

**City of Walton
Council Meeting
Senior Center
April 10, 2017 7:30 P.M.**

Call to Order:

Invocation: Gabe Brown

Roll Call: Mike Wood, John Wainwright, Gabe Brown, Rose Beach, Stephanie Williams, and Matt Brown.

Announcements:

Spring Cleanup April 15 thru 21, extra pickup April 22

May 1, 2016 Committee Meeting 6:30 & Caucus Meeting 7:30 P.M.

May 8, 2016 Council Meeting 7:30 P.M

May 29, 2016 Office Closed in observance of Memorial Day

June 3, 2016 City Wide Yard Sale (no permit required)

July 4, 2016 Office Closed in observance of Independence Day

Agenda Approval: Motion: Mike Wood, Second: Stephanie Williams. **Vote 6 yes.**

Citizen Comments: Citizens wish to speak after ordinances are read.

Approval of Previous Minutes: March 13, 2017

Motion: Gabe Brown, Second Rose Beach. **Vote 6 yes.**

ORDINANCE NO. 2017-02 SECOND READING AN ORDINANCE ANNEXING A 4.165 ACRE PARCEL OF REAL PROPERTY IN BOONE COUNTY LOCATED ON THE EAST SIDE OF SERVICE RD.

Motion: Stephanie Williams, Second: Matt Brown. **Vote 6 yes.**

ORDINANCE NO. 2017-03 FIRST READING AN ORDINANCE PROVIDING FOR THE INSTALLATION OF STOP SIGNS ON AOSTA VALLEY DRIVE AT THE INTERSECTION OF LASALLE COURT AND PROVIDING PENALTIES FOR VIOLATIONS THEREOF.

Motion: John Wainwright, Second: Mike Wood. **Vote 6 yes.**

ORDINANCE NO 2017-04 FIRST READING AN ORDINANCE RELATED TO THE PROTECTION OF THE PUBLIC HEALTH AND WELFARE BY REGULATING SMOKING IN MOST PUBLIC PLACES AND PLACES OF EMPLOYMENT.

Motion: John Wainwright, Second: Mike Wood.

John Wainwright, Mike Wood, and Gabe Brown. **Vote 3 yes.**

Rose Beach, Stephanie Williams, and Matt Brown. **Vote 3 no.**

Citizen Comments: Dick Gray spoke for Shelia Dee's owner of Family's Main St. Café. He spoke against the Ordinance No. 2017-04. Phillip Trzop also spoke and stated he was against the Ordinance also. Dena Flege stated she felt that government was too intrusive and against the Ordinance also.

MUNICIPAL ORDER NO. 2017-02 A MUNICIPAL ORDER AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF WALTON TO TERMINATE THE CONTRACT WITH HILLARD LYONS AND TO ENTER INTO A CONTRACT WITH COMPASS MUNICIPAL ADVISORS, LLC FOR MUNICIPAL ADVISORY SERVICES FOR REFINANCE OF THE CITY'S SERIES 2008 SEWER BONDS.

Motion: Matt Brown, Second Rose Beach.

Vote 6 yes.

CARDINAL ENGINEERING: DAVE WHITACRE is preparing the drawings for the High Street Bridge to go out for Bid. The Ryan Lift Station has been delayed due to the rainy weather. Arcadis is going to come next week to review the progress of the water study.

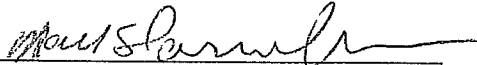
COUNCIL COMMENTS; Mike Wood asked for prayers for a member of the community that recently passed away. He also Wished Wilma Winburn a Happy 100th Birthday. John Wainwright stated some of the Parks will get some needed repairs and will go out for bid. Gabe Brown asked for prayers for Debbie Mulford a Business Owner in Walton battling cancer.


Mayor: Mark Carnahan stated there is a grant for the High Street Bridge from Ohio Kentucky Indiana Regional Council of Governments. He also stated he needs more information about the Ordinance No.2017-04.

Motion to Adjourn: Mike Wood, Second: Gabe Brown.

Vote 6 yes.

Adjournment: 8:20 pm.

Approved 
Mark Carnahan, Mayor

Attest 
Joyce Bryan, City Clerk

**CITY OF WALTON, KENTUCKY
ORDINANCE NO. 2017-02**

AN ORDINANCE ANNEXING A 4.165 ACRE PARCEL OF REAL PROPERTY IN BOONE COUNTY LOCATED ON THE EAST SIDE OF SERVICE ROAD.

WHEREAS, North Walton Land Developers, LLC, a Kentucky limited liability company, being the owner of record of real property containing 4.165 acres in Boone County, located generally on the east side of Service Road, has requested, by and through James Wenstrup, its Member, that the City of Walton annex said real property, and, pursuant to KRS 81A.412, said owner has given written consent to such annexation; and,

WHEREAS, the City of Walton believes that it is desirable to annex the property; and,

WHEREAS, the Boone County Planning Commission has previously established the zoning for the property; and,

WHEREAS, neither the owner of the property nor the City of Walton have requested a change in zoning of the property;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WALTON, KENTUCKY, as follows:

SECTION ONE

The City of Walton finds that the real property meets the requirements of KRS 81A.410, in that it is contiguous to the boundaries of the City, it is suitable for development for urban purposes without unreasonable delay, and that it is not included within the boundary of another incorporated city.

