed in writing and signed by each party of an authorized representative of each party.
- (7) No Waiver. The failure of the City to insist upon the performance of any of the terms and conditions of this Agreement or the waiver of any breach of any of the terms and conditions of this Agreement by the City, shall not be construed as thereafter being a waiver of any such terms and conditions, but the same shall continue and remain in full force and effect as if no such forbearance or waiver had occurred.
- (8) Partial Invalidity. The invalidity of any portion of this Agreement will not and shall not be deemed to affect the validity of any other provision. In the event that any provision of this is held to be invalid by any court of competent jurisdiction, the parties agree that the remaining provisions shall be deemed to be in full force and effect.
- (9) Independent Contractor. **SIMPSON COUNTY HISTORICAL SOCIETY, INC.** in the performance of the services under and pursuant to this Agreement, shall be an independent contractor and shall furnish at its own expense all workers, tools, and equipment necessary to perform such services.

The City shall not have any supervision, direction, or control over the means or methods of the performance of **SIMPSON COUNTY HISTORICAL SOCIETY, INC.**, and shall have only the right to inspect the results of such services to assure full and complete performance by **SIMPSON COUNTY HISTORICAL SOCIETY, INC.** under and pursuant to this Agreement.

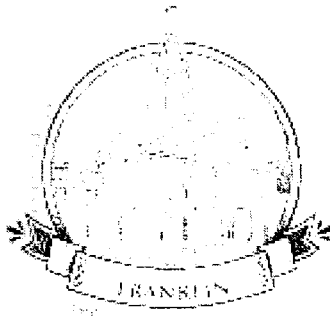
IN WITNESS WHEREOF, each party to this Agreement has caused it to be executed at Franklin, Kentucky, on the ____ day of _____, 2019.

Larry Dixon, Mayor
City of Franklin, KY

James Henry Snider, President/CEO
Simpson County Historical Society, Inc.

ATTEST:

Cathy Dillard, City Clerk
City of Franklin, KY



July 5, 2019

Memorandum

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

From: Rita Vaughn, Personnel Director

Re: Discussion and/or Possible Action Regarding Personnel Policy Revision

Currently, the effective date for employee health and vision insurance is the first of the month following their full-time hire date. For dental insurance, life insurance and accidental death and dismemberment, the effective date is 90 days following their full-time hire date. To simplify the management of these benefits, we have recently discussed changing the effective dates for dental, life insurance, and accidental death and dismemberment to the same as health and vision, making all employee insurance benefits effective the first of the month following their full-time hire date. With the change this fiscal year to KLC's employee benefit portal, this would help to streamline the insurance billing and record keeping.

If approved, we will need a motion to authorize this change in the Personnel Policies and Procedures making employee health, vision, dental, life insurance and accidental death and dismemberment all effective the first of the month following the employees' full-time hire date.

ORDINANCES

ORDINANCE NO. 2019-015

**ORDINANCE ANNEXING TO THE CITY OF FRANKLIN, KENTUCKY
APPROXIMATELY 5.39 ACRES LOCATED ON PEDEN MILL ROAD, BEING
CONTIGUOUS TO THE EXISTING CITY LIMITS OF FRANKLIN, KENTUCKY IN
ACCORDANCE WITH THE COMPREHENSIVE PLAN OF ANNEXATION**

WHEREAS, heretofore, the City of Franklin, Kentucky adopted a Comprehensive Plan of Annexation; and

WHEREAS, the Board of Commissioners has determined that the hereinafter described territory is urban in character, and/or suitable for development for urban purposes, by reason of population density, commercial, industrial, and/or subdivision of land; and

WHEREAS, the Board of Commissioners has determined that no part of the area to be annexed shall be included in the boundary of another city; and

WHEREAS, the owner of record of the land to be annexed has given prior written consent to the annexation; and

WHEREAS, pursuant to KRS 81A.412, the City may enact a single ordinance finally annexing the land described in the ordinance and all waiting periods and notice requirements shall not be required; and

