

**FRANKLIN CITY COUNCIL  
AGENDA**

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**REGULAR MEETING**

**DATE APRIL 20, 2020  
6:00 P.M.**

**VIRTUAL MEETING**

1. Roll Call
2. Pledge of Allegiance
3. Approve the Clerk's Journal and Accept the Tapes as the Official Minutes of the April 6, 2020 Meeting
4. Reception of Visitors. Public comments will be limited to three (3) minutes per person during this virtual meeting.
5. Presentation
  - A. NONE
6. Public Hearing
  - A. NONE
7. New Business
  - A. RESOLUTION 2020-21 – PRELIMINARY PARTICIPATORY LEGISLATION FOR THE ODOT DISTRICT 8 GUARDRAIL TYPE A REPLACEMENT PROJECT
  - B. RESOLUTION 2020-22 APPROVING THE RETROACTIVITY WAIVER FOR ALL UNITS OF THE FRANKLIN LAW ENFORCEMENT ASSOCIATION AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE WAIVER AGREEMENT
  - C. RESOLUTION 2020-23 ORDERING TEMPORARY SUSPENSION OF CHARTER, CODIFIED ORDINANCE AND RULES OF COUNCIL PROVISIONS INCONSISTENT WITH AMENDED SUBSTITUTE HOUSE BILL 197 IMPLIMENTING PROCEDURE CONSISTENT WITH COVID-19 OPEN MEETING ACT DURING DECLARED STATE OF EMERGENCY FROM MARCH 9, 2020 UNTIL DECEMBER 1, 2020 IF THE PERIOD OF EMERGENCY CONTINUES BEYOND THAT DATE
8. Introduction of New Legislation
  - A. 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

**FRANKLIN CITY COUNCIL  
AGENDA**

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

- 9. City Manager’s Report
- 10. Council Comments
- 11. Executive Session
- NONE
- 12. Adjournment

**GUIDANCE INSTRUCTIONS FOR VIRTUAL MEETING**

- 1. Instruct council to keep all devices actively charging during meeting so that they do not drop connection
- 2. Instruct all members of public to place phone on mute to reduce background noise
- 3. When holding public hearing, and public comment, have people identify themselves and, Clerk will speak up if she does not catch a name to record in minutes – ie if name is not clear it may not be clear on recording
- 4. We are limiting all public comment to 3 minutes

Members of the City Council met in regular session on Monday, April 6, 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

The pledge of allegiance was said.

There was 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.

Vice Mayor Hall made the motion to approve the Clerk's Journal and accept the tapes as of the Official Minutes of the March 17, 2020 general meeting; seconded by Mr. Aldridge.

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 Reception of Visitors at two separate times during the meeting (6:04 p.m. and 6:48 p.m.), as additional participants joined the meeting in progress, after the first opportunity for Visitors was concluded. No Visitors asked to be heard.

### **Presentation**

None

### **Public Hearing**

None

**New Business****RESOLUTION 2020-15      APPOINTMENT OF AMBER COPENHAVER AND  
LYNNETTE DINKLER AS ACTING CLERKS OF  
COUNCIL**

Mr. Ruppert made the motion to adopt **Resolution 2020-15**; seconded by Mr. Wilcher.

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.

Amber Copenhaver and Lynnette Dinkler given Oath of Office by Mayor Brent Centers.

**RESOLUTION 2020-16      FINAL RESOLUTION FOR THE ODOT GREAT MIAMI  
RIVER TRAIL EXTENSION PROJECT, PID 100188**

City Engineer Barry Conway stated this is the final phase of the Great Miami River Trail Extension Project between the City and two other entities valued at \$2,323,827.34 with the City's estimated share of project of \$249,319.91, \$175,037 of which will be off-set by grant funds.

Mr. Denny Centers made the motion to adopt Resolution **2020-16**; seconded by Mrs. Fouts.

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 2020-17      TO LET JOINT GRANT PROJECT TO REPLACE SELF-  
CONTAINED BREATHING APPARATUS OUT FOR BID**

Fire Chief Westendorf reported 10% local share, and each of the other entities will pay for their purchase despite that the City of Franklin is responsible for the total purchase.

Mr. Denny Centers asked for when the SCBA's were last updated and Chief Westendorf stated they were last updated approximately eighteen to nineteen years ago and that the cylinders have reached their maximum lifespan as they can no longer be tested.

Mr. Mathew Wilcher made the motion to adopt Resolution **2020-17**; seconded by Vice Mayor Todd 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.

**RESOLUTION 2020-18      ADOPTING COVID-19 POLICIES, FORMS AND NOTICES  
2020-01 IN THE CITY OF FRANKLIN, WARREN COUNTY,  
OHIO**

Law Director Lynnette Dinkler stated the policies, forms and notices bring the City into compliance with federal and state mandates related to COVID-19 declared state of emergency laws and also adopt City implemented COVID-19 policies.

Mayor Brent Centers asked about the 20 % increase language and Lynnette Dinkler confirmed the Mayor's correct understanding that this permits the City to affirmatively seek grants to offset anticipated increased expenses and that it is not a raise of current salaries or hazard pay.

Mr. Paul Ruppert made the motion to adopt **Resolution 2020-18**; seconded by Mr. Denny Centers.

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.

**RESOLUTION 2020-19      REGARDING EMERGENCY HIRES FOR DIVISIONS OF  
FIRE AND POLICE, CITY OF FRANKLIN, OHIO AND  
ALTERNATIVELY ADOPTING CIVIL SERVICE  
RESOLUTION 2020-01 SUSPENDING RULES FOR  
EMERGENCY HIRES**

Law Director Lynnette Dinkler explained an emergency need to hire additional personnel within the Fire and Police Divisions exists as a result of COVID-19, that Civil Service considered the issues associated with emergency hires at an emergency meeting on April 1, 2020, and that Civil Service passed legislation stating the Civil Service Rules and Regulations do not apply to emergency hires and if they would be determined to apply, and that Civil Service alternatively recommended Council adopt legislation suspending their application to emergency hires. Mrs.

Dinkler stated emergency hires are employment-at-will hires only for the time period of the declared state of emergency.

