

**FRANKLIN CITY COUNCIL
AUGUST 19, 2019**

Members of the Franklin City Council met in regular session on Monday, August 19, 2019, 6:00 p.m. at the Franklin City Building, Mayor Todd Hall presiding.

Roll call showed:

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

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

Mr. Tim Humphries led the Pledge of Allegiance.

Mr. Aldridge made the motion to approve the Clerk's Journal and accept the tapes as the Official Minutes of the August 5, 2019 regular meeting; seconded by Mrs. Fouts. The vote:

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|----------------|-----|
| 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

Mr. Richard Bloom, 103 Stadia, stated he was here about a month or so ago, and noted several things that needed to be checked. He thanked Chief Whitman for taking care of several of the issues, but there are still problems. He noted that at 77 Stadia or Virginia, still has trash. He showed pictures to Council. At 118 Stadia, there is a boat in the side yard. They also have a red Dodge pick-up truck, with no license tags, and they drive it all around town.

Mayor Hall stated that we have legislation on tonight's agenda updating the Code, to assist the City in taking care of these kind of problems. Mr. Bloom thanked Chief Whitman for his help so far.

**PUBLIC HEARING ORDINANCE 2019-09 REPEALING AND REPLACING TITLE SEVEN,
PART THIRTEEN OF THE CODIFIED ORDINANCES, THE PROPERTY MAINTENANCE CODE,
BY ENACTING AN UPDATED PROPERTY MAINTENANCE CODE INTO TITLE SEVEN, PART
THIRTEEN OF THE CODIFIED ORDINANCES**

Mrs. Dinkler stated that this is the permanent version of the Property Maintenance Code, which was passed as an emergency (Ordinance 2019-06) at the last Council meeting.

Mayor Hall opened the Public Hearing on Ordinance 2019-09 and asked for any comments. There being none, he closed the Public Hearing.

Mr. B. Centers made the motion to adopt Ordinance 2019-09; seconded by Mr. Ruppert. 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 ORDINANCE 2019-10 AMENDING “APPENDIX A” OF CHAPTER 1701
OF THE CODIFIED ORDINANCES, CAPTIONED “RATES AND FEES” TO INCLUDE FEES
UNDER PART THIRTEEN, TITLE SEVEN OF THE CODIFIED ORDINANCES, CAPTIONED
“PROPERTY MAINTENANCE CODE”

Mayor Hall stated that this is the same as the emergency Ordinance, Ordinance 2019-07 passed at the last meeting, Ordinance.

Mayor Hall opened the Public Hearing. There being no comments, he closed the Public Hearing.

Mr. Wilcher made the motion to adopt Ordinance 2019-10; seconded by Mr. Aldridge. 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.

PUBLIC HEARING ORDINANCE 2019-11 GRANTING JURISDICTION TO THE CITY OF
FRANKLIN BOARD OF ZONING, BUILDING AND HOUSING APPEALS OVER APPEALS
ARISING FROM THE CITY’S PROPERTY MAINTENANCE CODE, CODIFIED UNDER PART
THIRTEEN, TITLE SEVEN OF THE CODIFIED ORDINANCES

Mayor Hall stated that this is also the same as the emergency Ordinance, Ordinance 2019-08, passed at the last meeting.

Mayor Hall opened the Public Hearing. There being no comments, he closed the Public Hearing.

Mr. Ruppert made the motion to adopt Ordinance 2019-11; seconded by Mrs. Fouts. The vote:

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

Mr. B. Centers yes
Mayor Hall yes

Motion passed.

PUBLIC HEARING ORDINANCE 2019-12 AMENDING PART ONE, TITLE SEVEN, CHAPTER 182, SECTION 182.03 OF THE CODIFIED ORDINANCES, CAPTIONED “POWERS AND DUTIES”

Mayor Hall stated this empowers the Board of Zoning, Building and Housing Appeals to hear appeals arising out of the City’s Property Maintenance Code, with the adoption of Ordinance 2019-08 (emergency) and Ordinance 2019-11.

Mayor Hall opened the Public Hearing. There being no comments, he closed the Public Hearing.

Mr. Aldridge made the motion to adopt Ordinance 2019-12; seconded by Mr. Wilcher. 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 2019-46 ESTABLISHING THE RATES FOR SOLID WASTE, RECYCLING AND YARD WASTE COLLECTION IN THE CITY OF FRANKLIN FOR THE PERIOD FROM OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020

Mr. Inman stated that this is the third and final renewal under the current contract. We are recommending the rate be \$17.05 per unit, per month, beginning October 1, 2019 through September 30, 2020. The new rate is a \$0.35 increase from the current rate. We will have to rebid the contract next year. We have an excellent relationship Rumpke.

