

FRANKLIN CITY COUNCIL
JUNE 18, 2018

Members of the Franklin City Council met in regular session on Monday, June 18, 2018, 6:00 p.m. at the Franklin City Building, Mayor Todd Hall presiding.

Roll call showed:

Denny Centers	present
Paul Ruppert	present
Brent Centers	present
Todd Hall	present
Michael Aldridge	present
Debbie Fouts	present
Matt Wilcher	present

There were 12 visitors and one member of the press present at tonight's meeting. Also present: Mr. Jonathan Westendorf, Fire & EMS Chief; Mrs. Amy Miller, Acting Finance Director; Mrs. Lynnette Dinkler, Law Director; Mrs. Karisa Steed, Assistant to the City Manager; Mr. Ross Coulton, Assistant Safety Director; Mr. Steve Inman, Public Works Director; Mr. Barry Conway, City Engineer; Mr. Russ Whitman, Police Chief; Mr. Sonny Lewis, City Manager and Mrs. Jane McGee, Clerk of Council.

The Pledge of Allegiance was led by Mr. Brent Centers.

Mr. Aldridge made the motion to approve the Clerk's Journal and accept the tapes as the Official Minutes of the June 4, 2018 regular meeting; seconded by Mr. Wilcher. The vote:

Mr. Ruppert	yes
Mr. B. Centers	yes
Mayor Hall	yes
Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Wilcher	yes
Mr. D. Centers	yes

Motion passed.

RECEPTION OF VISITORS

There were none tonight.

AWARD PRESENTATION PATROLMAN DENNIS SHANNON

Mayor Hall and members of Council recognized Patrolman Shannon for his actions on March 23, 2018, saving a 3 year old choking on a hot dog. Patrolman Shannon performed the Heimlich maneuver, which dislodged the hot dog. On behalf of the City, the Meritorious Service Award was presented to Patrolman Shannon. Police Chief Whitman presented Patrolman Shannon with a certificate and the bars for his uniform.

Mayor Hall, on behalf of the City, thanked Patrolman Shannon for his service.

PUBLIC HEARING ORDINANCE 2018-12 DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY LIGHTING THEREOF FOR THE YEAR 2019

Mrs. McGee stated that this is the next step in the process to implement the street lighting assessments for 2019.

Mayor Hall opened the Public Hearing and asked for any comments. There being none, he closed the Public Hearing.

Mr. Ruppert made the motion to adopt Ordinance 2018-12; seconded by Mrs. Fouts. The vote:

Mr. B. Centers yes
Mayor Hall yes
Mr. Aldridge yes
Mrs. Fouts yes
Mr. Wilcher yes
Mr. D. Centers yes
Mr. Ruppert yes

Motion passed.

PUBLIC HEARING RESOLUTION 2018-39 ADOPTING THE TAX BUDGET FOR THE CITY OF FRANKLIN, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2019 AND AUTHORIZING THE ACTING FINANCE DIRECTOR TO SUBMIT IT TO THE WARREN COUNTY AUDITOR

Mr. Lewis stated that State Law requires the City to adopt and file the tax budget with Warren County by July 20th. This is an estimate of revenues. The Warren County Budget Commission uses this to issue a Certificate of Estimated Resources for the City. Many of the figures will be amended as actual, 2018 revenues and expenditures are known by the end of the year. Mrs. Miller prepared the tax budget and did a good job.

Mayor Hall opened the Public Hearing and asked for any comments. There being none, he closed the Public Hearing.

Mr. Aldridge made the motion to adopt Resolution 2018-39; seconded by Mr. B. Centers. The vote:

Mayor Hall yes
Mr. Aldridge yes
Mrs. Fouts yes
Mr. Wilcher yes
Mr. D. Centers yes
Mr. Ruppert yes
Mr. B. Centers yes

Motion passed.

ORDINANCE 2018-13 EMERGENCY ESTABLISHING A SIXTY-ONE DAY MORATORIUM ON THE ESTABLISHMENT OR COMMENCEMENT OF MEDICAL MARIJUANA CULTIVATORS, PROCESSORS AND/OR RETAIL DISPENSARIES WITHIN THE CITY OF FRANKLIN

Mrs. Dinkler stated that this places a moratorium on the establishment or commencement of medical marijuana cultivators, processors and/or retail dispensaries. House Bill 523, which made medical marijuana use legal in Ohio, went into effect September 8, 2016. The Ohio Medical Marijuana Control

Program is required to be fully operational by September 2018. At this time, we do not know how medical marijuana cultivators, processors and retail dispensaries are to be established or governed by the State. The moratorium will give us time to review the guidelines and make recommendations on how such uses should be regulated.

This is an emergency Ordinance and will stand automatically repealed sixty-one days after its passage, as of August 18, 2018. An Ordinance establishing the moratorium is also being introduced tonight and it will take effect on August 1, 2018.

Mr. B. Centers asked if the State comes out with guidelines, what should we do. Mrs. Dinkler stated that the legislation can be rescinded.