Mr. Mathew Wilcher asked what type of employment status the emergency hires would be. Mrs. Dinkler clarified they would be temporary, intermittent, employees-at-will.

Mr. Denny Centers asked if the civil service lists would be used and what process is being used to locate new hires. Mrs. Dinkler stated no and Mr. Lewis clarified that while the list is not being used, those individuals on the list would certainly be considered for an emergency hire position if they were interested.

Mayor Brent Centers asked if this legislation applies to Public Works or if it could, should the need arise. Mr. Lewis responded that independent contractors exist to handle COVID-19 emergency needs, should they arise.

Vice Mayor Todd Hall made the motion to adopt **Resolution 2020-19**; seconded by Mr. Michael Aldridge.

The vote:

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

Motion passed.

**RESOLUTION 2020-20      DECLARING THE NECESSITY OF IMPROVING CITY  
STREETS AND PUBLIC WAYS BY THE LIGHTING  
THEREOF FOR THE YEAR 2021**

Acting Clerk Lynnette Dinkler stated this Necessity Resolution is the first annual step to file assessments for street lighting.

Vice Mayor Todd Hall made the motion to adopt **Resolution 2020-20**; seconded by Mr. Paul Ruppert.

The vote:

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

Motion passed.

**Introduction of New Legislation**

None

**City Manager's Report**

Mr. Lewis thanks Council for its support through the COVID-19 emergency as many decisions are having to be made in these unusual times to protect our citizens. A fund line item has been designated to account for the unexpected needs.

Mr. Lewis thanked the volunteers who serve on the Civil Service Commission because they made themselves available and were thoughtful and considerate in contemplating the emergency hire legislation.

Mr. Lewis recognized City Staff, Chief Westendorf, Chief Whitman and Mr. Inman for their leadership and initiative. He thanked all City Staff and recognized the behind the scene workers, such as the Finance Department staff, for their loyalty to the City and for diligently performing the day to day operations from their homes because it is keeping the City operational for its citizens. Mr. Lewis also recognized the phenomenal guidance and leadership, providing step by step instructions to protect and serve City Staff and citizens.

A City-wide food drive is being organized for Saturday April 18, 2020 to feed citizens in need. The event is being posted on the City's Facebook page and is being promoted by local churches.

Fourth Street Tower project is pushed back temporarily because of COVID-19 but soon workers will be entering it in scuba gear to inspect it. If residents seeing this activity express concern, you can assure them it is city contracted work.

Community Park West Grant was awarded but the contract has not been received. Multiple agencies have to sign off on the contract and Mr. Lewis reported that legal teams for respective agencies are working on those details. Because of the unknown budgetary impact of COVID-19, Mr. Lewis expressed reservations about if and when the City should move forward with this project. The City is not obligated to execute this Contract until December 31, 2021 and an extension can be obtained if necessary.

The City of Franklin obtained a contract with Battelle to obtain sanitization of PPE in twenty-four-hour cycles, which is very positive news. The best and purest form of government is local government, Mr. Lewis stated he appreciates each and every one serving the City as he is proud to serve the City. Mayor Brent Centers thanked Mr. Lewis and staff for their hard work.

**Municipal Court Report**

Mrs. Dinkler delivered the following report at the request of Judge Ruppert to Council. In 2019 the Court handled a total of 9659 cases (8815 traffic/criminal; 767 civil and 77 small claims). On March 13, 2020 the Court implemented temporary procedures to ensure the health, safety and welfare of the those entering the Court and those staffing the Court. On March 17, 2020 the Court issued written Temporary Orders of the Court and distributed them to City, County and State stakeholders. The Court is continuing matters as necessary by: reviewing evictions and civil cases on a case by case basis, noting that cases with victims are being heard as normal in most instances; using video hearings where practicable and the Court reports it has applied for

Ohio Supreme Court grant funds to receive proper equipment to enhance this ability; adapting probation reporting to best supervise and meet the needs of those serving probationary periods, which is challenging because certain probationers need drug treatment services which are not currently available; and by having all court staff sign the Ohio Supreme Court recommended agreement for teleworking. The Court thanked its exceptional staff and law enforcement partners for their parts in keeping the Court serving the public.

### **Council Comments**

Mr. Wilcher thanked Staff for quickly adapting, Chief Westendorf for Fire and IT leadership and Chief Whitman for Police leadership; asked community to support local restaurants, especially on take-out Tuesdays; and assured Franklin will get through this.

Mrs. Fouts stated economy is rough, even on essential businesses and that time will be necessary for recovery and that all instructions given by take-out restaurants really need to be followed for the safety of all; and praised City staff for being phenomenal.

Mr. Aldridge thanked Mr. Lewis, Chief Westendorf, and Department Heads for leadership as it is difficult to imagine the impact these changes bring; and recognized how celebrations can still occur with social distancing to continue to focus on the positive life achievements and celebrations that, of course, continue to occur despite the state of emergency.

Mr. Denny Centers asked Mr. Lewis if the City is now in a position to take advantage of federal or state grant moneys being released as a result of COVID-19. Mr. Lewis confirmed legislation passed permits the City to apply for such funding, confirmed all COVID-19 related spending is being tracked to be prepared for FEMA, and that required finance classes are being taken by staff to be eligible; pointed out that after review of the financial report all received the impact of COVID will have a downward impact and advised that scheduled projects may have to be eliminated; thanked all City Staff and specifically praised Chief Westendorf for his exceptional abilities and above and beyond dedication as Fire Chief and with the IT needs that have been vital to the City; and encouraged everyone to reach out to one person/family in need to provide needed support because together we will get through this.

Mr. Ruppert recognized all City Staff for their hard, dedicated work under Mr. Lewis' leadership, included Mrs. Copenhaver and Mrs. Dinkler for picking up Acting Clerk Duties; stated Route 75/73 road project will be a great improvement and thanked Mr. Conway for continuing on with his continuous full plate of work to improve the City's infrastructure; and wished all well in staying healthy.