NOW, THEREFORE, BE IT ORDAINED by the City of Franklin, Kentucky, acting by and through its Board of Commissioners, that pursuant to the provisions of KRS 81A.412 and/or KRS 81A.420, the City of Franklin hereby annexes the following described unincorporated area and makes it a part of the City of Franklin, Kentucky:

SEE PROPERTY DESCRIPTION AND MAP ATTACHED COLLECTIVELY AS
EXHIBIT 1 AND INCORPORATED HEREIN BY REFERENCE

This ordinance shall take effect upon its passage, approval, and publication. 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 holding shall not affect the validity of the remaining portions.

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

June 24, 2019 - FIRST READING

July 8, 2019 - SECOND READING

At a meeting of the Board of Commissioners of the City of Franklin, Kentucky, held on July 8, 2019, on motion made by Commissioner _____ and seconded by Commissioner _____, the foregoing ordinance was adopted, after full discussion, by the following vote:

_____	JAMIE POWELL
_____	HERBERT WILLIAMS
_____	BROWNIE BENNETT
_____	WENDELL STEWART
_____	MAYOR LARRY DIXON

APPROVED BY:

Larry Dixon, Mayor
City of Franklin, Kentucky

ATTEST:

Cathy Dillard, City Clerk
City of Franklin, Kentucky

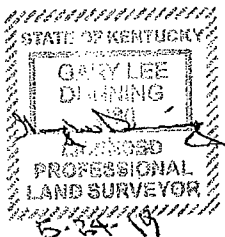
EXHIBIT 1

Dunning Land Surveying

Description of a 5.39 acre tract to be annexed

The following paragraph describes a tract of land in Simpson County, Kentucky adjoining the present city limits of Franklin on Peden Mill Road; a portion of the same property conveyed to SAV Investments, LLC by deed of record as recorded in Deed Book 332 Page 90 of the public records of the Simpson County Clerk's Office; said premises being more particularly described as follows:

Beginning at an iron pin found #1859 in the southerly right of way of Peden Mill Road (approximately 30 feet from centerline), a corner to the existing city limits of Franklin at the northwesterly corner of the SAV Investments, LLC property as appears in Deed Book 332 Page 90 and corner to the William Wayne Powell property as described in Deed Book 222 Page 685; said pin is also the northwesterly corner of Tract 2 as shown in Minor Plat Book 1 Page 71; thence along the meanders of the southerly right of way of Peden Mill Road the following two calls; along the arc of a curve to the left, having a field radius of 1462.39 feet, a chord bearing of North 79 degrees 37 minutes 10 seconds East a chord distance of 226.83 feet (arc length=227.06') to an iron pin found #1859 at a point of tangent; thence North 75 degrees 10 minutes 17 seconds East a distance of 48.29 feet to an iron pin found #3290 at a corner of the CSX Transportation, Inc. property (Deed Book 321 Page 459, Tract 1 of Minor Plat Book 1 Page 71); thence leaving said road along the line of CSX Transportation, Inc. South 25 degrees 55 minutes 39 seconds East a distance of 914.21 feet to an iron pin found #1859 at a corner with the SAV Investments, LLC property as described in Deed Book 267 Page 670, and a corner to the existing city limits of Franklin; thence along the lines of SAV Investments and the existing city limits South 61 degrees 30 minutes 18 seconds West a distance of 229.93 feet to an existing king post with a witness iron pin found #3290 at base; thence continuing along the existing city limits and the line of SAV Investments and William Wayne Powell, North 28 degrees 00 minutes 47 seconds West a distance of 995.26 feet to the point of beginning. Surveyed parcel contains 5.39 acres more or less to be annexed into the city of Franklin and is subject to all legal conditions and easements of record. This description is based on an actual field survey performed by Gary Lee Dunning, Kentucky Registered Land Surveyor #3290 in May of 2019. Basis of bearing for this description is grid North, Kentucky South Zone, Lambert projection. Unless stated otherwise, all iron pins set this survey are 5/8" x 18" rebar with plastic identification cap stamped "Dunning #3290".

