

**FRANKLIN CITY COUNCIL
JULY 18, 2016**

Members of the Franklin City Council met in regular session on Monday, July 18, 2016, 6:00 p.m. at the Franklin City Building, Mayor Denny Centers presiding.

Roll call showed:

Mr. Brent Centers	present
Mr. Paul Ruppert	present
Mr. Carl Bray	present
Mr. Denny Centers	present
Mr. Michael Aldridge	absent
Mrs. Debbie Fouts	present
Mr. Todd Hall	absent

There were two members of the press (Middletown Journal & Franklin Chronicle) and two visitors at tonight's meeting. Also present: Ms. Donnette Fisher, Law Director; Mr. Steve Inman, Public Works Director; Mr. Barry Conway, City Engineer; Mr. Jonathan Westendorf, Fire & EMS Chief; Mrs. Myra Haney, Administrative Assistant to the City Manager; Mr. Sonny Lewis, City Manager and Mrs. Jane McGee, Clerk of Council.

Pledge of Allegiance was led by Mr. Wilbur DePew.

Mr. Bray made the motion to approve the Clerk's Journal and accept the tapes as the Official Minutes of the June 20, 2016 regular meeting; seconded by Mr. Ruppert. The vote:

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

Motion passed.

RECEPTION OF VISITORS

There were no visitor comments at tonight's meeting.

PUBLIC HEARING ORDINANCE 2016-05 AMENDING SECTION 1109.07(E) OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE

Mr. Lewis stated that this applies to signs in the Overlay District and that Planning Commission has approved these amendments. The reason for the change is to allow industries along the highway more visibility. This will increase the allowable area of electronic changeable copy on pole signs from 1/2 of the total sign area to 2/3 of the total sign area. The total allowable sign area for pole signs will no longer be tied to the height of the pole sign. Pole signs over seventy feet will have to go to the Planning Commission for a variance. This has been to Planning Commission and they approved the amendments and staff also recommends approval.

Mayor Centers stated that Planning Commission talked a lot about signs and thinks that this is fair.

Mr. Bray asked if we can tell them what they can advertise on the signs. Ms. Fisher stated, no, can't regulate content, is 1st amendment issue. The Sexually Oriented Business can have some sign regulations.

There was some discussion on sign regulations.

Mayor Centers opened the Public Hearing and asked for any public comments. There being none, he closed the Public Hearing and asked for any Council comments. There were none.

Mr. Ruppert made the motion to adopt Ordinance 2016-05; seconded by Mr. Bray. The vote:

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

Motion passed.

PUBLIC HEARING ORDINANCE 2016-06 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRANKLIN, OHIO, TO REZONE 6.4049 ACRES OF CITY-OWNED LAND ON DEARDOFF ROAD FROM O-I, OFFICE-INSTITUTIONAL DISTRICT, TO R-1B, SUBURBAN RESIDENTIAL DISTRICT

Ms. Fisher stated we are looking at selling the 6.4049 acres on Deardoff Road for the development of a 55 years and older, patio-home type housing community. In order to do this, the zoning needs to be changed to R-1B, Suburban Residential, to match the surrounding area. There will be legislation in August to request RFP's for the project. This is the 1st step in the process to rezone the property. The Planning Commission voted 7-0 to recommend this rezoning.

Mayor Centers opened the Public Hearing and asked for any public comments. There being none, he closed the Public Hearing and asked for any Council comments. There were none.

Mr. B. Centers made the motion to adopt Ordinance 2016-06; seconded by Mr. Ruppert. The vote:

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

Motion passed.

PUBLIC HEARING ORDINANCE 2016-07 AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRANKLIN, OHIO, TO REZONE A 10-ACRE TRACT AT 708 SOUTH AVENUE FROM O-I, OFFICE INSTITUTIONAL DISTRICT, TO I-1, LIGHT INDUSTRIAL DISTRICT

Ms. Fisher stated that this corrects an error made when the Zoning map was adopted in 2008. Sunoco Flexible Packaging is located at 708 South Avenue and owns the land to the west of its facility which was marked as City land and zoned in error. The land should be zoned I-1, Light Industrial District. This ordinance corrects the error. The Planning Commission voted to approve the rezoning.