Vice Mayor Hall commented on how nice it is to be able to see the entire team; wished families of all well; thanked all from the bottom of his heart for adapting so quickly to continue to do a fantastic job; questioned how the pool grant would be handled because he does not want to lose the funding opportunity. Mr. Lewis stated the grant work would not proceed under any circumstances until after the close of the pool season; and bid all well and good health.

Mayor Brent Centers thanked everyone for their cooperation because with it the City is operating successfully, including pitching in to cover Clerk duties; emphasized importance of sharing positive stories such as Mr. Aldridge did, because staying focused on creative celebrations to bring us together while socially distancing is so important; and recognized two faithful, long-



term employees, 15 year employee Utility Clerk in the Water and Billing Department Cindy Threnhauser and 39 year employee Clerk of Council Jane McGee – both of whom are retiring but have yet to receive a proper send-off; promised both Cindy and Jane will receive proper send-off in the future and publicly recognized that Council will deeply miss Clerk of Council Jane McGee, a wealth of legal and City affairs knowledge who has tirelessly served the City.

**Executive Session**

None

**Adjournment**

Mr. Aldridge made the motion to adjourn the meeting; seconded by Vice Mayor Hall.

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 7:05 p.m.

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Brent Centers, Mayor

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Lynnette Dinkler  
Acting Clerk of Council

## LEGISLATIVE COVER MEMORANDUM

**Meeting Date:** April 20, 2020

**Agenda Item:** **Resolution 2020-21**  
PRELIMINARY PARTICIPATORY LEGISLATION FOR THE ODOT  
DISTRICT 8 GUARDRAIL TYPE A REPLACEMENT PROJECT

**Submitted By:** Barry Conway, City Engineer

**Scope/Description:** This Resolution is the preliminary legislation required by ODOT for the District wide replacement of type A anchor assembly guardrail on NHS local routes, to include a portion of SR 73 and SR 123 in the City of Franklin. This project will replace Type A anchor guardrail assemblies at five locations within the City. They include two assemblies on N. Main St. at Kenneth Koons Blvd., two assemblies on E. Second St. west of Stadia Dr. and one assembly on E. Second St. east of Conover Dr.

This Project is scheduled for the fourth quarter of the State's 2021 fiscal year.

**Exhibits:** None

**Budgetary Impact:** The total cost for this District Wide Project is currently estimated at \$702,482.00. This project is 100% funded with Safety Funds.

**RECOMMENDATION:** Staff Recommends Approval

CITY OF FRANKLIN, OHIO  
RESOLUTION 2020-21

**PRELIMINARY PARTICIPATORY LEGISLATION FOR THE ODOT  
DISTRICT 8 GUARDRAIL TYPE A REPLACEMENT PROJECT**

The following Resolution is enacted by the City of Franklin, Warren County, Ohio, hereinafter referred to as the Local Public Agency (“LPA”), in the matter of the Project described herein.

**SECTION I — Project Description**

WHEREAS, the Local Public Agency has identified the need for the following described project (“Project”):

*District wide replacement of type A anchor assembly guardrail on NHS local routes, to include a portion of SR 73 and SR 123 in the City of Franklin.*

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, a majority of Council members present concurring, that:

**SECTION II — Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

**SECTION III — Cooperation Statement**

The LPA shall cooperate with the Ohio Department of Transportation (“ODOT”) Director of Transportation in the above described project as follows:

*The State shall assume and bear 100% of all costs of the improvement.*

*The LPA further agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.*

**SECTION IV — Authority to Sign**

The City Manager of said City of Franklin is hereby authorized on behalf of the City of Franklin to enter into and execute contracts with the Director of Transportation which are necessary to complete the above-described project.

**SECTION V — Utilities and Right-of-Way Statement**

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

## **SECTION VI — Maintenance**

Upon completion of the Project, and unless otherwise agreed, the LPA shall:

- (1) Provide adequate maintenance for the Project in accordance with all applicable State and Federal laws including, but not limited to, Title 23 USC Section 116;
- (2) Provide ample financial provisions, as necessary, for the maintenance of the Project;
- (3) Maintain the right-of-way, keeping it free of obstructions; and
- (4) Hold said right-of-way inviolate for public highway purposes.

## **SECTION VII - Sunshine Law**

It is found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

## **SECTION VIII - Effective Date**

This Resolution shall take effect and be in force immediately upon its passage.

ADOPTED: April 20, 2020

ATTEST: \_\_\_\_\_  
Lynnette Dinkler  
Acting Clerk of Council

APPROVED: \_\_\_\_\_  
Brent W. Centers  
Mayor

CERTIFICATE OF COPY  
STATE OF OHIO

City of Franklin of Warren County, Ohio  
(LPA)

I, Lynnette Dinkler, as Acting Clerk of Council of the City of Franklin, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution 2020-21, adopted by the Council of the said City of Franklin on the 20th day of April, 2020; and that publication of such Resolution is not required pursuant to the Franklin City Charter; and that Resolutions are not subject to referendum per the Franklin City Charter.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, this  
\_\_\_\_\_ day of April, 2020.

(Seal)

\_\_\_\_\_  
Lynnette Dinkler, Acting Clerk of Council  
City of Franklin of Warren County, Ohio

## LEGISLATIVE COVER MEMORANDUM

**Meeting Date:** April 20, 2020

**Agenda Item:** **Resolution 2020-22**  
APPROVING THE RETROACTIVITY WAIVER FOR ALL UNITS OF  
THE FRANKLIN LAW ENFORCEMENT ASSOCIATION AND  
AUTHORIZING THE CITY MANAGER TO EXECUTE THE WAIVER  
AGREEMENT

**Submitted By:** Sonny Lewis, City Manager

**Scope/Description:** This Resolution approves the Retroactivity Waiver for all units of the Franklin Law Enforcement Association and authorizes the City Manager to execute the Waiver Agreement.