Mr. D. Centers made the motion to adopt Resolution 2019-46; seconded by Mr. Ruppert. 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 2019-47 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ANNEXATION AGREEMENT BETWEEN FRANKLIN TOWNSHIP AND THE CITY OF FRANKLIN TO ANNEX AN APPROXIMATE 8.44 ACRE TRACT OF LAND, MORE OR LESS, AT THE END OF LAKEVIEW DRIVE

Mr. Conway stated that we talked about this a few months ago. It’s an expedited agreement with Franklin Township for the proposed annexation. The Township passed it last Wednesday; we have to pass it and then it goes to the Warren County Commissioners and then the City accepts the annexation.

Mrs. Fouts made the motion to adopt Resolution 2019-47; 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.

Mayor Hall added the following Resolution 2019-48 to tonight's agenda.

RESOLUTION 2019-48 DECLARING CITY MANAGER, THE CITY'S CONTRACTING OFFICER, TO BE EMPOWERED TO ACQUIRE TITLE TO OR INTERESTS IN REAL PROPERTY, COMMONLY KNOWN AS 519 ANDERSON STREET, FRANKLIN, OHIO, PERMANENT PARCEL ID#: 04-31-140-007

Mr. Lewis stated that this is the house that burnt on Anderson Street about two months ago. After some discussion, we feel this is the most effective way to proceed. The purchase price is \$23,200.00.

Mr. Aldridge asked if we will have to mow the property. Mr. Lewis stated we may have to, but feel is the best way to proceed.

Mr. B. Centers added that this has been to the Economic Development Council Committee and was approved to proceed with the purchase.

Mr. B. Centers made the motion to adopt Resolution 2019-48; seconded by Mr. Aldridge. 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.

INTRODUCTION OF LEGISLATION

Mayor Hall introduced the following legislation. The Public Hearing will be held at the September 16, 2019 Council meeting.

Ordinance 2019-13 Amending and Enacting Certain Sections in Chapter 753 of the City of Franklin Codified Ordinances, the City Income Tax Code

CITY MANAGER'S REPORT

Mr. Lewis reported on the following:

- Reminder that school starts this week
- Forever Franklin is having a 'Murals on Main' on September 14, 2019, 1 p.m. to 4 p.m. There will be food trucks, chalk painting on the sidewalks and the theme is "My Home Town".

COUNCIL COMMENTS

Mr. Wilcher stated he has no comments tonight.

Mr. C. Centers stated it was a great car show, about 750 cars. Also, we need to recognize Gary Bates for doing this.

Mrs. Fouts stated she loves the flags on the poles downtown and would like to see flowers next year. Also, she loved the car show; 'National Night Out' was great; meet the new owners of the Tavern and they were having a good night.

Mr. D. Centers stated at SR123/I-75 beautification needs worked on, it's looking bad again. Mrs. Fouts added also, at SR 73/I-75, there's a lot trash.

Mr. Ruppert asked about the house on Cedar Street. Mr. Lewis stated they've been to court and it's been cleaned up. He also has talked to Lisa about it. We have to stay on them and hope the new code helps with enforcing the code. He will keep Council informed.

Mr. Aldridge stated the car show as great event and thanked Mr. Bates for doing it. National Night Out – had a huge turnout, is an awesome program. The wrap on the police car was awesome. Also, he appreciates staff for attending.

Mr. B. Centers stated National Night out was a great event. Thanks to Mr. Bloom for coming in tonight, is a slow process. The Franklin Tavern is having a ribbon cutting on Thursday night.

Mayor Hall stated we have great events and thanks to all involved. There was a good turnout at both events – National Night Out and the Car Show. Also, he'd like to have a list of employees with their years of service.

EXECUTIVE SESSION – TO CONFERENCE WITH LEGAL COUNSEL TO DISCUSS PENDING LITIGATION (NYNY) AND TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES

Mr. Aldridge made the motion to conference with legal counsel to discuss pending litigation (NYNY) and to consider the purchase of property for public purposes; seconded by Mr. B. Centers. The vote:

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|----------------|-----|
| 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.

Mayor Hall and Council entered into executive session at 6:35 p.m. to conference with legal counsel to discuss pending litigation (NYNY) and to consider the purchase of property for public purposes. At 7:25 p.m., Mayor Hall reconvened and adjourned the meeting.

Todd Hall, Mayor

Jane McGee, Clerk of Council