

AGENDA

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

September 23, 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** - John Whitaker, First Baptist Church
- III. Approval of Minutes** - Approval of Minutes of September 9, 2019 Regular Meeting *Pg. 5*
- IV. Recognitions**
 - Daniel Reetzke, Tax Collector/ABC Administrator *Pg. 10*
Presenter: Shaunna Cornwell, Finance Director
- V. Hear the Public**
- VI. Community Services**
 - Discussion and/or possible action regarding Halloween Trick or Treat Hours in the City *Pg. 12*
Presenter: Kenton Powell, City Manager
 - Discussion and/or possible action regarding Neighborhood Walk/Special Called Meeting *Pg. 13*
Presenter: Tammie Carey, Comm Dev Dir
 - Discussion and/or possible action regarding Historic Lantern Walk at Greenlawn Cemetery *Pg. 14*
Presenter: Tammie Carey, Comm Dev Dir
- VII. General Government**
 - Discussion and/or possible action regarding Purchase of Call Recording Software *Pg. 16*
Presenter: Tammie Carey, Comm Dev Dir
 - Discussion and/or possible action regarding Proposed Ordinance to Adopt Supplement to Code of Ordinances *Pg. 19*
Presenter: Cathy Dillard, City Clerk
 - Discussion and/or possible action regarding Audit Engagement Letter *Pg. 22*
Presenter: Shaunna Cornwell, Finance Director
 - Discussion regarding Monthly Financial Reports *Pg. 28*
Presenter: Shaunna Cornwell, Finance Director

VIII. Public Services

- Discussion and/or possible action regarding Sidewalk Maintenance Program **Pg. 51**
Presenter: Scott Crabtree, City Attorney

IX. Public Safety

- Discussion regarding West Madison Street Property **Pg. 59**
Presenter: Darrell Mallory, Public Works Supt.

X. Utilities

XI. Ordinances

- Second summary reading of Ordinance No. 2019-021 titled: *An Ordinance Amending a Prior Ordinance Setting Forth the Dates and Times of Regularly Scheduled Joint Meetings of the Franklin City Commission and Simpson Fiscal Court* **Pg. 62**
- Second summary reading of Ordinance No. 2019-022 titled: *An Ordinance Rezoning a 2.67 Acre Tract of Land Located on the South Side of East Cedar Street/KY Highway 73 and the North Side of KY Highway 100 on the East Bank of Drakes Creek from AG (Agriculture) to B-4 (Highway Business District)* **Pg. 63**
- Possible first summary reading of Ordinance No. 2019-023 titled: *An Ordinance Enacting and Adopting a Supplement to the Code of Ordinances of the City of Franklin, Kentucky* **Pg. 82**
Presenter: Cathy Dillard, City Clerk

XII. Executive Session

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

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

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**

September 9, 2019

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

The Franklin, Kentucky City Commission met in Regular Session at 12:00 Noon, Monday, **September 9, 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; Franklin Favorite/WFKN media representative, Keith Pyles; Carroll Duckworth; Hannah Gray; John Maloney; Officer Jacoby Scharklet; Hailey Scharlet; Tyree Scharklet; Faye Scharklet; James Scharklet; Steven R. Kirby; Officer Robbie Matthews and Officer Canann Scott.

Mayor Dixon called the meeting to order at 12:00 Noon, and Steven Kirby from the Franklin Church of Christ 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 of the August 26, 2019, regular meeting; August 29, 2019, public hearing; August 29, 2019, special called meeting; and September 3, 2019 regular joint City/County meeting of the Franklin City Commission

Voting aye: All. Motion carried unanimously.

RECOGNITION

Police Chief Roger Solomon introduced new police officer Jacoby Scharklet and City Attorney Scott Crabtree swore in the new officer.

COMMUNITY SERVICES

City Manager Kenton Powell provided the Commission with an update regarding the replacement of American Flags on Veterans Way/Highway 100. In April the City made a commitment to take over the maintenance of the flags and since that time has partnered with Boy Scout Troop 47 led by Scoutmaster John Maloney. Mr. Maloney assisted with redesigning the current poles that were donated by Myron Thurman of Thurman Electric; Tim Mayes donated equipment; and Boy Scout Troop 47 provided the labor to install the poles and to hang the flags.

Mr. Powell asked the Commission to consider approval to solicit donations from the community for the flag replacement project and Boy Scout Troop 47 as they have graciously donated their services to this project.

Motion was made by Commissioner Bennett and seconded by Commissioner Stewart to authorize the City to solicit donations and establish a fund for the flag upkeep and replacement project and donations for Boy Scout Troop 47.

Voting Aye: All. Motion carried unanimously.

City Manager Kenton Powell introduced Carroll Duckworth and Hannah Gray from Community Action of Southern Kentucky. They asked to speak to the Commission regarding their public transportation grant program.

No action was taken on this matter.

GENERAL GOVERNMENT

City Attorney Scott Crabtree presented a proposed ordinance to rezone a 2.67 acre tract of land located on Highway 100/East Cedar Street from AG (agriculture) to B-4 (highway business district.) The rezoning was approved by the Franklin-Simpson Planning & Zoning Commission at a public hearing held on July 2, 2019.

Commissioner Powell and Commissioner Stewart asked to sponsor Ordinance No. 2019-022 titled An Ordinance Rezoning a 2.67 Acre Tract of Land Located on the South Side of East Cedar Street/KY Highway 72 and North Side of KY Highway 100 on the East Bank of Drakes Creek from AG (Agriculture) to B-4 (Highway Business District), with first reading taking place during the ordinance portion of the meeting.

Community Development Director Tammie Carey asked the Commission to approve a Lease Agreement with Dell Financial Services for a 48 month lease for five (5) desktop computers and two (2) laptop computers.

Motion was made by Commissioner Stewart and seconded by Commissioner Powell to authorize the Mayor to sign a Lease Agreement with Dell Financial Services for a 48 month lease for five (5) desktop computers and two (2) laptop computers for a total cost of \$9,425.00.

Voting Aye: All. Motion carried unanimously.

ORDINANCES

City Clerk Cathy Dillard held second summary reading of Ordinance No. 2019-020 titled *Ordinance Deleting and Restating Chapter 72 - Parking Regulations and Revising Chapter 75 - Parking Schedules of the City of Franklin Code of Ordinances*.

Motion was made by Commissioner Bennett and seconded by Commissioner Powell to approve Ordinance No. 2019-020 and was unanimously approved by the following roll call vote:

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

City Clerk Cathy Dillard held first summary reading of Ordinance No. 2019-021 titled *An Ordinance Amending a Prior Ordinance Setting Forth the Dates and Times of Regularly Scheduled Joint Meetings of the Franklin City Commission and Simpson Fiscal Court*.

No action is taken on first reading of an ordinance.

City Clerk Cathy Dillard held first summary reading of Ordinance No. 2019-022 titled *An Ordinance Rezoning a 2.67 Acre Tract of Land Located on the South Side of East Cedar Street/KY Highway 73 and the North Side of KY Highway 100 on the East Bank of Drakes Creek from AG (Agriculture) to B-4 (Highway Business District)*.

No action is taken on first reading of an ordinance.

EXECUTIVE SESSION

At 12:54 PM, motion was made by Commissioner Bennett and seconded by Commissioner Powell to enter into Executive Session for the purpose of:

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

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

Voting Aye: All. Motion carried unanimously.

Entering Executive Session were Mayor Dixon; Commissioners Powell, Bennett, Williams and Stewart; City Manager Kenton Powell; and City Attorney Scott Crabtree and Police Chief Roger Solomon. Chief Solomon exited Executive Session at 1:00 PM.

At 1:14 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 Bennett to approve a Contract for Peace Officer Agreement for Tim Burnett for the period of September 15, 2019 to September 14, 2020, and to further authorize the Mayor to sign the contract.

Voting Aye: All. Motion carried unanimously.

ADJOURNMENT

At 1:16 PM, motion was made by Commissioner Powell and seconded by Commissioner Williams to adjourn the regular meeting of the Franklin City Commission.

Voting Aye: All. Motion carried unanimously.

Larry Dixon, Mayor
City of Franklin, Kentucky

Cathy Dillard, City Clerk
City of Franklin, Kentucky

RECOGNITIONS



MEMO

TO: Mayor Larry Dixon and Commissioners
FROM: Shauna R. Cornwell, Director of Finance
DATE: September 23, 2019
SUBJECT: Congratulations to Daniel Reetzke for being name Board Treasurer for the Kentucky Occupational License Association

Daniel has been the Tax Collector/ABC Administrator for the City since 2015. KOLA is a vital networking pipeline in this field. This association is a network of Tax Collectors and Administrators across the state that hosts bi-annual conferences and trainings and facilitates networking and information sharing opportunities across the Commonwealth. Daniel's knowledge and expertise is becoming widely known among this organization and he is becoming a valuable resource to his peers and colleagues. He has been asked to present trainings at the last two conferences and this year he was nominated by the KOLA president to serve on the Board. Therefore, it is my pleasure to announce that our very own Daniel Reetzke has been named as the Board Treasurer for the Kentucky Occupational License Association (KOLA).

I am so proud to serve the City alongside Mr. Reetzke. He is invaluable to our organization. He is incredibly talented, hardworking, and ethical in all his endeavors. I just want to take this moment to not only congratulate him on this new opportunity, but to thank him for being such a great colleague and peer.

COMMUNITY SERVICES



MEMORANDUM

TO: Mayor Dixon and City Commissioners
FROM: Kenton Powell
DATE: September 19, 2019
SUBJECT: Halloween Trick-or-Treat Hours

Several organizations and individuals have contacted City Hall regarding trick-or-treating hours for Halloween. After reviewing last year's set hours and consulting with Police Chief Solomon, it is recommended that Thursday, October 31, 2019, trick-or-treating hours within the Franklin City limits be from 5:00 pm until 8:00 pm.

Proposed Motion: Motion to set Halloween trick-or-treat hours on Thursday, October 31, 2019 from 5:00 pm until 8:00 pm.



MEMO

TO: Mayor and Commissioners

FROM: Tammie Carey, Community Development Director

DATE: September 17, 2019

RE: Neighborhood Walk

In an effort to foster community involvement in city government, we had our second Neighborhood Walk for 2019 scheduled for July 22nd. Unfortunately, it was cancelled due to rain. We would like to reschedule that walk for Monday, October 14th.

Plans for the day include:

5:00 pm	Meet at the Gentleman's Unlimited Club Pavilion at Lincoln Park and Walk the Neighborhood
6:00 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 6:00 pm.

The City Sanitation provider, Scott Waste, will provide hot dogs, chips and drinks for those gathering at the pavilion. The Franklin Police will demonstrate the use of their new drone and how it will aid in law enforcement efforts.

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.



MEMO

TO: Mayor and Commissioners

FROM: Fannie Carey, Community Development Director

DATE: September 17, 2019

RE: Historic Lantern Walk at Greenlawn Cemetery

At the August 26th meeting of the Franklin City Commission, Lisa Deavers requested permission for the Bicentennial Committee to have a historical lantern walk at the Greenlawn Cemetery on Saturday, October 26, 2019 from 6:00 pm until 9:00 pm.

The Bicentennial Committee has received a lot of positive feedback regarding the event and would like to expand the walk to include Friday, October 25th from 6:00 pm until 9:00 pm as well. The Friday event would be a walking tour and would not include the horse and wagon transportation. The committee would also like to request the use of the green space area near the Cemetery office for parking, if needed.

Proposed Motion: I make a motion to approve the additional day of Friday, October 25, 2019 from 6:00 pm until 9:00 pm for the historical lantern walk at the Greenlawn Cemetery and allow the use of the City owned lot near the Cemetery Office as parking for walk participants.

GENERAL GOVERNMENT



MEMO

TO: Mayor and Commissioners

FROM: Tammie Carey, Community Development Director

DATE: September 17, 2019

RE: Call Recording System

The end of June we did a buyout on our phone equipment that we had been leasing from Windstream and upgraded the phone system equipment through Folco. During the onsite installation of the phone equipment, it was discovered that our call recording software that we had been using for over five years was at the end of life and was no longer being supported.

The Call Recording system is used to record phone calls at the Police Department and Customer Service Department. It has become vital in investigations and settling disputes. Because of the importance of the software I investigated a renewal on the existing software, which was not an option. The company we had, SIP Print, had been purchased by Call Cabinet. I did obtain quotes on three different systems.

Kenton, Shaunna, and I met to review the quotes, a summary is attached, and discuss the options available. We would like to recommend that we utilize the services of Folco for the purchase of an ATMOS VoIP Appliance and storage hours. Calls are stored in Microsoft Azure with a life expectancy on the hardware of five to six years. The cost to purchase the ATMOS VoIP Appliance is \$1,995 plus a \$500 installation charge. There is a \$1,548 recurring yearly charge for maintenance and storage.

Proposed Motion: *I make a motion to purchase the ATMOS VoIP Appliance through Folco Communications and authorize the Mayor to sign any and all documents related to the purchase.*

Currently using SIP Print for Call Recording

- It is at “end of life”
- Running XP
- No longer Supported

SIP Print has been purchased by CallCabinet

QUOTES RECEIVED

SIP Print

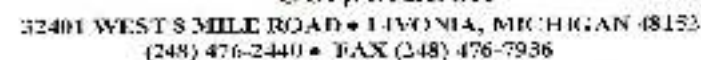
- Folco \$6,375 + \$1,290 Annual
- CallCabinet \$7,195 + \$1,290 Annual

Numonics

- Folco \$5,000 + \$900 Annual

ATMOS

- CallCabinet \$2,495 + \$129/month (\$1,548)
- Folco \$2,495 + \$1,548 Annual



DATE: 09/09/19

City of Franklin
117 West Cedar Street
Franklin, KY 42135

SALESPERSON: M. Follmer
AVAILABILITY: 3-4 days
TERMS: Net 30 days
FOB: Shipping Point

EMAIL: tammie.carey@franklinky.org

Terms: The customer agrees to subscribe to the above service for a minimum of 12 months and it renews every 12 months on the anniversary date of the cutover. Termination of subscription prior the anniversary date is subject to a two month cancellation fee. All Termination must be made with a 30 written notice. The subscription service includes all ATMOS User licenses, software assurance, redundancy, call storage, database charges charges and standard ATMOS upgrades.

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MEMO

TO: Franklin City Commission
FROM: Cathy Dillard, City Clerk
DATE: September 19, 2019
SUBJECT: Ordinance Adopting Supplement to Code of Ordinances

Attached is a proposed ordinance to approve the most recent supplement to our Code of Ordinances prepared by American Legal Publishing. This supplement includes all ordinances and any applicable changes to state statutes adopted in 2018 and is fully accessible via a link (www.amlegal.com/codes/client/franklin_ky/) on the City's website.

The City's website has many of our ordinances available but the link to American Legal Publishing features a user-friendly option to search for ordinances by keyword or topic.

If the proposed ordinance meets Commission approval we will need two sponsors and can have first summary reading during the ordinance portion of the meeting.

Sponsors:	_____
Second Reading:	_____
Publication Date:	_____

ORDINANCE NO. 2019-023

**AN ORDINANCE ENACTING AND ADOPTING
A SUPPLEMENT TO THE CODE OF ORDINANCES
OF THE CITY OF FRANKLIN, KENTUCKY**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the 2019 S-2 supplement to the Code of Ordinances of the City of Franklin, which supplement contains all ordinances of a general nature enacted since the prior supplement to the Code of Ordinances of this municipality; and

WHEREAS, American Legal Publishing Corporation has recommended the revisions or additions of certain sections of the Code of Ordinances which are based on or make references to sections of the Kentucky Revised Statutes; and

WHEREAS, it is the intent of the Board of Commissioners of the City of Franklin to accept these updated sections in accordance with the changes of the law of the Commonwealth of Kentucky;

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

1. The 2019 S-2 supplement to the Code of Ordinances of the City of Franklin, Kentucky, as submitted by American Legal Publishing Corporation, be hereby adopted by reference as if set out in its entirety.
2. This ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

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 _____, 2019, on motion made by Commissioner _____ and seconded by Commissioner _____ 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



MEMO

TO: Mayor Ronnie Clark and Commissioners
FROM: Shaunta R. Cornwell, Director of Finance
DATE: September 23, 2019
SUBJECT: FY2019 Audit Engagement Letter

Attached is the FY2019 Audit Engagement Letter provided by Kirby & Moore, CPAs. The audit fieldwork is expected to begin during the last week of September or first week of October.

Proposed Motion: Approve the Mayor to sign the attached Engagement Letter and any other documents related to the FY2019 Annual Financial Statement Audit.



KIRBY & MOORE, LLP

ATTORNEYS AT LAW

September 18, 2019

Honorable Mayor, Commissioners and City Manager
City of Franklin, Kentucky
117 West Cedar Street
P.O. Box 2805
Franklin, KY 42134-2805

We are pleased to confirm our understanding of the services we are to provide City of Franklin, Kentucky (City) for the year ended June 30, 2019. We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the City as of and for the year ended June 30, 2019. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by U.S. generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis
- 2) General Fund Budgetary Comparison Schedule
- 3) Infrastructure Condition and Maintenance Data
- 4) Pension and OPEB Schedules

We have also been engaged to report on supplementary information other than RSI that accompanies the City's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and we will provide an opinion on it in relation to the financial statements as a whole, in a report combined with our auditor's report on the financial statements:

- 1) Combining Balance Sheets – Nonmajor Governmental and Permanent Funds;
- 2) Combining Statements of Revenues, Expenditures and Changes in Fund Balances – Nonmajor Governmental and Permanent Funds;
- 3) Special Revenue Fund and Enterprise Funds Budgetary Comparison Schedules

Audit Objectives

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America and the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, and will include tests of the accounting records of the City and other procedures we consider necessary to enable us to express such opinions. We will issue a written report upon completion of our audit of the City's financial statements. Our report will be addressed to the Mayor, Commissioners, and City Manager of the City. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other-matters paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or may withdraw from this engagement.

We will also provide a report (that does not include an opinion) on internal control related to the financial statements and compliance with the provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a material effect on the financial statements as required by *Government Auditing Standards*. The report on internal control and on compliance and other matters will include a paragraph that states (1) that the purpose of the report is solely to describe the scope of testing of internal control and compliance, and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control on compliance, and (2) that the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The paragraph will also state that the report is not suitable for any other purpose. If during our audit we become aware that the City is subject to an audit requirement that is not encompassed in the terms of this engagement, we will communicate to management and those charged with governance that an audit in accordance with U.S. generally accepted auditing standards and the standards for financial audits contained in *Government Auditing Standards* may not satisfy the relevant legal, regulatory, or contractual requirements.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements. However, we will inform the appropriate level of management of any material errors, fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. Our responsibility as auditors is limited to the period covered by our audit and does not extend to later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; compliance with laws, regulations, contracts, and grant agreements; and other responsibilities required by generally accepted auditing standards.

Audit Procedures—Internal Controls

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with the provisions of applicable laws, regulations, contracts, agreements, and grants. However, the objective of our audit will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

Other Services

We will also assist in preparing the financial statements and related notes of the City in conformity with U.S. generally accepted accounting principles based on information provided by you. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to the financial statement services previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Management Responsibilities

Management is responsible for designing, implementing, establishing, and maintaining effective internal controls, relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; following laws and regulations; and ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles, for the preparation and fair presentation of the financial statements and all accompanying information in conformity with U.S. generally accepted accounting principles, and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, (2) additional information that we may request for the purpose of the audit, and (3) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and for confirming to us in the written representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants and for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts or grant agreements, or abuse that we report.

You are responsible for the preparation of the supplementary information, which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or other studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

Honorable Mayor, Commissioners and City Manager
September 18, 2019
Page Five

You agree to assume all management responsibilities relating to the financial statements and related notes and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and related notes and that you have reviewed and approved the financial statements and related notes prior to their issuance and have accepted responsibility for them. Further you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill, knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash or other confirmations we request and will locate any documents selected by us for testing.

We will provide copies of our reports to the City; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Kirby & Moore, LLP, and constitutes confidential information. However, subject to applicable laws and regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to your oversight agency for audit or its designee, a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Kirby & Moore, LLP personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release date or for any additional period requested by your oversight agency for audit. If we are aware that a federal awarding agency or auditee is contesting an audit finding, we will contact the party contesting the audit finding for guidance prior to destroying the audit documentation.

R. Kim Kirby, CPA is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. Our fee for these services will be \$19,750. Our invoices for these fees will be rendered each month as work progresses and are payable upon presentation. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

We appreciate the opportunity to be of service to the City and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,


Kirby & Moore, LLP

RESPONSE:

This letter correctly sets forth the understanding of City of Franklin, Kentucky.

