

FRANKLIN CITY COUNCIL
DECEMBER 5, 2016

Members of the Franklin City Council met in regular session on Monday, December 5, 2016, 6:00 p.m. at the Franklin City Building, Mayor Denny Centers presiding.

Roll call showed:

Brent Centers	present
Paul Ruppert	absent
Carl Bray	present
Denny Centers	present
Michael Aldridge	present
Debby Fouts	present
Todd Hall	present

There were two members of the press (Middletown Journal and Franklin Chronicle) and 7 visitors at tonight's meeting.

Also present: Mr. Russ Whitman, Police Chief; Ms. Donnette Fisher, Law Director; Mr. Jonathan Westendorf, Fire & EMS Chief; Mr. Barry Conway, City Engineer; Mr. Steve Inman, Public Works Director; Mrs. Karen Ervin, Finance Director; Mr. Ross Coulton, Assistant Safety Director; Mr. Sonny Lewis, City Manager and Mrs. Jane McGee, Clerk of Council.

The Pledge of Allegiance was led by Chief Whitman.

Mr. Bray made the motion to approve the Clerk's Journal and accept the tapes as the official minutes of the November 21, 2016 meeting; seconded by Mr. Aldridge. The vote:

Mr. Ruppert	absent
Mr. Bray	yes
Mayor Centers	abstain
Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes

Motion passed.

PRESENTATION: DR. MARK GEBHART - EMS UPDATE

Chief Westendorf introduced Dr. Gebhart who has been with us the entire time we've been providing EMS. He is going to give an update to Council.

Dr. Gebhart thanked Council for letting him be here tonight. Tina Gregory, Director of Emergency Services at Atrium, is also here to address Council.

Dr. Gebhart stated EMS continues to be something we are very busy with; continue to face many challenges and is becoming more dangerous. We are in the midst of a heroin epidemic that affects not only us, but the entire State & Nation. Pro-active steps are being taken at Atrium Hospital to deal with that and that's just one of the challenges we face.

There have been some very serious cases from Franklin & he handed out information to Council showing the timeline for a patient from Franklin – a thirty-one year male who suffered a stroke around 7 a.m. This shows the care & evaluation the patient received before being transferred to Miami Valley Hospital by 10 a.m. The patient returned home normal. That's because of the paramedics recognizing the seriousness of the emergency. They continue to do things very well, execute almost flawlessly on a daily basis. Council should be very proud of your EMS – the Chief and staff are doing a great job for the City.

Dr. Gebhart then introduced Tina Gregory, Director of Emergency Services at Atrium Hospital, to speak about some of the programs available.

Ms. Gregory stated she is Director of Emergency & Behavioral Services at Atrium Hospital. She thanked Council for letting her share what's going on at Atrium Hospital so you know when the Fire Department/EMS is bringing patients to us, what types of services they are getting. We appreciate the collaboration between Atrium and the Franklin Fire/EMS and it works out with Dr. Gebhart being a physician at Atrium.

She stated she had five things to share with Council about Atrium Hospital.

- Have been recertified as a Primary Stroke Center by the Joint Commission this year
- Starting a Natural Beginning Birth Center this year
- Certified to be part of the network with NB Anderson Cancer Center network in Houston, Texas
- Just received accreditation for a Chest Pain Center by the Cardiovascular Patient Care Society, part of the American College of Cardiologists
- In April, 2017, opening an eight bed geriatrics, senior friendly specific emergency department, to provide the next level of care

Mayor Centers thanked both Dr. Gebhart & Ms. Gregory for coming tonight – great report.

RECEPTION OF VISITORS

There were no comments tonight.

LIQUOR PERMIT TRANSFER PRICE BROTHERS RETAIL, LLC, FROM SAVE A LOT, LEBANON, OHIO, TO SAVE A LOT, FRANKLIN, OHIO

Chief Whitman stated this is a transfer from Price Brothers Retail, LLC, Save A Lot, Lebanon, Ohio to Save A Lot, Franklin, Ohio. The Planning & Economic Development Council Committee recommends approval. Captain Coulton did a background check and there are no issues or problems. Mr. Aldridge asked if there is a problem with it being by the school – no problems with that.

There being no objections, this will be returned to the Ohio Division of Liquor Control that the Council does not request a hearing.