**Exhibits:** Exhibit A – Retroactivity Waiver (All Units)

**Budgetary Impact:** To be determined

**RECOMMENDATION:** Staff Recommends Approval

CITY OF FRANKLIN, OHIO  
RESOLUTION 2020-22

**APPROVING THE RETROACTIVITY WAIVER FOR ALL UNITS OF THE FRANKLIN LAW  
ENFORCEMENT ASSOCIATION AND AUTHORIZING THE CITY MANAGER  
TO EXECUTE THE WAIVER AGREEMENT**

WHEREAS, in accordance with Ohio law and the rules and regulations of the State Employment Relations Board, the City and the Franklin Law Enforcement Association are in negotiations; and

WHEREAS, this Council, in accordance with Ohio law, must approve agreements reached as a result of those negotiations before the same can take effect.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, a majority of members elected thereto concurring, that:

Section 1. The Retroactivity Waiver (All Units), attached hereto as Exhibit A, is hereby approved.

Section 2. The City Manager is hereby authorized to execute, on behalf of the City, the Retroactivity Waiver (All Units) with the Franklin Law Enforcement Association.

Section 3. It is found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 4. This Resolution shall become effective immediately upon its passage.

ADOPTED: April 20, 2020

ATTEST: \_\_\_\_\_  
Lynnette Dinkler  
Acting Clerk of Council

APPROVED: \_\_\_\_\_  
Brent W. Centers  
Mayor

**Retroactivity Waiver (All Units)**

The Parties Waive the provisions of O.R.C. Section 4117.14(G)(11) allowing for increases in compensation and any other matters with cost implications in the resultant collective bargaining agreements in Case No. 2020-MED-01-0020 (Dispatchers); Case No. 2020-MED-01-0019 (Lieutenants); Case No. 2020-MED-01-0018 (Sergeants); and Case No. 2020-MED-01-0017 (Patrol Officers) to be effective at the discretion of the appointed neutral, but no earlier than the beginning of the first full pay period including January 1, 2021.

For the Employer:  
(The City of Franklin)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

For the Union:  
(Franklin Law Enforcement Association)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: 4/13/2020



## LEGISLATIVE COVER MEMORANDUM

**Meeting Date:** APRIL 20, 2020

**Agenda Item:** RESOLUTION 2020-23 ORDERING TEMPORARY SUSPENSION OF CHARTER, CODIFIED ORDINANCE AND RULES OF COUNCIL PROVISIONS INCONSISTENT WITH AMENDED SUBSTITUTE HOUSE BILL 197 IMPLIMENTING PROCEDURE CONSISTENT WITH COVID-19 OPEN MEETING ACT DURING DECLARED STATE OF EMERGENCY FROM MARCH 9, 2020 UNTIL DECEMBER 1, 2020 IF THE PERIOD OF EMERGENCY CONTINUES BEYOND THAT DATE

**Submitted by:** LYNNETTE DINKLER, LAW DIRECTOR

**Scope/Description:** This Resolution temporarily suspends Charter provisions, Ordinances and Rules of Council that conflict with COVID-19 Open Meeting Act law and implements protocol consistent with COVID-19 constraints to allow for safe public meetings to occur from March 9, 2020 until December 1, 2020, if the period of the emergency continues beyond that date. The effect of this Resolution will end when the emergency is lifted. If the emergency is not lifted by December 1, 2020, it will end on December 1, 2020. December 1, 2020 is the date the Ohio Legislature choose to end the COVID-19 Open Meeting Act Law if the state of emergency is not lifted by December 1, 2020.

**Budget Impact:** None

**Exhibits:** None

**Recommendation:** Approval

CITY OF FRANKLIN, OHIO  
RESOLUTION 2020-23

**ORDERING TEMPORARY SUSPENSION OF CHARTER, CODIFIED ORDINANCE AND  
RULES OF COUNCIL PROVISIONS INCONSISTENT WITH AMENDED SUBSTITUTE  
HOUSE BILL 197 IMPLIMENTING PROCEDURE CONSISTENT WITH COVID-19 OPEN  
MEETING ACT DURING DECLARED STATE OF EMERGENCY FROM MARCH 9, 2020  
UNTIL DECEMBER 1, 2020 IF THE PERIOD OF EMERGENCY CONTINUES BEYOND THAT  
DATE**

WHEREAS, on March 17, 2020, the Mayor and City Manager of the City of Franklin, Ohio issued an Emergency Proclamation and declared a State of Emergency in the City of Franklin, Ohio related to the COVID-19 pandemic;

WHEREAS, the Ohio General Assembly in amended Substitute House Bill 197 enacted special temporary provisions to govern Open Meetings during Ohio's declared State of Emergency to allow local government to continue to function but in a safe and timely manner which will remain in effect from March 9, 2020 but not beyond December 1, 2020, if the period of the emergency continues beyond that date;

WHEREAS, amended Substitute House Bill 197 allows public bodies to conduct virtual meetings by video or telephone and it relaxes notice provisions to allow for prompt action to provide for the health, safety and welfare of local residents;

WHEREAS, the City of Franklin, through its Rules of Council and Codified Ordinances have mandated policy relative to notice, attendance and other related protocols, some of which are not possible in light of the COVID-19 declared emergency and some of which are not temporarily required under Substitute House Bill 197;

WHEREAS, Rules of Council Section 3(c)(3) and Chapter 109.02(d) of the City Codified Ordinances, govern meeting notices and service or posting of same that are not possible under the COVID-19 conditions (special meetings and emergency meetings require notice to be served upon Councilmembers by personal delivery or delivery left at each Councilmember's usual place of residence; change in date, time or location of regular meetings shall be posted at the Franklin Municipal Building which is closed in addition to on the City of Franklin's website);

WHEREAS, Chapter 107.03(f)(3) prohibits the members of the City's public bodies from attending public meetings via teleconference and mandates members of the public body must be present in person;

WHEREAS, the City of Franklin's Rules of Council, Section 13 Record of Proceedings states, in part, that "[o]nly the Clerk or Deputy Clerk shall operate the audio recorder" at meetings of the Council (Section 13(c));

WHEREAS, the technology required to be operated in order to conduct and record Virtual Meetings in accordance with COVID-19 Open Meetings Act is controlled and operated by Chief Jonathan Westendorf or his designee should he become incapacitated.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, a majority of the members present concurring, that:

Section 1. All provisions contained in City of Franklin Charter, Codified Ordinance and Rules of Council that are inconsistent with Ohio General Assembly in amended Substitute House Bill 197 are hereby suspended from March 9, 2020 but not beyond December 1, 2020 if the period of the emergency continues beyond that date, are hereby suspended;

Section 2. Notices to be personally served on members of public bodies shall be done by email.

