

Members of the City Council met in regular session on Monday, May 18, 2020, 6 PM via Virtual Meeting held in compliance with amended Substitute House Bill 197 under the declared state of emergency by the State of Ohio and City of Franklin, Warren County, Ohio.

Roll call (called in alphabetical order) showed:

Mr. Michael Aldridge	present
Mayor Brent Centers	present
Mr. Denny Centers	present
Mrs. Debbie Fouts	present
Vice Mayor Todd Hall	present
Mr. Paul Ruppert	present
Mr. Matt Wilcher	present

Also present: Sonny Lewis, City Manager; Cindy Ryan, Finance Director; Lynnette Dinkler, Law Director/Acting Clerk of Council; Jonathan Westendorf, Fire and EMS Chief; Russ Whitman, Police Chief; Ross Coulton, Assistant Safety Director; Steve Inman, Public Works Director; Barry Conway, City Engineer; Karisa Steed, Assistant to the City Manager; Amber Copenhaver, Secretary to the City Manager, Stephanie Credit, Pool Manager, Khristi Dunn, incoming Clerk of Council. There were no members of the press or visitors at tonight’s meeting.

The pledge of allegiance was said.

Mr. Aldridge made the motion to approve the Clerk’s Journal and accept the tapes as of the Official Minutes of the April 20, 2020 general meeting; seconded by Mr. Wilcher.

The vote:

Mr. Denny Centers	yes
Mr. Ruppert	yes
Vice Mayor Hall	yes
Mayor Brent Centers	yes
Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Wilcher	yes

Motion passed.

**Reception of Visitors**

The Mayor opened and closed the Reception of Visitors as none asked to be heard.

**Presentation**

None

**Public Hearing**

**ORDINANCE 2020-07**

**DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2021**

The public hearing was opened and closed without comment as this is annual, routine legislation considered by Council. Mayor Brent Centers then opened and closed pub opened the floor for calling for a motion to adopt. Vice Mayor Hall made the motion to adopt **Ordinance 2020-07**; seconded by Mr. Ruppert.

The vote:

Mr. Ruppert	yes
Vice Mayor Hall	yes
Mayor Brent Centers	yes
Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Wilcher	yes
Mr. Denny Centers	yes

Motion passed.

**ORDINANCE 2020-08      AUTHORIZING THE SALE OF CITY OWNED REAL ESTATE SITUATED AT 449 SOUTH MAIN STREET, FRANKLIN, OHIO BY COMPETITIVE BIDDING**

Public hearing and action was deferred on Ordinance 2020-08 to the June 1, 2020 meeting as the legislation (included in May 4, 2020 Council Packets) was inadvertently omitted from May 18, 2020 Council Packets.

**New Business**

**RESOLUTION 2020-25      PRELIMINARY PARTICIPATORY LEGISLATION FOR THE IMPROVEMENTS TO THE INTERSECTION FOR COMMUNITY PARK AT STATE ROUTE 123**

City Engineer Barry Conway stated this resolution is the preliminary legislation required by ODOT for the realignment of the existing Community Park driveway with SR 123 to a 90-degree intersection opposite the new driveway to the Hampton Bennett Early Childhood Center including the construction of a new traffic signal with pedestrian crossing accommodations. The project is scheduled for the first quarter of the State's 2024 fiscal year with the total cost currently estimated at \$774,560.00, \$232,368.00 being the City's share.

Mr. Denny Centers asked if this project would interfere in any way with the Board of Education project. The City Engineer stated he was aware of no reason the two would interfere with one another.

Vice Mayor Hall made the motion to adopt **Resolution 2020-25**; seconded by Mr. Ruppert.

The vote:

Mr. Ruppert	yes
Vice Mayor Hall	yes
Mayor Brent Centers	yes
Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Wilcher	yes
Mr. Denny Centers	yes

Motion passed.

**RESOLUTION 2020-26 APPOINTING KHRISTI DUNN AS CITY CLERK AND AMBER COPENHAVEN AND LYNNETTE DINKLER AS ACTING CITY CLERKS**

City Manager explained this Resolution will operate to appoint Khristi Dunn as City Clerk as of May 26, 2020 and in her absence appoint acting City Clerks Amber Copenhagen and Lynnette Dinkler. Mayor Brent Centers stated as all know Ms. Dunn comes highly recommended by her current employer to the City and members of council expressed their excitement for Ms. Dunn to join the City staff and offered congratulations.

Ms. Fouts made the motion to adopt **Resolution 2020-26**; seconded by Mr. Wilcher.  
The vote:

- Vice Mayor Hall                    yes
- Mayor Brent Centers                yes
- Mr. Aldridge                         yes
- Mrs. Fouts                            yes
- Mr. Wilcher                          yes
- Mr. Denny Centers                 yes
- Mr. Ruppert                          yes

Motion passed.