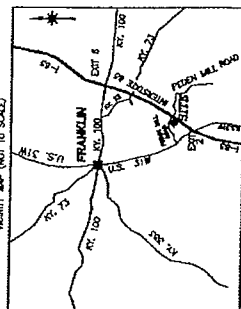


1212 Neosho Road Franklin, Kentucky 42134 * Phone (270) 586-8286 * dunn4@bellsouth.net

ANNEXATION PLAT OF A 5.39 ACRE PARCEL TO BE ANNEXED INTO THE CITY OF FRANKLIN, KENTUCKY SITUATED ON PEDEN MILL ROAD IN SIMPSON COUNTY, KENTUCKY ADJACENT TO THE EXISTING CITY LIMITS OF FRANKLIN

SOURCE OF TITLE : DEED BOOK 332 PAGE 90
SIMPSON COUNTY, KENTUCKY COUNTY CLERK RECORDS
MAP REFERENCE: MAP 43 PARCEL 7.0
SIMPSON COUNTY, KENTUCKY P.V.A. RECORDS
PRESENT OWNER: SAV INVESTMENTS, LLC

DATE: MAY 24, 2019
PRESENT ZONING: AG
PRESENT USE: AG



- MONUMENT CORNER LOCATED BY CONVENTIONAL TOTAL STATION SIGHTS FROM GPS CONTROL
- MONUMENT IRON PIN SET UNLESS SHOWN OTHERWISE
- MONUMENT MONUMENT CORNER MONUMENT NOT SET

SUBJECT TO ALL LEGAL CONDITIONS
AND EASEMENTS OF RECORD.

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

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

GPS PORTIONS OF SURVEY WERE PERFORMED WITH TRIMBLE 5602
DUAL FREQUENCY RECEIVER, STATIC BASE AND RTK MODE.
ELEVATIONS AND DISTANCES ARE BASED ON THE KENTUCKY SOUTH ZONE NAD 83
FOR DISTANCE ADJUSTMENT AND RELATIVE POSITIONAL ADJUSTMENT.

IRON PINS SET THE SURVEY ARE 1/4" x 1/4" x 1/4" BRASS WITH
YELLOW PLASTIC IDENTIFICATION CAP STAMPED "DUNNING 12090"

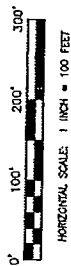
THIS SURVEY LIES THE REQUIREMENTS OF A CLASS A (URBAN) SURVEY AS DEFINED
BY 201 KAR 18. 020.

I CERTIFY THAT THIS DRAWING REPRESENTS AN ACTUAL FIELD SURVEY PERFORMED UNDER MY
DIRECT SUPERVISION AND THAT THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE
KENTUCKY SURVEYING ACT AND THE KENTUCKY BOARD OF SURVEYING AND MAPPING.
THIS DRAWING IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN
CONSENT OF THE SURVEYOR. ANY VIOLATION OF THESE TERMS SHALL BE CONSIDERED
A VIOLATION OF THE KENTUCKY SURVEYING ACT AND THE KENTUCKY BOARD OF SURVEYING AND MAPPING.

[Signature]
GARY LEE DUNNING
KENTUCKY REGISTERED LAND SURVEYOR #2090

TITLE: PLAT OF ANNEXATION	DATE: MAY 24, 2019
OWNER: SAV INVESTMENTS, LLC	FILE: 18-027090
PREPARED BY: GARY LEE DUNNING	CHECKED BY: GARY LEE DUNNING

DATE SIGNED: MAY 24, 2019



BASE OF BEARING:
GRID NORTH
KENTUCKY SOUTH ZONE
LAMBERT PROJECTION

FIELD WORK PERFORMED ON
MAY 24, 2019

THIS DRAWING IS INTENDED TO SHOW A 5.39 ACRE PARCEL
WHICH IS TO BE ANNEXED INTO THE CITY LIMITS OF THE
CITY OF FRANKLIN, KENTUCKY.