Section 3. Change in date, time and location of regularly scheduled meetings shall only be posted on the City's website and a notice will be provided by email to the press.

Section 4. Chapter 107.03(f)(3) prohibiting the members of the City's public bodies from attending public meetings via teleconference and mandates members of the public body must be present in person is suspended.

Section 5. The City of Franklin's Rules of Council, Section 13 Record of Proceedings stating that "[o]nly the Clerk or Deputy Clerk shall operate the audio recorder" at meetings of the Council (Section 13(c)) is suspended as Chief Westendorf or his designee in the event he becomes incapacitated shall operate the audio recording of the virtual meetings conducted by the City's public bodies.

Section 6. It is found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 7. This Resolution shall become effective immediately upon its passage and retroactively takes effect beginning on March 9, 2020 and will remain in effect until December 1, 2020 if the period of the emergency continues beyond that date.

ADOPTED: April 20, 2020

ATTEST: \_\_\_\_\_  
Lynnette Dinkler  
Acting Clerk of Council

APPROVED: \_\_\_\_\_  
Brent W. Centers  
Mayor

## LEGISLATIVE COVER MEMORANDUM

**Introduction:** April 20, 2020  
**Public Hearing:** May 4, 2020  
**Effective Date:** June 3, 2020

**Agenda Item:** **Ordinance 2020-05**

AN ORDINANCE 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

**Submitted By:** Barry Conway, City Engineer/Zoning Official

**Scope/Description:** Ron and Brenda Bencsik, 7621 Nordan Drive, West Chester, Ohio 45069 requests 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 1115.06(h)(2) are met here.

**Attachments:** Rezoning Application; Map.

**Vote Required for Passage:** Per Section 4.12 of the City Charter, the amendment, or rejection of this Ordinance requires the affirmative vote of not less than **FOUR** members of Council.

CITY OF FRANKLIN, OHIO  
ORDINANCE 2020-05

**AN ORDINANCE 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**

WHEREAS, Ron and Brenda Bencsik, 7621 Nordan Drive, West Chester, Ohio 45069, have requested to rezone their property (8.489 acre) located at the end of Lakeview Drive (Warren County Parcel Nos. 08-24-300-014) from R-1B, Suburban Residential District to R-1A, Estate Residential District; and

WHEREAS, Section 4.12 of the Charter of the City of Franklin states in part:

No ordinance or resolution establishing, amending, revising, changing or repealing zoning classifications, districts, uses or regulations shall be presented to Council for a public hearing without a recommendation from the Planning Commission to approve, to approve with modifications, or to deny. Planning Commission shall make its recommendation to Council within the time limit set by ordinance.

WHEREAS, the Franklin City Planning Commission, at its April 13, 2020, regular meeting, considered the submission of a zoning application and voted unanimously (6-0) making recommendation to Council to approve the Zoning District Classification; and

WHEREAS, Chapter 1115.04(e)(1)-(7) provides the criteria Council shall consider regarding all zoning amendments:

- (1) The proposed zoning district classification and use of the land will not materially endanger the public health or safety; and
- (2) The proposed zoning district classification and use of the land is reasonably necessary for the public health or general welfare, such as by enhancing the successful operation of the surrounding area in its basic community function or by providing an essential service to the community or region; and
- (3) The proposed zoning district classification and use of the land will not substantially injure the value of the abutting property; and
- (4) The proposed zoning district classification and use of the land will be in harmony with the scale, bulk, coverage, density, and character of the area of the neighborhood in which it is located; and
- (5) The proposed zoning district classification and use of the land will generally conform with the Comprehensive Land Development Plan and other official plans of the City, unless actual development within the area or changes in the conditions of the area makes conforming to the Comprehensive Development Plan impractical; and
- (6) The proposed zoning district classification and use of the land are appropriately located with respect to transportation facilities, utilities, fire and police protection, waste disposal, and similar characteristics; and
- (7) The proposed zoning district classification and use of the land will not cause undo traffic congestion or create a traffic hazard.

WHEREAS, Section 4.13 of the Charter of the City of Franklin states:

The presiding officer of the Council shall set a date for a public hearing before Council on each ordinance or resolution establishing, amending, revising, changing or repealing zoning classifications, districts, uses or regulations, which hearing shall be after Planning Commission has forwarded its recommendation to Council and the introduction of the ordinance and before final action by Council on said ordinance or resolution. Council shall hold the public hearing within the time limits set by ordinance.

WHEREAS, this Council, upon receipt of said recommendation, has timely conducted a public hearing in accordance with Section 4.13 of the Charter of the City of Franklin; and

WHEREAS, this Council, after hearing from the City Engineer, makes factual findings that the following mandatory standards are met by the applicant under Chapter 1115.06(h)(2), noting that (H) regarding "Homeowners association and other documents" does not apply here as there are none:

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

WHEREAS, notice of the public hearing has been properly and timely served by the Clerk of Council via regular mail upon property owners in compliance with Chapter 1115.04(d)(9).

WHEREAS, Section 4.12 of the Charter of the City of Franklin states in part:

No such ordinance or resolution which conforms to or violates, differs from, or departs from the written recommendation of the Planning Commission shall take effect unless passed and approved by a vote of not less than four (4) members of Council.

THE CITY OF FRANKLIN HEREBY ORDAINS:

- ☐ Section 1. Upon an affirmative vote of at least four (4) of the members of Council present, that the Planning Commission recommendation is **APPROVED**:

The Official Zoning Map of the City of Franklin, adopted by Ordinance 2020-01 on February 3, 2020, is hereby amended by changing the zoning from R-1B, Suburban Residential District to R-1A, Estate Residential District, on the property located at the end of Lakeview Drive, in the City of Franklin, Warren County Parcel Nos. 08-24-300-014, as recommended by Planning Commission.