By: _____

Title: _____

Date: September 18, 2019



MEMO

TO: Mayor Larry Dixon and Commissioners
FROM: Shaunna R. Cornwell, Director of Finance
DATE: September 23, 2019
SUBJECT: Discussion Regarding Monthly Financial Reports

I would like to discuss the monthly financial reports prepared and presented to the commission.

CITY OF FRANKLIN, KENTUCKY

FINANCIAL

STATEMENT

SUMMARIES

August 31, 2019

UNAUDITED

DETAIL MAY BE SEEN AT CITY HALL

City of Franklin
Bank Reconciliation Report
For Month Ending 07.31.2019

Note: -August Balances haven't been populated to-date

FUND	CASH CLASSIFICATION	BANK	ACCOUNT TITLE or INVESTMENT	BANK BALANCE 06.30-2019	BANK BALANCE 07.30.2019
FMU	Restricted - Debt Service	Hunt	UTIL - 2012 B&I REDEMPTION TRUST ESCROW	101,050.73	101,058.26
FMU	Restricted - Debt Service	Hunt	UTIL-2004 BOND DSR 5084051551	283,699.67	284,230.55
General Fund	Restricted - Debt Service	Hunt	GENERAL FUND REFUNDING & IMPROVEMENT BD FD	65,861.91	65,866.91
FMU	Restricted - Debt Service	Hunt	UTIL - REVENUE REFUNDING 09 BD FD	24,810.48	24,812.34
Perpetual Care	Restricted - Perpetual Care	1ST SEC	PERP-PERPETUAL CARE Money Fund	114,048.08	-
General Fund	Restricted - Taeyang	1ST SEC	TAEYANG PLEDGE CD	217,278.95	217,555.93
General Fund	Restricted - Debt Service	1ST SEC	GF - 2009 GO Debt Service Fund	1,058,531.54	1,058,531.54
FMU	Unrestricted	1ST SEC	UTILITY - BANK DRIVE THRU ACCOUNT	119,516.55	23,051.69
Cemetery	Unrestricted	FBT	CEM-CEMETERY REVENUE	92,395.42	88,802.67
General Fund	Unrestricted	FBT	GF-GENERAL REVENUE	467,231.64	443,937.59
General Fund	Restricted - HRA/FSA	FBT	GF-SPECIAL PROJECTS FUND HRA	13,438.34	14,975.16
Stormwater	Restricted - Stormwater Rehabilitation	FBT	GF - STORM FUND	117,505.65	57,981.30
General Fund	Restricted - Police Dept	FBT	GF - PD Evidence Account	33,617.80	33,617.80
General Fund	Restricted - OPEB	FBT	GF-RETIREE LIFE INSURANCE	35,044.51	35,099.96
Municipal Aid	Restricted - Municipal Road Aid	FBT	MA-MUNICIPAL AID/SEVERANCE FUND	76,009.74	49,492.89
Sanitation	Unrestricted	FBT	SANIT-SANITATION REVENUE	92,453.86	80,841.49
FMU	Unrestricted	FBT	UTIL-REVENUE	518,115.99	298,118.74
FMU	Restricted - Maintenance & Replacement	FBT	UTIL-MAINTENANCE & REPLACEMENT CD	11,775.51	143,600.81
FMU	Restricted - Maintenance & Replacement	FBT	UTIL-DEPRECIATION CD	2,138.10	287,924.75
FMU	Restricted - Meter Refund	FBT	UTIL-METER REFUND	10,690.60	240,108.18
FMU	Restricted - Debt Service	FBT	UTIL-DSR	271,709.24	271,709.24
General Fund	Unrestricted	FBT	GF - Reich & Tang	6,027,957.49	6,104,044.57
General Fund	Restricted - Capital Sinking	FBT	GF - Reich & Tang	317,100.00	317,725.96
FMU	Unrestricted	FBT	UTIL - Reich & Tang	4,328,208.02	4,533,902.47
FMU	Restricted - Capital Sinking	FBT	UTIL - Reich & Tang	645,780.00	647,054.78
Sanitation	Unrestricted	FBT	SANIT-Reich & Tang	300,000.00	104,979.63
Sanitation	Restricted - Landfill Reserve	FBT	SANIT-Reich & Tang	-	295,612.58
Perpetual Care	Unrestricted - Perpetual Care	FBT	Perpetual Care - Reich & Tang	224,172.09	114,648.08
Perpetual Care	Restricted - Perpetual Care	FBT	Perpetual Care - Reich & Tang	-	192,105.52
Stormwater	Unrestricted - Stormwater Rehabilitation	FBT	Stormwater - Reich & Tang	-	-
Stormwater	Restricted - Stormwater Rehabilitation	FBT	Stormwater - Reich & Tang	400,000.00	475,789.60
Frances Harris	Restricted - Francis Harris	FBT	Francis Harris Memorial Fund - CD	30,000.00	30,000.00
Frances Harris	Restricted - Francis Harris	FBT	Francis Harris Memorial Fund - CD	20,000.00	20,000.00
Frances Harris	Restricted - Francis Harris	FBT	Francis Harris Memorial Fund	2,630.03	2,675.23
General Fund	Unrestricted	CIT1ST	GF-CENTRAL AP OPERATING	254,635.68	436,963.62
General Fund	Restricted - Police Dept	CIT1ST	GF-POLICE UNDERCOVER SAVINGS	32,831.76	32,833.24
FMU	Unrestricted	CIT1ST	UTIL- BANK DRIVE THRU ACCOUNT	13,251.97	14,912.93
Perpetual Care	Restricted - Perpetual Care	SOCENT	Combined Investment Account	200,257.42	200,612.95
FMU	Restricted - Maintenance & Replacement	SOCENT	Combined Investment Account	11,953.95	11,975.17
FMU	Restricted - Debt Service	SOCENT	Combined Investment Account	28,461.88	28,512.41
FMU	Restricted - Meter Refund	SOCENT	Combined Investment Account	345,399.98	346,013.18
FMU	Unrestricted	SOCENT	UTIL- BANK DRIVE THRU ACCOUNT	80,868.06	83,944.88
FMU	Unrestricted	Regions	UTIL-Bank Drive Thru	181,941.12	186,251.36
General Fund	Unrestricted	US BANK	GF - Lockbox	53,946.51	275,665.71
FMU	Unrestricted	US BANK	Utility	45,614.33	46,847.49
				17,271,934.60	18,324,389.16
Restricted Funds				4,695,797.96	5,602,124.32
Unrestricted Funds				12,576,136.64	12,722,264.84
				17,271,934.60	18,324,389.16
Non Restricted Funds:					
General Fund				6,803,771.32	7,260,611.49
Utility Fund				5,287,516.04	5,187,029.56
Sanitation Fund				392,453.86	185,821.12
Cemetery				92,395.42	88,802.67
				12,576,136.64	12,722,264.84

	July	July	July	August	August	August	YTD	YTD	Total	Total	EXPECTED		
	Actual	Budget	Period Budget vs Actual	Actual	Budget	Period Budget vs Actual	Actual	Budget	Actual	Budget	YTD % of Budget	YTD % of Budget Targets	Explanation
Budgeted Revenue													
Property Taxes	255.89	4,750.00	(4,494.11)	8,557.66	4,250.00	4,307.66	8,813.55	9,000.00	8,813.55	1,067,395.54	0.83%	0.84% WBP	
ABC Fees	73,756.09	12.50	73,743.59	61,973.66	12.50	61,961.16	135,729.75	25.00	135,729.75	510,150.00	26.61%	0.00% WBP - YTD actual is for prior qtr; audit adj not recorded yet.	
Business Licenses/Gross Receipts	19,717.76	11,637.50	8,080.26	14,823.82	6,637.50	8,186.32	34,541.58	18,275.00	34,541.58	239,000.00	14.45%	7.65% WBP	
Franchise Fees	6,705.66	5,479.17	1,226.49	12,423.73	5,479.17	6,944.56	19,129.39	10,958.34	19,129.39	87,950.04	21.75%	12.46% WBP - YTD actual is for prior qtr; audit adj not recorded yet.	
Insurance Premium Fees	128,135.43	(250.00)	128,385.43	363,766.60	(250.00)	364,016.60	491,902.03	(500.00)	491,902.03	1,767,000.00	27.84%	-0.03% WBP	
Manufacturing Fees	9,603.65	-	9,603.65	1,095.00	-	1,095.00	10,698.65	-	10,698.65	51,000.00	20.98%	0.00% WBP	
Occupational Tax Fees	372,104.16	208.33	371,895.83	226,645.19	155,208.33	71,436.86	598,749.35	155,416.66	598,749.35	2,780,999.96	21.53%	5.59% WBP - YTD actual is for prior qtr; audit adj not recorded yet.	
Intergovernmental Revenue	-	2,166.67	(2,166.67)	10,435.17	12,435.99	(2,000.82)	10,435.17	14,602.66	10,435.17	419,061.64	2.49%	3.48% WBP	
Intragovernmental Revenue	49,416.50	49,416.50	-	49,416.50	49,416.50	-	98,833.00	98,833.00	98,833.00	592,998.00	16.67%	16.67% WBP	
Fines & Forfeitures	3,462.33	3,636.00	(173.67)	18,660.39	3,636.00	15,024.39	22,122.72	7,272.00	22,122.72	57,000.00	38.81%	12.76% WBP - billing/collection for Code Enforcement Fines is cyclical.	
Investment Income	13,923.18	11,983.51	1,939.67	-	11,983.51	(11,983.51)	13,923.18	23,967.02	13,923.18	143,802.12	9.68%	16.67% Investment income is trending higher than expected.	
Miscellaneous Income	5,765.52	5,820.45	(54.93)	11,209.31	5,720.45	5,488.86	16,974.83	11,540.90	16,974.83	95,895.40	17.70%	12.03% WBP	
Total Budgeted Revenue	682,846.17	94,860.63	587,985.54	779,007.03	254,529.95	524,477.08	1,461,853.20	349,390.58	1,461,853.20	7,812,252.70			

	July	July	July	August	August	August	YTD	YTD	Total	Total	EXPECTED		
	Actual	Budget	Period Budget vs Actual	Actual	Budget	Period Budget vs Actual	Actual	Budget	Actual	Budget	YTD % of Budget	YTD % of Budget Targets	
Budgeted Expenditures													
Legislative - Wages & FICA	6,000.00	6,100.00	(100.00)	6,000.00	6,100.00	(100.00)	12,000.00	12,200.00	12,000.00	73,200.00	16.39%	16.67% WBP	
Legislative - Medical/Fringe Benefits	4,544.58	4,882.85	(338.27)	2,856.94	4,045.74	(1,188.80)	7,401.52	8,928.59	7,401.52	44,897.38	16.49%	19.89% Anthem - July Medical Credit	
Legislative - Retirement	240.60	240.60	-	240.60	240.60	-	481.20	481.20	481.20	2,887.20	16.67%	16.67% WBP	
Legislative - Operational Costs	6,612.28	3,537.07	3,075.21	1,515.96	4,537.07	(3,021.11)	8,128.24	8,074.14	8,128.24	43,694.84	18.60%	18.46% Travel expenses higher than expected - KLC Conference	
Administration - Wages & FICA	18,193.23	18,492.71	(299.48)	22,867.99	22,990.11	(122.12)	41,061.22	41,482.82	41,061.22	239,902.12	17.12%	17.29% WBP	
Administration - Medical/Fringe Benefits	6,583.24	10,938.23	(4,354.99)	6,275.94	7,328.69	(1,052.75)	12,859.18	18,266.92	12,859.18	86,903.79	14.80%	21.02% WBP - Anthem - July Medical Credit	
Administration - Retirement	4,532.56	4,635.08	(102.52)	5,536.31	5,612.60	(76.29)	10,068.87	10,247.68	10,068.87	59,531.04	16.91%	17.21% WBP	
Administration - Operational Costs	1,537.10	4,038.55	(2,501.45)	1,925.75	4,038.55	(2,112.80)	3,462.85	8,077.10	3,462.85	63,462.60	5.46%	12.73% WBP - costs are cyclical.	
Finance - Wages & FICA	13,011.31	13,272.13	(260.82)	16,104.54	16,537.97	(433.43)	29,115.85	29,810.11	29,115.85	172,328.97	16.90%	17.30% WBP	
Finance - Medical/Fringe	4,432.36	6,471.00	(2,038.64)	3,505.43	4,082.81	(577.38)	7,937.79	10,553.81	7,937.79	46,131.00	17.21%	22.88% WBP - Anthem - July Medical Credit	
Finance - Retirement	2,871.17	2,898.24	(27.07)	3,546.91	3,622.80	(75.89)	6,418.08	6,521.04	6,418.08	37,677.12	17.03%	17.31% WBP	
Finance - Operational Costs	14,387.47	29,523.09	(15,135.62)	6,919.10	10,298.09	(3,378.99)	21,306.57	39,821.18	21,306.57	227,277.08	9.37%	17.52% Subscription fee for Accella Software hasn't been accrued, WBP	
Risk Management - Wages & FICA	12,256.28	13,194.31	(938.03)	10,939.55	13,387.80	(2,448.25)	23,195.83	26,582.12	23,195.83	159,105.72	14.58%	16.71% WBP	
Risk Management - Medical/Fringe	2,171.38	4,145.60	(1,974.22)	2,027.16	1,497.79	529.37	4,198.54	5,643.39	4,198.54	18,754.23	22.39%	30.09% WBP - Anthem - July Medical Credit	
Risk Management - Retirement	2,616.60	2,627.11	(10.51)	2,332.87	3,283.89	(951.02)	4,949.47	5,911.01	4,949.47	34,152.48	14.49%	17.31% WBP	
Risk Management - Operational Costs	6,752.41	4,604.17	2,148.24	30,290.45	22,458.70	7,831.75	37,042.86	27,062.87	37,042.86	57,104.57	64.87%	47.39% WBP	
Police - Sworn - Wages & FICA	100,707.47	101,969.99	(1,262.52)	121,437.82	127,462.49	(6,024.67)	222,145.29	229,432.49	222,145.29	1,325,609.93	16.76%	17.31% WBP	
Police - Sworn - Medical/Fringe	50,380.80	42,521.06	7,859.74	20,778.81	23,778.88	(3,000.07)	71,159.61	66,299.94	71,159.61	274,891.91	25.89%	24.12% WBP	
Police - Sworn - Retirement	34,123.18	35,641.00	(1,517.82)	41,732.89	44,526.25	(2,793.36)	75,856.07	80,167.25	75,856.07	463,233.00	16.38%	17.31% WBP	
Police - Administration - Operational Costs	2,182.08	953.75	1,228.33	103.90	953.75	(849.85)	2,285.98	1,907.50	2,285.98	11,445.00	19.97%	16.67% WBP	
Police - Sworn - Operational Costs	9,818.56	9,183.33	635.23	1,322.22	9,183.33	(7,861.11)	11,140.78	16,366.66	11,140.78	125,199.96	8.90%	14.67% WBP	
Police - Non Sworn - Wages & FICA	4,642.77	4,886.37	(243.60)	5,792.93	6,107.97	(315.04)	10,435.70	10,994.34	10,435.70	63,522.84	16.43%	17.31% WBP	
Police - Non Sworn - Medical/Fringe	1,491.73	2,457.94	(966.21)	1,307.10	1,571.71	(264.61)	2,798.83	4,029.66	2,798.83	17,720.63	15.79%	22.74% WBP - Anthem - July Medical Credit	
Police - Non Sworn - Retirement	787.73	810.60	(22.87)	982.44	1,013.25	(30.81)	1,770.17	1,823.85	1,770.17	10,537.80	16.80%	17.31% WBP	
Police - Non Sworn - Operational Costs	5,085.34	5,379.82	(294.48)	2,536.13	5,379.82	(2,843.69)	7,621.47	10,759.64	7,621.47	64,557.84	11.81%	16.67% WBP	
Code Enforcement - Wages & FICA	4,762.65	4,490.24	272.41	5,269.86	5,612.80	(342.94)	10,032.51	10,103.04	10,032.51	58,373.12	17.19%	17.31% WBP	
Code Enforcement - Medical/Fringe	1,800.07	1,795.73	4.34	651.40	827.30	(175.90)	2,451.47	2,623.03	2,451.47	9,925.45	24.70%	26.43% WBP	
Code Enforcement - Retirement	942.24	953.48	(11.24)	1,177.80	1,191.85	(14.05)	2,120.04	2,145.33	2,120.04	12,395.24	17.10%	17.31% WBP	
Code Enforcement - Operational Costs	272.06	789.89	(517.83)	224.38	789.89	(565.51)	496.44	1,579.78	496.44	9,478.68	5.24%	16.67% WBP	
Public Works - Wages & FICA	25,750.11	26,175.97	(425.86)	33,370.33	32,719.97	650.36	59,120.44	58,895.94	59,120.44	340,287.66	17.37%	17.31% WBP	

City of Franklin - General Fund
Budget vs Actual Review
Fiscal Year Ended June 30, 2020

WBP: Within Budgeted Parameters

Budgeted Revenue	July	July	July	August	August	August	YTD	YTD	Total	Total	EXPECTED		Explanation
	Actual	Budget	Period Budget vs Actual	Actual	Budget	Period Budget vs Actual	Actual	Budget	Actual	Budget	YTD % of Budget	YTD % of Budget Targets	
	21,247.94	13,524.56	7,723.38	7,381.82	9,024.74	(1,642.92)	28,629.76	22,549.29	28,629.76	101,519.31	28.20%	22.21%	
Public Works - Medical/Fringe													Worker's Comp was allocated different from budget amts - total amounts are accurate. Will reallocate budgeted amounts.
Public Works - Retirement	5,776.31	5,878.36	(102.05)	7,468.14	7,347.95	120.19	13,244.45	13,226.31	13,244.45	76,418.68	17.33%	17.31%	WBP
Public Works - Operational Costs	23,707.35	25,721.88	(2,014.53)	34,562.31	29,721.88	4,840.43	58,269.66	55,443.76	58,269.66	287,662.56	20.26%	19.27%	WBP
Fire Services	23,224.15	23,296.06	(71.91)	23,239.64	23,296.06	(56.42)	46,463.79	46,592.12	46,463.79	279,552.72	16.62%	16.67%	WBP
Economic Development	-	-	-	160,025.97	-	160,025.97	160,025.97	-	160,025.97	739,000.00	21.65%	0.00%	WBP - Amts are paid quarterly and are in process
Community Services	104,935.55	105,184.95	(249.40)	38,854.00	26,653.08	12,200.92	143,789.55	131,838.03	143,789.55	611,120.68	23.53%	21.57%	WBP
Debt Service	-	-	-	-	-	-	-	-	-	544,040.00	0.00%	0.00%	WBP
Intergovernmental Appropriations	23,583.33	23,583.33	-	23,583.33	23,583.33	-	47,166.66	47,166.66	47,166.66	432,999.96	10.89%	10.89%	WBP
Capital Outlay - Administrative	124,348.91	125,000.00	(651.09)	74,607.38	75,000.00	(392.62)	198,956.29	200,000.00	198,956.29	605,989.90	32.83%	33.00%	WBP
Capital Outlay - Police	35,895.79	32,500.00	3,395.79	29,439.16	34,800.00	(5,360.84)	65,334.95	67,300.00	65,334.95	206,000.00	31.72%	32.67%	Capital Carryover - Cruiser purchased; Budgeted in PY
Capital Outlay - Code Enforcement	-	-	-	-	-	-	-	-	-	-	0.00%	#DIV/0!	WBP
Capital Outlay - Public Works	-	-	-	-	-	-	-	-	-	55,000.00	0.00%	0.00%	WBP
Capital Outlay - Community Services	-	-	-	-	-	-	-	-	-	-	0.00%	#DIV/0!	WBP
Capital Outlay - Fire	-	-	-	-	-	-	-	-	-	202,500.00	0.00%	0.00%	WBP
Capital Outlay - Contingency - GF	-	-	-	-	-	-	-	-	-	(389,925.00)	0.00%	0.00%	Haven't made cash transfer for Capital Sinking Fund
Total Budgeted Expenditures	712,208.69	722,299.08	(10,090.39)	758,735.26	620,609.50	138,125.76	1,470,943.95	1,342,908.58	1,470,943.95	7,906,068.01			
Net Change in Fund Balance	(29,362.52)	(627,438.45)	598,075.93	20,271.77	(366,079.55)	386,351.32	(9,090.75)	(993,518.00)	(9,090.75)	(93,815.31)			
01	-	(0.00)		-	(0.00)								

