

**FRANKLIN CITY COUNCIL
CLERK'S JOURNAL**

**CITY COUNCIL REGULAR MEETING - VIRTUAL MEETING
MONDAY, JULY 20, 2020
6:00 PM**

CITY COUNCIL

**Brent Centers, Mayor
Todd Hall, Vice Mayor
Michael Aldridge
Denny Centers
Deborah Fouts
Paul Ruppert
Mathew Wilcher**

CITY STAFF

**Sonny Lewis, City Manager
Karisa Steed, Assistant to the City Manager
Amber Copenhaver, Secretary to the City Manager
Lynnette Dinkler, Law Director
Cindy Ryan, Finance Director
Steve Inman, Public Works Director
Barry Conway, City Engineer
Ross Coulton, Assistant Safety Director
Russ Whitman, Police Chief
Jonathan Westendorf, Fire and EMS Chief
Khristi Dunn, Clerk of Council**

Members of the City Council met in regular session on Monday, July 20, 2020, 6:00 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 with Mayor Brent Centers presiding.

- 1. Roll Call.** Mayor B. Centers called the regularly scheduled meeting of the Franklin City Council on Monday, July 6, 2020 to order at 6:00 PM. Roll call showed:

MR. DENNY CENTERS	PRESENT
MR. PAUL RUPPERT	PRESENT
VICE MAYOR TODD HALL	PRESENT
MAYOR BRENT CENTERS	PRESENT
MR. MICHAEL ALDRIDGE	PRESENT
MRS. DEBBIE FOUTS	PRESENT
MR. MATHEW WILCHER	PRESENT

Mr. Conway, Captain Coulton, Ms. Dinkler, Ms. Dunn, Mr. Inman, Mr. Lewis, Ms. Ryan, Ms. Steed, Chief Westendorf, and Chief Whitman were also present. There were two guests in attendance.

- 2. Pledge of Allegiance.** The pledge of allegiance was led by Mayor Brent Centers.

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3. Approve the Clerk's Journal and Accept the Tapes as the Official Minutes of the July 06, 2020 Meeting. The Mayor asked if there were any amendments to the Clerk's Journal. Mr. D. Centers stated that Item Three showed Mr. Aldridge voting yes when he was absent from the previous meeting. Ms. Dunn acknowledged the request and thanked Mr. D. Centers. Mr. Wilcher made the motion to approve the Clerk's Journal with the proposed amendment and accept the tapes as of the Official Minutes of the July 6, 2020 general meeting; seconded by Vice Mayor Hall. The vote:

MR. PAUL RUPPERT	yes
VICE MAYOR TODD HALL	yes
MAYOR BRENT CENTERS	yes
MR. MICHAEL ALDRIDGE	abstain
MRS. DEBBIE FOUTS	yes
MR. MATHEW WILCHER	yes
MR. DENNY CENTERS	yes

Motion passed.

4. Reception of Visitors. The Mayor opened and closed the Reception of Visitors at 6:06 PM as none asked to be heard.

5. Presentation. None.

6. Public Hearing.

A. ORDINANCE 2020-10 LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2021

Mr. Lewis stated that this is the last step in the annual, routine legislation considered by Council.

The Mayor opened and closed the Public Hearing at 6:06 PM as none asked to be heard. He then called for Council discussion or a motion.

Vice Mayor Hall made the motion to adopt **Ordinance 2020-10**; seconded by Mr. Ruppert.

VICE MAYOR TODD HALL	yes
MAYOR BRENT CENTERS	yes
MR. MICHAEL ALDRIDGE	yes
MRS. DEBBIE FOUTS	yes
MR. MATHEW WILCHER	yes
MR. DENNY CENTERS	yes

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MR. PAUL RUPPERT yes

Motion passed.