RESOLUTION 2016-59 ADOPTING A POSITION DESCRIPTION FOR THE PART-TIME POSITION OF FIRE INSPECTOR IN THE FIRE & EMS DIVISION

Chief Westendorf stated that this position is for the volunteer who sustained a traumatic injury while on duty. The job description is for a part-time Fire Inspector. The Finance Council Committee has considered and endorsed.

Mayor Centers asked if this is a thirty hour position. Chief Westendorf stated yes, it is.

Mr. Hall made the motion to adopt Resolution 2016-59; seconded by Mr. Aldridge. The vote:

Mr. Bray	yes
Mayor Centers	yes
Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes
Mr. Ruppert	absent

Motion passed.

RESOLUTION 2016-60 AUTHORIZING POSITION TITLES AND THE NUMBER OF POSITIONS FOR EACH TITLE FOR CITY OF FRANKLIN PERSONNEL FOR THE YEAR 2017

Mr. Lewis stated that the only change is in the Fire & EMS Department. The changes are Lieutenants decreased from 4 to 3; Firefighter, adding 2 full-time Firefighter positions; Secretary, adding 1 part-time secretary; and Fire Inspector, adding 1 part-time Fire Inspector. The two new full-time Firefighter positions will offset the overtime costs. There's no extra cost for the part-time Secretary and there will be a small cost for the new part-time Fire Inspector and it is included in the budget.

Mr. B. Centers asked why there is no Police Captain authorized. Mr. Lewis stated that hasn't been included the last several years since Mr. Coulton has been the Assistant Safety Director. In the budget, the Police Lieutenant made more than the Captain, if you want the position we'll have to redo the salary.

Mr. Lewis also explained that additional steps have been added to several of the positions.

Mr. B. Centers asked about who is doing the duties of the Captain. Mr. Lewis stated that the Lieutenants are. Mayor Centers asked why the additional steps are being added. Mr. Lewis stated we are in the process of fixing the positions by adding additional steps.

Mr. Bray made the motion to adopt Resolution 2016-60; seconded by Mr. Hall. The vote:

Mayor Centers	yes
Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes
Mr. Ruppert	absent
Mr. Bray	yes

Motion passed.

RESOLUTION 2016-61 DIRECTING THE MAYOR TO EXECUTE ADDENDUM #2 TO THE CITY MANAGER EMPLOYMENT AGREEMENT ON BEHALF OF CITY COUNCIL

Mayor Centers stated he met with Mr. Lewis and he stated he'd like to have a 2 year contract. Council talked about it and all agreed. Mr. Lewis will receive a 3% increase in 2017 and a 3 % increase in 2018.

Mr. Hall made the motion to adopt; seconded by Mr. Bray. The vote:

Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes
Mr. Ruppert	absent

Mr. Bray yes
Mayor Centers yes
Motion passed.

RESOLUTION 2016-62 ESTABLISHING THE ORGANIZATIONAL LISTINGS AND PAY RATES FOR CITY OF FRANKLIN OFFICIALS AND EMPLOYEES FOR THE YEAR 2017

Mr. Lewis stated this provides the salary rates for 2017 as follows:

- 3% increase Police Department
- 3% increase non-union
- 2% increase Fire Department
- 3% increase Service & Clerical unions
- Magistrate – adding an additional step which reflects a 3% increase
- Non-union employees – health insurance premium increased to 14%
- Police employees – health insurance premium increased to 14 ½%
- Service & Clerical unions – health insurance premium increased to 14 ½%
- Fire Department – health insurance premium increased to 14 ½%

Mr. Lewis added some additional steps have been added to several positions to lengthen out the pay scale so the employee is paid what they should be paid when hired in for a job to what they should be paid for when they are a 10-15 year employee.

Mayor Centers stated it is important that we check with other Cities of our size to see if they have done this and we have done that. Mr. Lewis stated we are pretty much on scale and will do another survey as union contracts are coming up.

Mr. Bray made the motion to adopt Resolution 2016-62; seconded by Mr. Aldridge. The vote:

Mrs. Fouts yes
Mr. Hall yes
Mr. B. Centers yes
Mr. Ruppert absent
Mr. Bray yes
Mayor Centers yes
Mr. Aldridge yes

Motion passed.

RESOLUTION 2016-63 ADOPTING NEW RULES OF COUNCIL

Ms. Fisher stated that the current rules were adopted in 1980 and last updated in 1989. The Governmental Affairs Council Committee has reviewed the new rules and the changes are listed in the memo. Councilman B. Centers, Councilman Bray and Councilwoman Fouts are on the Committee.