SECTION TWO

The real property, owned by North Walton Land Developers, LLC, as described in Deed Book 1083, Page 767 and Deed Book 1085, Page 459 of the Boone County Clerk's records (as provided by the applicant), and which is more particularly described on Exhibit "A" attached hereto and incorporated herein by reference, is hereby annexed and made a part of the corporate territory of the City of Walton, Kentucky for all purposes.

SECTION THREE

The current zoning of the real property shall remain unchanged until changed in accordance with the provisions of KRS Chapter 100.

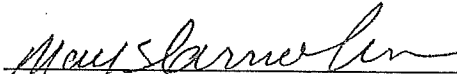
SECTION FOUR

This ordinance shall be in full force and effect after adoption and publication in accordance with applicable law.

APPROVED AND PASSED on first reading by 4 Members of City Council on the 13 day of March, 2017.

APPROVED AND PASSED on second reading by 4 Members of City Council on the 10th day of April, 2017.

APPROVED:



Mark S. Carnahan, Mayor

ATTEST:



Joyce Bryan, City Clerk

DATE OF PUBLICATION: 4/20/2017

Exhibit "A"

LEGAL DESCRIPTION

March 29, 2017

4.1662 Acres

Service Road east of Hwy. I-75

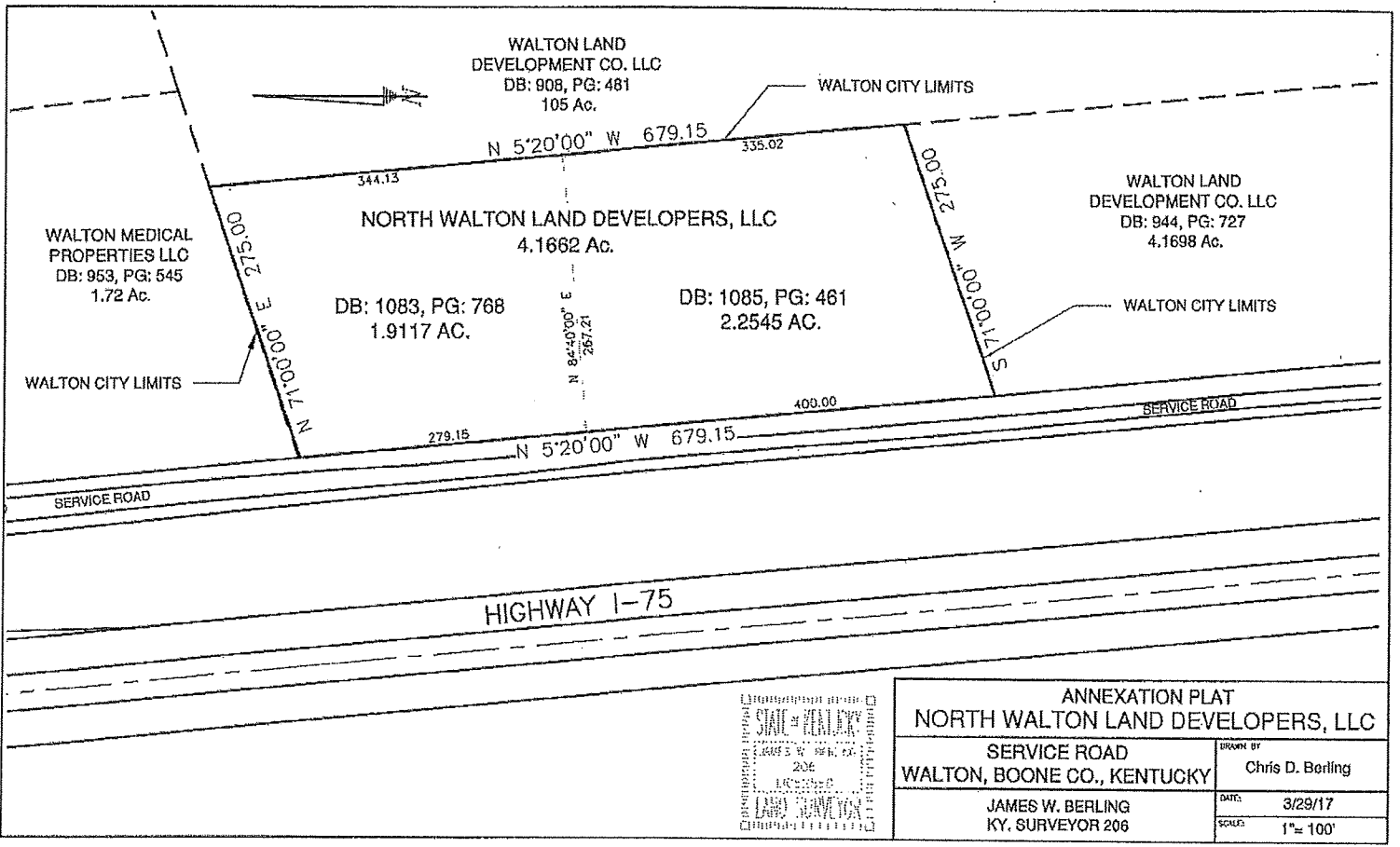
Walton, Kentucky

ANNEXATION

Beginning at a point in the southwest corner of the Walton Medical Properties, LLC 1.72 acres as described in Deed Book 953 at Page 545 of the Boone County Clerk's Records in Burlington, Kentucky and the northwest corner of North Walton Land Developers, LLC as described in Deed Book 1083 at Page 768 of said records; thence N 71°-00'-00" E along the south line of Walton Medical Properties, LLC property 275.00 feet to a point; thence S 5°-20'-00" E along the west line of Walton Land Development Company, LLC as described in Deed Book 908 at page 481 of said records, a distance of 679.15 feet to a point; thence S 71°-00'-00" W along the north line of Walton Land Development Company, LLC as described in Deed Book 944 at Page 727 a distance of 275.00 feet to a point in the east line right of way line of the Service Road along Highway I-75; thence N 5°-20'-00" W along the east line of the Service Road along Highway I-75 a distance of 679.15 feet to the place of beginning.

Containing 4.1662 Acres

Exhibit "A"



ACTION BY UNANIMOUS WRITTEN CONSENT OF THE

MEMBERS

OF

NORTH WALTON LAND DEVELOPERS, LLC

A KENTUCKY LIMITED LIABILITY COMPANY

In lieu of a meeting of the Members, the undersigned, being one of the Members of the Limited Liability Company named above and entitled to notice of such meeting, do hereby waive notice of such meeting and hereby take and authorize by unanimous consent, each of the following actions:

RESOLVED, that James B. Wenstrup as a Member of the limited liability company be and are hereby authorized and directed to sign and execute notes, mortgages, deeds, and annexation requests in the name of and on behalf of this limited liability company conveying any real estate owned by the company.

RESOLVED, that James B. Wenstrup, as a member of the limited liability company be and are hereby authorized and directed to deliver deeds and are further authorized and directed to do or cause to be done, all acts and things requisite, and to execute and deliver, by delegation or otherwise, in the name of and on behalf of this limited liability company, all such closing statements, title affidavits, 1099's, tax proration agreements and agreements to cooperate and any and all other documents and instruments in such form as may be approved by them and as may be deemed by them necessary or appropriate in order to consummate the transactions and any other actions contemplated by these Resolutions.