OR

- ☐ Section 1. Upon an affirmative vote of at least four (4) of the members of Council present, that the Planning Commission recommendation is **APPROVED WITH MODIFICATIONS**:

The Official Zoning Map of the City of Franklin, adopted by Ordinance 2020-01 on February 3, 2020, is hereby amended by changing the zoning from R-1B, Suburban Residential District to R-1A, Estate Residential District, on the property located at the end of Lakeview Drive, in the City of Franklin, Warren County Parcel Nos. 08-24-300-014, as recommended by Planning Commission.

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OR

- ☐ Section 1. Upon an affirmative vote of at least four (4) of the members of Council present, that the Planning Commission recommendation is **DENIED**.

Section 2. The City of Franklin Zoning Official is hereby directed to make the approved amendment, if indicated above in Section 1, to the City's Official Zoning Map.

Section 3. Where Council has approved or approved with modifications in Section 1, all Ordinances or parts of ordinances that conflict with this ordinance are hereby repealed.

Section 4. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 4. This Ordinance shall become effective on June 3, 2020.

INTRODUCED: April 20, 2020

ADOPTED: May 4, 2020

ATTEST: \_\_\_\_\_  
Lynnette Dinkler  
Acting Clerk of Council

APPROVED: \_\_\_\_\_  
Brent W. Centers  
Mayor

Approved as to legal form:

\_\_\_\_\_  
Lynnette Dinkler  
Law Director

City of Franklin, Ohio  
**REZONING/ZONING AMENDMENT APPLICATION**  
UDO 1115.04

Application No. RC 20-03

The undersigned owner(s) of the following property hereby submit this application requesting an amendment to the Official Zoning Map, as specified below.

1. Name of Applicant(s): Ron and Brenda Bencsik
2. Mailing Address: 7621 Nordan Drive, West Chester, Ohio, 45069
3. Phone Number: 513-477-1085 (home) \_\_\_\_\_  
(work)
4. Address of the property proposed to be rezoned: Angels View Section 1 Phase 1
5. Lot No. of the property proposed to be rezoned: 1-4
6. Current Zoning District: R1B Current Use: Farming
7. Proposed Zoning District: R1A Proposed Use: Residential

**The following items must be submitted with this Application:**

- ☒ A. If the applicant is not the owner of the subject property, a notarized letter of authorization from the property owner(s), designating the applicant as his/her/their representative.
- ☒ B. Legal description of the property proposed for rezoning – either a deed or a drawing prepared by a surveyor registered in the State of Ohio.
- ☒ C. A list of all owners of property that are contiguous to the property to be rezoned or that are across the street from it. (The list shall be based upon the Warren County Auditor's current tax lists).
- ☒ D. A vicinity map showing property lines, thoroughfares and existing zoning.
- ☒ E. A Statement addressing the following:
  - (1) Why the applicant seeks to rezone the subject property and the proposed use if the rezoning is granted;  
Want to rezone the property back to its former zoning before the annexation.
  - (2) The effect the applicant believes the rezoning will have on public health and safety;  
None
  - (3) Why the requested rezoning is reasonably necessary for the public health or general welfare, for example, how does it enhance the successful operation of the surrounding area in its basic community function or how does it provide an essential service to the community;  
This rezoning has no effect the surrounding community, just re-zones the property back to it former zone.
  - (4) The effect the applicant believes the rezoning will have on the value of abutting properties;  
None
  - (5) How the proposed zoning district and proposed use will generally conform with the City's Comprehensive Land Use Plan;  
No effect.



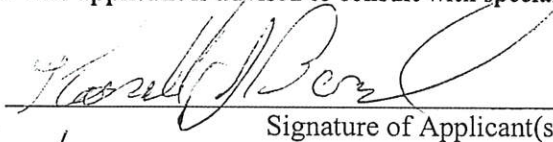
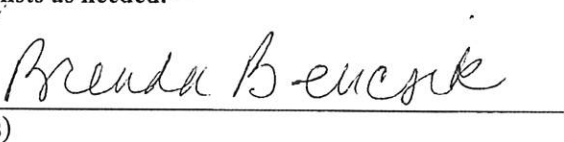
- (6) How the proposed zoning district and proposed use are located with respect to transportation facilities, utilities, fire and police protection, waste disposal and similar characteristics; and  
This should have no effect, because the property returns to its former Zoning.
- (7) The effect the applicant believes the proposed zoning district and proposed use will have on traffic congestion and/or whether traffic hazards will be created.

None

\_\_\_\_\_ F. The Application Fee.

BE ADVISED THAT THE SUBMISSION OF ADDITIONAL SUPPORTING INFORMATION MAY BE REQUIRED.

**\*\*The applicant should check with the City's Division of Building & Zoning in regards to any building code requirements or other permits required by the City. Acceptance and/or approval of this application is not a guarantee against a change in development requirements or standards due to unforeseeable circumstances once the project and/or construction begins. The applicant is advised to consult with specialists as needed.\*\***

   
Signature of Applicant(s)

DATE: 3/5/2020

OFFICE USE ONLY

Received Date: 3/5/20

TRC Meeting: 4/7/20

Legal Notice: 4/8/20

Mailings: 4/6/20

PC Meeting: 4/13/20

Recommendation to: ☐ Approve ☐ Deny

Council Meeting: \_\_\_\_\_

Legal Notice: \_\_\_\_\_

Mailings: \_\_\_\_\_

☐ Approved

☐ Denied

Date of Approval or Denial: \_\_\_\_\_

Date Notice Mailed to Applicant: \_\_\_\_\_





Warren County GIS

Date: 4/16/2020

<p><b>Cadastral Lines</b></p> <ul style="list-style-type: none"> <li>Corporate Line</li> <li>County Line</li> <li>Farm Lot Line</li> <li>Auditors Tract Line</li> <li>Civil Township Line</li> <li>Parcel Line</li> <li>RO W Unknown Width Line</li> <li>Road ROW</li> <li>School Line</li> <li>Subvision Unit Line</li> <li>Hardware</li> <li>Subvision Lot Line</li> <li>Township and Range Line</li> <li>Tract Line</li> <li>VMS Line</li> <li>Unlabeled Road Line</li> </ul> <p><b>Line Type</b></p> <ul style="list-style-type: none"> <li>Overpass Line</li> <li>Section Line</li> </ul>	<p><b>Bencsik Resoning</b></p> <p>The provider makes no warranty or representation with respect to is information, its quality or suitability for a particular purpose. This information is provided AS IS, and the requester assumes the entire risk as to its quality and suitability. The provider will not be liable for direct, indirect, incidental, or consequential damages resulting from any defect in the information. The provider shall have no liability for any other information, programs or data used with or combined with the requested information, including the cost of recovering information, programs or data.</p>		<p>1 inch = 200 feet</p>
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# LEGISLATIVE COVER MEMORANDUM

**Introduction:** April 20, 2020  
**Public Hearing:** May 4, 2020  
**Effective Date:** June 3, 2020

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

**Submitted By:** Barry Conway, City Engineer/Zoning Official

**Scope/Description:** 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;
  - I. All fees and/or review costs have been paid.