7. New Business.

A. RESOLUTION 2020-36 AWARDING THE BID TO RUMPKE OF OHIO, INC. AND AUTHORIZING EXECUTION OF THE CONTRACT FOR THE CITY'S SOLID WASTE & COMMINGLED RECYCLABLES COLLECTION AND DISPOSAL SERVICES CONTRACT

Mr. Conway explained that the City's solid waste and commingled recyclables collection and disposal services contract with Rumpke of Ohio, Inc. expires on September 30, 2020. The City advertised for bids for a new three-year contract with three optional one-year renewals. Bids were opened on July 15, 2020. Rumpke of Ohio, Inc. was the sole bidder. Republic and Waste Management told Mr. Conway they would pick up bid packets but did not.

The current rate per unit under the last of the optional one-year renewals under the current contract is \$14.34 per unit, this does not include the \$2.71 administrative fee. For the upcoming three years, the bids were;

2020-2021	\$15.00 per unit
2021-2022	\$15.38 per unit
2022-2023	\$15.76 per unit

The staff recommends accepting the bid from Rumpke of Ohio, Inc. as the lowest and best bid. Mr. Conway summarized additional items included in the bid including tire recycling, container costs and excess trash.

Mr. Wilcher asked if the bid included a large item pick up as the previous contract did, Mr. Conway replied that it did and that nothing else changed in the contract.

Mr. D. Centers asked if the tire recycling was for residential pick up. After some discussion among the City staff, it was concluded that Rumpke does not pick up tires from a residence. The cost quoted is for recycling from the Public Works Department. Mr. Lewis offered that Warren County does several tire recycling events throughout the year and their website has a list of business that will accept tires at a cost.

The Mayor asked if there were any additional questions. Hearing none, he called for a motion. Mrs. Fouts made the motion to adopt **RESOLUTION 2020-36** as submitted; seconded by Mr. Aldridge. The vote:

MAYOR BRENT CENTERS	yes
MR. MICHAEL ALDRIDGE	yes
MRS. DEBBIE FOUTS	yes
MR. MATHEW WILCHER	yes

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MR. DENNY CENTERS	yes
MR. PAUL RUPPERT	yes
VICE MAYOR TODD HALL	yes

Motion passed.

B. RESOLUTION 2020 – 37 RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF ELECTRICITY FOR THE CITY'S ELECTRICITY AGGREGATION PROGRAM

Mr. Lewis introduced Jordan Haarmann from Affordable Gas & Electric to explain the process and timing of the City's Electricity Aggregation Program.

Mr. Haarmann explained that the current aggregation program is a bulk energy purchasing program for residents that was approved by voters in the year 2000. This is an opt-out aggregation program. Residents receive a letter detailing the rates, terms, and conditions. The current contract, which began in May 2018, is with Dynegy at a rate of \$0.0499 per kilowatt hour. This contract expires May 2021. In 2019, the average resident saved \$80 on their Duke bill. This equated to a savings of over \$225,000 for the residents of Franklin. Due to the market conditions that have resulted from the State of Emergency and a mild winter, it is recommended that a new rate be locked in for the upcoming term. Residents would receive an opt-out letter in the Spring but can opt-out at any time without incurring an early termination fee. The current lowest bid is \$0.0460 per kilowatt hour for a 36 month term.

Mr. Lewis ask Mr. Haarmann to explain why this contract operates differently than traditional bids where a bid is received, and the price is approved by Council. Mr. Haarmann explained that energy prices are traded on a futures commodity where prices change daily. The market will be monitored, and Mr. Lewis will be advised by Mr. Haarmann when he believes the rate should be locked in.

The Mayor asked why would the bid that is lower than our current rate not be locked in. Mr. Haarmann answered that if the proposed Resolution were passed, this rate could be locked in. Energy Harbor provided the lowest bid of four bids that were received. The Mayor asked how often the rates changed. Mr. Haarman replied that they change daily. The price may change slightly on the next day, but he believes the rate that was received today could be honored, unless the rate lowered, in which case the lower rate would be honored. Mr. D. Centers commented that locking in a rate is always a gamble as the rate could increase or decrease and asked for confirmation that the City would be acting on the professional advice of Mr. Haarmann. Mr. Haarmann confirmed and reiterated how favorable the current market is. Mr. D. Centers stated that he is concerned that if a rate is secured now that it could continue to decrease to be lower than the rate offered by Duke. Mr. Haarmann acknowledged the concern and shared that this has happened once in his territory. When this occurred, they notified the residents that the utility rate was lower than the aggregation price and advised them to opt-out of the aggregation until a new contact rate could be put in place or until the utility rate rose.

