

Members of the City Council met in regular session on Monday, May 4, 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
Vice Mayor Todd Hall	present*
Mrs. Debby Fouts	present
Mr. Paul Ruppert	present
Mr. Matt Wilcher	present

\*Vice Mayor Todd Hall was absent at rollcall due to sign-in difficulty and appeared present for the meeting at 6:02 p.m.

The pledge of allegiance was said.

There were one member of the press and two visitors at tonight's meeting. 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.

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. Ruppert.

The vote:

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

Motion passed.

### **Reception of Visitors**

The Mayor opened the Reception of Visitors at 6:02 p.m. and Mr. Pete Alex, 12 Lakeridge Drive, Franklin, Ohio 45005 asked to be heard on Ordinances 20-05 and 20-06 related to the Bencsik re-zone and major subdivision final plat for Angel's View Subdivison located at the East end of Lakeview Drive. Given the nature of comments Mr. Alex wanted to offer, Mayor Brent Centers requested the comments be offered during the public hearings for the legislation and Mr. Alex agreed. Then, the Reception of Visitors portion of the meeting was concluded at 6:05 p.m. as no additional Visitors asked to be heard.

**Presentation**

None

**Public Hearing****ORDINANCE 2020-05****CONSIDERING THE RECOMMENDATION OF PLANNING COMMISSION WITH RESPECT TO AN APPLICATION TO REZONE APPROXIMATELY 8.489 ACRES, LOCATED AT THE END OF LAKEVIEW DRIVE, FROM R-1B, SUBURBAN RESIDENTIAL DISTRICT TO R-1A, ESTATE RESIDENTIAL DISTRICT**

City Engineer and Zoning Official Mr. Conway explained Ron and Brenda Bencsik, 7621 Nordan Drive, West Chester, Ohio 45069 requested a rezoning for their property (8.489 acres) located at the end of Lakeview Drive from R-1B, Suburban Residential District to R-1A, Estate Residential District. This rezoning request was reviewed by Planning Commission at its April 13, 2020, regular meeting. After holding a public hearing on the request, Planning Commission voted unanimously (6 - 0) to make a recommendation to Council to approve this rezoning. All of the mandatory standards in Ordinance 1115.04(e)(1)-(7) are met here. In basic terms, this zoning change will provide for bigger lots, houses and setbacks.

Mr. Alex presented his concerns during the public hearing. He expressed concern because the house in which he resides abuts the property in question at the bottom of the hill. He questioned how public access to the property would work and whether or not this new subdivision would have to follow his subdivision rules. Engineer Mr. Conway explained Lakeview is a public street and that the Bencsik's have a right to use the public street as it is the sole access to the property. Mr. Conway further addressed the concern that the new subdivision is still subject to the City's code, a point confirmed by the Law Director, Mrs. Dinkler. Mrs. Dinkler stated that the City Code, the City Engineer, and the Planning Commission, have taken all information and potential impacts into consideration and Council in voting will consider the same.

Mayor Brent Centers shared with Mr. Alex that the City does look out for the interests of all involved by asking Mr. Conway to specifically address drainage issues. The drainage issues have been taken into consideration in the planning / design phase.

Mr. Bencsik spoke in favor of his application and stated the property was surveyed and drainage issues were planned for and swells will be included between lots to direct water. Mr. Troy Messer, P.E. Senior Engineer of the Kleingers Group also presented on behalf of Mr. and Mrs. Bencsik and a live screenshare of grading plans occurred to show all meeting participants the drainage engineering, including a ten-year intensive storm catch basins, street design and curbing, which satisfied Mr. Alex's concerns. The public hearing was closed at 6:22 p.m.

During Council discussion, Mr. Wilcher raised his earlier stated concern regarding drainage, as he also lives below the Bencsik property and expressed his desire to ensure this was done correctly and he believes that it has been properly addressed by the City, the Bencsik's and Mr. Messer.

Mayor Brent Centers asked if everything that has been submitted to date (regarding drawings/plans) has been approved and Mr. Conway stated they have been. Mr. Conway reminded Council it was up to it now to approve as submitted, with modification or to deny.

Mayor Brent Centers then opened the floor calling for a specific motion (motion to approve, approve with modifications, deny). Vice Mayor Hall made the motion to adopt **Ordinance 2020-05** as submitted; seconded by Mr. Denny Centers.

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 2020-06      APPROVING THE MAJOR SUBDIVISION FINAL PLAT FOR THE ANGEL'S VIEW SUBDIVISION LOCATED AT THE EAST END OF LAKEVIEW DRIVE**

Mr. Conway, City Engineer, explained this is the same property at issue in Ordinance 2020-05. The Angel's View Subdivision Final Plat is a four lot subdivision of approximately 8.489 acres more or less. The four lots are for Single Family Residential dwelling units. This Final Plat also dedicates right-of-way for a new cul-de-sac at the end of Lakeview Drive.

The Kleingers Group filed for this subdivision on behalf of the current property owners, Ron and Brenda Bencsik, 7621 Nordan Drive, West Chester, Ohio 45069.

After holding a public hearing on the request, Planning Commission voted at its April 13, 2020 meeting, unanimously (6 - 0) to make a recommendation to Council to approve this Final Plat.