	July	July	July	August	August	August	YTD	YTD	Total	Total	YTD % of	YTD % of	Explanation
Budgeted Revenue	Actual	Budget	Period Budget vs Actual	Actual	Budget	Period Budget vs Actual	Actual	Budget	Actual	Budget	Budget	Budget Targets	
Charges for Services - Water	232,323.51	229,958.35	2,365.16	269,106.95	229,958.35	39,148.60	501,430.46	459,916.70	501,430.46	2,753,000.20	18.21%	16.71%	WBP - Armts trending higher than expected
Charges for Services - Wastewater	225,389.81	212,166.67	13,223.14	243,421.44	212,166.67	31,254.77	468,811.25	424,333.34	468,811.25	2,539,000.04	18.46%	16.71%	WBP - Armts trending higher than expected
FMU - Fines & Forfeitures	16,061.79	16,875.00	(813.21)	15,180.03	16,875.00	(1,694.97)	31,241.82	33,750.00	31,241.82	208,750.00	14.97%	16.17%	WBP
FMU - Debt Proceeds	-	-	-	-	-	-	-	-	-	-	#DIV/0!	#DIV/0!	WBP
FMU - Grants	-	-	-	-	-	-	-	-	-	-	#DIV/0!	#DIV/0!	WBP
FMU - Investment Income	12,651.25	15,210.24	(2,558.99)	-	15,210.24	(15,210.24)	12,651.25	30,420.48	12,651.25	182,522.88	6.93%	16.67%	WBP
FMU - Miscellaneous Revenue	2,966.29	2,412.50	553.79	1,718.16	2,412.50	(694.34)	4,684.45	4,825.00	4,684.45	39,200.00	11.95%	12.31%	WBP
Total Budgeted Revenue	489,392.65	476,622.76	12,769.89	529,426.58	476,622.76	52,803.82	1,018,819.23	953,245.52	1,018,819.23	5,722,473.12	#DIV/0!	#DIV/0!	
	July	July	July	August	August	August	YTD	YTD	Total	Total	YTD % of	YTD % of	
Budgeted Expenditures	Actual	Budget	Period Budget vs Actual	Actual	Budget	Period Budget vs Actual	Actual	Budget	Actual	Budget	Budget	Budget Targets	
FMU - Administrative - Wages & FICA	33,430.57	33,511.61	(81.04)	41,567.39	41,889.51	(322.12)	74,997.96	75,401.11	74,997.96	435,650.87	17.22%	17.31%	WBP
	6,349.63	13,533.34	(7,183.71)	5,475.61	6,681.35	(1,205.74)	11,825.24	20,214.69	11,825.24	78,774.00	15.01%	25.66%	Worker's Comp was allocated different from budget amts - total amounts are accurate. Will reallocate budgeted amounts.
FMU - Administrative - Medical/Fringe	7,365.78	7,480.80	(115.02)	9,147.45	9,351.00	(203.55)	16,513.23	16,831.80	16,513.23	97,250.40	16.98%	17.31%	WBP
FMU - Administrative - Retirement	5,365.67	7,212.35	(1,846.68)	121,016.58	141,537.58	(20,521.00)	126,382.25	148,749.93	126,382.25	220,873.43	57.22%	67.35%	Property & Casualty less than originally budgeted.
FMU - Administrative - Operational Costs	23,253.84	22,861.94	391.90	27,480.70	28,577.43	(1,096.73)	50,734.54	51,439.37	50,734.54	297,205.22	17.07%	17.31%	WBP
Water - Treatment Plant - Wages & FICA	11,660.44	11,356.92	303.52	5,934.26	7,133.53	(1,199.27)	17,594.70	18,490.45	17,594.70	81,184.37	21.67%	22.78%	WBP
Water - Treatment Plant - Medical/Fringe	5,309.65	5,243.52	66.13	6,245.02	6,529.40	(284.38)	11,554.67	11,772.92	11,554.67	68,065.76	16.98%	17.30%	WBP
Water - Treatment Plant - Retirement	40,366.72	41,713.84	(1,347.12)	68,599.68	70,707.84	(2,108.16)	108,966.40	112,421.68	108,966.40	411,865.08	26.46%	27.30%	WBP
Water - Distribution - Wages & FICA	13,405.99	13,618.92	(212.93)	16,539.78	17,023.64	(483.86)	29,945.77	30,642.56	29,945.77	177,045.88	16.91%	17.31%	WBP
Water - Distribution - Medical/Fringe	8,206.07	7,626.47	579.60	4,854.60	5,468.87	(614.27)	13,060.67	13,095.33	13,060.67	61,227.81	21.33%	21.39%	WBP
Water - Distribution - Retirement	3,007.25	3,165.92	(158.67)	3,899.58	3,932.40	(32.82)	6,706.83	7,098.32	6,706.83	41,056.96	16.34%	17.29%	WBP
Water - Distribution - Operational Costs	8,198.05	10,394.71	(2,196.66)	10,064.76	10,394.71	(329.95)	18,262.81	20,789.42	18,262.81	164,736.52	11.09%	12.62%	WBP
Water - Distribution - Inventory Adjustmen	-	-	-	-	-	-	-	-	-	-	#DIV/0!	#DIV/0!	
Water - Meter Read - Wages & FICA	3,923.28	3,732.67	190.61	4,980.45	4,665.84	314.61	8,903.73	8,398.51	8,903.73	48,524.71	18.35%	17.31%	WBP
Water - Meter Read - Medical/Fringe	1,731.60	1,564.89	166.71	584.10	821.28	(237.18)	2,315.70	2,386.17	2,315.70	9,629.30	24.05%	24.78%	WBP
Water - Meter Read - Retirement	879.60	840.64	38.96	1,114.91	1,050.80	64.11	1,994.51	1,891.44	1,994.51	10,928.32	18.25%	17.31%	WBP
Water - Meter Read - Operational Costs	42,902.12	36,370.56	6,531.56	20,892.46	18,370.56	2,521.90	63,794.58	54,741.12	63,794.58	250,446.72	25.47%	21.86%	WBP
Wastewater Plant - Wages & FICA	13,533.25	13,389.47	143.78	17,570.05	16,736.83	833.22	31,103.30	30,126.30	31,103.30	174,063.05	17.87%	17.31%	WBP
	9,249.73	6,401.43	2,848.30	4,278.82	4,076.16	202.66	13,528.55	10,477.58	13,528.55	46,896.49	28.85%	22.34%	Worker's Comp was allocated different from budget amts - total amounts are accurate. Will reallocate budgeted amounts.
Wastewater Plant - Medical/Fringe	3,232.40	3,214.20	18.20	4,128.76	3,967.75	161.01	7,361.16	7,181.95	7,361.16	41,584.60	17.70%	17.27%	WBP
Wastewater Plant - Retirement	27,102.45	31,639.63	(4,537.18)	31,704.65	31,639.63	65.02	58,807.10	63,279.26	58,807.10	379,675.56	15.49%	16.67%	WBP
Wastewater Plant - Operational Costs	13,616.84	12,600.42	1,016.42	16,405.09	15,750.52	654.57	30,021.93	28,350.94	30,021.93	163,805.41	18.33%	17.31%	WBP
Collections - Wages & FICA	10,330.56	6,600.86	3,729.70	4,507.08	4,659.54	(152.46)	14,837.64	11,260.41	14,837.64	51,938.53	28.57%	21.68%	Worker's Comp was allocated different from budget amts - total amounts are accurate. Will reallocate budgeted amounts.
Collections - Medical/Fringe	3,057.30	2,840.12	217.18	3,673.21	3,550.15	123.06	6,730.51	6,390.27	6,730.51	36,921.56	18.23%	17.31%	WBP
Collections - Retirement	10,563.48	12,469.98	(1,906.50)	15,839.00	12,469.98	3,369.02	26,402.48	24,939.96	26,402.48	195,639.76	13.50%	12.75%	WBP
Collections - Operational Costs	20,291.50	20,291.50	-	20,291.50	20,291.50	-	40,583.00	40,583.00	40,583.00	243,498.00	16.67%	16.67%	WBP
FMU - Intergovernmental Expenditures	7,281.55	7,153.13	128.42	7,210.08	7,153.13	56.95	14,491.63	14,306.26	14,491.63	606,956.32	2.39%	2.36%	WBP
FMU - Debt Service	-	-	-	-	-	-	-	-	-	-	#DIV/0!	#DIV/0!	
Capital Outlay - FMU Admin	-	-	-	-	-	-	-	-	-	-	0.00%	0.00%	WBP
Capital Outlay - Water Treatment Plant	-	-	-	-	-	-	-	-	-	138,536.95	0.00%	0.00%	WBP
Capital Outlay - Distribution	-	-	-	-	-	-	-	-	-	161,828.00	0.00%	0.00%	WBP
Capital Outlay - Meter Read	-	-	-	-	-	-	-	-	-	-	#DIV/0!	#DIV/0!	
Capital Outlay - Wastewater Plant	175.50	175.50	-	7,942.46	8,104.70	(162.24)	8,117.96	8,280.20	8,117.96	371,296.10	2.19%	2.23%	WBP
Capital Outlay - Collections	-	-	-	-	-	-	-	-	-	356,189.00	0.00%	0.00%	WBP
Capital Outlay - Contingency - FMU	-	-	-	-	-	-	-	-	-	(30,906.60)	0.00%	0.00%	
Total Budgeted Expenditures	333,790.62	337,005.31	(3,214.69)	481,748.03	502,535.62	(20,787.59)	815,538.85	839,540.93	815,538.85	5,392,388.08			

	July		August		August Period Budget vs Actual	YTD		Total		YTD % of Budget	YTD % of Budget Targets	Explanation
	Actual	Budget	Actual	Budget		Actual	Budget	Actual	Budget			
Budgeted Revenue	155,601.63	139,617.45	47,678.55	25,912.86	73,591.41	203,280.38	113,704.59	203,280.38	330,085.04			
Net Change in Fund Balance												
		(0.00)		(0.00)	(0.00)							

City of Franklin - Stormwater
Budget vs Actual Review
Fiscal Year Ended June 30, 2020

WBP: Within Budgeted Parameters

	July	July	July	August	August	August	YTD	YTD	Total	Total			
	Actual	Budget	Period Budget vs Actual	Actual	Budget	Period Budget vs Actual	Actual	Budget	Actual	Budget	YTD % of Budget	YTD % of Budget Targets	Explanation
Budgeted Revenue													
Stormwater - Charges for Services	20,985.96	20,625.00	360.96	20,983.77	20,625.00	358.77	41,969.73	41,250.00	41,969.73	247,500.00	16.96%	16.67% WBP	
Stormwater - Fines & Forfeitures	396.64	458.33	(61.69)	596.09	458.33	137.76	992.73	916.66	992.73	5,499.96	18.05%	16.67% WBP	
Stormwater - Intergovernmental Revenue	8,333.33	8,333.33	-	8,333.33	8,333.33	-	16,666.66	16,666.66	16,666.66	99,999.96	16.67%	16.67% WBP	
	974.04	825.21	148.83	-	825.21	(825.21)	974.04	1,650.42	974.04	9,902.52	9.84%	16.67% WBP	Investment income is trending less than expected. Will review.
Stormwater - Investment Income	-	-	-	-	-	-	-	-	-	-			
Stormwater - Miscellaneous Revenue	-	-	-	-	-	-	-	-	-	-	#DIV/0!	#DIV/0!	
Total Budgeted Revenue	30,689.97	30,241.87	448.10	29,913.19	30,241.87	(328.68)	60,603.16	60,483.74	60,603.16	362,902.44			
	July	July	July	August	August	August	YTD	YTD	Total	Total			
Budgeted Expenditures	Actual	Budget	Period Budget vs Actual	Actual	Budget	Period Budget vs Actual	Actual	Budget	Actual	Budget	YTD % of Budget	YTD % of Budget Targets	
Stormwater - Wages & FICA	7,261.44	7,441.93	(180.49)	8,464.13	9,302.41	(838.28)	15,725.57	16,744.34	15,725.57	96,745.08	16.25%	17.31% WBP	
	6,668.82	3,457.10	3,211.72	1,767.24	2,191.69	(424.45)	8,436.06	5,648.79	8,436.06	24,866.64	33.93%	22.72% WBP	Worker's Comp was allocated different from budget amts - total amounts are accurate. Will reallocate budgeted amounts.
Stormwater - Medical/Fringe	1,625.91	1,672.44	(46.53)	1,891.83	2,090.55	(198.72)	3,517.74	3,762.99	3,517.74	21,741.72	16.18%	17.31% WBP	
Stormwater - Retirement	1,615.46	3,983.13	(2,367.67)	3,848.39	4,136.46	(288.07)	5,463.85	8,119.59	5,463.85	70,450.89	7.76%	11.53% WBP	Many costs are "as needed"
Stormwater - Operational Costs	-	-	-	-	-	-	-	-	-	-	#DIV/0!	#DIV/0!	
Stormwater - Intergovernmental Appropriations	-	-	-	-	-	-	-	-	-	-	#DIV/0!	#DIV/0!	
Stormwater - Capital Outlay	-	-	-	-	-	-	-	-	-	-	#DIV/0!	#DIV/0!	
Stormwater - Capital Outlay - Contingency	-	-	-	-	-	-	-	-	-	-	#DIV/0!	#DIV/0!	
Total Budgeted Expenditures	17,171.63	16,554.60	617.03	15,971.59	17,721.12	(1,749.53)	33,143.22	34,275.71	33,143.22	213,804.33			
Net Change in Fund Balance	13,518.34	13,687.27	(168.93)	13,941.60	12,520.75	1,420.85	27,459.94	26,208.03	27,459.94	149,098.11			

	July	July	July	August	August	August	YTD	YTD	Total	Total			
	Actual	Budget	Period Budget vs Actual	Actual	Budget	Period Budget vs Actual	Actual	Budget	Actual	Budget	YTD % of Budget	YTD % of Budget Targets	Explanation
Budgeted Revenue													
Sanitation - Charges for Service	62,529.94	60,416.67	2,113.27	62,118.15	60,416.67	1,701.48	124,648.09	120,833.34	124,648.09	722,000.04	17.26%	16.74% WBP	
	16,692.46	10,500.00	6,192.46	7,491.16	26,666.70	(19,175.54)	24,183.62	37,166.70	24,183.62	223,000.00	10.84%	16.67% WBP - This typically lags by 1 month given timing of Sector Billings	
Sanitation - Franchise Fees	1,875.90	1,750.00	125.90	-	1,750.00	(1,750.00)	1,875.90	3,500.00	1,875.90	21,000.00	8.93%	16.67% WBP - This typically lags by 1 month given timing of Sector Billings	
Sanitation - Collection Fees													
Sanitation - Fines & Forfeitures	1,803.31	2,166.67	(363.36)	1,799.83	2,166.67	(366.84)	3,603.14	4,333.34	3,603.14	26,000.04	13.86%	16.67% Trending less than expected	
	996.81	625.00	371.81	-	625.00	(625.00)	996.81	1,250.00	996.81	7,500.00	13.29%	16.67% Investment income higher than expected	
Sanitation - Investment Income													
Sanitation - Miscellaneous Income	-	-	-	-	-	-	-	-	-	-	#DIV/0!	#DIV/0!	
Total Budgeted Revenue	83,898.42	75,458.34	8,440.08	71,409.14	91,625.04	(20,215.90)	155,307.56	167,083.38	155,307.56	999,500.08			
	July	July	July	August	August	August	YTD	YTD	Total	Total			
	Actual	Budget	Period Budget vs Actual	Actual	Budget	Period Budget vs Actual	Actual	Budget	Actual	Budget	YTD % of Budget	YTD % of Budget Targets	
Budgeted Expenditures													
Sanitation - Salary/Medical/Fringe	62,529.94	60,416.67	2,113.27	-	60,416.67	(60,416.67)	62,529.94	120,833.34	62,529.94	725,000.04	8.62%	16.67% WBP - This typically lags by 1 month given timing of Sector Billings	
Sanitation - Garbage Hauler Contract													
Sanitation - Intergovernmental Appropriations	17,458.33	17,458.33	-	17,458.33	17,458.33	-	34,916.66	34,916.66	34,916.66	209,499.96	16.67%	16.67% WBP	
Sanitation - Debt Service	-	-	-	-	-	-	-	-	-	-	#DIV/0!	#DIV/0!	
Sanitation - Operational Costs													
Total Budgeted Expenditures	79,988.27	77,875.00	2,113.27	17,458.33	77,875.00	(60,416.67)	97,446.60	155,750.00	97,446.60	934,500.00			
Net Change in Fund Balance	3,910.15	(2,416.66)	6,326.81	53,950.81	13,750.04	40,200.77	57,860.96	11,333.38	57,860.96	65,000.08			

Net Change in Fund Balance

	July	July	July	August	August	August	YTD	YTD	Total	Total			
	Actual	Budget	Period Budget vs Actual	Actual	Budget	Period Budget vs Actual	Actual	Budget	Actual	Budget	YTD % of Budget	YTD % of Budget Targets	Explanation
Budgeted Revenue													
Municipal Aid - State Road Fund	-	-	-	98,121.00	97,000.00	1,121.00	98,121.00	97,000.00	98,121.00	168,591.99	58.20%	57.54% WBP	
Municipal Aid - LGEAF/Coal/Minera	-	-	-	5,052.07	4,943.75	108.32	5,052.07	4,943.75	5,052.07	19,775.00	25.55%	25.00% WBP	
Municipal Aid - Intergovernmental Revenue	-	-	-	-	-	-	-	-	-	150,000.00	0.00%	0.00% WBP	
	97.05	175.00	(77.95)	-	175.00	(175.00)	97.05	350.00	97.05	2,100.00	4.62%	16.67%	Investment income is trending less than expected
Municipal Aid - Investment Income	-	-	-	-	-	-	-	-	-	-			
Municipal Aid - Miscellaneous Income	-	-	-	-	-	-	-	-	-	-	#DIV/0!	#DIV/0!	
Total Budgeted Revenue	97.05	175.00	(77.95)	103,173.07	102,118.75	1,054.32	103,270.12	102,293.75	103,270.12	340,466.99			
	July	July	July	August	August	August	YTD	YTD	Total	Total			
	Actual	Budget	Period Budget vs Actual	Actual	Budget	Period Budget vs Actual	Actual	Budget	Actual	Budget	YTD % of Budget	YTD % of Budget Targets	
Budgeted Expenditures													
Municipal Aid - Street Repairs/Paving	-	1,687.50	(1,687.50)	-	1,687.50	(1,687.50)	-	3,375.00	-	230,250.00	0.00%	1.47% WBP - Timing is cyclical	
Municipal Aid - Sidewalk Repairs/Rehab	-	-	-	-	2,000.00	(2,000.00)	-	2,000.00	-	15,000.00	0.00%	13.33% WBP - Timing is cyclical	
Municipal Aid - Operational Costs	-	-	-	-	-	-	-	-	-	-	#DIV/0!	#DIV/0!	
Municipal Aid - Intergovernmental Approp	7,916.67	7,916.67	-	7,916.67	7,916.67	-	15,833.34	15,833.34	15,833.34	95,000.04	16.67%	16.67% WBP	
Municipal Aid - Capital Outlay	-	-	-	-	-	-	-	-	-	-	#DIV/0!	#DIV/0!	
Total Budgeted Expenditures	7,916.67	9,604.17	(1,687.50)	7,916.67	11,604.17	(3,687.50)	15,833.34	21,208.34	15,833.34	340,250.04			
Net Change in Fund Balance	(7,819.62)	(9,429.17)	1,609.55	95,256.40	90,514.58	4,741.82	87,436.78	81,085.41	87,436.78	216.95			

City of Franklin - Perpetual Care
Budget vs Actual Review
Fiscal Year Ended June 30, 2020

WBP: Within Budgeted Parameters

	July	July	July	August	August	August	YTD	YTD	Total	Total			
	Actual	Budget	Period Budget vs Actual	Actual	Budget	Period Budget vs Actual	Actual	Budget	Actual	Budget	YTD % of Budget	YTD % of Budget Targets	Explanation
Budgeted Revenue													
Perpetual Care - Lot Sales	-	-	-	600.00	616.67	(16.67)	600.00	616.67	600.00	7,400.00	8.11%	8.33% WBP	
Perpetual Care - Investment Income	1,069.38	1,037.25	32.13	22.28	1,037.25	(1,014.97)	1,091.66	2,074.50	1,091.66	12,447.00	8.77%	16.67% WBP	
Perpetual Care - Miscellaneous Income	-	-	-	100.00	100.00	-	100.00	100.00	100.00	200.00	50.00%	50.00% WBP	
Total Budgeted Revenue	1,069.38	1,037.25	32.13	722.28	1,753.92	(1,031.64)	1,791.66	2,791.17	1,791.66	20,047.00			
Budgeted Expenditures													
Perpetual Care - Intergovernmental Apprc	250.00	250.00	-	250.00	250.00	-	500.00	500.00	500.00	3,000.00	16.67%	16.67% WBP	
Total Budgeted Expenditures	250.00	250.00	-	250.00	250.00	-	500.00	500.00	500.00	3,000.00			
Net Change in Fund Balance	819.38	787.25	32.13	472.28	1,503.92	(1,031.64)	1,291.66	2,291.17	1,291.66	17,047.00			