**Attachments:** Copy of Final Plat

**Vote Required for Passage:** Per Section 4.12 of the City Charter, the amendment, or rejection of this Ordinance requires the affirmative vote of not less than **FOUR** members of Council.

CITY OF FRANKLIN, OHIO  
ORDINANCE 2020-06

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

WHEREAS, the Franklin City Planning Commission, at its April 13, 2020 regular meeting, voted unanimously (6-0) to make a recommendation to Council to approve the final plat of the proposed subdivision submitted by The Kleingers Group, on behalf of Ron and Brenda Bencsik, in PC Case 20-04, for four lots located at the eastern end of Lakeview Drive; and

WHEREAS, Section 4.12 of the Charter of the City of Franklin states in part:

No ordinance or resolution establishing, amending, revising, changing or repealing zoning classifications, districts, uses or regulations shall be presented to Council for a public hearing without a recommendation from the Planning Commission to approve, to approve with modifications, or to deny. Planning Commission shall make its recommendation to Council within the time limit set by ordinance.

WHEREAS, the Franklin City Planning Commission, at its April 13, 2020, regular meeting, considered the submission of a Major Subdivision Application and voted unanimously (6-0) making recommendation to Council to approve the Final Plat; and

WHEREAS, Section 4.13 of the Charter of the City of Franklin states:

The presiding officer of the Council shall set a date for a public hearing before Council on each ordinance or resolution establishing, amending, revising, changing or repealing zoning classifications, districts, uses or regulations, which hearing shall be after Planning Commission has forwarded its recommendation to Council and the introduction of the ordinance and before final action by Council on said ordinance or resolution. Council shall hold the public hearing within the time limits set by ordinance.

WHEREAS, pursuant to Chapter 1115.06(h)(2)(A)-(I), the Application and Final Plat shall only be approved if Council finds that all of the following standards are met, Council hereby indicating with the markings below its findings of fact regarding each:

(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:

	MET	NOT MET
A. It fully complies with the applicable requirements of this UDO;	<input type="checkbox"/>	<input type="checkbox"/>
B. It is not detrimental to other property or other uses located on the same property;	<input type="checkbox"/>	<input type="checkbox"/>
C. It is not detrimental to other development on nearby property;	<input type="checkbox"/>	<input type="checkbox"/>
D. It provides safe conditions for pedestrians or motorists and prevents a dangerous arrangement of pedestrian and vehicular ways;	<input type="checkbox"/>	<input type="checkbox"/>
E. It provides safe ingress and egress to emergency vehicles on the site;	<input type="checkbox"/>	<input type="checkbox"/>
F. The Final Plat is in accordance with the Preliminary Plan;	<input type="checkbox"/>	<input type="checkbox"/>
G. The City Engineer has approved all proposed infrastructure construction and location;	<input type="checkbox"/>	<input type="checkbox"/>
H. Homeowners association and other agreements have been approved by the Law Director's Office;	<input type="checkbox"/>	<input type="checkbox"/>
I. All fees and/or review costs have been paid.	<input type="checkbox"/>	<input type="checkbox"/>



WHEREAS, Council hereby acknowledges Chapter 1115.06(h)(2)(H) does not apply to this application and is thereby met as no homeowners association and other agreements are being sought by the Applicant; and

WHEREAS, this Council, upon receipt of said recommendation, has timely conducted a public hearing in accordance with Section 4.13 of the Charter of the City of Franklin; and

WHEREAS, notice of the public hearing has been properly and timely served by the Clerk of Council via regular mail upon property owners in compliance with Chapter 1115.06(f)(9); and

WHEREAS, the property owners have proposed to dedicate portions of the land therein to the City of Franklin for right-of-way; and

WHEREAS, the procedures with regard to major subdivisions to the UDO, as set forth in Section 1115.06 of the UDO have been followed; and

WHEREAS, Section 4.12 of the Charter of the City of Franklin states in part:

No such ordinance or resolution which conforms to or violates, differs from, or departs from the written recommendation of the Planning Commission shall take effect unless passed and approved by a vote of not less than four (4) members of Council.

THE CITY OF FRANKLIN HEREBY ORDAINS:

- ☐ Section 1. Upon an affirmative vote of at least four (4) of the members of Council present, that the Planning Commission recommendation is **APPROVED**:

The Angel's View Subdivision consisting of the four lots and the dedication of the Public Right-of Way and Easements as shown on the Final Plat as submitted by The Kleingers Group on behalf of Ron and Brenda Bencsik, the owners of record, in PC Case 20-04,

OR

- ☐ Section 1. Upon an affirmative vote of at least four (4) of the members of Council present, that the Planning Commission recommendation is **APPROVED WITH MODIFICATIONS**:

The Angel's View Subdivision consisting of the four lots and the dedication of the Public Right-of Way and Easements as shown on the Final Plat as submitted by The Kleingers Group on behalf of Ron and Brenda Bencsik, the owners of record, in PC Case 20-04,

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

OR

- ☐ Section 1. Upon an affirmative vote of at least four (4) of the members of Council present, that the Planning Commission recommendation is **DENIED**.

Section 2. The Mayor, on behalf of Council, the City Manager, City Engineer, Clerk of Council and Law Director are hereby authorized to endorse the Plat and any other documentation necessary to record this subdivision approval with the Warren County Auditor and Warren County Recorder.