Council shall only approve this Application if it finds all the Standards under Chapter 1115.06(h)(2)(A)-(I) are met here:

- (2) **Final Plat:** A Major Subdivision application and Final Plat shall only be approved if Council finds that all of the following standards are met:
  - A. It fully complies with the applicable requirements of this UDO;
  - B. It is not detrimental to other property or other uses located on the same property;
  - C. It is not detrimental to other development on nearby property;
  - D. It provides safe conditions for pedestrians or motorists and prevents a dangerous arrangement of pedestrian and vehicular ways;
  - E. It provides safe ingress and egress to emergency vehicles on the site;
  - F. The Final Plat is in accordance with the Preliminary Plan;
  - G. The City Engineer has approved all proposed infrastructure construction and location;
  - H. Homeowners association and other agreements have been approved by the Law Director's Office; (Not applicable here)

- I. All fees and/or review costs have been paid.

Mayor Brent Centers opened the floor to the public hearing at 6:28 p.m. Hearing none, he turned to specifically to the applicant for comment in addition to that of the Engineer, and none was offered. The public hearing was closed.

With no council discussion, Mayor Brent Centers opened the floor calling for a specific motion (motion to approve, approve with modifications, deny). Mr. Wilcher made the motion to adopt **Ordinance 2020-06** as submitted; seconded by Mr. Aldridge.

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.

**New Business**

**RESOLUTION 2020-24 APPROVING WARREN COUNTY DRUG TASK FORCE  
COUNCIL OF GOVERNMENT CONTRACT AND  
AUTHORIZING CITY MANAGER TO EXECUTE**

Chief Whitman explained this resolution allows two additional agencies, Villages of Harveysburg and Carlisle as participating agencies.

Mr. Denny Centers clarified that participating agencies were increasing, if passed, from ten to twelve and confirmed in discussion with Chief Whitman that no reason existed for the City of Franklin to decline approval of the Resolution.

Mr. Ruppert expressed that he saw Carlisle approving budget money for Drug Task Force.

Mr. Ruppert made the motion to adopt **Resolution 2020-24**; seconded by Mr. Denny Centers.

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.

**Introduction of New Legislation**

**ORDINANCE 2020-07****DETERMINING TO PROCEED WITH THE  
IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS  
BY THE LIGHTING THEREOF FOR THE YEAR 2021****ORDINANCE 2020-08****AUTHORIZING THE SALE OF CITY OWNED  
REALESTATE SITUATED AT 449 SOUTH MAIN STREET,  
FRANKLIN, OHIO BY COMPETITIVE BIDDING****City Manager's Report**

Mr. Sonny Lewis stated he sent out an extensive update to Council on Friday. The City is looking for high school volunteers for the Main Street Food Pantry. The City's Facebook page is making push encouraging citizens to complete the Census. The City improved from 53% to just over 60% just over the past weekend. The state average is 58%.

**Council Comments**

Mr. Wilcher thanked those in attendance for coming out.

Mrs. Fouts stated she will be grateful when things return to the new normal; sent out appreciation for those who are doing what they need to do; and thanked the neighbors who attended the meeting.

Mr. Aldridge None

Mr. Denny Centers None

Mr. Ruppert apologized for missing the retirement parade on account of previous engagements; wished Steve Inman well; and that he was happy to see all.

Vice Mayor Hall, in response to a resident question, asked Mr. Lewis about the status of the Bryant and Riley interchange entering Carlisle, stating the resident questioned the amount of traffic at this intersection and if a traffic light should be there. Mr. Lewis stated that the traffic light was removed following a traffic study that concluded insufficient traffic existed to warrant installation of a traffic light and that no current plans exist with regard to this intersection. Mr. Hall also expressed how pleased he was with the retirement parade for City employees.

Mayor Brent Centers addressed temporary storage for Odessa. He stated they need room for additional inventory because they cannot handle it otherwise. The extension was issued for six months and if additional extension is required a new request will have to be made. Mayor Brent Centers provided his approval for execution of minutes and legislation approved at this meeting.

**Executive Session**

Mayor Brent Centers next called for a motion to enter into executive session to consider the appointment, employment and/or compensation of a public employee or official. Before doing so, Mayor Brent Centers told the public no action would be taken following the executive session. He further explained those attending executive session would be doing so through a separate virtual meeting connection, and after executive session closed, the meeting would be

adjourned from that connection in open session. Mr. Aldridge made the motion to enter into executive session to consider the appointment, employment and/or compensation of a public employee or official; seconded by Mr. Ruppert. Council entered into executive session at approximately 6:62 p.m.

The vote:

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

Mr. Aldridge made the motion to adjourn out of executive session to consider the appointment, employment and/or compensation of a public employee or official; seconded by Mr. Wilcher. Council adjourned out of executive session at approximately 7:47 p.m.

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.

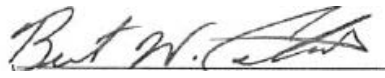
**Adjournment**

Vice Mayor Hall 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 yes
Mr. Denny Centers	yes
Mayor Centers	Motion passed.
Aldridge	

Brent  
Mr.

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



Brent Centers, Mayor



Lynnette Dinkler Acting  
Clerk of Council

