

FRANKLIN CITY COUNCIL
AUGUST 5, 2019

Members of the Franklin City Council met in regular session on Monday, August 5, 2019, 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 was one member of the press and 21 visitors at tonight's meeting. Also present: Russ Whitman, Police Chief; Karisa Steedman, Assistant to City Manager; Johnathan Westendorf, Fire & EMS Chief; Barry Conway, City Engineer; Steve Inman, Public Works Director; Ross Coulton, Assistant Safety Director; Cindy Ryan Finance Director; Lynnette Dinkler, Law Director; Sonny Lewis, City Manager and Jane McGee, Clerk of Council.

The Pledge of Allegiance was led by Fire & EMS Chief Johnathan Westendorf.

Mr. B. Centers made the motion to approve the Clerk's Journal and accept the tapes as the Official Minutes of the July 15, 2019 regular meeting; seconded by Mr. Ruppert. The vote:

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

Motion passed.

RECEPTION OF VISITORS

Chief Whitman introduced the newest Patrol Officer, Tiffany Wright to Council. Mayor Hall and Council welcomed her.

Mr. Jim Gooding, 302 Lake Avenue, stated he's concerned about the downtown. We are losing the Eaton-Anderson funeral home building (Second Street); have several vacant buildings; the shopping center needs cleaned up; people are bathing in the fountain on River Street and changing clothes. It will be a loss if the Eaton Anderson funeral home building is torn down.

Mayor Hall stated we've tried to help with keeping it. He's doing what he has to do with his property – it's his decision to make and nothing has worked out to date. About the downtown, we'd like to see something happen also, we're trying and have done a lot. We have an organization "Forever Franklin" which is working on that, it does take time and they need people to help. People have to want to invest, we can't force them. Mayor Hall added we appreciate his concerns, agree with you about the Eaton funeral home building, but it is Mr. Anderson's property.

Liz Buchanan stated the City needs to start a preservation group and that this could have been avoided if we had one. It was talked about several years ago but nothing happened. She asked for Council to please look at preservation before it's too late.

Mayor Hall thanked them for coming.

Mayor Hall moved the 'Fire & EMS Update' to be next on the agenda.

FIRE & EMS UPDATE – CHIEF WESTENDORF

Chief Westendorf stated there was an incident on 7/13/19, a traffic stop and it was an emergency situation. The ambulance responded, along with officers from Springboro. They administered CPR, and transported the person to Southview. Chief Westendorf introduced Anna Ludwick, EMS Coordinator, from Southview, who is here to recognize those officers. Ms. Ludwick explained what the challenge coins are and that they are not easy to receive. Ms. Ludwick presented Lt. Katherine Williams, Firefighter Adam Horman, Springboro Officer Cody Baker and Officer Josh Emmel, each with a challenge coin.

Chief Westendorf stated it doesn't happen very often, crossing jurisdictions, but we worked very well together, dedicated people to serve our communities.

Chief Westendorf stated it's too early to provide stats, so he's going to demonstrate the 'LUCAS device. CPR is hard to do and this device makes a big difference in doing CPR. The device is an easy-to-use mechanical chest compression device that helps lifesaving teams to deliver high-quality, guidelines consistent chest compressions to sudden cardiac arrest patients, in the field, on the move and in the hospital. It does CPR mechanically, doesn't stop as we're moving the person. This is wonderful tool and has a good success rate. The person is getting consistent reps with this device.

Ms. Ludwick also explained how it works and that the device doesn't stop. Chief Westendorf stated that on the 3rd Saturday of the month, free CPR classes are being held at the fire station, in conjunction with JEMS. We have one and are applying for a grant for another one. We refer to this as the SimMan, Murphy. We use it to train paramedics with different situations. We appreciate Kettering Franklin for working with them, creating scenarios for the crews to respond to and transporting to Kettering Franklin. We are doing training thru December and Katie added we can pretty much do anything on the SimMan.

Mr. D. Centers asked what the cost is. Chief Westendorf stated estimated cost is \$23,000.00 and will have some reimbursement money. We're in a partnership with JEMS and they're going to purchase the child version.

Chief Westendorf stated we're also working with Premier Network to get an ESO and explained how it works. This will help hospitals to tap into the power of bidirectional data sharing with EMS; perform comparative analysis of hospital & EMS data, increase operational efficiency, measure and improve patient outcomes, plus much more. We have a great EMS system, still work to do, and tying all the tools together.

Chief Westendorf added that the new fire engine just arrived in Ohio, will be delivered in about two weeks and it will take 2-3 months to equip it.

PUBLIC HEARING ORDINANCE 2019-05 LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2020

Mr. Lewis stated that this is the last step in the process.