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Ms. Fouts believes that when schools reopen the price will probably increase. She experienced this in her business with the cost of supplies when demand increase due to other businesses reopening.

Mr. Aldridge asked how the public was educated on the program previously. Mr. Lewis answered that prior to receiving the bids, two open forums were hosted at the City Building and that flyers were distributed with his contact information so that he could answer questions. After the bids were received, multiple mailings were sent to residents that had not opted in to give them the opportunity to opt in and save money on their energy bills. Mr. Aldridge asked if this would need to be done again. Mr. Lewis answered that a new bid must be sent out for residents to accept or opt-out, which will generate phone calls with questions. He added that Affordable Gas & Electric will also field questions from residents. To avoid suspicion of a scam, all updates are sent on City letterhead. Mr. Ruppert asked if Dynegy paid for this mailing previously. Mr. Lewis confirmed. Mr. Haarmann added that the supplier would pay for the opt-out mailers, on City letterhead, as part of the contract. Affordable Gas & Electric will also assist the City by answering questions from residents via phone and can provide updates for Social Media. Residents will receive several pieces of mail during the opt-out period.

Mr. Wilcher asked if the option to choose renewal energy sources would still be available as it is with Dynegy. Mr. Haarmann confirmed that residents will be able to opt-up to the 100% green energy rate with all the suppliers who have submitted bids.

The Mayor asked if all correspondence on City letterhead would be approved by Mr. Lewis prior to distribution, Mr. Haarmann confirmed.

The Mayor also asked if Energy Harbor, the company who provided the lowest bid, was in contract with any other communities through Affordable Gas & Electric. Mr. Haarmann replied that Affordable Gas & Electric has two other communities in contract with Energy Harbor and that they serve approximately 140 communities in the Cleveland area.

The Mayor asked if Council had any additional questions or discussion. Hearing none, the Mayor called for a motion. Mr. D. Centers made the motion to adopt **RESOLUTION 2020-37** as submitted; seconded by Mr. Ruppert. The vote:

MR. MICHAEL ALDRIDGE	yes
MRS. DEBBIE FOUTS	yes
MR. MATHEW WILCHER	yes
MR. DENNY CENTERS	yes
MR. PAUL RUPPERT	yes
VICE MAYOR TODD HALL	yes
MAYOR BRENT CENTERS	yes

Motion passed.

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- C. RESOLUTION 2020-38 AUTHORIZING THE CITY MANAGER TO EXECUTE A SETTLEMENT AGREEMENT WITH PIERCE MANUFACTURING, INC. REGARDING CORROSION TO THE 2006 PIERCE ENFORCER PUMPER UNIT 18332TR; VIN: 4P1CE01A76A006541

- a. Exhibit A - Proposal for Refurbishment

This item was removed from the agenda so that City staff could re-address items within the resolution.

8. Introduction of New Legislation. None.

9. City Manager's Report. Mr. Lewis asked for Council discussion regarding increasing the administration fee for trash collection, which is currently \$2.71. He stated that it has been 12 years since the last increase, which was \$0.10 in 2008. He said the trash collection budget is tight. Last year, the administration cost for trash collection was not transferred to the general fund as is common practice with enterprise funds. Mr. Lewis has discussed this with City staff, and they propose that the fee be raised to \$3.71, and then the fee be added to the COLA schedule in the following year. This would allow for the cost of living increase to be applied to the fee annually, with an estimated increase of \$0.51 over the next ten years. This has been proven to be the best way to keep up with an increase in fees. Mr. Lewis asked for Council guidance on how to proceed.