**RESOLUTION 2020-27 AMENDING RESOLUTION 2019-59 ESTABLISHING THE ORGANIZATIONAL LISTINGS AND PAY RATES FOR CITY OF FRANKLIN OFFICIALS AND EMPLOYEES FOR THE YEAR 2020**

Mr. Lewis explained this Resolution is self-explanatory as it adds a pay scale for the newly appointed City Clerk.

Mr. Denny Centers made the motion to adopt **Resolution 2020-27**; seconded by Vice Mayor Hall. The vote:

- Mayor Brent Centers                yes
- Mr. Aldridge                         yes
- Mrs. Fouts                            yes
- Mr. Wilcher                          yes
- Mr. Denny Centers                 yes
- Mr. Ruppert                          yes
- Vice Mayor Hall                     yes

Motion passed.

**Introduction of New Legislation**

None.

**Mayor’s Work Session Items**

Pool Operation under Governor's Guidelines: The Mayor thanked Ms. Credit for joining the meeting and stated the Park and Recreation Committee met to discuss the matter surrounding potential pool operation under social distancing and disinfecting guidelines. The Mayor stated it was the collective decision of the City to decide whether the pool should open and first asked the City Manager to offer comment.

Mr. Lewis stated guidance from the Governor were provided to allow operation but the restrictions in reality make it very difficult and labor intensive to actually safely operate the pool. Mr. Lewis stated no staff is currently hired for pool operation and after consultation with the Mayor and Mr. Steve Inman, Public Works Director, compliance with the mandatory guidance/restrictions is not realistic with children who want to play in water in hot weather who want to have fun. The City Manager asked for Council to weigh in on the matter.

Mr. Aldridge asked how many restrictions were imposed. Mr. Lewis stated they are three pages long and discussed selected ones to offer context. Mrs. Fouts stated the lifeguards typically hired by the City are kids themselves and should not be burdened with responsibility for enforcing the Governor's restrictions. Mrs. Fouts stated it is not realistic to open under such restrictions and that with backlash they may change.

Mr. Inman stated the filter project is slated to occur the first week of June and will take three to fourth weeks to complete.

Mr. Ruppert asked if the public could be informed that if the Governor's restrictions are lifted the pool may open for the Fourth of July. Mr. Lewis stated the earliest the pool could be readied to open, absent lifeguard training, is June 15<sup>th</sup>. Mayor Brent Centers clarified this is only the physical work to open. Mrs. Fouts, a strong advocate for pool operation, stated the Governor's guidelines are not responsible and based upon experience with young children in sports, kids wanting to have fun will be challenging to control under such guidelines. Ms. Credit stated watching over for compliance with guidelines is not realistic. Vice Mayor Hall stated he discussed this matter with Ms. Credit in advance of the meeting and agreed with her points. Capacity is an issue and having out of town people using the facility does not serve the citizens of Franklin. Additionally, Vice Mayor Hall does not want to over-burden Ms. Credit and her staff to enforce these guidelines with some people who attend the pool who refuse to follow any rules under non-pandemic conditions. Vice Mayor Hall and Mrs. Fouts commented that these guidelines target the pool operators as the bad guys if they do not open under the guidelines when in reality a more reasonable approach would have been to keep pools closed at this moment in time. Mr. Aldridge focused comments on safety and liability, and asked Law Director Lynnette Dinkler to comment on same. Mrs. Dinkler stated a waiver of liability would be recommended and that attendance could be restricted to City and Township residents. Mrs. Fouts suggested many grandparents have out of City/Township resident grandchildren on pool passes and the liability risk is too great. Mr. Wilcher stated the Governor's guidelines are a shift of liability from the state to cities, making the City the bad guy, which is not fair, and asked the City Manager how long the pool had been open (since 1976). Mr. Denny Centers stated the restrictions are unreasonable and this is a very dynamic situation and at this time keeping it closed and instead focus on completing maintenance is the best plan. In conclusion the Mayor directed Mr. Lewis that the pool would remain closed with no to be opened date at this time for the stated concerns.

Virtual Council Meetings: The Mayor asked for comment on whether virtual meetings should continue or in person social distancing meetings be conducted. Mrs. Fouts expressed a desire to continue virtual meetings but was open to the consensus. Mr. Lewis stated virtual meetings imposed no difficulty on staff. Mr. Aldridge stated protecting employees is critical and asked about the Municipal Court operations. Mr. Lewis stated the Municipal Court operations continued un-interrupted on a restricted docket. Mr. Wilcher agreed with continuation of virtual meetings. It was agreed the topic would be re-visited the first meeting in July.