Mr. B. Centers made the motion to adopt Ordinance 2018-13; seconded by Mr. Wilcher. The vote:

Mr. Aldridge yes
Mrs. Fouts yes
Mr. Wilcher yes
Mr. D. Centers yes
Mr. Ruppert yes
Mr. B. Centers yes
Mr. Hall yes

Motion passed.

RESOLUTION 2018-40 AMENDING RESOLUTION 2018-34 TO ESTABLISH THE ORGANIZATIONAL LISTINGS AND PAY RATES FOR THE CITY OF FRANKLIN OFFICIALS AND EMPLOYEES FOR THE YEAR 2018

Chief Westendorf explained we offer employment benefits to full-time employees for eleven City-recognized holidays. It's become increasing difficult to persuade volunteer-standby firefighters to work for our City when they can work for other jurisdictions for higher rates of pay. We've had to call full-time staff in to cover the vacancies. The City still has to provide services and we're proposing to offer this as an incentive. Chief Westendorf noted he has meet with the Safety Council Committee, and is proposing the following paid holidays for the volunteer-standby positions: *personnel working a scheduled shift as determined by the Fire Chief, shall receive double time payment for actual hours worked at a minimum, for the following holidays: Independence Day; Thanksgiving Day; Christmas Eve; Christmas Day and a 24 hour period beginning on New Year's Eve at 6 p.m. and ending on New Year's Day at 6 p.m.*

Chief Westendorf added that a survey was done and these are the holidays recommended. There are no extra monies needed at this time. Everyone is in agreement with this and estimated cost is \$7,900-\$10,000.

Mr. Ruppert made the motion to adopt Resolution 2018-40; seconded by Mr. D. Centers. The vote:

Mrs. Fouts yes
Mr. Wilcher yes
Mr. D. Centers yes
Mr. Ruppert yes
Mr. B. centers yes
Mayor Hall yes
Mr. Aldridge yes

Motion passed.

RESOLUTION 2018-41 ACCEPTING THE RESIGNATION OF MYRA HANEY FROM THE CIVIL SERVICE COMMISSION AND APPOINTING CLAYTON HICKS TO FILL THE VACANCY

Mr. Lewis stated that Mrs. Haney has resigned from the Civil Service Commission to become the Commission's Secretary. Clayton Hicks is being recommended to serve the remainder of her term.

Mr. D. Centers made the motion to adopt Resolution 2018-41; seconded by Mr. Aldridge. The vote:

Mr. Wilcher yes
Mr. D. Centers yes
Mr. Ruppert yes
Mr. B. Centers yes
Mayor Hall yes
Mr. Aldridge yes
Mrs. Fouts yes

Motion passed.

RESOLUTION 2018-42 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 2020 (PY 34) FOR THE INDUSTRIAL DRIVE ROADWAY IMPROVEMENT PROJECT, THIRD STREET LIFT STATION REPLACEMENT PROJECT AND THE NORTH DIXIE DRIVE IMPROVEMENT PROJECT

Mr. Conway stated that Issue II operates on a two-year cycle and these projects are for Program Year 2020 (PY34). Staff is recommending the following projects:

- Industrial Drive Roadway Improvement Project - We are proposing approximately a 51% local match to obtain additional points in the ranking process. Estimated cost \$1,360,000.00 and the local match would be \$700,000.00.
- Third Street Lift Station Replacement Project - We are proposing approximately a 51% local match to obtain additional points in the ranking process. Estimated cost \$618,365.00 and the local match would be \$318,365.00.
- North Dixie Drive Improvement Project - We are proposing approximately a 51% local match to obtain additional points in the ranking process. Estimated cost \$734,000.00 and the local match would be \$374,000.00.

There was some discussion on how the projects are prioritized (they are ranked by the State); if money is included in the budget for the projects (yes, but not enough money for the Industrial Drive Roadway project because of curb replacement) and what is included in the North Dixie Drive Improvement project (street resurfacing). Mr. Aldridge thanked him for going after the grants.

Mr. D. Centers made the motion to adopt Resolution 2018-42; seconded by Mr. Wilcher. The vote:

Mr. D. Centers yes
Mr. Ruppert yes
Mr. B. Centers yes
Mayor Hall yes
Mr. Aldridge yes
Mrs. Fouts yes
Mr. Wilcher yes

Motion passed.

INTRODUCTION OF NEW LEGISLATION

Mayor Hall introduced the following legislation.