The changes are as follows:

Sections 1 and 2: Set forth rules of construction and definitions;

Section 3: Set forth rules regarding the location of Council meetings, when regular meetings are to be held and how notice of regular meetings is to be given; set forth rules defining special meetings and emergency meetings and how notice of special and emergency meetings is to be given; set forth rules governing public participation in Council meetings; and set forth rules for cancelling meetings due to emergencies, inclement weather or lack of agenda items;

Section 4, 5 and 6: Set forth the procedures for regular, special and emergency meetings, including the order of business, opening the proceedings, what items can be discussed at each type of meeting, executive sessions, recesses and adjournment;

Section 7: Set forth the procedure for holding executive sessions and the allowable reasons to hold an executive session;

Section 8: Set forth procedures that apply to all meetings, including the introduction of business, the purpose and form of motions, the precedence of motions and the procedures for voting;

Section 9: Set forth the regulations for attendance and notification of absences for Councilmembers, rules of decorum, rules regarding the duties to vote or to abstain from voting, and the procedure for filling a vacant Council seat;

Section 10: Set forth the duties and responsibilities of various City officials and employees at Council's meetings;

Section 11: Establish the seven Standing Committees of Council, how Councilmembers are appointed to those Committees, and the rules governing the meetings of the Committees;

Section 12: Set forth the procedures for appointing Select Committees, the rules governing the meetings of Select Committees, and how Select Committees are to make their reports to Council;

Section 13: Set forth the requirements for recording Council meetings, including both the minutes and the Clerk's Journal;

Section 14: Provide for the severability and amendment of the Rules;

Section 15: Require that the Rules of Council be reviewed every 5 years by the Governmental Affairs Committee.

Mr. B. Centers stated there were some minor changes and some sections needed updated. The seven Council Committees are staying the same. The Committee agreed to review the Rules of Council every 5 years.

Mr. Bray stated the Committee was very thorough in reviewing the rules.

Mayor Centers thanked Mr. B. Centers for bringing this to his attention and thanked the Committee as this was something that needed done.

Mr. B. Centers made the motion to adopt Resolution 2016-53; seconded by Mr. Bray. The vote:

Mr. Hall	yes
Mr. B. Centers	yes
Mr. Ruppert	absent
Mr. Bray	yes
Mayor Centers	yes
Mr. Aldridge	yes
Mrs. Fouts	yes

Motion passed.

Mrs. Ervin stated that current legislation (from 2000) says that all interest earned goes into the General Fund. This updates legislation to be the same as State Code – that interest earned on certain funds be credited back to those funds and not the General Fund.

Mayor Centers asked if we have a fund that earns interest, it has to be put into the Street Fund. Mrs. Ervin stated that we'll go over this in the Investment Policy but for investment purposes, what we do is lump all the money together. Typically, you're not going to see a bigger balance than what you'll find in the General Fund. It's easy to say the interest earned is General Fund money. But for the Street Fund and the State Highway Fund, the State has said that interest earned has to be allocated back to these funds.

Mayor Centers stated that it bothers him that the State mandates how we divide our money.

Mr. Aldridge made the motion to adopt Resolution 2016-64; seconded by Mrs. Fouts. The vote:

Mr. B. Centers	yes
Mr. Ruppert	absent
Mr. Bray	yes
Mayor Centers	yes
Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Hall	no

Motion passed.

Mrs. Ervin stated the current policy was passed in 2008 and needs updated as changes have been made by the State regarding investment procedures. This covers all City funds; we group all of our money together, set aside monies that are needed for current expenses and the amount not needed right away is put into investments. When we make investments, we want to make sure we get our money back & it is safe; want to make sure we have money to meet expenses; and want to earn interest. Also, included in the policy is, if there is any kind of conflict of interest with our current banks. This coming year we will be choosing our public depositories and if you have significant deposits in the banks chosen, you need to let her know so proper procedures can be followed.

Mayor Centers asked how will we select them.

Mrs. Ervin stated ORC sets up criteria which is part of the policy. We'll send out RFP's for quotes, they will be presented to you, we'll give you our recommendation and then you (Council) will make the decision on which bank(s) to use.

Ms. Fisher stated we usually do this every five years, with the changes made, it will be easier to do and she explained how it will work.

Mayor Centers asked if the bank has to be in the City. Mrs. Ervin stated not necessarily. Ms. Fisher stated some have branches in the City. Mrs. Ervin stated that is part of the process also. Mayor Centers stated he just wants to know how much it weighs into the decision of local banks versus return.