Mr. D. Centers asked if he had checked with other communities for a comparison of the administrative fee. Mr. Lewis responded that he had not. Vice Mayor Hall speculated that other communities would have a higher fee. He said that the City of Franklin tends to keep fees as low as possible, until an issue occurs where a raise is necessary. He thinks adding this fee to the COLA is a way to avoid large increases in the future. Mrs. Fouts offered that now may be a hard time to implement any sort of increase. She acknowledged the need for an increase and suggested that a smaller increase be made now. Mr. Ruppert suggested discussing this issue in 2021. Mr. Lewis explained that this issue was brought to Council so that the fee could be adjusted with the new Rumpke contract. Mr. Wilcher added that he is not opposed to an increase but would also like to see a comparison from other cities. Mr. Lewis said that he would get that information for Council. The Mayor asked for additional comments; Mr. Aldridge echoed Vice Mayor Hall's comments and the Mayor agreed. The Mayor commented that the timing is not ideal but that an increase is needed, with a means of implementing gradual increases in the future. He asked if Mr. Lewis needed a decision at this time, to which he replied that he does not. Vice Mayor Hall clarified that he understands Mrs. Fouts concerns and offered that the increase be done in increments before it is added to the COLA schedule next year. Mr. Aldridge suggested that this issue be brought to Finance Committee so they can make a recommendation to Council. Mr. Lewis confirmed.

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10. Council Comments.

Mr. Wilcher thanked Peggy Jeromos, Mary Nenninger, Susan Stewart, the Rotary Club, and all the volunteers for their work on the Farmers Market. He said that it is great to see the community supporting local vendors, especially in the State of Emergency.

The Mayor read a comment sent by Ms. Jeromos to the group chat in reply that said "You're welcome, it's a lot of fun. We have great, loyal shoppers."

Mrs. Fouts thanked Mr. Inman for the work that was completed on Millard Drive. She complimented the Mayor on his recent blog post, adding that she feels it gives everyone a renewed faith about what is happening in our town and highlights the Mayor's passion for the City. She asked that everyone keep an area business in their prayers as they have shut down after an employee tested positive for COVID-19, as well as everyone affected by the State of Emergency.

The Mayor thanked Mrs. Fouts for the compliment; he enjoyed writing the blog where he shared information about the City's 1-TIP Anonymous Crime tip-line and H.O.P.E. program, which stands for Helping Overdose through Prevention and Education.

Mr. Aldridge thanked the Police Department for the Community Outreach programs. He has received positive feedback from the Community about these events and appreciates everything the department is doing.

Mr. D. Centers asked Mr. Lewis if anything could be done about the appearance of a residence on Sunnybrook Drive that was previously discussed in the last Council meeting. Mr. Lewis responded that the process of addressing the issue started after the last meeting.

Mr. Ruppert said that Franklin lost a great citizen last week with the passing of Weesie Polley. She was well loved by the entire community and she will be missed. The Mayor agreed.

Vice Mayor Hall thanked the Police Department for blocking off David Boulevard when a tree fell yesterday. He also thanked the service department for their quick response in clearing the tree from the roadway.

Mayor B. Centers asked for Council opinion on continuing virtual meetings due to the State of Emergency. He shared that members of the City staff have reached out and expressed a desire

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to continue meeting virtually due to health concerns with families. Council agreed to continue virtual meetings until further notice.

The Mayor asked Chief Whitman for an update on the 1-TIP program and inquired if there are any plans to re-introduce this into the schools in the coming school year. Chief Whitman replied that he would get an update on the program and include the number of tips that have been reported, as well as a general update of the program.

The Mayor thanked Ms. Steed for running the IT portion of the meeting.

11. Adjournment. The Mayor called for a motion to adjourn the meeting. Mr. Ruppert made the motion; seconded by Mr. D. Centers. The vote:

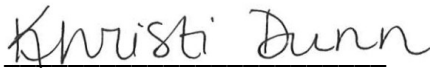
MRS. DEBBIE FOUTS	yes
MR. MATHEW WILCHER	yes
MR. DENNY CENTERS	yes
MR. PAUL RUPPERT	yes
VICE MAYOR TODD HALL	yes
MAYOR BRENT CENTERS	yes
MR. MICHAEL ALDRIDGE	yes

Motion passed.

Mayor Brent Centers adjourned the meeting at 6:55 PM.



Brent W. Centers
Brent Centers, Mayor



Khristi Dunn
Khristi Dunn, Clerk of Council