Ordinance 2018-14 Establishing a One-Year Moratorium on the Establishment or Commencement of Medical Marijuana Cultivators, Processors and/or Retail Dispensaries within the City of Franklin

CITY MANAGER'S REPORT

Mr. Lewis reported on the following:

- Mr. Lewis stated the first mural walk was last Saturday. We had only two people and it was very hot. We need to advertise the mural walk and also need a vehicle for the tour. Peggy and Karisa did a good job getting the info together and will be doing a pamphlet. Mrs. Fouts stated maybe Forever Franklin can assist with the tour. Mr. Lewis stated he enjoyed doing the tour and about the possibility of another mural. Mr. D. Centers asked if the Texaco sign mural has been resolved. Mr. Lewis stated he thought this was taken care of but will get hold of Eric.
- We've received 7 resumes for the Finance Director's position and June 20th is the deadline.
- The last streets are being done on the City curb project
- The Chamber of Commerce meeting was today and the following were recognized: Business of the Year – Lake Erie Electric; Industry of the Year-Pfizer Industries; Thirkield Award – A&S Party Rental; Perry Maxwell Award – Fraternal Order of Orioles, Nest 263; President's Award – Mary Nenninger; Citizens of the Year – Bob & Janette Alexander. Also, Scott Lipps was the guest speaker.
- Forever Franklin has ordered 2 benches and 3 trash cans for downtown
- Electric Aggregation – approximately 2,500 customers have signed up to date; still opting-in to participate and we have the lowest rates in Ohio

COUNCIL COMMENTS

Mr. Wilcher asked if there's been any contact with the residents on Shawn Drive. Mr. Lewis stated he has not, but has looked at it and will be meeting with Franklin Township about the issue. Also, the HOPE pamphlet done by the Fire Department is well done.

Mr. D. Centers asked if there's been a meeting/contact with the Company purchasing the DDN building. Mr. Lewis stated he's talked to them and they are looking for a company to lease it. Mr. D. Centers asked about the July 4th parade – he needs new signs. New signs will be ordered for Council and each member is to furnish their own vehicle for the parade. Mr. Centers asked if the pool concrete has been fixed – yes it has.

Mrs. Fouts thanked Mr. Inman (Public Works Director) for taking care of the gutter problem in Franklin Landing. Also, we need to advertise more on social media on what is available in our town as people don't know what we have. Mrs. Fouts asked if there are plans on taking down the properties on the corner, 6th Street/Riley Boulevard. Mr. Lewis stated we're working with Warren County on the property at 525 Riley Blvd. We don't know if there are funds available for the other properties – the City may have to do them as they are commercial buildings. Mrs. Fouts asked if we know what the plans are for the old funeral home as it looks like its empty. Mr. Lewis stated he doesn't know what their plan is, they are still working there and he will check on it. Mrs. Fouts added that Luke & Mark (Kennard) had a great write up in the Detroit Free Press – awesome article.

Mr. Ruppert stated he's just returned from vacation. He visited a City that had benches & trash cans with dedications on them and asked if we've done that before. Mr. Lewis stated we have a couple already and some of them can be very expensive. Mr. Ruppert added if you want to see an amazing town, need to visit Thomasville, GA – is an old downtown.

Mr. Aldridge congratulated Patrolman Shannon, we have a great Police Department. It's a great article on Luke & Mark Kennard – Luke represents us well.

Mr. B. Centers stated that the Safety Town has started and he'll be speaking at the July 16th Chamber meeting. He recently attended a meeting on the Great Miami Riverway and asked for them to make a presentation to Council.

Mayor Hall stated at Sunnybrook, across from the apartments, there is a chain link fence being put up and asked why it is there. Mr. Lewis stated he will check it out. The old Shell Station, by the car wash, on Second Street looks bad, grass needs cut. Mr. Lewis added that Gold Star Chili is also bad. Mr. Lewis stated he will contact the owners. Mr. Ruppert asked if the clothing donation boxes are still there. Mr. Lewis stated he will check on them also. Mayor Hall continued that a street light is out on Harpwood Drive, #W68417E, and also one is out between Arlington and Lance. Mayor Hall stated he's been asked if it's possible to put up banners, with senior athlete pictures on them, downtown. Mr. Lewis asked if they will pay for them. Mayor Hall stated yes, they will pay for the banners and the City would put them up. Mr. Lewis stated we can provide them with the size and we can put them up. Mr. Aldridge stated that they do that for each event at the school now. There was some discussion and Mrs. Fouts stated it's worth exploring. Also, Mayor Hall stated that he's received a complaint that the hanging planters downtown are not real flowers. Mayor Hall continued that the pool has been busy and is doing well. There are a lot of new people and older kids this year. There have been complaints of kids scraping their feet, but the kids are horsing around. Also, there's been more Day Care facilities this year using the pool, along with swim teams.

EXECUTIVE SESSION

Mr. Aldridge made the motion to enter into executive session to discuss the following: 1) details relative to the security arrangements and emergency response protocols for a public body or a public office, if disclosure of the matters discussed could reasonably be expected to jeopardize the security of the public and 2) pending litigation re: New York New York LLC with no action afterwards; seconded by Mr. Ruppert. The vote:

Mr. Ruppert yes
Mr. B. Centers yes
Mayor Hall yes
Mr. Aldridge yes
Mrs. Fouts yes
Mr. Wilcher yes
Mr. D. Centers yes

Motion passed.

At 7:18 p.m., Mayor Hall and members of Council entered into executive session. Mayor Hall then reconvened and adjourned the meeting.

Todd Hall, Mayor

Jane McGee, Clerk of Council