City of Franklin - Cemetery
Budget vs Actual Review
Fiscal Year Ended June 30, 2020

WBP: Within Budgeted Parameters

	July	July	July	August	August	August	YTD	YTD	Total	Total	YTD % of	YTD % of	Explanation
Budgeted Revenue	Actual	Budget	Period Budget vs Actual	Actual	Budget	Period Budget vs Actual	Actual	Budget	Actual	Budget	Budget	Budget Targets	
	1,500.00	3,083.33	(1,583.33)	2,500.00	3,083.33	(583.33)	4,000.00	6,166.66	4,000.00	36,999.96	10.81%	16.67%	Lot sales are varied; will review monthly to determine if budget amendment will be needed
Cemetery - Lot Sales	1,450.00	3,333.33	(1,883.33)	5,650.00	3,333.33	2,316.67	7,100.00	6,666.66	7,100.00	39,999.96	17.75%	16.67%	Open/Closings are varied will review monthly to determine if budget amendment will be needed
Cemetery - Open/Close Graves	15,500.00	15,500.00	-	15,500.00	15,500.00	-	31,000.00	31,000.00	31,000.00	186,000.00	16.67%	16.67%	WBP
Cemetery - Intergovernmental Revenue	140.98	13.12	127.86	-	13.12	(13.12)	140.98	26.24	140.98	157.44	89.55%	16.67%	Investment income is trending more than expected
Cemetery - Investment Income	10.00	-	10.00	35.00	-	35.00	45.00	-	45.00	450.00	10.00%	0.00%	WBP
Cemetery - Miscellaneous Revenues	10.00	-	10.00	35.00	-	35.00	45.00	-	45.00	450.00	10.00%	0.00%	WBP
Total Budgeted Revenue	18,600.98	21,929.78	(3,328.80)	23,685.00	21,929.78	1,755.22	42,285.98	43,859.56	42,285.98	263,607.36			
	July	July	July	August	August	August	YTD	YTD	Total	Total	YTD % of	YTD % of	
Budgeted Expenditures	Actual	Budget	Period Budget vs Actual	Actual	Budget	Period Budget vs Actual	Actual	Budget	Actual	Budget	Budget	Budget Targets	
Cemetery - Salaries & Fringe	770.36	770.36	-	770.36	770.36	-	1,540.72	1,540.72	1,540.72	9,244.32	16.67%	16.67%	WBP
Contract Labor - Cemetery Operations	15,416.67	15,416.67	-	15,416.67	15,416.67	-	30,833.34	30,833.34	30,833.34	185,000.04	16.67%	16.67%	WBP
Cemetery - Operating Expenses	1,753.95	1,873.70	(119.75)	2,631.51	2,782.43	(150.92)	4,385.46	4,656.13	4,385.46	17,676.46	24.81%	26.34%	WBP
Cemetery - Intergovernmental Appropriati	3,750.00	3,750.00	-	3,750.00	3,750.00	-	7,500.00	7,500.00	7,500.00	45,000.00	16.67%	16.67%	WBP
Cemetery - Capital Outlay	-	-	-	-	-	-	-	-	-	5,000.00	0.00%	0.00%	WBP
Total Budgeted Expenditures	21,690.98	21,810.73	(119.75)	22,568.54	22,719.46	(150.92)	44,259.52	44,530.19	44,259.52	261,920.82			
Net Change in Fund Balance	(3,090.00)	119.05	(3,209.05)	1,116.46	(789.68)	1,906.14	(1,973.54)	(670.63)	(1,973.54)	1,686.54			

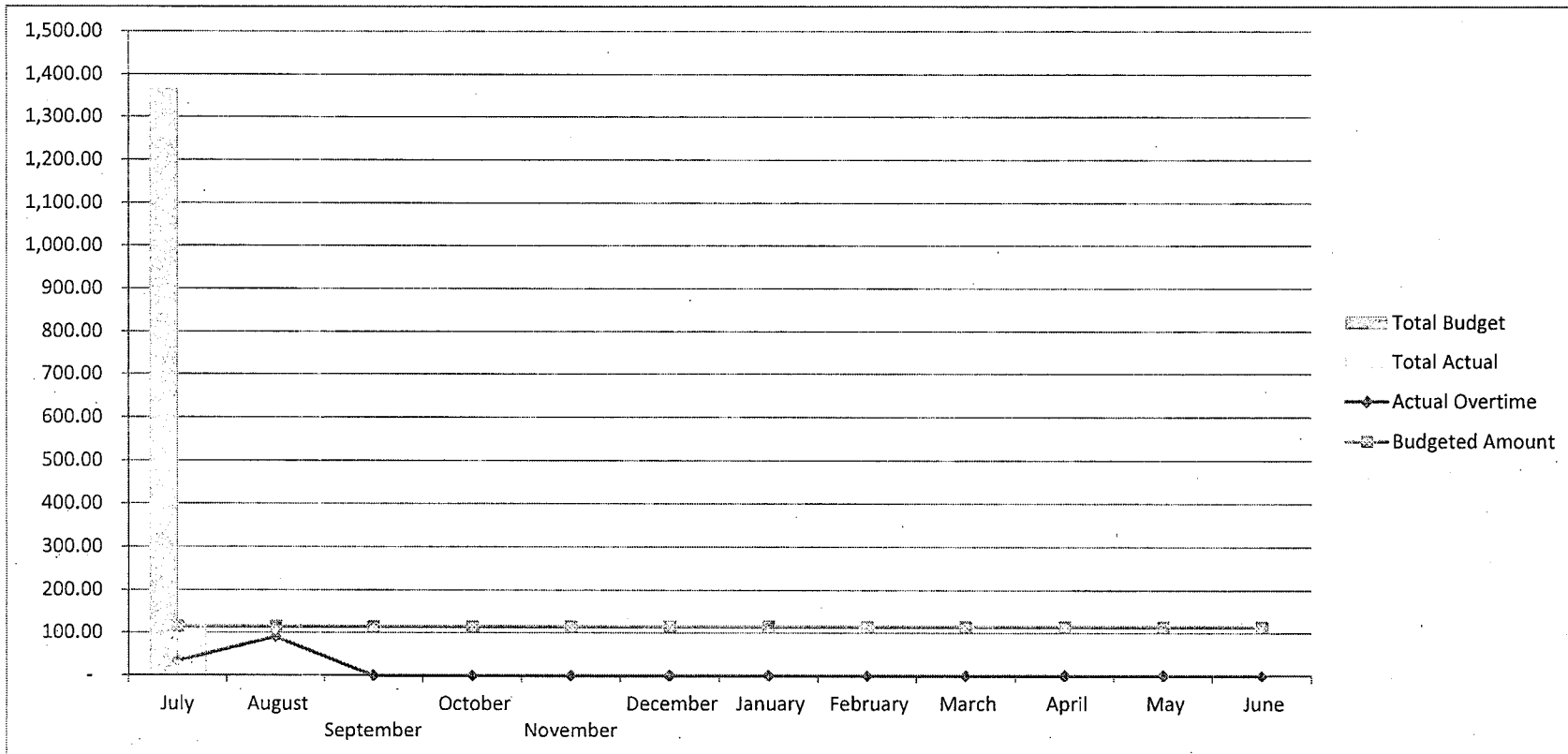
City of Franklin
Analysis of Overtime Expenditures
Year To Date As of August 31, 2019

	FY 2019 Budget	YTD 2019 Actual	% Spent
General Fund			
Administration Expenditures	1,365.53	123.85	9.07%
Finance Expenditures	2,052.91	171.26	8.34%
Police Administration Expenditures	-	-	0.00%
Police Patrol Expenditures	104,174.27	21,542.74	20.68%
Police Non Sworn Expenditures	914.79	45.71	5.00%
Code Enforcement Expenditures	-	-	0.00%
Public Works Streets Expenditures	6,643.19	2,008.24	30.23%
Stormwater Fund			
Stormwater Expenditures	5,508.77	184.49	3.35%
Municipal Utility Fund			
Water Administrative Expenditures	9,007.12	829.25	9.21%
Water Production Expenditures	9,095.36	1,502.70	16.52%
Water Distribution Expenditures	6,996.23	635.77	9.09%
Meter Reading & Maintenance Expenditures	1,858.95	623.99	33.57%
Wastewater Treatment Expenditures	10,140.92	3,087.42	30.45%
Collection/Rehab Expenditures	10,066.18	3,052.32	30.32%

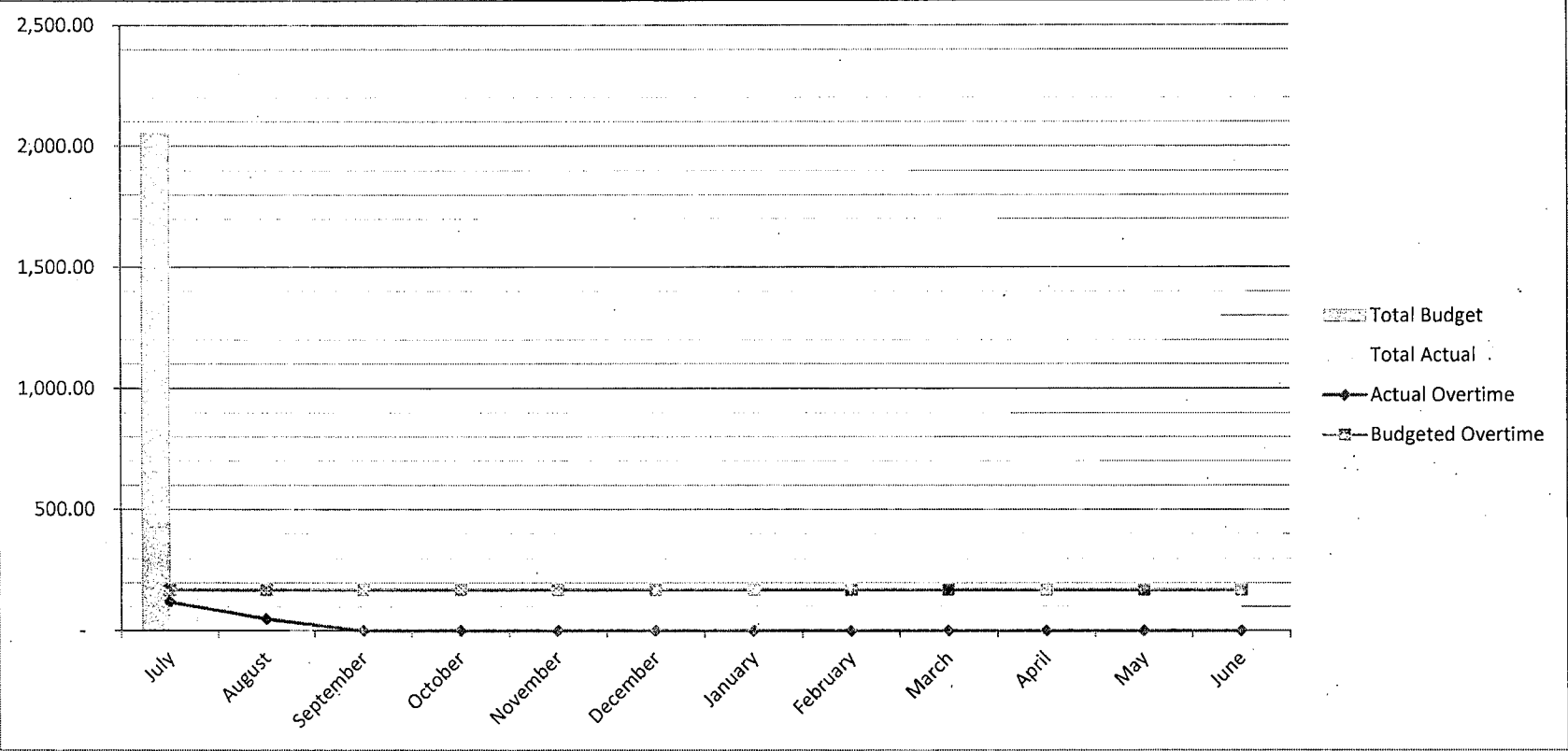
Springbrook Report:

FD_ExpBudgetWOEncByDept

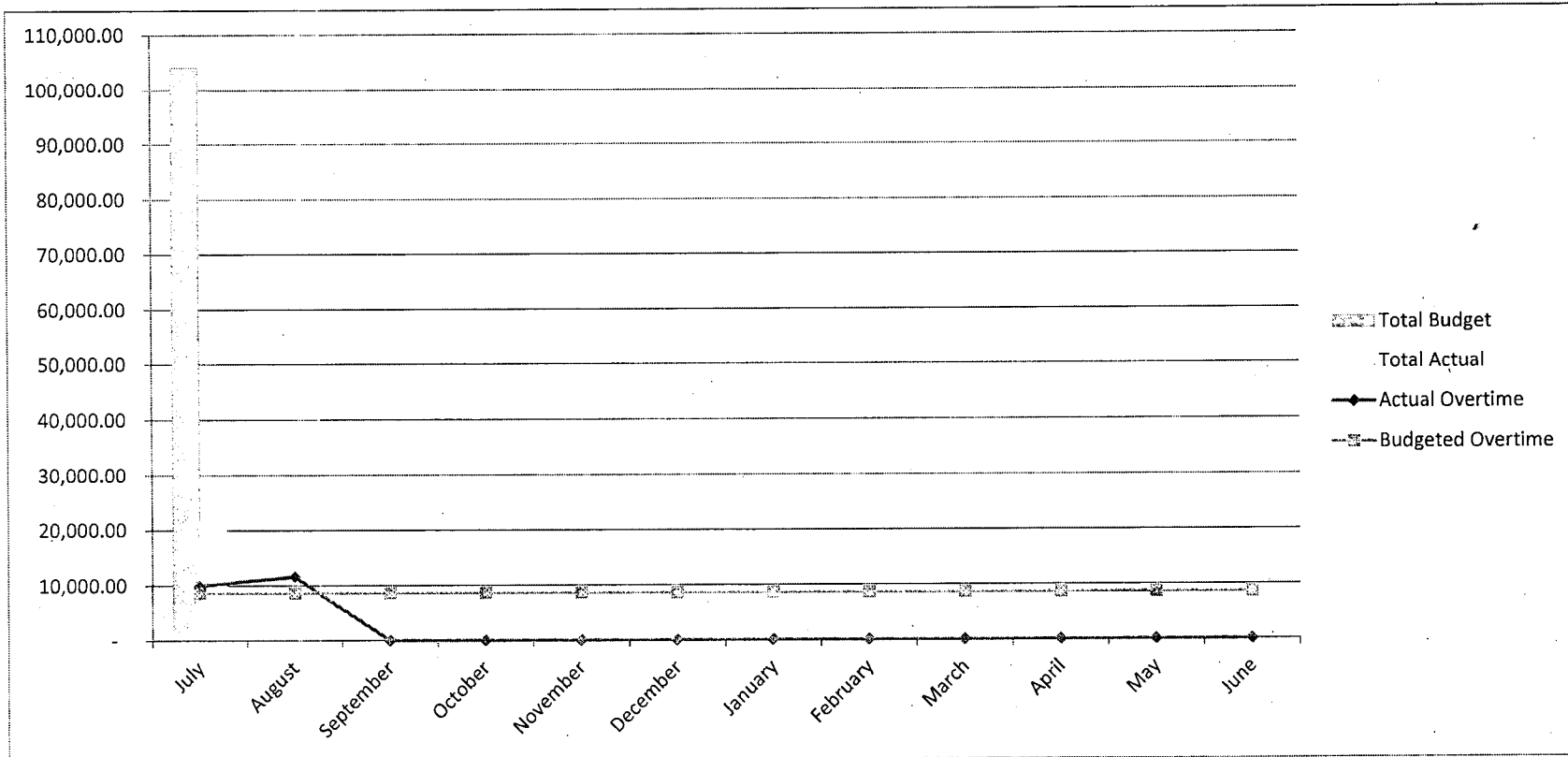
Administrative Overtime



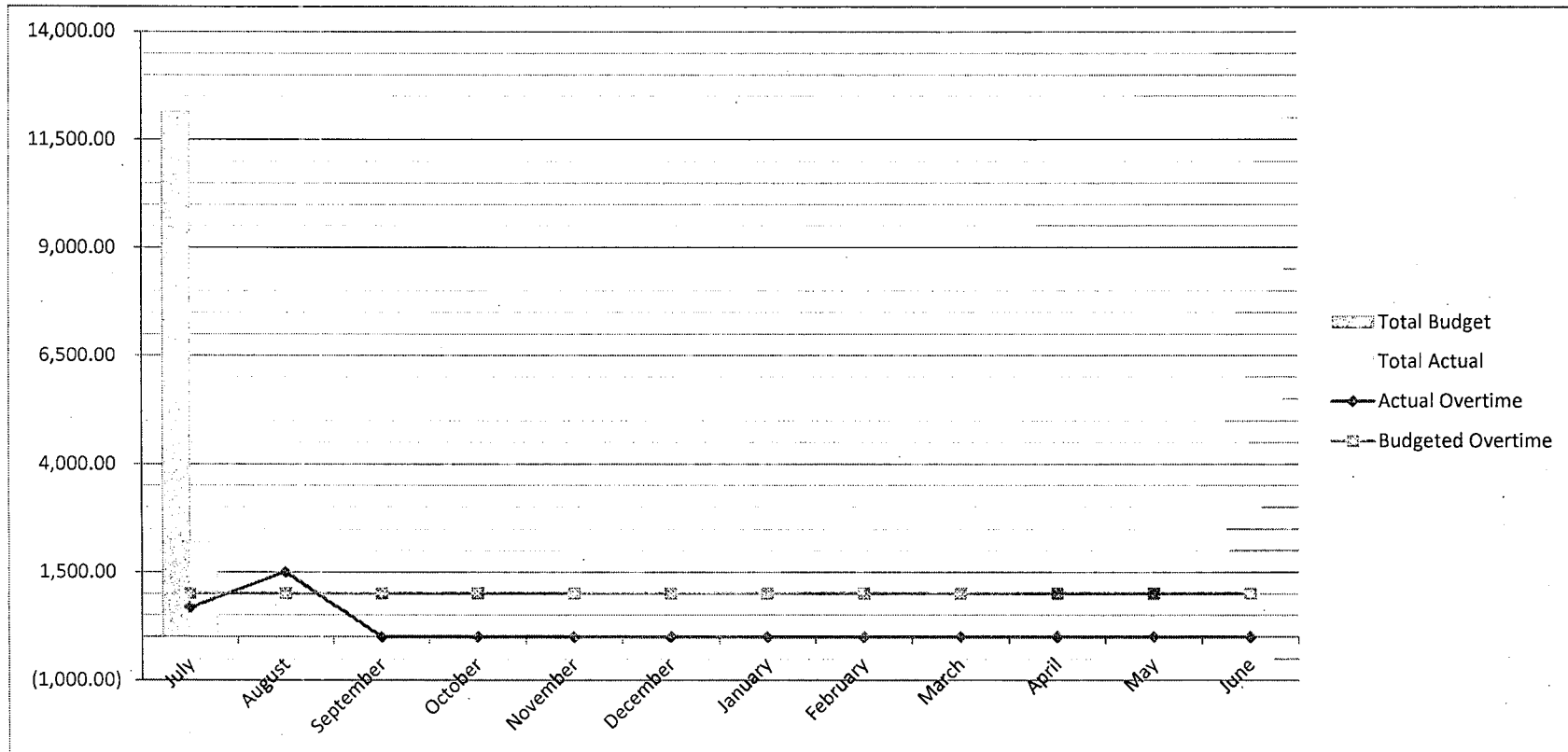
Finance Overtime



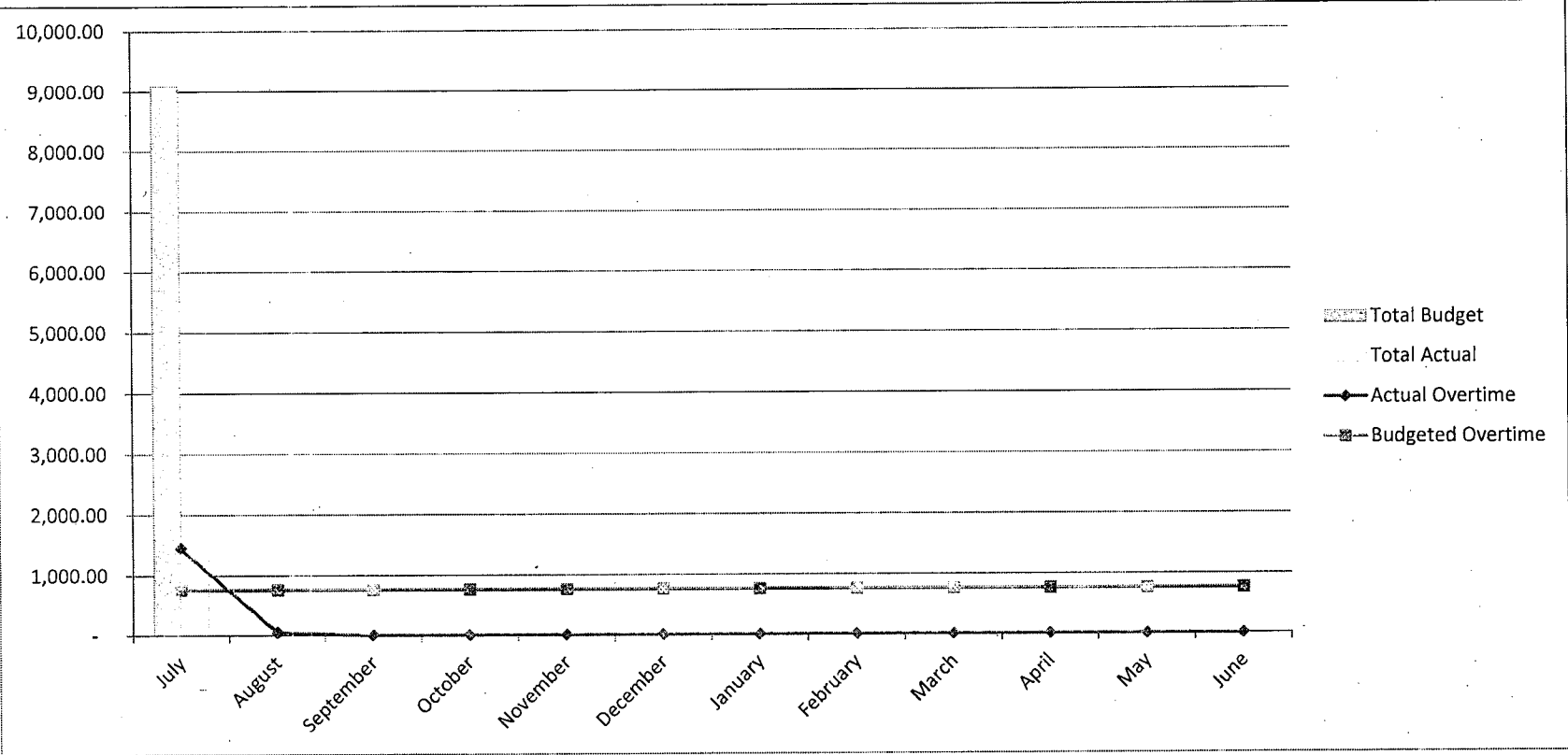
Police Department Overtime



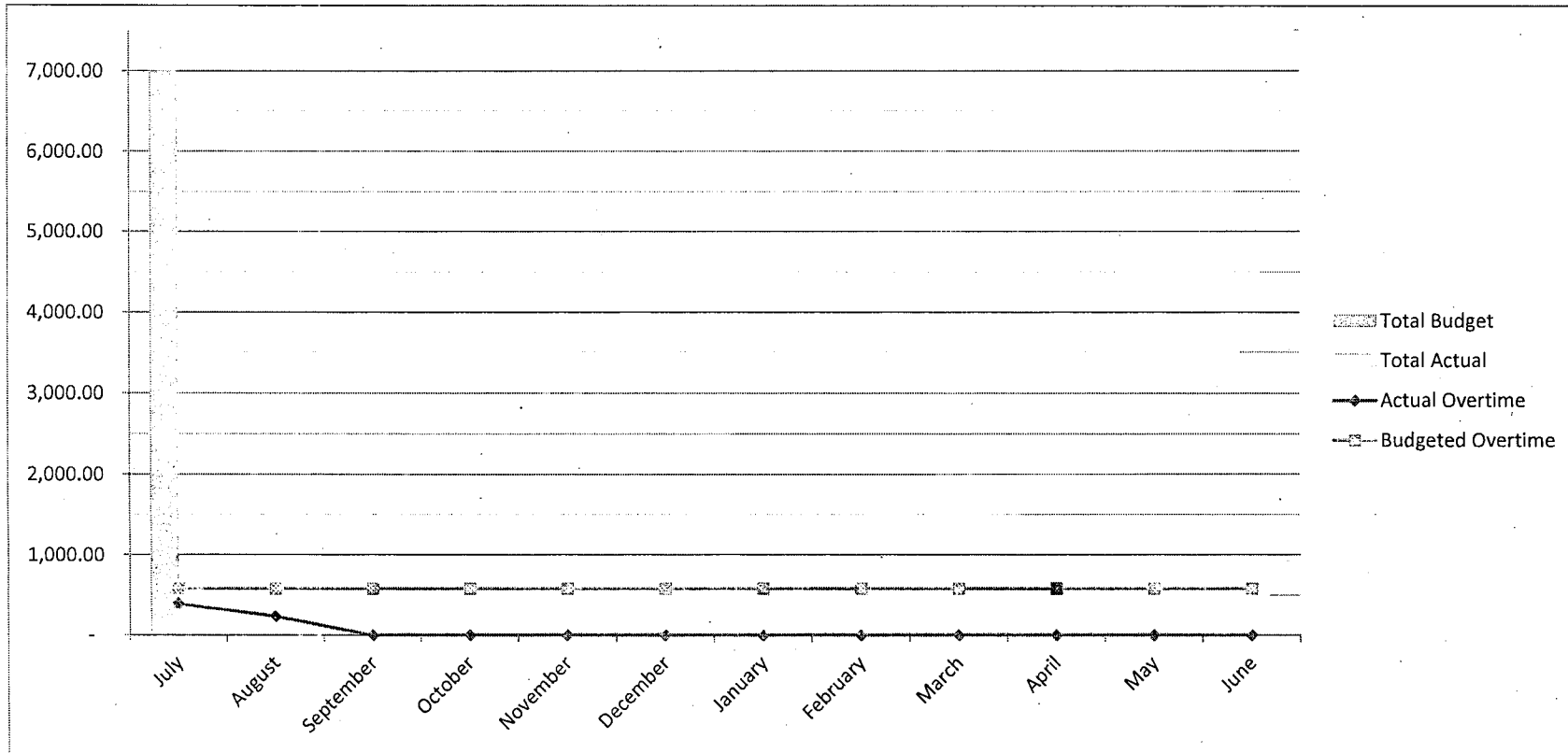
Public Works Overtime



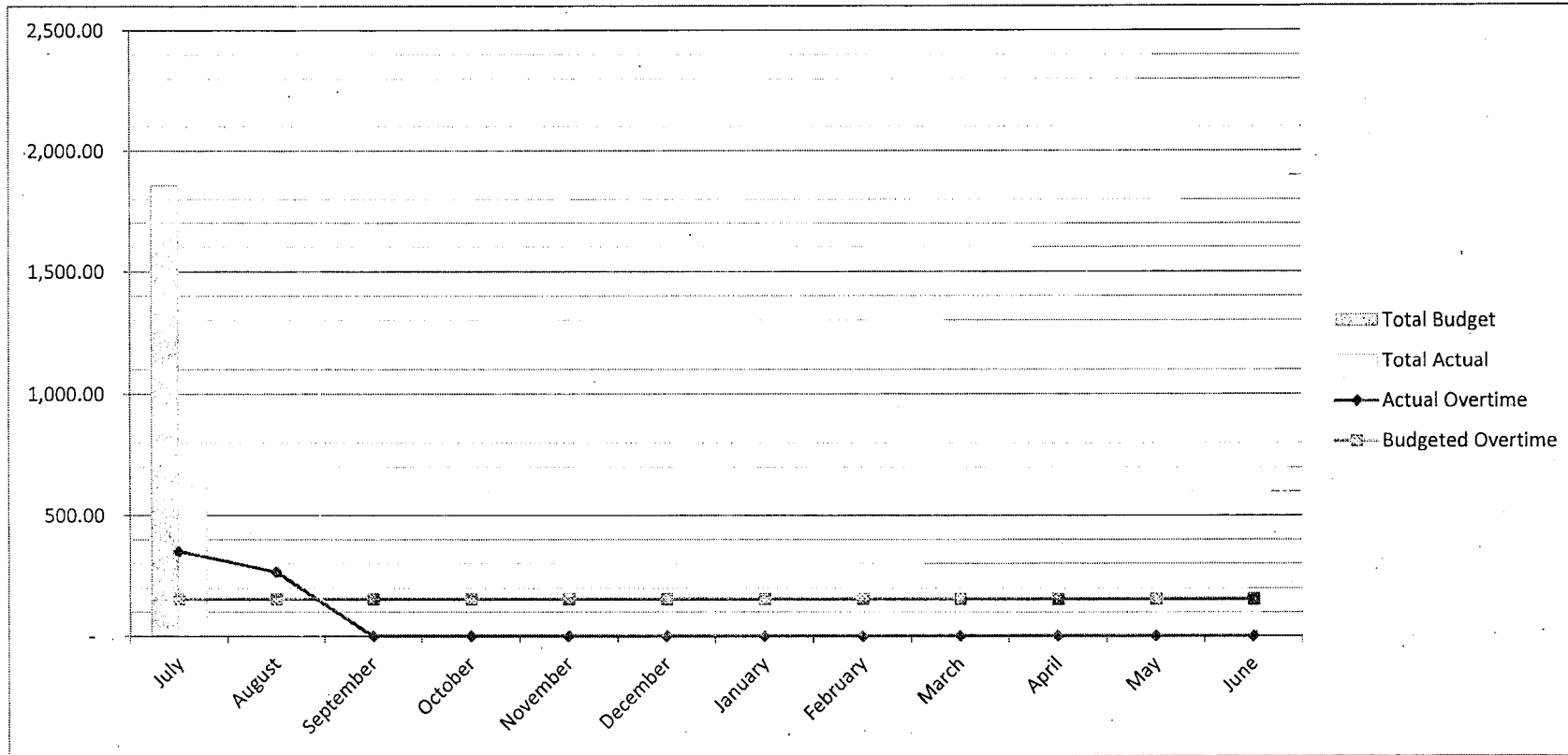
Water Treatment Plant Overtime



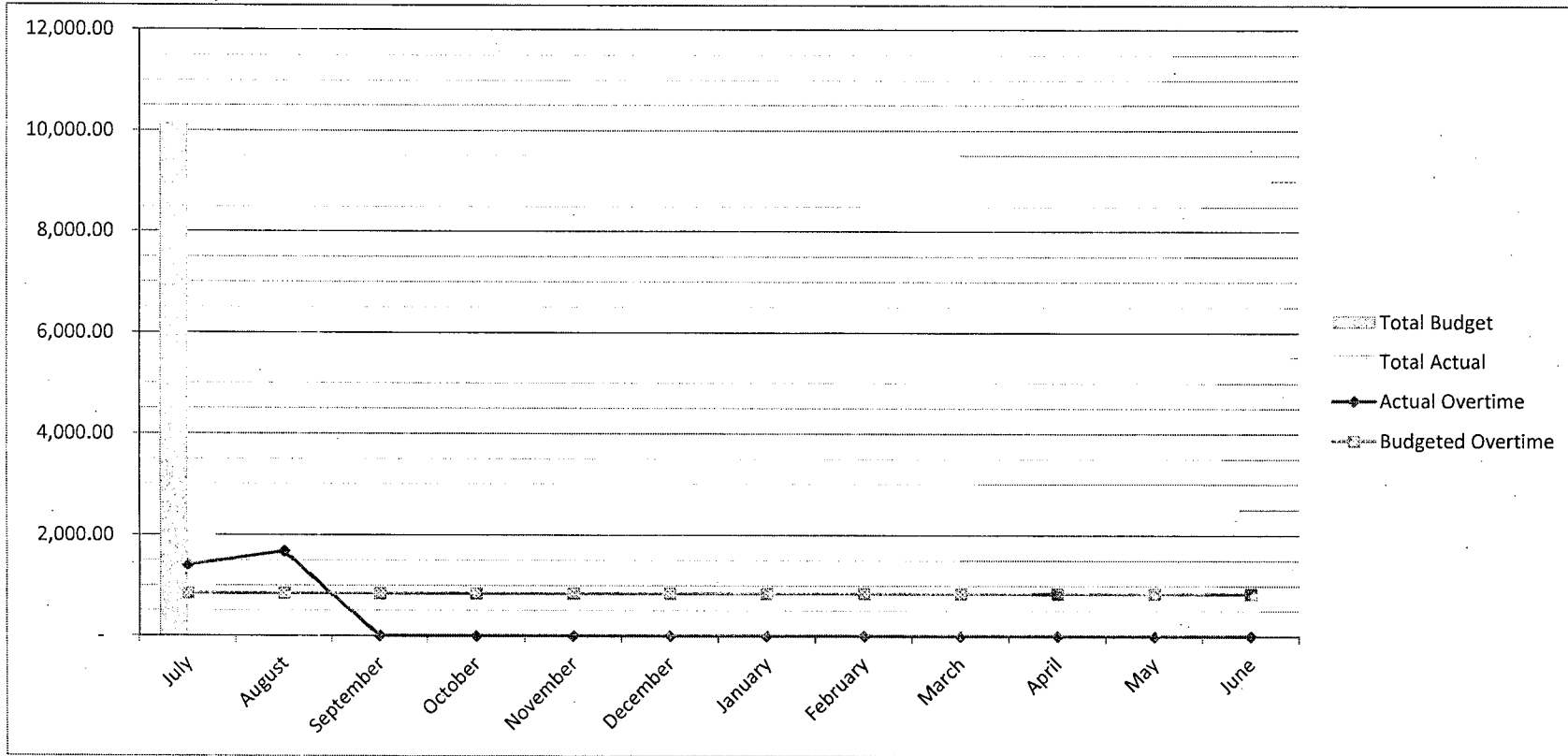
Water Distribution Overtime



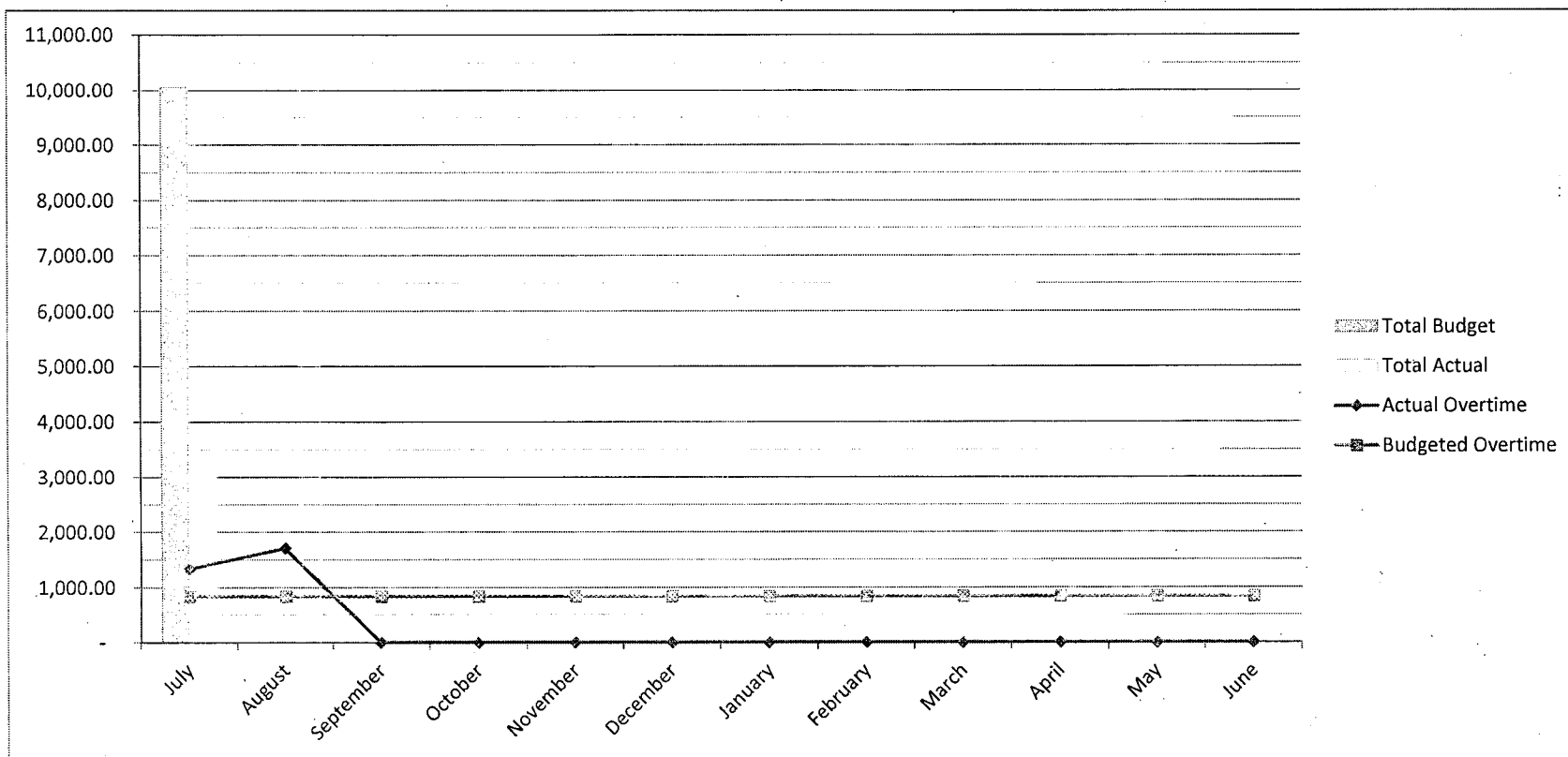
Water Distribution Overtime



Wastewater Treatment Plant Overtime



Collections Overtime



PUBLIC SERVICES



MEMO

TO: Franklin City Commission
FROM: Scott Crabtree
DATE: September 18, 2019
SUBJECT: Sidewalk Maintenance Program

Attached is a Municipal Order adopting a new sidewalk maintenance program and appointing a Sidewalk Committee to supervise this program. This committee has to meet at least annually, and has to have an agenda and public meeting complying with the Kentucky Open Meetings' Act. I wanted to present it for discussion, comments or suggested changes. If it meets the Commission's approval, we need to adopt the Municipal Order.

MUNICIPAL ORDER #2019-001

**A MUNICIPAL ORDER ADOPTING A SIDEWALK POLICY
AND CONSTRUCTION AND MAINTENANCE PLAN AND
APPOINTING A SIDEWALK COMMITTEE.**

WHEREAS, the Board of Commissioners of the City of Franklin has and/or will approved a capital projects program fund which includes an annual budgeted line item to be earmarked for the maintenance and construction of sidewalks in the public right-of-way; and

WHEREAS, City funding for the maintenance and construction of sidewalks is finite and it is necessary to prioritize limited resources; and

WHEREAS, the City has for numerous years utilized an unwritten Sidewalk Policy prepared by the Street Department for purposes of directing limited City resources; and

WHEREAS, the City desires to formally adopt said Sidewalk Policy, by means of a written Sidewalk Policy and Construction and Maintenance Plan, and maintain a Sidewalk Committee to oversee the sidewalk program.

**NOW, THEREFORE, BE IT ORDERED BY THE BOARD OF COMMISSIONERS
OF THE CITY OF FRANKLIN, KENTUCKY, AS FOLLOWS:**

Section 1. The City of Franklin Sidewalk Policy and Construction and Maintenance Plan is hereby adopted and shall be used by the City of Franklin, through the Sidewalk Committee, to implement procedures and practices to construct and maintain sidewalks in the public right-of-way. A copy of the current Sidewalk Policy and Construction and Maintenance Plan is attached hereto.

Section 2. This Sidewalk Committee shall be comprised of the Public Works Director, the Street Superintendent, the Community Development Director, and the City Manager.

Section 3. The Board of Commissioners hereby authorizes the Mayor and City Manager to sign any and all other documents which are deemed necessary to the furtherance of the authority outlined herein.

INTRODUCED, PUBLICLY READ, AND FINALLY APPROVED ON ONE READING, this the _____ day of September, 2019.

Larry Dixon, Mayor

ATTEST:

Cathy Dillard, City Clerk

SIDEWALK POLICY AND CONSTRUCTION AND MAINTENANCE PLAN

1) Introduction:

This Sidewalk Policy and Construction and Maintenance Plan ("Policy") is a written policy which basically encompasses the verbal Policy of the City of Franklin that has been in effect for many years. As such, the Policy shall cover the construction of new sidewalks and the repair of existing sidewalks that are located in the public right-of-way and that have been dedicated and/or accepted by the City of Franklin for public use.