Mr. Bray asked if it affects the taxes. Ms. Fisher stated, no, as it has been used for light industrial. Mayor Centers opened the Public Hearing and asked for any public comments. There being none, he closed the Public Hearing and asked for any Council comments. There were none.

Mr. Bray made the motion to adopt Ordinance 2016-07; seconded by Mrs. Fouts. The vote:

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

Motion passed.

RESOLUTION 2016-32 PRELIMINARY PARTICIPATORY LEGISLATION FOR THE ODOT RILEY BOULEVARD RESURFACING PROJECT

Mr. Lewis stated authorization to proceed with this project was done several months ago. This project is the resurfacing of Riley Boulevard from South Main Street to Second Street. The total cost is estimated at \$1,023,000.00 and includes engineering costs.

Mr. Ruppert made the motion to adopt Resolution 2016-32; seconded by Mrs. Fouts. The vote:

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

Motion passed.

RESOLUTION 2016-33 AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION FOR THE OHIO PUBLIC WORKS COMMISSION'S STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS AND TO EXECUTE CONTRACTS, AS REQUIRED, FOR PROGRAM YEAR 2018 (PY 32) FOR THE BEAL ROAD INTERSECTION IMPROVEMENTS PROJECT AND THE HAROLD STREET ROADWAY IMPROVEMENTS PROJECT

Mr. Lewis stated that this authorizes the following OPWC Issue 2 projects to be submitted: (1) Beal Road – Scholl Road Intersection Improvements, proposing a 51% local match, will realign the intersection, and (2) Harold Street Roadway Improvements, proposing a 51% local match, will include curb & gutter.

Mr. Bray asked if we didn't talk about leaving Beal Road as it is. Mr. Lewis stated he doesn't remember any decisions being made about it.

Mayor Centers stated we have discussed this before, thought comments were made to leave it as it is now, it slows the cars down and he doesn't think it is a good project to do.

Mr. B. Centers asked if separate Resolutions can be done for the projects.

Mayor Centers asked if there is another project that can be added to replace the Beal Road Project, maybe the William C. Good Improvements. Mr. Lewis stated that is not an eligible project, will look for a way to do it. Mayor Centers added we need to look at the underpass on Franklin Trenton Road project again. Mr. Lewis stated that is very expensive to do & will look into it.

Mayor Centers stated he rather take the money for the Beal Road-Scholl Road improvements and use for other projects.

Mr. B. Centers made the motion to amend Resolution 2016-33 by removing the Beal Road Intersection Improvements Project; seconded by Mrs. Fouts. The vote:

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

Motion passed.

Mrs. Fouts made the motion to adopt Resolution 2016-33, as amended; seconded by Mr. B. Centers. The vote:

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

Motion passed.

RESOLUTION 2016-34 ACCEPTING THE RESIGNATION OF SHARON GAMBILL-LEVINE FROM THE CITY OF FRANKLIN CIVIL SERVICE COMMISSION AND APPOINTING MATTHEW WILCHER TO FILL THE VACANCY

Mayor Centers stated that this is tabled - removed from the agenda.

INTRODUCTION OF NEW LEGISLATION

Mayor Centers introduced the following:

Ordinance 2016-08 Levying Assessments for the Improvement of City Streets and Public Ways by the Lighting Thereof for the Year 2017

Public Hearing will be held at the August 1, 2016 meeting.

CITY MANAGER'S REPORT

Mr. Lewis reported on the following:

- Will be starting on the concrete (sidewalk) replacement program, a lot of people have been proactive and replaced their sidewalks. Receiving calls from residents in other areas of the City that are doing their sidewalk replacement.
- Summer paving project will start 8/8/16

Mayor Centers stated he talked with Mrs. Fouts about the pool information and we will discuss it when Mr. Aldridge & Mr. Hall are present. Mayor Centers thanked Mrs. Fouts & Mrs. Haney for their work in getting the information.

