

**FRANKLIN CITY COUNCIL
OCTOBER 7, 2019**

Members of the Franklin City Council met in regular session on Monday, October 7, 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	absent
Debbie Fouts	present
Matt Wilcher	present

There were three visitors and no press at tonight's meeting. Also present: Karissa Steed, Assistant to the City Manager; Russ Whitman, Police Chief; Cindy Ryan, Finance Director; Johnathan Westendorf, Fire & EMS Chief; Barry Conway, City Engineer; Steve Inman, Public Works Director; Ross Coulton, Assistant Safety Director; Lynnette Dinkler, Law Director; Sonny Lewis, City Manager and Jane McGee, Clerk of Council.

The Pledge of Allegiance was led by Mr. Inman.

Mrs. Fouts made the motion to approve the Clerk's Journal and accept the tapes as the Official Minutes of the September 16, 2019 regular meeting; seconded by Mr. Wilcher. The vote:

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

Motion passed.

RECEPTION OF VISITORS

Mr. Richard Bloom, 103 Stadia, stated the house across the street is still bad; nothing has been done - trash, cars, etc. Mr. Bloom added that the ordinance was passed and nothing has been done. He has put his house up for sale and is moving.

Mayor Hall stated that the City Manager and staff have responded to your complaints. Mr. Lewis added that we went to the residence and talked to them and contacted NIC. We've checked 13 Stadia and at 117 Stadia, and the property owner got a permit for the boat. The trailer will be moved, and four boats have been removed to date.

PUBLIC HEARING ORDINANCE 2019-15 AMENDING SECTIONS 533.20 AND 533.21 OF THE CITY OF FRANKLIN CODIFIED ORDINANCES

Mrs. Dinkler stated that with the overhaul of the SOB (Chapter 740, Ordinance 2019-16) these sections needed updated. We've used the Attorney General's office language, and this will bring us current on

how to regulate these businesses. Also, fees, applications, renewal of applications and background checks are addressed. This is in line with other cities in the area.

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

Mr. D. Centers made the motion to adopt Ordinance 2019-15; seconded by Mr. Ruppert. The vote:

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

Motion passed.

PUBLIC HEARING ORDINANCE 2019-16 REPEALING CHAPTER 740, AND ENACTING CHAPTER 740, CAPTIONED *LICENSING AND REGULATION OF SEXUALLY ORIENTED BUSINESSES AND EMPLOYEES*, OF THE CITY OF FRANKLIN CODIFIED ORDINANCES

This updates the regulations and licensing regulations for sexually oriented businesses operating within the City of Franklin.

Mayor Hall opened the Public Hearing. There being no comments, he closed the Public Hearing. Mr. Wilcher made the motion to adopt Ordinance 2019-16; seconded by Mrs. Fouts. The vote:

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

Motion passed.

RESOLUTION 2019-55 DIRECTING THE CITY MANAGER TO PUBLISH NOTICE OF ESTIMATED ASSESSMENTS FOR THE CONSTRUCTION OR REPAIR OF SIDEWALKS, CURBS OR GUTTERS FOR THE ANNUAL SIDEWALK REPAIR PROGRAM (PHASE 4)

Mr. Conway stated that this is the second to last step to complete phase 4 of the sidewalk repair program. The repairs that were not completed by the property owners were completed this year. This establishes the estimated assessments and the timeframe in which an owner may object to the estimated assessments. The notice is published in accordance with State law.

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

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

Motion passed.

RESOLUTION 2019-56 AUTHORIZING THE SUBMITTAL OF APPLICATIONS FOR FEDERAL FAST ACT FUNDS THROUGH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION

Mr. Conway stated that MVRPC has extra money due to projects coming in below the estimated costs and are accepting applications. The first application is to mill and repave North Dixie Highway from Kenneth Coons Blvd. to the Corporation limit. The second application is to mill and repave south Dixie Highway from Riley Boulevard to the south corporation limit. This is the first step in the process and funds are to be distributed in 2020. If we receive funding, the City's local share would be approximately 0% for the North Dixie Highway project and 50% for the South Dixie Highway project. We anticipate using OPWC funding for 50% of the north Dixie Highway project.