It is the goal of the Policy to address the following sidewalk issues, listed in descending order of importance:

- First:** Repairing severely damaged (hazardous) sidewalks that are non-compliant with the current ADA regulations.
- Second:** Installation of ADA-compliant ramps throughout the City.
- Third:** Filling in missing short sections between sidewalks.
- Fourth:** Filling in large areas without sidewalks.
- Fifth:** Aesthetic considerations.

2) Sidewalk Fund:

The City of Franklin Board of Commissioners annually approves a capital projects program fund, which includes an annual budgeted line item to be earmarked for the maintenance and construction of sidewalks in the public right-of-way, to the extent that there is funding available and approved in the budget for this purpose. This fund will be used to purchase materials, equipment, labor, and professional services necessary to implement the Policy.

3) Sidewalk Committee:

A Sidewalk Committee is established under this Policy in order to oversee the Policy. The Sidewalk Committee is comprised of the Public Works Director, the Street Superintendent, the Community Development Director, and the City Manager. The Sidewalk Committee shall meet periodically, but at least annually, to review the projects and/or work schedule and to make recommendations for changes and adjustments whenever necessary.

4) **Sidewalk Inventory & Condition Assessment:**

The Street Department shall periodically inventory as many sidewalks as allowed by time and budget, for the purpose of creating a sidewalk condition index ("Index"). This information shall be used to prioritize and update the sidewalk maintenance prioritization plan ("Plan").

When inventorying the sidewalks, the Street Department shall use the following rating system to compile data to form the Index:

- a) "Slight Cracking" denotes a crack that is superficial, up to $\frac{1}{8}$ " in width and/or with a vertical displacement less than $\frac{1}{8}$ ". (1 point)
- b) "Moderate Cracking" denotes a crack that is between $\frac{1}{8}$ " and $\frac{1}{4}$ " in width and/or has a slight vertical displacement, up to $\frac{1}{2}$ ". (2 points)
- c) "Severe Cracking" denotes a crack that is over $\frac{1}{4}$ " in width and/or has a vertical displacement of $\frac{1}{2}$ " to 1". (3 points)
- d) "Vertical Separation" denotes a section of sidewalk in which the vertical separation is greater than 1". (5 points)

5) **Prioritization Plan:**

Each sidewalk shall be ranked based upon the results of the Sidewalk Inventory. In determining which sidewalk shall be repaired/replaced/installed next, the Street Department will give priority to the sidewalk with the highest point total in the most recent Index.

Notwithstanding the above sentence, the Sidewalk Committee may consider other factors in determining whether an exception to the general policy is warranted, on a case-by-case basis. These factors include, but are not limited to: natural disasters, emergencies, or other extraordinary circumstances, the volume of pedestrian traffic, proximity to public transportation boarding and drop-off points, and proximity to schools. In addition, repairs/maintenance and new installation of sidewalks are also based upon funding and/or budgetary money available during the fiscal year budget cycle. The City shall pay all of the cost for repairs under this plan when funding is available.

6) **Criteria for Sidewalk Repair and Replacement:**

Upon inspection, sidewalks with the highest scores and/or are the scores are tied shall be repaired and/or replaced if the following conditions exist:

- a) Vertical offset at joints larger than 1 inch.
- b) Intersecting cracks in one panel subject to displacement.
- c) Settlement in sidewalk larger than 4 inches in an 8-foot span.
- d) Rough surface due to deterioration of concrete that is deemed hazardous.

7) **Sidewalk Specifications:**

All sidewalk repairs, replacement, and construction shall comply with the requirements of the Kentucky Building Code as well as any requirements set forth by the Sidewalk Committee as established in Paragraph 3 above. This provision shall also apply to any developer who builds sidewalks in residential and commercial subdivisions.

Any sidewalk construction or repair shall be subject to inspection by the City Street Department for compliance with the abovementioned standards and for quality of material and workmanship.

8) **Handicap Ramps:**

Whenever the construction, repair, or replacement of a sidewalk is in close proximity to a street intersection, the handicap ramp or ramps on that corner shall be made compliant with ADA and City standards.

9) **Trees and Tree Roots in the Vicinity of Sidewalks:**

In certain locations trees have been planted in close proximity to sidewalks. Roots of such trees may have caused severe damage to sidewalks, the repair of which may require the cutting of these roots. In the event a sidewalk cannot be repaired or rendered compliant without the removal of a tree, the tree shall be removed after consultation with the property owner. If such tree is in the right-of-way, the sidewalk fund shall pay for the removal. If the tree is on private property, the property owner shall be responsible for its removal.

The planting of trees with extensive root characteristics that may create a potential hazard for sidewalks are prohibited in areas adjacent to sidewalks.

10) **Damage to Sidewalks Due to Private Construction Activity or Individual Acts:**

If a private construction activity or individual acts cause damage to a public sidewalk, the party causing the damage shall be responsible for repairing and/or replacing the damaged sidewalk.

11) **Repair or Replacement of Sidewalks by Others:**

If a resident or a group of residents choose to repair or replace a damaged sidewalk that meets the replacement criteria of **Section 7** above, before the scheduled repair or replacement, the sidewalk program may pay for the concrete used to complete such work, provided yearly budgeted funds are available. A resident making such a request shall employ a bonded contractor or provide surety to the City of Franklin in the amount of One Thousand Dollars (\$1,000.00). The resident or contractor

performing such work must obtain a permit from the Street Department. Such work will be subject to inspection by the Street Department.

12) Utilities:

Utility companies shall also comply with the provisions of their individual Franchise Agreement with the City of Franklin and the City's Code of Ordinances.

13) Construction of Sidewalk by Others:

If a resident or a group of residents or a private or public entity chooses to construct a sidewalk in the right-of-way where none exists, the sidewalk program may pay for the concrete used to complete such work provided yearly budgeted funds are available. A resident making such a request shall employ a bonded contractor or provide surety to the City of Franklin in the amount of One Thousand Dollars (\$1,000.00). The resident or contractor performing such work must obtain a permit from the City of Franklin's Street Department. Such work will be subject to inspection by the Street Department.

14) Sidewalk Program Management and Construction:

The Sidewalk Program shall be managed by the City Street Department. The City Board of Commissioners, the City Manager, and the Sidewalk Committee shall provide guidance in the planning and implementation of the sidewalk plan.

In order to obtain the most efficient use of the sidewalk fund, the Street Department construction crews may perform sidewalk repairs, replacement and construction of new sidewalk in missing sections. If, due to heavy workload, the Street Department cannot perform this work in a timely manner, then this work may be bid and awarded to a private contractor.

15) Requests for Exceptions and Appeals:

Any citizen may request an exception to the Policy. In assessing the citizen's request, the Sidewalk Committee shall consider the stated reasons for such exceptions listed in Paragraph 2 of Section 5 above. The Sidewalk Committee will return a decision within four (4) weeks, and its decision will be final.

PUBLIC SAFETY



MEMO

TO: Mayor Larry Dixon and Commissioners
FROM: City Manager Kenton Powell
DATE: September 19th 2019
SUBJECT: West Madison Street Property

Darrell Mallory, Public Works Supervisor, will update the Commission and Public on Monday the plan to remove the tobacco warehouse located on West Madison Property. This is the property the City purchase last year for the future site of Franklin's new Police Station.

On the following page is a simple timeline that Darrell will be discussing.

Thank You,

Kenton Powell

October -
November 2019
Asbestos Testing

December 2019
Surplus any
remaining
equipment
including Kiln

April 2020 Begin
removal of
concrete block

December 2019
Cleanup of
remaining outside
debris

January 2020 -
March 2020
Removal of
84,000 cubic feet
of roof



ORDINANCES

ORDINANCE NO. 2019-021

AN ORDINANCE AMENDING A PRIOR ORDINANCE SETTING FORTH THE DATES AND TIMES OF REGULARLY SCHEDULED JOINT MEETINGS OF THE FRANKLIN CITY COMMISSION AND SIMPSON FISCAL COURT

WHEREAS, members of the City Commission for the City of Franklin, Kentucky and the Fiscal Court of Simpson County, Kentucky are desirous of setting forth regularly scheduled joint meetings on a semi-annual basis; and,

WHEREAS, the City Commission has heretofore passed an ordinance establishing the meeting place and time for the joint meetings, and the Board of City Commissioners and members of the Simpson Fiscal Court now desires to change said meeting times and places with respect to joint meetings only;

NOW, THEREFORE, be it ordained by the Board of Commissioners of the City of Franklin, Kentucky and the Fiscal Court of Simpson County, Kentucky that the Board of City Commissioners shall hold regular joint meetings at 12:00 noon with the Simpson Fiscal Court on the **first Tuesday of the month of March and the third Tuesday in the month of September each year**. The March meetings shall take place in the Meeting Room of Franklin City Hall, 117 West Cedar Street, Franklin, Kentucky, and the September meetings shall take place in the old Simpson County Courthouse building on the public square in Franklin, Kentucky.

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.

September 9, 2019 - FIRST READING

September 23, 2019 - SECOND READING

At a meeting of the City Commission of the City of Franklin, Kentucky held on September 23, 2019, on motion made by Commissioner _____ and seconded by Commissioner _____, the foregoing ordinance was adopted, after full discussion, by the following vote:

_____ HERBERT WILLIAMS

_____ JAMIE POWELL

_____ BROWNIE BENNETT

_____ WENDELL STEWART

_____ LARRY DIXON, MAYOR

APPROVED BY:

LARRY DIXON, MAYOR
CITY OF FRANKLIN, KENTUCKY

ATTEST:

CATHY DILLARD, CITY CLERK
CITY OF FRANKLIN, KENTUCKY

ORDINANCE NO. 2019 - 022

AN ORDINANCE REZONING A 2.67 ACRE TRACT OF LAND LOCATED ON THE SOUTH SIDE OF EAST CEDAR STREET/KY HIGHWAY 73 AND THE NORTH SIDE OF KY HIGHWAY 100 ON THE EAST BANK OF DRAKES CREEK FROM AG (AGRICULTURE) TO B-4 (HIGHWAY BUSINESS DISTRICT)

WHEREAS, Hurdle Land & Realty, LLC, a Tennessee limited liability company, 107 Waters Hill Circle, Suite 101, Lebanon, Tennessee 37087-3051, filed a petition to rezone a 2.67 acre tract of land located on the south side of East Cedar Street/KY Highway 73 and the north side of KY Highway 100 on the east bank of Drakes Creek; and

WHEREAS, Hurdle Land & Realty, LLC desires to rezone the aforementioned property from AG (Agriculture) to B-4 (Highway Business District) 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 July 2, 2019, after due public notice, in the manner provided by law; and

WHEREAS, the Planning & Zoning Commission recommended the granting of said zone change as it is 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:

A 2.67 acre tract of land located on the south side of East Cedar Street/KY Highway 73 and the north side of KY Highway 100 on the east bank of Drakes Creek, as described in Exhibit 1 attached hereto is granted a zone change from AG (Agriculture) to B-4 (Highway Business District).

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.

September 9, 2019

FIRST READING

September 23, 2019

SECOND READING

At a meeting of the City Commission of the City of Franklin, Kentucky, held on September 23, 2019, on motion made by Commissioner _____ and seconded by Commissioner _____, 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

PROPERTY DESCRIPTION APPENDIX

Being part of the same property conveyed by Mary Virginia Hicks, the same person as Mary V. Hicks, unmarried to Hurdle Land & Realty, LLC, a Tennessee limited liability company, by deed dated November 5, 2018, of record in Deed Book 338, Page 87, Simpson County Clerk's Office, to-wit:

Beginning at an iron pin found #3290 in the southerly right of way of Kentucky State Highway 73, also known as Gold City Road (approximately 40 feet from centerline) the northeasterly corner of the subject owner, Mary V. Hicks as originally appears in Deed Book 97, Page 387, at a corner with Becky Meador (Deed Book 265, Page 632); thence along the line of the subject owner with Becky Meador, S 06° 06' 04" E 211.98 feet to an iron pin found in the northerly right of way of Kentucky State Highway 100 (controlled access R/W varies); thence along the northerly right of way of Kentucky State Highway 100 the following three calls: S 67° 38' 44" W 90.41 feet to a scribed x in concrete at the base of a metal R/W post; thence S 77° 27' 49" W 211.88 feet to a scribed x set in concrete at the base of a metal R/W post; thence S 66° 09' 01" W 229.78 feet to a point in Drakes Creek Reservoir in the lien of the City of Franklin (Deed Book 132, Page 378) passing a witness iron pin set at the easterly edge of water at 100.00 feet; thence upstream with the City of Franklin the following three calls: N 12° 06' 48" W 27.73 feet to a point in Drakes Creek Reservoir; thence N 19° 26' 12" E 154.17 feet to a point in Drakes Creek Reservoir; thence N 21° 41' 59" W 125.39 feet to a point in Drakes Creek Reservoir in the southerly right of way of Kentucky State Highway 73 (approximately 65 feet from centerline); thence along the southerly right of way of Kentucky State Highway 73 the following three calls: N 81° 45' 13" E 189.17 feet to an iron pin set; thence N 08° 17' 34" W 25.00 feet to an iron pin set; thence N 81° 40' 48" E 298.48 feet to the point of beginning. Surveyed parcel contains 2.67 acres more or less 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 October of 2018. 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."

EXHIBIT 1

FRANKLIN-SIMPSON JOINT PLANNING & ZONING COMMISSION

In Re the Petition for Zone Change from AG (Agricultural) to B-4 (Highway Business District)
by Hurdle Land & Realty, LLC (Geoff and Amber Hurdle)

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

A public hearing was held before this Commission on July 2, 2019, beginning at the hour of 6:30 p.m. on the petition of Hurdle Land & Realty, LLC, ("Petitioner") a Tennessee limited liability company, requesting that a certain 2.67 acre tract of land on the south side of East Cedar Street / KY Hwy 73, and the north side of KY Hwy 100, on the east bank of Drakes Creek, be rezoned from AG to B-4. The Chairperson of the Commission, Debbie Thornton, presided. A quorum of the Commission was present. The petitioner was represented by attorney, David Cummins, and by its managing member, Geoff Hurdle, a real estate developer from Lebanon, Tennessee. The hearing was stenographically recorded by the firm of James Dale, licensed court reporter.

The Commission then proceeded to hear an opening statement from attorney, David Cummins, followed by testimony in favor of the zone change petition provided by Geoff Hurdle. There was an opportunity for cross-examination. Questions were asked and answered.

Having heard testimony, having reviewed the petition for zone change, the exhibits presented, including an aerial map of the vicinity, and a survey by Dunning Land Surveying of Franklin, Kentucky, and having reviewed the Comprehensive Plan, as updated, for Simpson County, Kentucky, Gary Sliger moved, and George Weissinger seconded, and the Commission unanimously voted to recommend the zone change. In connection with the zone change, the Commission finds, concludes, and recommends the following:

FINDINGS OF FACT

I

The subject property consists of a 2.67 acre tract of land situated on the south side of East Cedar Street / KY Hwy 73, and on the north side of KY Hwy 100, adjoining the east bank of Drakes Creek, within the corporate limits of the City of Franklin. The subject property is presently owned by Hurdle Land & Realty, LLC, a Tennessee limited liability company, by a deed of record in Deed Book 338, Page 87, Simpson County Clerk's Office.

II

The subject property adjoins East Cedar Street / KY Hwy 73, along its north boundary and is accessed directly from East Cedar Street / KY Hwy 73. It is in close proximity to Interstate 65, Exit 6, and the Hwy 1008 Bypass. The adjoining properties on the east and on the west are presently zoned B-4. The subject property is adjoined on its north and south sides by highways.

III

The area in question is served by water, fiber optic, telephone, sewer, and electric utilities. The subject acreage is suitable for a B-4 zone with the petitioner having provided a survey plat and said parcel is otherwise compatible with B-4 zoning requirements.

IV

The proposed B-4 zone, parcel is adjacent to Drakes Creek, improved by a former residential dwelling, a barn with a concrete foundation, and an exterior detached shop building, all of which are presently situated outside of the City of Franklin's flowage easement limits and which were used by its previous owners as their residence and as a repair business. Mr. Hurdle testified that the subject dwelling is presently being renovated for business use.

V

The Simpson County Comprehensive Plan is dated 1992, and was adopted in the fall of 1994, and updated in 2010. The requested zone change is in agreement with the strictures of the Comprehensive Plan which promote development along with Hwy 100 corridor between Exit 6 and the downtown areas of Franklin, Kentucky. The area supports a major travel artery and is served by appropriate highway access. Also, the subject property is located within the present corporate limits of the City of Franklin, and is in close proximity to Exit 6, and the local industrial parks in the vicinity of Exit 6. Moreover, the subject property adjoins Hwy 100 in convenient proximity to the Hwy 1008 Bypass and the Franklin town square. Given its size, configuration, and present boundaries, no loss of agricultural lands will occur, with the subject property presently being bounded by highways, Drakes Creek, and adjoined by properties already appropriately zoned as B-4, Highway Business.

VI

The proposed zoning map amendment is in agreement with the Comprehensive Plan, given that the subject property is prominently situated along the traffic corridor connecting I-65 Exit 6 with the downtown areas of Franklin and Hwy 1008. Development of the Hwy 100 corridor is clearly contemplated by the Comprehensive Plan and such development is obviously essential to the appropriate economic growth and vitality of the Franklin, Simpson County area. The purpose of the B-4 zoning district is to encourage the establishment of commercial areas that can accommodate motor vehicle oriented customers and is specifically designed to serve the motoring public along the major highways of Simpson County. Consequently, re-zoning the

subject 2.67 acre parcel is consistent with the KY Hwy 100 corridor given that the subject real property is conveniently located between Exit 6, and Hwy 1008, within the corporate limits of the City of Franklin availing the present volume of motorists along Hwy 100, as well as East Cedar Street / KY Hwy 73, to commercial development within the subject 2.67 acre parcel. The subject petition will also formalize the long-standing commercial use of the subject property by his former owner / occupant.

CONCLUSIONS OF LAW

A re-zoning of the subject property is in agreement with the Comprehensive Plan in that the Comprehensive Plan clearly and obviously envisions and promotes such developments along the Hwy 100 corridor between Exit 6, the Hwy 1008 Bypass, and downtown Franklin. Consequently, a re-zoning of the subject property is in order given that this area is suitable and appropriate for development as established by the Comprehensive Plan and such development will predictably enhance economic growth in its vicinity and for the community at large and comports with existing, adjacent B-4 zoned properties. The zone change request meets the criteria of KRS 100.213, and Section 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 be approved and that the property described in the attached Appendix be re-zoned from AG to B-4.


DEBBIE THORNTON, Chairperson

FRANKLIN-SIMPSON COUNTY
PLANNING & ZONING COMMISSION

IN RE: HURDLE ROAD & HWY 101

*** **

COMPOSED BY: BARNES
DATE: JULY 2, 2019

*** **

JEFF A. HURDLE, JR., APPLICANT

CONDENSED
COPY

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

*** **

APPEARANCES

Commissioners present:
Debbie Thornton, Chairman
Weissinger
Gary Sliger
John Mayeur
Craig Mylar

Staff Present:
Carter Munday, Administrator
Julie Freeman, Assistant Administrator

For the Franklin-Simpson County
Planning & Zoning Commission:
Robert Young Link
205 West Kentucky Avenue
P. O. Box 474
Franklin, KY 42135-0474

For the Applicant:
David Cummins
Leach & Cummins
200 North Main Street
P. O. Box 425
Franklin, KY 42135-0425

*** **

CHAIRMAN THORNTON: Good evening. Welcome to the
Franklin-Simpson Planning & Zoning Commission, July 2nd
meeting. It's 6:30. And, Commissioner Weissinger,
would you please lead us in a word of prayer? Thank

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you.
COMMISSIONER WEISSINGER: Thank you. Good Lord, Jesus,
for your love and your mercy. Thank you for all your
blessings and all that we've received. I pray for
wisdom as we go through our meeting tonight, do things
that we need to get done. And I thank you to watch over
us when we go our separate ways. We pray in your
precious name. Amen.

CHAIRMAN THORNTON: Just a few notes. May the record
show that Pat Jones who was City Commissioner for
numerous years has resigned from the board. And we want
to thank him for his service. He has resigned. We also
have two new Planning & Zoning members that need to be
sworn in. That would be Mr. Craig Mylar and Mr. John
Mayeur.