EXISTING CITY LIMITS ARE BASED ON PRIOR ANNEXATIONS
WHICH CONFORM TO CITY RECORDS AND P.V.A. RECORDS.

CLIENT ADDRESS

CITY OF FRANKLIN, KENTUCKY
117 WEST CEDAR STREET
FRANKLIN, KENTUCKY
42134

DUNNING LAND SURVEYING

1212 NEOSHEO ROAD
FRANKLIN, KENTUCKY 42134
PHONE: (270) 586-6286 * dunn4@bellsouth.net

ORDINANCE NO. 2019 - 016

AN ORDINANCE REZONING 409 HUDSPETH AVENUE FROM I-1 (LIGHT INDUSTRIAL) TO R-1 (SINGLE FAMILY); THE VACANT LOT LOCATED ON 403 BRICK STREET FROM I-1 (LIGHT INDUSTRIAL) TO R-2 (SINGLE FAMILY AND TWO FAMILY); AND THE 2.50 ACRE VACANT LOT LOCATED ON MORRIS STREET AND HUDSPETH AVENUE FROM I-1 (LIGHT INDUSTRIAL) TO R-1S (SINGLE FAMILY RESIDENTIAL)

WHEREAS, Wilburn Jackson, Trustee of the Nancy B. Jackson and Wilburn A. Jackson Trust, filed a petition to rezone three different parcels of land known as 409 Hudspeth Avenue, 403 Brick Street and a 2.50 acre vacant lot located on Morris Street and Hudspeth Avenue; and

WHEREAS, Wilburn Jackson, Trustee of the Nancy B. Jackson and Wilburn A. Jackson Trust desires to rezone 409 Hudspeth Avenue from I-1 (Light Industrial) to R-1 (Single Family) to make the property more productive for the community, and this change is appropriate and consistent with the use of this property and surrounding properties; and

WHEREAS, Wilburn Jackson, Trustee of the Nancy B. Jackson and Wilburn A. Jackson Trust desires to rezone 403 Brick Street from I-1 (Light Industrial) to R-2 (Single Family and Two Family) to make the property more productive for the community, and this change is appropriate and consistent with the use of this property and surrounding properties; and

WHEREAS, Wilburn Jackson, Trustee of the Nancy B. Jackson and Wilburn A. Jackson Trust desires to rezone the 2.50 acre vacant lot located on Morris Street and Hudspeth Avenue from I-1 (Light Industrial) to R-1S (Single Family Residential) to make the property more productive for the community, and this change is appropriate and consistent with the use of this property and surrounding properties; and

WHEREAS, a public hearing was held on April 9, 2019, after due public notice, in the manner provided by law; and

WHEREAS, the Planning & Zoning Commission recommended the granting of said zone changes as they are in agreement with the community's comprehensive plan;

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

1. 409 Hudspeth Avenue is granted a zone change from I-1 (Light Industrial) to R-1 (Single Family). A copy of the property description is attached hereto as Exhibit 1.

2. 403 Brick Street is granted a zone change from I-1 (Light Industrial) to R-2 (Single Family and Two Family). A copy of the property description is attached hereto as Exhibit 2.

3. A 2.50 acre vacant tract of land located on Morris Street and Hudspeth Avenue is granted a zone change from I-1 (Light Industrial) to R-1S (Single Family Residential). A copy of the property description is attached hereto as Exhibit 3.

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 City Commission of the City of Franklin, Kentucky, held on _____, on motion made by _____ and seconded by _____, the foregoing ordinance was adopted, after full discussion, by the following vote:

_____ LARRY DIXON, MAYOR

_____ JAMIE POWELL

_____ BROWNIE BENNETT

_____ WENDELL STEWART

_____ HERBERT WILLIAMS

APPROVED BY:

Larry Dixon, Mayor

ATTEST:

Cathy Dillard, City Clerk