Mr. D. Centers made the motion to adopt Resolution 2019-56; seconded by Mr. Ruppert. The vote:

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

Motion passed.

RESOLUTION 2019-57 REPEAL AND REPLACE RESOLUTION 2019-47 AUTHORIZING THE CITY MANAGER TO ENTER INTO AN INTERGOVERNMENTAL 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, TO BE ZONED R-1B, SUBURBAN DISTRICT

Mr. Conway stated that Council passed Resolution 2019-47 on August 19, 2019. Since that time, Franklin Township has requested the Intergovernmental Agreement be amended. The amended agreement stipulates the number of lots permitted and the required zoning assigned during the annexation process. The Township will be voting on this Wednesday.

Mr. D. Centers asked if they said why they wanted the changes. Ms. Dinkler stated there was a meeting with the Township & Bruce from the County, and they thought some things were not clear enough in the Agreement and we've addressed them. They had previously passed the Resolution and will also repeal and replace their Resolutions. The agreement has been redrafted to include the new language.

Mr. B. Centers asked if Warren County has reviewed this. Mr. Lewis stated yes. Mr. Conway added that he was at the meeting.

Mr. Ruppert made the motion to adopt; seconded by Mr. B. Centers. 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.

SECOND READING RESOLUTION 2019-54 PROVIDING INTENT OF CITY COUNCIL UNDER CHARTER SECTION 3.03(I) TO DISPENSE WITH COMPETITIVE PUBLIC BIDDING REGARDING THE SALE OF REAL PROPERTY AND DIRECTING AND AUTHORIZING COMPLIANCE WITH CHARTER SECTION 3.03(I)

The second reading of Resolution 2019-54 was done by Mayor Hall.

INTRODUCTION OF LEGISLATION

Mayor Hall introduced the following legislation. Public Hearings will be held at the October 21, 2019 meeting.

Ordinance 2019-17 Accepting an Easement from Ronald J. Bruna and Beverly J. Bruna to replace a storm sewer on Shawn Drive

Ordinance 2019-18 Accepting an Easement from Powers Family Preservation Trust DTD to Replace a Storm Sewer on Shawn Drive

Ordinance 2019-19 Accepting an Easement from Donald P. Powers and Norma K. Powers to Replace a Storm Sewer on Shawn Drive

Ordinance 2019-20 An Ordinance to Vacate Part of a 30-Foot Wide Drainage Easement on Lot 37 of the Twin Lakes PUD – Section One Subdivision

PRESENTATION – SAFER GRANT, CHIEF WESTENDORF

Chief Westendorf invited everyone to the Great 4th Street Pumpkin Bash on October 19th. It begins at 3:00 p.m. and there will be a pumpkin patch, a pumpkin roll, costume contest and movie. The Community Vineyard Church is also helping with the event.

Chief Westendorf stated that we applied for two grants, total of \$1,500,050.00. The first grant, AFG, which the Franklin Township and Carlisle was part of, was for \$547,147 to replace SCBA equipment (Self Contained Breathing Apparatus). They didn't fund a couple of items that we requested, and the local shares went down. We will have to purchase a couple of items that weren't funded, small masks and RIT packs. We will include them in next year's budget and will have to go out to bid.

We've been awarded the SAFER Grant. We used a grant writer for this grant. We are not adding additional personnel. We currently have 9 people per shift/24 hours a day. Two of those are full-time for 2 shifts and three full-time on one of the shifts. We have 2 vacant part time positions which will be eliminated and transitioned into full-time positions. The goal is to have 5 full time per shift and 4 part time positions, and it will be a three-year process. In 2002 a fire levy was passed, and we had a 10-year plan and will need some adjustments to sustain the personnel. The grant starts when approved and we have 6 months till the funding starts (starts March 11th for us). If we don't hire within the period, we lose the money on a month to month basis, until the positions are filled. This will help maintain current staffing and funding stops in 2022. We have to have an eligibility list, with CPAT testing and are working with the Civil Service Commission. He'd like to use the modified version of the CPAT, firefighter mile, and we're working on the hiring process to get qualified candidates. Mr. D. Centers congratulated Chief Westendorf. Discussion continued on the cost at the end of the three-year period and the costs broken down for the first, second and 3rd year. Money is budgeted for part-time positions and will need to add \$300,000 per year to the budget.