Section 3. Where Council has approved or approved with modifications in Section 1, all Ordinances or parts of ordinances that conflict with this ordinance are hereby repealed.

Section 4. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 4. This Ordinance shall become effective on June 3, 2020.

INTRODUCED: April 20, 2020

ADOPTED: May 4, 2020

ATTEST: \_\_\_\_\_  
Lynnette Dinkler  
Acting Clerk of Council

APPROVED: \_\_\_\_\_  
Brent W. Centers  
Mayor

Approved as to legal form:

\_\_\_\_\_  
Lynnette Dinkler  
Law Director





DEAR :

NO.	DATE	DESCRIPTION
1	01/13/20	RECORD PLAT - KEK

ANGEL'S VIEW  
SUBDIVISION  
SECTION 24, TOWN 3, RANGE 4, BT  
CITY OF FRANKLIN.

PROJECT NO: 180792VRPOC

DATE:	01 / 13 / 2020
SCALE:	1:100 - 1:500

SHEET NAME:

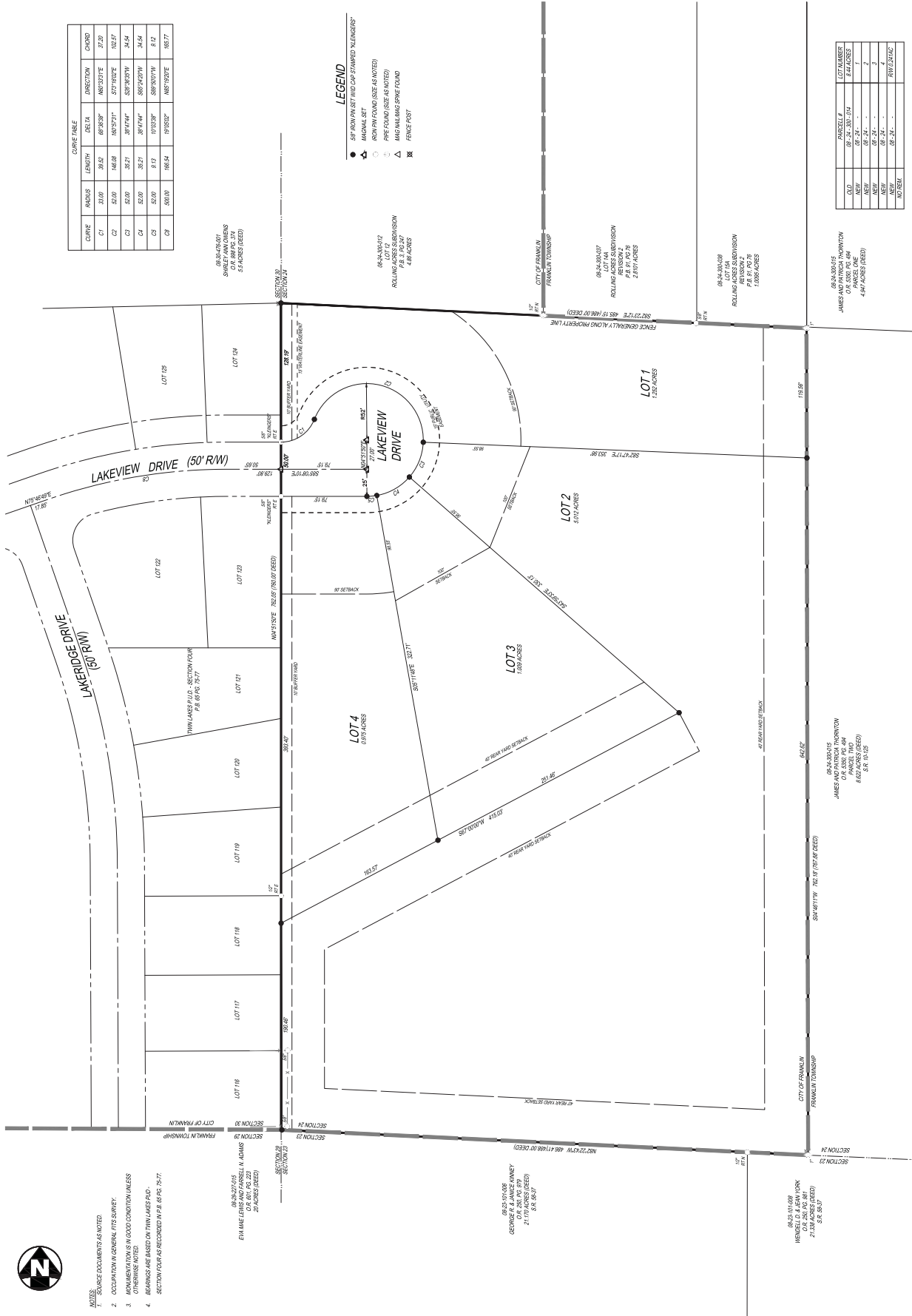
RECORD PLAT

SHEET NO.

2 of 2

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	DIRECTION	CHORD
C1	31.00	38.52	48°36'38"	N83°32'17"E	37.20
C2	52.00	146.68	160°57'31"	S77°16'02"E	102.57
C3	52.00	35.21	38°47'44"	S26°36'35"W	34.54
C4	52.00	35.21	39°47'44"	S60°24'37"W	34.54
C5	52.00	9.13	10°32'38"	S30°50'19"W	9.12
C6	500.00	166.54	17°05'02"	N85°19'20"E	165.77

	PARCELL #	LOT NUMBER
OLD	00-24-300-014	844 ACRES
NEW	00-24- -	1
NEW	00-24- -	2
NEW	00-24- -	3
NEW	00-24- -	4
NEW	00-24- -	RW0.2414C
NO REM.		



NOTES:

1. SOURCE DOCUMENTS AS NOTED.
2. OCCUPATION IN GENERAL FITS SURVEY.
3. MONUMENTATION IS IN GOOD CONDITION UNLESS OTHERWISE NOTED.
4. BEARINGS ARE BASED ON TWIN LAKES PLD - SECTION FOUR AS RECORDED IN P.B. 68 PG. 75-77.