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

Mr. D. Centers made the motion to adopt Ordinance 2019-05; seconded by Mr. Aldridge. 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.

EMERGENCY ORDINANCE 2019-06 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, AND DECLARING AN EMERGENCY

Mrs. Dinkler stated that with the help of staff, a new property maintenance code has been prepared. It's being presented as an emergency to allow staff to implement right away. Some of the things included are reducing grass from 10 inches to 8 inches; clarifies indoor-outdoor furniture and recognizes historical structures etc. It has been to Committee for discussion.

Mr. B. Centers asked Mrs. Dinkler to explain why this is an emergency ordinance. Mrs. Dinkler stated this is a busy time, properties are being used outside, grass is growing and it will soon be Fall. The high grass & weeds can lead to fires. Also, the department is busy with grass cuttings. The ordinance does allow the resident to challenge the ordinance.

Mr. B. Centers made the motion to adopt Ordinance 2019-06; seconded by Mr. Wilcher. The vote:

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

Motion passed.

EMERGENCY ORDINANCE 2019-07 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", AND DECLARING AN EMERGENCY

Mrs. Dinkler stated that this is also an emergency and needs passed to implement the fee schedule. We feel the fees are reasonable. The fees are listed in Part Five: Abatement of Violation, Inspection &

Administration \$250.00; Emergency Repair Administration \$250.00; Administration \$250.00; Furniture Administration \$250.00; Rubbish or Garbage Administration \$250.00; and Appeal Application \$100.00.

Mr. Ruppert made the motion to adopt Ordinance 2019-07; seconded by Mr. Aldridge. 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.

EMERGENCY ORDINANCE 2019-08 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, AND DECLARING AN EMERGENCY

Mrs. Dinkler stated that in order to have enforcement powers, we also need an appeal process. Currently, the BZA reviews appeals and we agree with that. This is legislation stating that.

Mrs. Fouts made the motion to adopt Ordinance 2019-08; seconded by Mr. Aldridge. 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 2019-40 AUTHORIZING THE PURCHASE OF DE-ICING SALT FROM CARGILL, INC. THROUGH THE WARREN COUNTY JOINT SALT PURCHASING PROGRAM

Mr. Inman stated in March legislation was passed to authorize participation in Warren County Engineer's Joint Salt Purchasing program.

The bids received were:

American Rock Salt Company	\$102.96 per ton, dumped
Compass Minerals America	\$84.55 per ton, dumped
Cargill Inc.	\$84.40 per ton, dumped

This authorizes the City to purchase rock salt from Cargill, Inc. at \$84.40 per ton. This is a \$7.44 increase per ton from last year's bid.

Mr. Ruppert made the motion to adopt Resolution 2019-40; seconded by Mr. Wilcher. 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 2019-41 CONCURRING WITH THE CITY MANAGER FOR THE
APPOINTMENT OF NATIONAL INSPECTION CORPORATION AS A CITY CODE OFFICIAL TO
ENFORCE THE CITY’S PROPERTY MAINTENANCE CODE

Mrs. Dinkler stated that NIC has been the City’s Code Official since August 30, 2006. In order to comply with the new code, the City needs to re-appoint NIC as its Code Official, to provide enforcement services under the newly adopted provisions of the Property Maintenance Code. The next Resolution (Resolution 2019-42) appoints the City Engineer as the City Code Official. Also, parking violations have been moved to the Property Maintenance Code. We’ll also be amending the UDO as it includes parking violations.

Mr. B. Centers asked if we’ve considered another company besides NIC. Mr. Lewis stated they’ve done a good job and we can do that when their contract is up for renewal.

Mr. Wilcher made the motion to adopt Resolution 2019-41; seconded by Mr. Aldridge. 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.

RESOLUTION 2019-42 CONCURRING WITH THE CITY MANAGER FOR THE
APPOINTMENT OF BARRY CONWAY AS A CITY CODE OFFICIAL TO ENFORCE THE CITY’S
PROPERTY MAINTENANCE CODE

Mr. D. Centers made the motion to adopt; 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.

RESOLUTION 2019-43 GRANTING AN EASEMENT ON PROPERTY OWNED BY THE
CITY OF FRANKLIN LOCATED AT THE PUBLIC WORKS FACILITY ON BAXTER DRIVE TO
DUKE ENERGY OHIO, INC.

Mr. Conway stated as part of the upgrades to the Franklin Area Wastewater Treatment plant, the overhead Duke power lines need relocated.

Mrs. Fouts made the motion to adopt Resolution 2019-43; seconded by Mr. D. Centers. 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.