Mrs. Ervin stated that if we have investments, a lot of the local banks can't provide the type of investments that we need because of the size of the investment.

Mrs. Ervin stated we can obtain an advisor to help. Mr. Hall stated that at one time we had a Financial Advisory Board (about 9 years ago). Ms. Fisher stated that was a requirement of the old Uniform Depository Act which has been replaced. Ms. Fisher added this has been discussed with the Finance Council Committee.

Mrs. Ervin continued that this states how much can be put in certain investments; sets up types of investments we can use and sets up the maturity. Council will get an annual update and that the Dial Park Trust Fund is governed by the F.C. Dial Trust & Will.

Mr. Lewis stated the Dial Trust Fund has about \$1.2 million in it but we can only spend the interest of the Dial Trust Fund and there are stipulations.

Mr. Bray stated that this was discussed at the Finance Council Committee.

Mr. Bray made the motion to adopt Resolution 2016-65; seconded by Mr. Hall. The vote:

Mr. Ruppert	absent
Mr. Bray	yes
Mayor Centers	yes
Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes

Motion passed.

RESOLUTION 2016-66 PRELIMINARY LEGISLATION GRANTING CONSENT TO ODOT FOR THE BRIDGE DEBRIS REMOVAL PROJECT

Mr. Lewis stated that this is for cleaning debris around the 2nd Street Bridge and the Baxter Drive Bridge. ODOT is doing the work and paying for it.

Mr. Hall made the motion to adopt Resolution 2016-66; seconded by Mr. Bray. The vote:

Mr. Bray	yes
Mayor Centers	yes
Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes
Mr. Ruppert	absent

Motion passed.

RESOLUTION 2016-67 AWARDING THE BID AND AUTHORIZING THE EXECUTION OF THE CONTRACT FOR THE PROVISION OF CASUALTY AND PROPERTY INSURANCE FOR THE CITY OF FRANKLIN, OHIO

Mr. Lewis stated, as instructed, we advertised for bids and they were opened on November 15, 2016. The only bid received was from the Ohio Plan in the amount of \$152,981.00 and we have had them the last 5-6 years. This bid is \$6,010 less than the last premium due to an increase in the credits the City earned from the Ohio Plan, which were applied to the premium. This Resolution awards the bid to the Ohio Plan for 2017 & 2018.

Mr. Hall made the motion to adopt Resolution 2016-67; seconded by Mr. Bray. The vote:

Mayor Centers yes
Mr. Aldridge yes
Mrs. Fouts yes
Mr. Hall yes
Mr. B. Centers yes
Mr. Ruppert absent
Mr. Bray yes

Motion passed.

RESOLUTION 2016-68 APPROVING THE PURCHASE OF THE PROPERTY LOCATED AT 15 E. SIXTH STREET AND AUTHORIZING THE EXPENDITURE OF FUNDS TO ACQUIRE SAID PROPERTY

Mr. Lewis stated that this property went through tax foreclosure and was offered for sale through a Sheriff's sale on November 30, 2018. We were the only bidder at \$8,500, plus deed and recording cost. This has been to the Economic Development Council Committee.

Mayor Centers thanked everyone for being proactive.

Mr. B. Centers made the motion to adopt Resolution 2016-68; seconded by Mr. Aldridge. The vote:

Mr. Aldridge yes
Mrs. Fouts yes
Mr. Hall yes
Mr. B. Centers yes
Mr. Ruppert absent
Mr. Bray yes
Mayor Centers yes

Motion passed.

Mayor Centers added Resolution 2016-69 to the agenda.

RESOLUTION 2016-69 FILLING THE VACANCY ON THE CHARTER REVIEW COMMISSION

Mayor Centers stated that he has talked with Dave McDaniel and he has agreed to serve.

Mr. Bray made the motion to adopt Resolution 2016-69 appointing Dave McDaniel to the Charter Review Commission; seconded by Mr. Aldridge. The vote:

Mrs. Fouts yes
Mr. Hall yes
Mr. B. Centers yes
Mr. Ruppert absent
Mr. Bray yes
Mayor Centers yes
Mr. Aldridge yes

Motion passed.

CITY MANAGER'S REPORT

Mr. Lewis had nothing to report tonight.