Mr. D. Centers asked if a levy is planned at the end of the 3 years. Chief Westendorf stated yes. This was built around the current agreement, salaries, etc. Mr. Lewis added we planned on that when we did the union contracts and he will send info to Council.

Mr. B. Centers thanked Chief Westendorf for all his help. Chief Westendorf added that Officer Mike Perry also helped. Mr. Lewis added we projected out costs and will be in good shape going forward. When the levy was done, we said we would have to renew it, if not willing to do that that, to vote no.

Mayor Hall stated thanks for the information and good job.

CITY MANAGER'S REPORT

Mr. Lewis apologized to Council on having to hear Mr. Bloom's comments tonight. We have been addressing some issues and are working with residents on some of them. Also, Mr. Lewis apologized to Mr. Bloom and asked him not to give up on our ordinance. The City is looking better and it will work here.

Mr. Ruppert asked that now that the legislation is passed, do we need to do something to get it out to the public. Mr. Lewis stated as we get calls, we have to go thru the process. We give them a chance to comply and then we take care of the situation. Mr. Ruppert asked if we need to include the information in the water bills. Mr. Lewis stated that's hard to do as it's a big document. Mrs. Fouts stated we have to give them a chance to comply. Ms. Dinkler added that it is on the website and outlines some of the changes. Maybe an article in the newspaper and reminders in utility bills should be considered.

Mayor Hall asked Mr. Bloom if he has called the City Manager. Mr. Bloom stated he's left messages and never received any calls back. He's only heard back from the Chief. Mayor Hall stated we aren't going to abandon the new ordinances and sorry your moving and maybe it could have been handled better. Mr. Bloom added you would think you would understand the concern and that you could have handled it better.

Mr. Wilcher thanked Mr. Bloom for coming tonight and hate to see you leave. Also, thanks to Chief Westendorf & Mike Perry, on their work on the grant. There are good things going on at the Stone Container site, that will open up that corner and we're going places.

Mr. Centers stated he voted no on the building demolition, but it will be a great corner. The Eaton-Anderson building is down and he thinks we'll see something good at that location. Thanks to Mr. Bloom for coming in. It is a slow process; we do understand and try to fix things. We do all we can, but it can be a slow process.

Mrs. Fouts stated ditto on all comments made tonight. Also, hate to see Mr. Bloom move, confident it will be cleaned up, but it does take time. Mrs. Fouts added that she has received compliments on things being cleaned up. Also, appreciate Mr. Bloom coming in tonight.

Mr. Bloom stated he's aggravated and apologized for how he sounded. He asked if there is a limit on how many people live in a house. Mrs. Dinkler explained the process, it takes time and we will continue to move along. It's your choice to move and you also have civil options.

Mr. Ruppert stated that Mr. Bloom doesn't have to apologize. We make every attempt to clean up places. Thanks to Chief Westendorf for his report, sounds great and amazed at your staff, going after grants, etc.

Mr. B. Centers stated he agrees with all that's been said. This is a process that has to be followed and he understands his frustrations. Thanks to Chief Westendorf, on an outstanding job. Chief Whitman, good job on the shooting range. Also, appreciate all the work done at the BoxBoard site.

Mayor Hall stated all has been said, and he has nothing else to add.

EXECUTIVE SESSION – TO CONSIDER THE SALE OF PROPERTY FOR PUBLIC PURPOSES

Mr. Ruppert made the motion to enter executive session to consider the sale of property for public purposes, with no action afterwards; seconded by Mr. Wilcher. The vote:

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

Motion passed.

Mayor Hall and members of Council entered into executive session to consider the sale of property for public purposes, with no action afterwards at 6:55 p.m.

Mayor Hall reconvened and adjourned the meeting.

Todd Hall, Mayor

Jane McGee, Clerk of Council