RESOLVED, that any and all actions of any Member of the limited liability company heretofore taken or caused to be taken in connection with the foregoing transactions are hereby ratified and confirmed to be the acts and deed of this limited liability company.

The undersigned hereby certify that the limited liability company is in good standing and that all appropriate actions have been taken by the undersigned so as to authorize the foregoing sale of property.

The undersigned hereby certify that the above resolutions do not conflict with any provision of the Articles of Organizations and/or Operating Agreement of the limited liability company.

Dated this 31st day of March, 2017.

MEMBER

BY: 
Ronald G. Mullen, Member

**CONSENT TO ANNEXATION
BY THE CITY OF WALTON, KENTUCKY**

The undersigned hereby consent to and request that the City of Walton, Kentucky, annex the real property which is described and shown on the legal description and plat which are attached hereto, and in connection therewith, the following representations are made to the City:

- a. All of the owners of record of said real property have signed below;
- b. The real property meets the requirements of K.R.S. 81A.410;
- c. Such annexation is consented to under the provisions of K.R.S. 81A.412 and it is acknowledged that by reason of such consent, the City shall not be required to (1) enact the notification ordinance of K.R.S. 81A.421(1); or (2) to comply with the notice requirements of K.R.S. 81A.425; or (3) to wait the 60 day period provided for in K.R.S. 81A.420(2). The City may accomplish this annexation by the enactment and publication of a single ordinance.

Pursuant to K.R.S. 100.209 as it affects zoning of such real estate after annexation, it is hereby requested: (check one)

- a. That such real estate shall remain subject to the same land use restrictions as applied to it prior to annexation; or
- b. That the City amend its Comprehensive Plan and official Zoning Map so that after annexation, such real property will have the following zone:

NOTE: This consent to annexation must be signed by all owners of record. If the owners are married individuals, their spouse must also sign. If the owners are a corporation, LLC, partnership, etc., the authorized officers must sign, and a copy of the resolution authorizing execution must be attached.

The following documents MUST be attached to this Consent.

- A plat showing an accurate map of the real estate (K.R.S. 81A.470(1)); and
- A metes and bounds legal description of the real estate (K.R.S. 81A.470(1)); and
- Copies of the document(s) from which owners' source of title is derived; and
- A list of the names and addresses of those property owners who reside within the boundaries of the real property (K.R.S. 81A.475).

North Walton Land Developers, LLC [Signature] [Date]
Printed/Typed Name of Owner Signature Date
2507 Amsterdam Rd Villa Hills, Ky 41017 (859) 240-4433
Address Telephone

Printed/Typed Name of Owner Signature Date

Address Telephone