COUNCIL COMMENTS

Mr. B. Centers thanked Dr. Gebhart & Ms. Gregory for the update. Mr. Centers stated he has something for Council to think about – maybe a work session item. We always get hit up by people with ‘we should do this’, ‘we should do that’. A lot of times it’s pretty small projects, sometimes so small, that we don’t do them because they are small. He’s seen where other cities do ‘mini-grants’ – money is set aside for projects submitted by residents, i.e. signs, fountains, etc. Council would decide the money amount and approve it, do it once a year and this would get the residents to participate. The Cities that have done this have had success with it, if the project doesn’t get done, the citizen or group, has to give the money back to the City. Mr. Aldridge asked if this is just for citizens, what about businesses. Mr. B. Centers stated that’s something we’d have to discuss. Mr. B. Centers thanked Ms. Fisher for her work on the Rules of Council update. Mayor Centers agreed.

Mr. Bray also agreed, Ms. Fisher does a lot. Mr. Bray stated updated Finance Council Committee information is in the packet, should finish strong, finances looking good, hope 2017 is as good as this year and thanked everyone for coming tonight.

Mr. Hall asked how many water line breaks have there been this past week. Mr. Inman stated three. Mr. Hall stated we appreciate your guys doing the leaf pickup. Also, appreciate Dr. Gebhart’s report, and he has firsthand experience with EMS – doing a great job. Asked if you are allowed to park in the lot behind the AT&T building by Happy Days – looks like they are parking in the grass. Mr. Lewis stated some park in the Wes Banco lot – will check on it.

Mrs. Fouts stated we need to keep our eyes open on areas that need cleaned up since the leaves on the trees are gone. We’ve been talking a lot about the swimming pool - would also like to talk about grants (passes) for underprivileged families to go to the pool. Also, the City looks great with all the lights and thanked Ms. Fisher for all her work.

Mr. Aldridge thanked Ms. Fisher for the goodies. Also, just saw the article by Mr. Richter (that was in the Middletown Journal) that was mentioned at the last meeting, thanks to Mr. Richter - good article

Mayor Centers stated he has talked to the Magistrate and asked him to update Council after the first of the year. Mayor Centers asked what the status of the bridge project is. Mr. Inman stated we have a price for lighting the bridge. Mayor Centers stated, his opinion is, he’d like to see us get started with just lighting the bridge. Mr. Hall asked what are we lighting on the bridge. Mayor Centers stated lights along the railing, with direct lighting on the lions. Mr. Inman stated we have a \$46,000 estimate for lighting only. Mr. Bray asked if we can have update on this for the next meeting. Mr. Aldridge asked what does the \$46,000 include – he thought the number was much higher. Mr. Lewis added the cost for lighting & the water was about \$300,000.00. Mr. Lewis stated we thought we could pump water from the river and we can’t do that. He has talked with Mr. Inman, and maybe we start smaller with lighting only the lions.

Discussion continued on lighting the bridge. Mr. Inman stated he’s working on a plan to light the lions, not ready to present yet. Mrs. Fouts stated need to look at current lights on bridge, need cleaned up or replaced. Mr. Inman stated the globes are being replaced and we’re looking at using led lights.

Mayor Centers stated an executive session is needed to discuss acquisition of property, with no action afterwards.

EXECUTIVE SESSION

Mr. Bray made the motion to enter into executive session to discuss acquisition of property, with no action afterwards; seconded by Mr. Aldridge. The vote:

Mr. Hall	yes
Mr. B. Centers	yes
Mr. Ruppert	absent
Mr. Bray	yes
Mayor Centers	yes

Mr. Aldridge yes
Mrs. Fouts yes

Motion passed.

Mayor Centers and members of Council entered into executive session at 7:05 p.m. to discuss acquisition of property.

Mr. Bray made the motion to exit the executive session; seconded by Mr. Hall. The vote:

Mr. B. Centers yes
Mr. Ruppert absent
Mr. Bray yes
Mayor Centers yes
Mr. Aldridge yes
Mrs. Fouts yes
Mr. Hall yes

Motion passed.

Mayor Centers reconvened the meeting at 7:44 p.m.

Mr. Hall made the motion to adjourn; seconded by Mr. Aldridge. The vote:

Mr. Ruppert absent
Mr. Bray yes
Mayor Centers yes
Mr. Aldridge yes
Mrs. Fouts yes
Mr. Hall yes
Mr. B. Centers yes

Motion passed.

Mayor Centers adjourned the meeting at 7:45 p.m.

Mayor

Clerk of Council