MR. LINK: Okay, gentlemen. If you will raise your
right hand. Do you solemnly swear or affirm that you
will support the Constitution of the United States and
the Constitution of this Commonwealth and be faithful
and true to the Commonwealth of Kentucky so long as you
continue a citizen thereof and you will faithfully
execute to the best of your ability the office of member
of the Franklin-Simpson Planning & Zoning Board
according to law and you further solemnly swear or
affirm that since the adoption of the present

1 Constitution that you, being citizens of this state,
2 have not fought a duel with deadly weapons within this
3 state nor out of it; nor have you sent or accepted a
4 challenge to fight a duel with deadly weapons; nor have
5 you acted as a second in carrying a challenge or aided
6 or assisted any person thus offending so help you God?

7 COMMISSIONER MAYEUR: I do.

8 COMMISSIONER MYLOR: Yes.

9 MR. LINK: All right. Welcome, gentlemen.

10 CHAIRMAN THORNTON: Okay. We're going to shake up our
11 agenda just a little bit, and we're going to go to item
12 two on the agenda. Item two is Five Star is to present
13 a final development plan.

14 [1832] (OFF THE RECORD) [1855]

15 CHAIRMAN THORNTON: Okay. Now we're to the Hurdle
16 Land & Realty zone change request, change request from
17 AG, agricultural, to a B-4, highway business district
18 for a 2.67 acre parcel. It's located at 1943 East Cedar
19 Street. I believe we have a public hearing for that.

20 MR. LINK: We do.

21 CHAIRMAN THORNTON: Yes.

22 MR. LINK: And our chairman who is filing many
23 positions and wearing many hats this week and directing
24 our play is supposed to be getting back to rehearsal.
25 And this is her first hearing where she has presided

1 the county or to the City Commission if it's in the
2 city. And they have the right to approve or disapprove
3 this board's recommendation. Pardon my hoarseness
4 tonight.

5 When the chair calls an application as she has
6 just done, the applicant or in this case with his
7 attorney will come forward and explain what they plan to
8 do and will give a brief summary. Then they will have a
9 witness or witnesses, and that witness will give
10 testimony. They will have to be sworn in by the court
11 reporter just like in a court of law.

12 Mr. Cummins who is here to represent the
13 Petitioner in this case will ask questions of this
14 witness. After he's through with that witness the
15 members of the Board can ask that witness questions.

16 And then members of the public can ask questions
17 of that witness. It is not a time for the public to
18 testify. It's just a time to ask questions of the
19 witness if you have any questions.

20 When you ask a question, we'll ask you to state
21 your name so, again, the court reporter can have it in
22 our record.

23 Now, after the petitioner has presented all of
24 its witnesses, then at that point in time, if someone
25 from the public wishes to testify, they can. You'll

1 over a zone change request. So I volunteered to help
2 her out, not to have to do any more homework tonight and
3 to work on her play.

4 CHAIRMAN THORNTON: Thank you.

5 MR. LINK: To give a short explanation to the crowd
6 here about how a public hearing works. The Planning &
7 Zoning board is a quasi-judicial body; meaning that it
8 operates similar to but just not exactly like a court of
9 law. And the hearing is similar to a court proceeding.

10 The Chairman runs the proceedings as a judge
11 might. And this board could be compared to a jury that
12 will be voting on the final decision to approve or deny
13 the request.

14 The board and its members have a legal obligation
15 to follow Kentucky law, and all discussions,
16 presentations of evidence, questions and comments with
17 regard to a pending application must be done on the
18 record at the public hearing.

19 Now, we have a court reporter. It's very
20 important for people to understand that only one person
21 can speak at a time or it makes the reporter's job
22 impossible. We record these for purposes of appeal.

23 The recommendation that is made by this board is
24 just that. It's a recommendation. It then will be
25 submitted to the Fiscal Court for approval if it's in

1 have to be sworn in and state your name. And we'd like
2 to know where you live in relation to the property, and
3 then you can give testimony to the board at that point
4 in time.

5 Again, if you give testimony, the Petitioner's
6 attorney can ask questions of you, and the board can ask
7 questions of you.

8 We cannot accept letters from other parties
9 unless they are here. If you want to read a letter that
10 you've written as your testimony, that's fine.

11 After all of the witnesses have been presented
12 and everybody has had a chance to ask questions, then
13 this board will consider its decision. It will be made
14 in public. Its discussion will be in public.

15 Everything that we have is open to the public to hear.

16 The Petitioner will present findings of fact and
17 conclusions of law to submit to the board if they vote
18 to approve the motion. The board can make changes to
19 the findings of fact and conclusions of law if they
20 would like to do so.

21 Does anybody have any questions about how these
22 hearings are conducted? I will add we don't have a
23 great big crowd tonight, but for future purposes and for
24 the education of our new members, if we have something
25 that has a huge crowd, we often time will tell them we

1 don't want to hear the very same thing 20 times. Okay?
 2 Five people who argue the same point is enough. Okay?
 3 And we don't want to sit here until midnight and are not
 going to do that.

If the meeting drags on too long -- We don't have
 6 any set hours, but we have people that have parents to
 7 tend to at home, children. If we go to a point that the
 8 Chairman feels that it's appropriate to stop the hearing
 9 and continue, it will be continued at another night or
 10 another day.

11 We don't like to do that, because we would need
 12 to have the same people on the board present at that
 13 meeting that were here at the first meeting. So we try
 14 to never do that. But the bottom line here is we don't
 15 need to just drag on and on. And we need to be not as
 16 brief as possible; but we do not need to be repetitious
 17 and go on for hours.

18 Okay. Does anybody have any questions? All
 19 right. With that, Miss Thornton, you can introduce the
 20 case and ask Mr. Cummins and his client to come forward.

21 CHAIRMAN THORNTON: Thank you.

22 MR. LINK: And I'll be quiet.

23 CHAIRMAN MUNDAY: Thank you, Mr. Link. We appreciate
 24 your information and education.

25 Okay. The case before us today is Hurdle Land &

1 CHAIRMAN THORNTON: Thank you.

2 MR. CUMMINS: This is very straight forward. Again,
 3 David Cummins for Hurdle Land & Realty, LLC. It's a
 4 Tennessee limited liability company from Lebanon,
 5 Tennessee.

6 This is a zone change or map amendment, again,
 7 for the record from AG to B-4, highway business. You
 8 probably are familiar with this property. It was the
 9 Bobby and Mary Hicks property. It's between the
 10 bridges.

11 And, Madam Chair, if I may approach. I have local
 12 surveyor -- Gary Dunning has prepared a plat. And then
 13 I have PVA's aerial map. Sorry. Thank you. I'm at the
 14 age where I like large better than small.

15 CHAIRMAN THORNTON: Thank you. Appreciate it.

16 MR. CUMMINS: Give you a moment to orient yourself; on
 17 the aerial map it's parcel 421, and that's oriented to
 18 the north. And then Mr. Dunning surveys the same.

19 On the left-hand side, of course, is Drakes
 20 Creek. And then Mr. Dunning has got the property
 21 delineated pretty well there.

22 CHAIRMAN THORNTON: Un-huh.

23 MR. CUMMINS: If you don't mind just very briefly -- I
 24 know I'm never supposed to read from anything that would
 25 bore the audience, but I would like to briefly show what

1 Realty, and they are requesting a zone change from AG
 2 which is agriculture to a B-4 which is highway business
 3 district for the 2.67 acre parcel which is located at
 4 1943 East Cedar Street.

5 Do we have someone here that is representing
 6 Hurdle Land & Realty?

7 MR. CUMMINS: Madam Chair, David Cummins, local
 8 counsel. I'll be happy to do that.

9 CHAIRMAN THORNTON: Yes. Would you please approach,
 10 Mr. Cummins.

11 MR. CUMMINS: Mr. Dale, if you'll forgive me, I'll get
 12 the podium. Where would you like to have --

13 MR. LINK: Wherever you're comfortable, David.

14 MR. CUMMINS: Where would you like Mr. Hurdle?

15 CHAIRMAN THORNTON: That's very good. Thank you. And
 16 before we begin I would like to say that I know that if
 17 there are opinions, and sometimes they can be very
 18 emotional.

19 But if we can keep them as unpersonal as
 20 possible, I think that's the best way to always move
 21 forward with opinions. So it is a personal situation
 22 against another person, but this is more of a state of
 23 state of claim so to speak. Okay? I appreciate that.

24 MR. CUMMINS: Thank you, Madam Chair. We won't keep
 25 you too long, I promise.

1 the purpose of a B-4 zone is. It is, I'm quoting from
 2 section 8.12.1 from the local Planning & Zoning regs.
 3 Is to encourage the establishment of commercial
 4 areas that can accommodate motor vehicle oriented
 5 customers. This district is specifically designed to
 6 serve the motoring public and will be located along the
 7 major highways of Simpson County.

8 So that's the whole purpose of B-4. This
 9 property has been for years used as a B-4 purpose, but
 10 it's never been properly zoned. Mr. and Miss Hicks
 11 bought the property in 1968. Some of you may know it as
 12 Hicks Electric Motor Service.

13 I looked in an old phone book, and it's still in
 14 there. And I googled it today, and Mapquest still shows
 15 it. So Mr. Hicks ran his own electric motor repair
 16 service out of the property forever.

17 The other matter that makes this simple and
 18 straight forward is from the zoning map if you look --
 19 There's four adjacent properties, three of which are
 20 already zoned B-4. And this would just be an infill or
 21 filling the donut hole.

22 This one is a little bit unusual, because most of
 23 the time we argue there's been major economic change of
 24 some sort. This request is consistent with the
 25 Comprehensive Plan. It's, if you look at the plan at

1 12 development scenarios emphasize the importance of
2 highway 100 corridor.
3 So we're just fixing something that should have
4 been done from the start to accommodate Mr. Hicks' use.
5 So with that brief opening I'd like to call Mr. Jeff
6 Hurdle, please.

7 MR. HURDLE: Do you want me to come to the podium.

8 CHAIRMAN THORNTON: And be sworn in, please.

9 THE WITNESS: Okay.

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

13 MR. LINK: You can stay seated if you want to.

14 **EXAMINATION**

15 BY MR. CUMMINS:

16 Q. Mr. Hurdle, would you state your name and address
17 for the court record, please?

18 A. **Jeff Hurdle, 107 Waters Hill Circle, Lebanon,**
19 **Tennessee.**

20 Q. And the lady sitting there to your right, would
21 you introduce her, please?

22 A. **This is my wife, Amber.**

23 CHAIRMAN THORNTON: And, Amber, are you going to be
24 speaking?

25 MRS. HURDLE: I don't believe so.

1 A. **At an auction, I guess about a year ago.**

2 Q. Do you have a deed for the record that you could,
3 especially for Mr. Link's purposes?

4 A. **Yes.**

5 Q. Give a book and page number and a date.

6 A. **Book and page number 338, starting at page 87,**
7 **through page 99.**

8 Q. And from whom did you acquire that property?

9 A. **Mary Virginia Hicks.**

10 Q. What improvements? There are some depicted on
11 Mr. Dunning's survey. What improvements are presently
12 on the property?

13 A. **An old frame house, what he depicted as a shop**
14 **and a barn, a concrete slash wood barn?**

15 Q. Okay. What were the previous uses of those
16 structures. What did Mr. and Miss Hicks do there?

17 A. **They lived in the frame house. He operated Hicks**
18 **Motor Electric Service out of the shop. And the barn**
19 **just stored stuff.**

20 CHAIRMAN THORNTON: Catch all.

21 A. **That's all I can tell.**

22 Q. Do public utilities serve this parcel?

23 A. **Yes. They're served by all -- Let's see. Water,**
24 **Sewer is cross the highway. Gas runs through.**

25 **Electric. I had three-phase power with the shop, but**

1 Q. Just introduce yourself.

2 CHAIRMAN THORNTON: Year.

3 THE WITNESS: We have a daughter who's not with us
4 today. She's working, but she's just taken a job in
5 Bowling Green. She's actually moving to Franklin. So
6 that's a little something.

7 Q. Would you describe to the Commission what kind of
8 work you do?

9 A. **I'm a real estate development and brokerage firm,**
10 **operate around the southeast based out of Lebanon.**

11 Q. So your home office is in Lebanon?

12 A. **Yes.**

13 Q. Would you give us just a few examples of the
14 kinds of projects that you've been involved with?

15 A. **Oh, well, we've done single family, multi-family,**
16 **commercial, residential around lots of communities in**
17 **Tennessee, Georgia, Carolinas and once in Alabama.**

18 Q. And, again, for how long have you been doing this
19 sort of thing?

20 A. **Just about 30 years.**

21 Q. Okay. The madam chairman has mentioned a 2.67
22 acre parcel that's depicted on Mr. Dunning's plat. Are
23 you the owner of that property?

24 A. **Yes, I am.**

25 Q. How did you come to acquire that?

1 we've shut that off.

2 Q. Of course telephone?

3 A. **Telephone. All utilities are available.**

4 Q. Okay. What highways serve this property?

5 A. **Highway 73 which is also East Cedar Street and**
6 **highway 100.**

7 Q. And which highway uses on the property uses which
8 highway for its frontage?

9 A. **Highway 73, East Cedar Street.**

10 Q. And that would be oriented to the north?

11 A. **That's correct.**

12 Q. Okay. On the west side of this property, that
13 would be between town and the creek so to speak, what is
14 that property presently zoned?

15 A. **B-4.**

16 Q. And to the east side of your property depicted on
17 the survey plat, what is that property presently zoned?

18 A. **B-4.**

19 Q. And across the little trunk road there 73, on the
20 east side, what is that property present --

21 A. **B-4 also.**

22 Q. Okay. So yours is the only piece in the puzzle
23 so to speak that has been used as B-4 but not properly
24 zoned as B-4?

25 A. **Correct. We're the island there.**

1 Q. Okay. Would you briefly describe your intended
2 use or purposes for this property?

3 A. We, our intended use, we have -- We're in the
4 middle of currently remodeling the frame house. It's
5 kind of functionally obsolete for residential purposes.

6 Kitchen, living room, bathroom, two bedrooms, about 900
7 square feet. It doesn't really fit the market. So
8 we're making it for professional office use, attorney,
9 CPA, real estate, just something of that nature.

10 Q. Is professional office a permissible use for
11 highway business?

12 A. Yes, it is.

13 Q. Are you familiar with the local Comprehensive
14 Plan for land use development?

15 A. Yes.

16 Q. Have you had a chance to review the 12 different
17 planned scenarios as they relate to the --

18 A. I have.

19 Q. Is it fair to say that all of those at least
20 contemplate this sort of development for, you know,
21 perfectly accommodate it?

22 A. All 12 do, yes.

23 Q. What is the main factor that runs through all of
24 that? Why is that area important for development?

25 A. It's the highway 100 corridor that connects I-65,

1 Q. Is your property presently within the corporate
2 limits of the city of Franklin?

3 A. Yes, sir.

4 Q. As part of this process have you had the occasion
5 to comply with the local zoning rules to have a
6 preapplication conference with the code administrator,
7 Mr. Munday?

8 A. I did. In this room.

9 Q. And at Mr. Munday's request have you also met
10 with the various representatives from the city to
11 discuss this particular project?

12 A. Yes, also in this room.

13 Q. Again, looking at Mr. Dunning's survey is a small
14 portion of your property actually within Drakes Creek?

15 A. It is. A half acre of it is actually under the
16 water.

17 Q. On the western end?

18 A. (Nodding head affirmatively).

19 Q. Okay. And then there's one more feature that we
20 would like the Commission to note. On the western
21 approximately one third of the survey there's, Mr.
22 Dunning has something noted as flowage easement limits.
23 Would you mind to explain that to the Commission?

24 A. To my understanding back in the '80s regionally
25 Sumner County and Simpson County were going to flood a

1 Exit Six, to city of Franklin.

2 Q. In your almost 30 years experience as a land
3 developer, would you expound or elaborate on that? Why
4 is that artery important to the growth and prosperity of
5 the community?

6 A. It's the main artery. It's what all the
7 communities follow coming in on the main road. I'm
8 doing one now as the broker in Lebanon for a much larger
9 project.

10 But nonetheless it's on a corridor that connects
11 the interstate with highway 109, just off the interstate
12 to the city of Lebanon highway 70. That's just an
13 another example.

14 Q. So it's, it would be fair to say it's a matter of
15 common sense, as a younger generation would say, a
16 no-brainer?

17 A. A no-brainer, yeah. When you experience, when
18 you see this, yes, it's a no-brainer.

19 Q. Okay. If the Commission grants your request,
20 will there be any loss of agricultural land?

21 A. No, sir. It's currently not and hasn't been
22 farmed to my knowledge that side.

23 Q. Will there be any agricultural land even impacted
24 by this map amendment?

25 A. No, sir.

1 portion of the Drakes Creek to create a regional lake.
2 And my understanding is they have abandoned the plan.
3 The flowage easement was where they would have the right
4 to flood to for that lake.

5 Q. And so as a result of meeting with Mr. Munday and
6 several representatives from the city, what did you
7 learn about that flowage easement?

8 A. That it is going to remain right where it is and
9 that there can be no structures built inside that
10 easement.

11 Q. Have you looked at the FEMA flood plane for that
12 area?

13 A. Yes.

14 Q. Would you explain that to the Commission?

15 A. FEMA flood plane is where the Federal Emergency
16 Management dictates where the hundred-year flood line
17 will be in the event of large rains, and it's depicted
18 on this property below -- flow easement. I don't, it
19 may be -- Well, I'm not sure if Mr. Dunning put it on
20 the survey.

21 Q. Is it fair to say it's roughly compatible with the
22 flowage easement limit?

23 A. Compatible or less than.

24 Q. Okay. Is there anything else that you'd like the
25 Commission to know about the property or your request?

1 **A. I'm just happy to be here. And if you have any**
 2 **questions, feel free to, now or after the meeting -- My**
 3 **number is pretty easy to find on line. It's on the back**
 4 **of my truck as well. Any questions?**

CHAIRMAN SAVAGE: Gentlemen, would you all like to ask
 6 any questions?

COMMISSIONER SLIGER: You read the first paragraph of
 8 our B-4 regs.

MR. CUMMINS: Yes, sir.

COMMISSIONER SLIGER: Would you read the other three
 11 or four proposed uses for that reg, please?

MR. CUMMINS: I'm sorry.

COMMISSIONER SLIGER: There's four more parts to it.

MR. CUMMINS: I'm not sure if I'm following you, Mr.

Sliger. May I approach and --

COMMISSIONER SLIGER: You read the first --

MR. CUMMINS: The first.

COMMISSIONER SLIGER: All this is permitted uses. So
 19 I'm just --

MR. CUMMINS: I'm sorry.

COMMISSIONER SLIGER: You were saying it's just for
 22 highway business.

MR. CUMMINS: Yes. I'm sorry. The language is
 24 permitted uses or permissible uses. Again, for the
 25 record, 8.12.2, A, is retail sales. I won't read --

1 I'll just read the summary if that's okay.

CHAIRMAN THORNTON: Sure.

COMMISSIONER SLIGER: Okay.

MR. CUMMINS: I'm sorry.

CHAIRMAN THORNTON: No. Go ahead.

MR. CUMMINS: B is consumer and personal services. C
 7 is the one that Mr. Hurdle testified about, the office
 8 and professional uses.

D, limited manufacturing; E, funeral homes and
 10 cemeteries; F, residential; G, shopping centers. Some
 11 of these Mr. Munday would maybe elaborate on, but they
 12 require development plan, a whole lot more scrutiny; the
 13 shopping centers, for example. Retail sales and any
 14 accessory building or use customarily incidental to the
 15 permitted uses above.

COMMISSIONER SLIGER: I just wanted it to be known you
 17 could put apartments there. You could do multi-family
 18 apartments. You could do --

MR. CUMMINS: With a whole lot more scrutiny from this
 20 board; yes, sir.

COMMISSIONER SLIGER: It's not a given, but it could
 be done.

MR. CUMMINS: Right. Any of these --

COMMISSIONER SLIGER: I think what was the concern of
 25 some of these people that I talked to.

1 MR. CUMMINS: That's why Mr. Hurdle testified as he
 2 did regarding the present structure.

COMMISSIONER SLIGER: I'm saying if you pass it to a
 4 B-4, it don't matter what he says. He could sell it
 5 tomorrow, and it could be anything they want to put
 6 there.

MR. CUMMINS: Now, forgive me. With all due respect
 8 subject to this Commission --

COMMISSIONER SLIGER: Well, this Commission --

MR. CUMMINS: This body has control --

COMMISSIONER SLIGER: Zoning allows that with the
 12 stipulations.

MR. CUMMINS: Right. But, again, subject to approval.

COMMISSIONER SLIGER: I understand.

MR. CUMMINS: They wouldn't have latitude --

COMMISSIONER SLIGER: I'm not saying it's not what it
 17 needs to be, but I'm just --

MR. CUMMINS: Yes, sir. No. You're exactly correct.

None of us knows what the future may be.

COMMISSIONER SLIGER: Right.