RESOLUTION 2019-44 GRANTING AN EASEMENT ON PROPERTY OWNED BY THE CITY OF FRANKLIN, THE VILLAGE OF CARLISLE AND THE VILLAGE OF GERMANTOWN LOCATED AT THE FRANKLIN AREA WASTEWATER TREATMENT PLANT ON BAXTER DRIVE TO DUKE ENERGY OHIO, INC.

Mr. Conway stated that this also is part of the upgrades to the Franklin Area Wastewater Treatment plant, the overhead Duke power lines need relocated. The property is owned by the three entities.

Mr. Aldridge made the motion to adopt; seconded by Mrs. Fouts. 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.

At this time, Mayor Hall added the following legislation to the agenda.

RESOLUTION 2019-45 AMENDING RESOLUTION 2019-32 AUTHORIZING POSITION TITLES AND THE NUMBER OF POSITIONS FOR EACH TITLE FOR CITY OF FRANKLIN PERSONNEL FOR THE YEAR 2019

Mr. Lewis stated that we have an employee on FMLA and we need to hire someone to fill-in. This adds a part-time utility clerk position and we will remove it when the employee returns to work.

Mr. Ruppert made the motion to adopt Resolution 2019-45; seconded by Mr. D. Centers. 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.

INTRODUCTION OF LEGISLATION

Mayor Hall introduced the following legislation. Public Hearings will be held at the August 19, 2019 meeting.

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

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”

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

Ordinance 2019-12 Amending Part One, Title Seven, Chapter 182, Section 182.03 of the Codified Ordinances, Captioned “Powers and Duties”

CITY MANAGER’S REPORT

Mr. Lewis reported on the following:

- Reminder that National Night Out is tomorrow night and thanks to Mrs. Dinkler for helping out. Also, thanks to the Police Department for their hard work on this. The Chief has done a good job and it’s a lot of work.
- Cohen is getting ready to shut down part of Anderson Street to begin the demolition on the east side of the building.

COUNCIL COMMENTS

Mr. Wilcher stated he doesn’t think any of us thought that the Eaton Anderson building would be torn down – it is his building. Would like to have done something, sorry to see it being demolished. Thanks to Mr. Inman and his guys for all they do

Mr. D. Centers stated he doesn’t want to see the building torn down either and would like to see them take the lead and find money to update the building. Also, the car show is this weekend, a great event.

Mrs. Fouts thanked staff for taking care of the sidewalks on the new bridge, the guys do a good job and thanks to Mr. Inman for letting us know what’s going on. Also, the painted rails on the old bridge look good. Mrs. Fouts asked when the house is being demolished. It’s been approved by the County and should be down in the next 2-3 weeks. Mrs. Fouts asked if the back gate at the Park will be open tomorrow night – yes, it will. Mrs. Fouts stated she appreciates all the hard work done by all. Also, she hates to see the Eaton Anderson building come down. Mrs. Fouts added she appreciated Congressman Chabot coming to town to talk with us.

Mr. Ruppert stated 5 Meadowview, in his neighborhood, is owned by a California company and has been vacant for several years. The City cuts the grass and the building is rotting. Mr. Lewis will check on it. Mr. Ruppert added that a street light is out on the corner (by his house). Also, thanks to Steve for the updates. He’s also heard lots of good comments about the work in Franklin Woods. Mr. Ruppert added that he won’t be at the next Council meeting as he is having shoulder surgery.

Mr. Aldridge thanked everyone for coming tonight. Also, he enjoyed the Chief’s update - great presentation. Luke had his camp a couple of weeks ago, the Chautauqua Park is very nice, just recently updated and is a great opportunity for the kids.

Mr. B. Centers welcomed Officer Wright to tonight's meeting. Also, thanks to Mayor Hall for clarifying that we have done improvements downtown. He agrees with Mr. Wilcher, Mr. Anderson has done a lot for our community – has given back.

Mayor Hall thanked Chief Westendorf for the presentation. Mayor Hall asked Chief Whitman if the new cruiser is the one getting had printed tomorrow night, looks nice. Chief Whitman stated yes, it is. Mr. Anderson has had his building for sale a long time. We have had historical preservation committees in the past. They can't wait until the last minute to come in and say we need to do something – they should also help. We are moving, not as fast as we all want, but we are trying.

Mr. D. Centers stated we've all heard comments from residents, tell them to talk to the City Manager and they say no.

Mr. Ruppert stated he recently talked to the Mayor from Miamisburg and they worked a long time on their improvements. He also questioned where the empty buildings are.

Mr. Wilcher made the motion to adjourn; seconded by Mrs. Fouts. 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.

Mayor Hall adjourned the meeting at 7:20 p.m.

Todd Hall, Mayor

Jane McGee, Clerk of Council