Mayor Brent Centers asked Mr. Lewis to explain the Seek Scan the City has purchased to address COVID-19 concerns. Seek Scan is a simple, low-cost, thermal imaging system designed to automate body temperature screening using skin temperature as a proxy in seconds. Mayor Brent Centers stated he researched Seek Scan and there is no facial recognition being used in the system. There were some general comments about the usefulness of this device and the funds expended for it well used.

Financial Update: Finance Committee met, and Council was updated on the financial condition of the City. It is without question the income tax filings will negatively impact the City's financial position, but the amount may not be known until the fall. Regular finance committee meetings will be conducted so that all are well-informed on the City's financial position. The Mayor stated all are concerned, of course, regarding the finances and regular updates will be appreciated.

The Finance Director, Cindy Ryan, summarized the written report she has earlier provided to Council, highlighting that 8.5 M is estimated for year in income tax collection and currently 78% collection rate is trending (which is industry standard at this moment). She made clear that this is based upon many assumptions.

### **City Manager's Report**

The summer baseball league met, and the program is cancelled because Governor's guidance could not be met.

Dinner to Police and Fire Departments is being brought by Congressman Steve Chabot who is also taking a tour and making a few downtown visits. And, speaking of the Franklin Police Department, its officer who was recently injured by a vicious dog bite when responding to a service call is successfully returning to work which is great news as she is an asset to the department.

### **Council Comments**

Mr. Wilcher offered congratulations to all high school graduates and words of praise for school staff who adapted so quickly to on-line learning.

Mrs. Fouts asked what other events would be cancelled, if any. Mayor Brent Centers stated all events would be cancelled through Labor Day, an issue that was discussed during the Parks and Recreation Committee meeting. She also stated she had a concerned citizen inquiring about the status of a commercial property, which Mr. Lewis explained was slowed as a result of COVID-19. The property owner remains interested in selling the property to the City but COVID-19 may not allow the City to consider such opportunity. Mrs. Fouts expressed disappointment of

not being able to lunch with the younger students and in the future, she hopes that the City will be able to make that up.

Mr. Aldridge thanked Mrs. Ryan for carefully looking over and reporting on finances. He stated the safety concerns for all involved with regard to public pool operations is unfortunate, but all must be protected. He welcomed Khristi Dunn, the new City Clerk.

Mr. Denny Centers welcomed Khristi Dunn, the new City Clerk. He asked Mr. Lewis why the City does not have a drop box for taxes and the water department. Mr. Lewis stated a new larger drop box is already on order and a concrete pad will be poured to install it.

Mr. Ruppert expressed concern for a citizen raised issue and his congratulations for Mr. Aldridge's daughter's many awards presented during the high school virtual awards.

Vice Mayor Hall discussed issues related to homeless individuals and suggested the issue be monitored. Mr. Lewis stated he was aware of the matter and had taken action with Chief Whitman to affirmatively address the matter in a constructive manner. Chief Whitman stated an individual in particular has been provided assistance. Mr. Lewis stated any similar situation(s) will be timely be handled on a case by case basis. He questioned whether one of the local establishments were in compliance with social distancing. Mrs. Fouts stated she observed the same and was concerned. Mayor Brent Centers commented on how the enforcement power for overseeing these matters have been changing. Mrs. Dinkler stated that the Governor has dispatched Ohio Investigative Unit agents to address these issues and suggested that visits by the City's law enforcement to discuss potential visits to communicate expectations so that all can successfully work together. Vice Mayor Hall stated with regard to the pool that the imposed restrictions only create problems and they should not have been opened. We will all get through this life lesson and move on to bigger and better things. Lastly, he offered congratulations to Mrs. Dunn.

Mayor Brent Centers asked Chief Westendorf to comment on the support available for the City's homeless. Chief Westendorf stated resources exist and are offered but ultimately it is up to the individual in need to decide whether or not he/she will avail him/herself to such services. The Farmer's Market will be held on May 30<sup>th</sup>. Mayor Centers gave authority to sign legislation and minutes and welcomed the new city clerk.

### **Executive Session**

None.

**Adjournment**

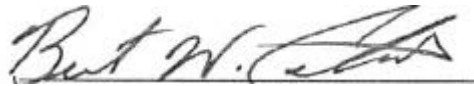
Mr. Denny Centers made the motion to adjourn the meeting; seconded by Mrs. Fouts.

The vote:

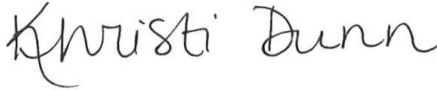
Mr. Wilcher	yes
Mr. Ruppert	yes
Mrs. Fouts	yes
Vice Mayor Hall	yes
Mr. Denny Centers	yes
Mayor Brent Centers	yes
Mr. Aldridge	yes

Motion passed.

Mayor Brent Centers adjourned the meeting at 7:48 p.m.



Brent W. Centers  
Brent Centers, Mayor



Khristi Dunn  
Khristi Dunn, Clerk of Council