MR. CUMMINS: So any of these permitted uses, and
 22 again, some of these require approval and strictly by
 23 this body.

COMMISSIONER SLIGER: I understand all of that.

MR. LINK: David, not to interrupt; but have we, have

1 you presented one of these an exhibit for Mr. Dale to
 2 have?

MR. CUMMINS: No. If it would please the chair, I
 4 would ask that both of these be Petitioner exhibits with
 5 the record, the aerial map and the survey, please.

CHAIRMAN THORNTON: As requested. Gentlemen, do you
 7 have more questions?

COMMISSIONER SLIGER: (Shaking head negatively).

MR. LINK: You need to ask the public if they have any
 10 questions.

CHAIRMAN THORNTON: Anyone here in the public, do any
 12 of you all have any questions for our petitioners?

OPPOSITION: I do.

CHAIRMAN THORNTON: Okay. You're going to need to
 15 approach Mr. Dale, be sworn in, please. This is Mr.
 16 Dale right here.

OPPOSITION: Oh.

CHAIRMAN THORNTON: Just --

MR. LINK: Well, actually --

CHAIRMAN THORNTON: He doesn't?

MR. LINK: He doesn't need to be sworn in unless he's
 22 going to give testimony.

CHAIRMAN THORNTON: Oh.

MR. LINK: If he's got questions -- Just state your
 25 name for the record.

1 CHAIRMAN THORNTON: State your name for the record.
2 I'm sorry.

3 OPPOSITION: Nicholas Skipworth.

CHAIRMAN THORNTON: Okay.

MR. SKIPWORTH: I live across the street from the
6 property at 1938 East Cedar. My land is listed as
7 agricultural 11 and some change acres.

8 CHAIRMAN THORNTON: Uh-huh.

9 EXAMINATION

10 BY MR. SKIPWORTH:

11 Q. We're all residential on that side of the road,
12 and I noticed during the building phases permits were
13 not bought. And the first one is written down. The
14 second one was restickered, and a cease and desist order
15 was put on it.

16 Do you intend on following that habit of not
17 following the ordinances that we've all followed as far
18 as residential?

19 A. I can explain that totally. Yes, we do plan on
20 following the rules. During our construction the state,
21 I guess the state issues plumbing permits, not the city.
22 The state inspector was driving by, saw the
23 construction; and he approached the house, looked in the
24 windows, saw some sheetrock in there.

25 And he said he had not inspected the plumbing.

1 So he red-tagged it. And there had not been done any
2 plumbing done yet. So he called me, and he said -- And
3 Hiller, the plumbing, they took that permit down. My
4 contractor called the state, explained to him what
5 happened. He said that's fine. He said just get a
6 permit to get it done.

7 Q. Okay.

8 A. It took Hiller, it took them six or eight weeks
9 to get the permit to do the plumbing. So that was, lack
10 of a better word, lack of an overstep by an inspector
11 who had not, didn't have, he didn't know what was going
12 on with the project.

13 So the red tag was not earned. But, yes, we did
14 full permits for everything else, even for a sign we
15 never put up. But I've been in Carter's office here for
16 every step of the way. My apologies for the state
17 inspector causing a ruckus. It certainly slowed me
18 down.

19 CHAIRMAN THORNTON: Do you have more questions, sir?

20 MR. SKIPWORTH: I'm thinking.

21 THE WITNESS: Take your time.

CHAIRMAN THORNTON: Anyone else have a question of the
23 petitioners?

24 MR. GREGORY: Do I need to --

25 CHAIRMAN THORNTON: You need to stand and state your

1 name, please.

2 MR. GREGORY: Okay. I'm Scott Gregory. I live at 295
3 Rapids Road. I live right up the road from where Bobby
4 Hicks was and am well acquainted with the property and
5 everything.

6 I just have, I have one question I'm a little bit
7 unclear on. I know where Bobby Hicks' house was, where
8 his electric motor repair was, business was. I know the
9 little connector road that actually used to be Rapids
10 Road. I know that, I believe --

11 Now anybody can correct me. The Meadors used to
12 own that property. I was wondering if you actually own
13 that, or did they own it? I was trying to get a feel
14 for -- my property also goes down to the creek. So I
15 have land under water. So I know.

16 MR. CUMMINS: I appreciate that, Mr. Gregory. I'll
17 give you my copy.

18 EXAMINATION

19 BY MR. GREGORY:

20 Q. I don't own that property. According to my
21 survey the Meadors still own that. I'm assuming that
22 that's -- Unless it sold since Mr. Dunning did the
23 survey.

24 A. I don't know. I mean it's not for sale that I
25 know of.

1 Q. I was trying to get a, I was trying to get a feel
2 for, if the Hicks' property line was still approximately
3 where it was.

4 A. If you look at the driveway from East Cedar
5 Street, it's about 10 to 12 feet to the left of the
6 driveway, just straight back highway 100. That's all
7 the way down to under the water.

8 Q. Yeah. I know. I know. Okay. All right. Thank
9 you.

10 A. Uh-huh.

11 CHAIRMAN THORNTON: Do we have more questions for the
12 petitioner, please? Anyone?

13 EXAMINATION

14 BY MR. SKIPWORTH:

15 Q. Why would, with the property being before or --
16 When it sold at auction, it was over the ten acres for,
17 I'm assuming it was agriculture. When the property got
18 split to R-4 on the other side of JCO, why has this
19 property not been dropped down to residential? Or why
20 is it still listed as agricultural?

21 A. Across the street is still agriculture. We
22 haven't changed that zoning.

23 CHAIRMAN THORNTON: It has to be requested.

24 A. We changed our mind on that for the time being.
25 It's still zoned agriculture.

1 Q. Okay. So the high density multi-family --
 2 A. That was pulled.
 3 Q. Are there any plans to move forward with that?
 4 A. I'm, I'm not here for that one. I'm not working
 5 on that one right now. I've got this house I've got to
 6 finish up.

7 MS. HUNT-GOOSSETREE: I have a question, and I'm
 8 unclear. I'm Jill Hunt-Goossetree. I live up the road
 9 from Scotty and them.

10 EXAMINATION

11 BY MS. HUNT-GOOSSETREE:

12 Q. The eight acres that's across from 100 that's in
 13 the corner of 100 and 73.

14 A. Yes, ma'am.

15 Q. What's going to happen to that? It's still
 16 agriculture?

17 A. Currently it's agriculture.

18 Q. So what are you going to do in the future?

19 A. I'm not positive yet. I'm still --

20 Q. But you do own it.

21 A. I do own it; yes, ma'am. We bought all of that
 22 at the same auction.

23 Q. Okay. So in order to do anything on that piece
 24 of property, you would have to come before the
 25 Commission again.

1 A. Come back here. Do exactly what we're doing
 2 tonight. Yes, ma'am.
 3 Q. So you don't have any plans whatsoever right now?
 4 A. I had some but I've abandoned them right now.
 5 I'm concentrating on the house. That's where I've been
 6 spending money.

7 Q. But you would consider somebody buying that lot
 8 for that acreage if somebody --

9 A. I mean; yes, ma'am. I'm in the business. I buy
 10 to sell. That's true. So, yes, ma'am.

11 EXAMINATION

12 BY COMMISSIONER MAYEUR:

13 Q. I think we need some clarity about what actually
 14 is going on on this property. For some of us that are
 15 new, apologize for that. So you're not proposing any
 16 new construction. You're just --

17 A. No, sir.

18 Q. -- changing the zoning and remodeling or
 19 repairing the house?

20 A. Correct.

21 Q. Okay.

22 A. That's all that's going on there. I don't have
 23 any plans to build anything additional; not even adding
 24 on. It's just what it is.

25 COMMISSIONER MAYEUR: Okay. Thank you.

1 COMMISSIONER SLIGER: But he can if he wants to.

2 CHAIRMAN THORNTON: Yes, Mr. Barnes.

3 MR. BARNES: My name is Mason Barnes. One question
 4 that I'll ask to clarify for some of that is --

5 EXAMINATION

6 BY MR. BARNES:

7 Q. But you do intend possibly to either rent or sell
 8 that piece of property as office space?

9 A. As an office space. I'll tell you I have put a
 10 lot of money into it thus far and have a lot more to go
 11 to make it class A office space. But it will be -- I
 12 mean it's -- I'm not just going in there and changing
 13 carpet. I mean I'm, it's a total remodel.

14 EXAMINATION

15 BY COMMISSIONER MYLOR:

16 Q. New structure for multiple office space?

17 A. No structure. No. I'm taking the current house
 18 -- We ripped out all the sheetrock, wiring, plumbing,
 19 insulation, everything; and we started from scratch.

20 Q. The square footage of the existing building?

21 A. The Franklin house?

22 Q. The one you're remodeling.

23 A. 900 square feet.

24 EXAMINATION

25 BY CHAIRMAN THORNTON:

1 Q. It would make a nice attorney's office, dental,
 2 something?

3 A. Just something small.

4 Q. Professional office?

5 A. Correct. And that's the only intent.

6 Q. Real estate offices?

7 A. Yeah. Could be.

8 CHAIRMAN THORNTON: Do we have more question from our
 9 public, our neighbors?

10 THE WITNESS: I would like to clarify --

11 MR. STINSON: I have a question for Mr. Carter.

12 CHAIRMAN THORNTON: Sir, what is your name, please?

13 MR. SIMPSON: William Stinson.

14 CHAIRMAN THORNTON: William Stinson. Okay. Thank
 15 you, sir.

16 EXAMINATION

17 BY MR. STINSON:

18 Q. There was a sign up there that said there was
 19 going to be a zone change and you was going to put 85
 20 units on that.

21 A. Yes, sir.

22 Q. Spot of ground in front of my house.

23 A. Well, we -- And we've abandoned that.

24 Q. You abandoned that.

25 A. Yes.

1 Q. Okay. That's what I wanted to know. What do you
2 plan on doing with it now?

3 A. Well, just so you know, I tried to call you back
to let you know that, and I didn't get you. So I just
knew I'd see you.

6 MS. HUNT-GOOSSETREE: I'm sorry. I'm Jill
7 Hunt-Goosetree.

8 EXAMINATION

9 BY MS. HUNT-GOOSSETREE:

10 Q. I must say it's becoming an eyesore. It's
11 growing up and it looks tacky. It doesn't look well
12 kept at all, that corner doesn't.

13 A. The corn field?

14 Q. Well, there's a wheat field there right now.

15 A. Davis?

16 Q. Yes, sir.

17 A. I'll get my guy over there and get it cut for
18 you. But to clarify what you're worried about -- I
19 don't know all of them by heart. But if you took that
20 2.67 acres and you applied all the setbacks, you
21 wouldn't be able to get part --

22 EXAMINATION

23 BY COMMISSIONER SLIGER:

24 Q. I'm a builder. I know that.

25 A. Okay. What could happen feasibly couldn't happen

1 in a lot of cases on that particular piece.

2 Q. I was just stating that the use for the zone of
3 B-4 is a lot more than just an office building. You
4 have the right to build whatever you want to build on
5 that thing within our regulations.

6 So that's all I was stating. You could sell it
7 tomorrow, and it would still be B-4. You don't own it
8 any more, and there's a house there. You know what I'm
9 saying? That's all.

10 A. The price I'm going to have to get now, they're
11 not going to build anything.

12 Q. I'm sure. I've seen people pay a million dollars
13 for a piece of property that small.

14 A. Well, I have, too. But --

15 Q. Just what it's worth is what somebody will give
16 you. That's all I'm stating.

17 MR. CUMMINS: We have no further proof to offer.

18 CHAIRMAN THORNTON: Okay.

19 MR. LINK: Okay.

20 MR. GREGORY: Can I ask one more question?

21 CHAIRMAN THORNTON: Certainly. Would you restate your
name?

23 MR. GREGORY: Scott Gregory. Forgive me for being a
24 little bit repetitive here. I'm a little confused. But
25 your intentions are, and I think maybe some people over

1 there are a little bit confused.

2 EXAMINATION

3 BY MR. GREGORY:

4 Q. Your intentions are to fix the house and
5 everything that's there. And I understand you're a
6 developer. So are you going to develop it whatever --
7 whatever it's going to be done to it, are you going
8 to do that yourself?

9 Or are you planning on just maybe fixing it as
10 best you can and then selling it again? I mean I
11 understand. It's probably not any of my business. But
12 I'm trying to get the feel of what's --

13 A. The intention, the word development in this case
14 is the remodeled house. That's my only intention of the
15 use of this property.

16 Q. Okay.

17 A. I don't have any other structures planned -- or I
18 did. Again, with that flowage easement I can't too far
19 from the house. I mean there's a lot of issues of this
20 property, constraints. I mean it's surrounded by roads
21 and water.

22 Q. Yeah. I understand.

23 A. The house, the word development or developer can
24 be misleading. But all I'm doing is I'm remodeling the
25 house.

1 MR. GREGORY: I understand. I understand. Okay. You
2 don't have any plans right now for that field in front
3 of my house.

4 MR. LINK: We're not here tonight to discuss anything
5 other than what he has requested the zone change for. I
6 mean we're not. The board has not been -- Nothing is
7 filed.

8 MR. STINSON: That's your job.

9 MR. LINK: We are not here to discuss any other
10 properties except this one.

11 MS. HUNT-GOOSSETREE: I think -- Jill Hunt-Goosetree,
12 I think the confusion came about because at first the
13 rumor was going together across the road and house.

14 MR. LINK: Yes, ma'am.

15 MS. HUNT-GOOSSETREE: And I think we just needed that
16 cleared up.

17 MR. LINK: Yes, ma'am.

18 MS. HUNT-GOOSSETREE: Thank you. Anyone, are we ready
19 to make a motion, to vote?

20 MR. SKIPWORTH: What other properties are B-4 around
21 there?

22 COMMISSIONER SLIGER: There's only one and that's 40
23 acres.

24 THE WITNESS: Well, not -- The one next to it. You're
25 right. That touches it. Across the creek is B-4. Then

1 across the -- Do you all call that little side street --

2 COMMISSIONER SLIGER: They call it Rapids Road.

3 THE WITNESS: That is called Rapids Roads. Rapids
Roads.

CHAIRMAN THORNTON: Two to the left and one to the
6 right.

7 THE WITNESS: To the right.

8 MR. CUMMINS: (Indicating). Across the creek.

9 CHAIRMAN THORNTON: One to the immediate left and one
10 across 73, left.

11 MR. CUMMINS: You may have that.

12 MR. SKIPWORTH: There's a house that sits right there.

13 MR. CUMMINS: That's B-4. One, two, three.

14 MR. SKIPWORTH: My house is here.

15 MR. CUMMINS: Yes, sir.

16 MR. SKIPWORTH: I've got neighbors that's all there.

17 There's enough not B-4, and we're all adjacent to
18 commercial.

19 MR. CUMMINS: But you're on the other side of the
20 road.

21 MR. SKIPWORTH: Right. And they're on the other side
22 of the creek. That's a whole lot bigger area than I
23 remembered.

24 MR. CUMMINS: But there's two highways.

25 MR. SKIPWORTH: Right. I just want it to be more of a

1 residential instead of a business the way that it's set
2 up with the house and the other structures that's on the
3 property.

4 CHAIRMAN THORNTON: Gentlemen, do we have anything, a
5 motion to put on the floor? Where are we?

6 COMMISSIONER SLIGER: I make a motion that we change
7 the zoning to B-4. I think it is probably what it
8 should be, needs to be.

9 CHAIRMAN THORNTON: Concurrent with the planning in
10 the area?

11 COMMISSIONER SLIGER: Uh-huh.

12 COMMISSIONER WEISSINGER: I second it.

13 CHAIRMAN THORNTON: Okay. Do we have more discussion,
14 gentlemen, on this? Okay. We have a motion before the
15 board to change the zone, Hurdle Land & Realty from an
16 AG to a B-4 which is a highway business district for the
17 2.67 acres parcel located at 1943 East Cedar Street.

18 MR. LINK: Now, before we take a vote Mr. Cummins has
19 given to me, and I don't know if everybody has them,
20 these proposed findings of fact.

21 CHAIRMAN THORNTON: Findings of fact.

MR. LINK: And conclusions of law. If you all would
23 review those --

24 CHAIRMAN THORNTON: Before we vote.

25 MR. LINK: -- before we vote. Because if you do

1 approve the motion, you will need to approve the

2 findings of fact and conclusion of law or make suggested

3 changes to them. So we can take a three, few minutes

4 for you all to read through those

5 (COMMISSIONERS REVIEWING DOCUMENT).

6 COMMISSIONER SLIGER: I change my motion to accept the
7 findings of fact then.

8 MR. LINK: Did we have a second to this?

9 CHAIRMAN THORNTON: Yes, we did.

10 MR. LINK: Who made that?

11 CHAIRMAN THORNTON: Mr. Weissinger. Mr. Sliger made
12 the motion. Mr. Weissinger second.

13 MR. LINK: So, Mr. Sliger, is your motion to --

14 COMMISSIONER SLIGER: Accept the findings of facts
15 presented and grant the zone request from AG to B-4. I
16 think it's within our Comprehensive Plan.

17 MR. LINK: And then you have seconded the motion, Mr.
18 Weissinger?

19 COMMISSIONER WEISSINGER: Yes.

20 CHAIRMAN THORNTON: Then we're ready for the question.

21 MR. LINK: Then you're ready to call for a vote.

22 COMMISSIONER MAYEUR: I have a question. Here or in
23 the findings of fact it says Hurdle Land & Realty, LLC,
24 a Kentucky limited liability company. Over here it
25 states Tennessee, LLC. Is that --

1 MR. CUMMINS: That's a typographical error. I

2 apologize Mr. Mayeur. Where is that and I'll have that

3 corrected. What page is that on? I'm sorry.

4 COMMISSIONER MAYEUR: Right under the findings of
5 fact.

6 CHAIRMAN THORNTON: Are we ready to take a vote? All
7 in favor of changing the zone from agriculture to B-4 at
8 1943 East Cedar Street in concurrence with the findings
9 of fact and conclusions of law; all in favor say aye.

10 COMMISSIONERS: Aye.

11 CHAIRMAN THORNTON: Or with a hand raise, please.

12 (COMMISSIONERS INDICATING).

13 CHAIRMAN THORNTON: Is there any opposition
14 whatsoever? Motion passes unanimously to change the
15 zoning from AG to B-4.

16 MR. CUMMINS: Thank you very much. I hope we didn't
17 keep you too long.

18 CHAIRMAN THORNTON: Thank you.

19 MR. LINK: No.

20 CHAIRMAN THORNTON: Thank you all for coming, your
21 public, your interest in Planning & Zoning. It's
22 important.

23

24

25

1 STATE OF KENTUCKY)

2) SS.

3 COUNTY OF WARREN)

4 I, James A. Dale, Jr., a Notary Public, within and
 5 for the State of Kentucky, do hereby certify that the
 6 foregoing **TRANSCRIPT OF PROCEEDINGS**, was taken before me
 7 at the time and place and for the purpose in the caption
 8 stated; that the said witnesses were first duly sworn to
 9 tell the truth, the whole truth and nothing but the
 10 truth; that the Transcript of Proceedings was reduced to
 11 shorthand writing by me in the presence of the
 12 witnesses; that the foregoing is a full, true and
 13 correct transcript of said proceedings so given; and
 14 that the appearances were as stated in the caption.

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
 19 WITNESS MY SIGNATURE, this 11th day of July, 2019.
 20 My commission expires May 20, 2023.

21
 22 _____
 23 Notary Public, Notary ID 623641
 24 State at Large, Kentucky
 25

Sponsors:	_____
Second Reading:	_____
Publication Date:	_____

ORDINANCE NO. 2019-023

**AN ORDINANCE ENACTING AND ADOPTING
A SUPPLEMENT TO THE CODE OF ORDINANCES
OF THE CITY OF FRANKLIN, KENTUCKY**

WHEREAS, American Legal Publishing Corporation of Cincinnati, Ohio has completed the 2019 S-2 supplement to the Code of Ordinances of the City of Franklin, which supplement contains all ordinances of a general nature enacted since the prior supplement to the Code of Ordinances of this municipality; and

WHEREAS, American Legal Publishing Corporation has recommended the revisions or additions of certain sections of the Code of Ordinances which are based on or make references to sections of the Kentucky Revised Statutes; and

WHEREAS, it is the intent of the Board of Commissioners of the City of Franklin to accept these updated sections in accordance with the changes of the law of the Commonwealth of Kentucky;

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

1. The 2019 S-2 supplement to the Code of Ordinances of the City of Franklin, Kentucky, as submitted by American Legal Publishing Corporation, be hereby adopted by reference as if set out in its entirety.
2. This ordinance shall take effect and be in force from and after its passage, approval and publication as required by law.

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 _____, 2019, on motion made by Commissioner _____ and seconded by Commissioner _____ 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