COUNCIL COMMENTS

Mrs. Fouts asked if we can limit the number of Section 8 Housing/HUD so it can't be changed at a later date as Middletown did; and if the 55 years +, new proposed housing (on Deardoff Road) restrictions, can

be changed at a later date. Ms. Fisher stated that will be elderly housing limited to 55 years & older, will be restrictions on the deed for that and also will be condo restrictions. Ms. Fisher added that she thinks Middletown had their own housing program. Mr. Ed Richter stated that Middletown dissolved there Public Housing Authority and transferred it to Warren County Metro & Butler County Metro organizations. Mr. Lewis stated he talked to Middletown representatives about that, they still have the same number of Section 8 Housing/HUD houses and it is now operated out of Hamilton. Mrs. Fouts asked if we can do anything to limit HUD, Section 8 housing. Mr. Lewis stated he doesn't think we can and it is operated by Warren County. Some discussion followed.

Mr. B. Centers told Chief Westendorf good job on the 4th of July parade & fireworks; missed the last meeting, Franklin Farmers Market received the Perry Maxwell Award, awesome and thanked Ms. Fisher; and did a police ride-along with Officer Keene, and proud of our department.

Mr. Ruppert stated thanks to Chief Westendorf and all who worked on the parade & fireworks; thanks to Mr. Lewis & the Police Department – had concerned residents about the block party on Highridge, there was a police presence and they commended the City on doing this.

Mr. Bray stated a couple of weeks ago the Wounded Warriors (about 40) were in town at JD Legends and it went well. He was with them on Friday & Saturday; they attended the Balloon Glow; several other activities were scheduled for them; they are very appreciative, it is growing every year and this is the third year it has been held. He thanked the Community, City of Middletown, Franklin Township & the churches for helping out. Mr. Lewis stated he didn't receive detailed information about this until Thursday & apologized for not getting the information out. They had previously asked only for assistance with the parade route. Mayor Centers stated that he'd like for us to be more involved. Mr. Bray stated that this year the USO handled it and he asked for them to contact him next year so we can assist them. Mayor Centers added he heard that Franklin is known in Nashville, Tennessee because of JD Legends. Mr. Bray stated the 324 from Middletown is coming home, think it is Saturday at the High School, don't know time yet but will let everyone know when it is finalized.

Mayor Centers stated the pool discussion will be at a later date when Mr. Aldridge & Mr. Hall are here; also, the 324 returning home and thanked Special Events, Chief Westendorf and his family on the 4th of July parade and the fireworks.

Chief Westendorf stated the Movie in the Park is this Friday at the Park and thanked everyone for the good comments and will pass them on.

Mayor Centers asked if we are moving along on the gray house. Mr. Lewis stated, yes, we have closed on the house and will be meeting with HUD's maintenance people to see what is required to get it HUD ready to make the transfer.

Ms. Fisher stated she had no report tonight.

EXECUTIVE SESSION TO DISCUSS COLLECTIVE BARGAINING MATTERS

Mr. Bray made the motion to enter into executive session to discuss collective bargaining matters and there will be action afterwards; seconded by Mrs. Fouts. The vote:

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

Mr. B. Centers yes
Motion passed.

Mayor Centers & members of Council entered into executive session to discuss collective bargaining matters at 7:02 p.m.

Mr. B. Centers made the motion to exit & reconvene the meeting; seconded by Mr. Ruppert. The vote:

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

Motion passed.

Mayor Centers reconvened the meeting at 7:50 p.m. and added the following Resolution:

RESOLUTION 2016-35 ACCEPTING THE TENTATIVE AGREEMENT WITH THE
INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, LOCAL 3742

Mr. B. Centers made the motion to adopt; seconded by Mrs. Fouts. The vote:

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

Motion passed.

Ms. Fisher stated we will be coming back with legislation to approve the contract as the Firefighters union has not meet to vote on the tentative agreement yet.

Mrs. Fouts made the motion to adjourn; seconded by Mr. Ruppert. The vote:

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

Motion passed.

Mayor Centers adjourned the meeting at 7:53 p.m.

Mayor

Clerk of Council

*corrected