



1 Benjamin Franklin Way, Franklin, Ohio 45005, 937-746-9921, FranklinOhio.org

COUNCIL MEETING NOTICE

The City of Franklin, Ohio will conduct its Council Meeting on October 19, 2020 at 6:00 PM. This meeting will be conducted in compliance with Ohio's newly passed Public Meeting Law in response to COVID-19. It is being held virtually. All participants, including the Commission and Franklin Staff, members of the press, and the public, will participate via a video and audio link. All documents to be referenced in the meeting will be posted to the City of Franklin website at www.franklinohio.org before the meeting is called to order. The public will be heard just as it would be heard in a traditional, in person, meeting.

DATE: October 19, 2020
TIME: 6:00 PM.
WHERE: Virtual Meeting - Joining Information

Join from PC, Mac, Linux, iOS or Android:

<https://meetings.ringcentral.com/j/1496808133?pwd=ZTBTY0VQQmwyMG42UDRmb0ZPSmR6UT09>

Password: MADhir66UP

Join by PHONE (Audio only)

US: +1(470)8692200

Meeting ID: 149 680 8133

This **MEETING NOTICE** has been published at www.franklinohio.org and provided directly to the press via email at Ed.Richter@coxinc.com. This meeting notice is posted at the City Building, which is currently open to the public under the COVID-19 declared state of Emergency.

**FRANKLIN CITY COUNCIL
AGENDA – OCTOBER 19, 2020**

**CITY COUNCIL REGULAR MEETING - VIRTUAL MEETING
MONDAY, OCTOBER 19, 2020
6:00 PM**

- 1. Roll Call.**
- 2. Pledge of Allegiance.**
- 3. Approve the Clerk's Journal and Accept the Tapes as the Official Minutes of the OCTOBER 5, 2020 Meeting.**
- 4. Reception of Visitors.**
- 5. Presentation.**
 - A. None.
- 6. Public Hearing.**
 - A. ORDINANCE 2020-12 AMENDING ORDINANCE 2020-11 TO PROVIDE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY
 - a. Exhibit A
 - B. ORDINANCE 2020-13 REPEALING ORDINANCE 2005-22 TO ELIMINATE THE SAFETY OCCUPANCY PERMIT FEE, AND DECLARING AN EMERGENCY
 - a. Exhibit A
- 7. New Business.**
 - A. RESOLUTION 2020-54 AUTHORIZING CITY MANANGER TO EXECUTE AGREEMENT WITH FORD DEVELOPMENT CORP. TO MAKE EMERGENCY REPAIR TO THE STORM WATER SYSTEM WITHOUT BIDDING
 - a. Exhibit A
- 8. Introduction of New Legislation.**
 - A. None.
- 9. City Manager's Report.**
- 10. Council Comments.**
- 11. Adjournment.**

**FRANKLIN CITY COUNCIL
CLERK'S JOURNAL**

**CITY COUNCIL REGULAR MEETING - VIRTUAL MEETING
MONDAY, OCTOBER 5, 2020
6:00 PM**

CITY COUNCIL

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

CITY STAFF

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

Members of the Franklin City Council met in regular session on Monday, October 5, 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, October 5, 2020 to order at 6:01 PM. Roll call showed:

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

The Mayor stated that Mrs. Fouts and Vice Mayor Hall gave notice prior to the meeting that they would be unable to attend. Mr. Conway, Captain Coulton, Ms. Dinkler, Ms. Dunn, Mr. Inman, Mr. Lewis, Ms. Ryan, Ms. Steed, Chief Westendorf, and Chief Whitman were also present.

2. Pledge of Allegiance. The pledge of allegiance was led by Mayor B. Centers.

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3. Approve the Clerk's Journal and Accept the Tapes as the Official Minutes of the September 21, 2020 Meeting. The Mayor asked if there were any comments or amendments to the Clerk's Journal. Hearing none, he called for a motion. Mr. Ruppert made the motion to approve the Clerk's Journal and accept the tapes as of the Official Minutes of the September 21, 2020 general meeting; seconded by Mr. Wilcher. The vote:

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

Motion passed.

4. Reception of Visitors. The Mayor opened and closed the Reception of Visitors at 6:04 PM as none asked to be heard.

5. Presentation. None.

6. Public Hearing.

A. ORDINANCE 2020-11 CARES AMENDING ORDINANCE 2020-04 TO PROVIDE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY

a. Exhibit A

Mr. Lewis outlined the proposed appropriations. The Fire and EMS Levy Fund Increase of \$250,000 to Transfers & Advances to transfer funds related to future vehicle expenses. The reason for this is due to the Safer Grant for the SCBA, as the City had to pay costs upfront that will be refunded.

Local Coronavirus Relief Fund Increase of \$404,717.91 to Fire & EMS Division Personal Services to allocate usage of coronavirus relief funds. This usage is approved by the federal government and research has been done to compare this to how other entities are handling their payments as well.

Water Fund Increase of \$13,000 to Water Division/Water Treatment Other to cover unanticipated large refund. There was a company who did an audit on their water and sewer system. It was discovered that they were being charged for sewer charges that were not being used.

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The Mayor opened and closed the Public Hearing on **ORDINANCE 2020-11** at 6:08 PM as none asked to be heard.

The Mayor asked if there were any questions from Council. Hearing none, he called for a motion. Mr. Aldridge made the motion to adopt **ORDINANCE 2020-11** as submitted; seconded by Mr. Wilcher. The vote:

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

Motion passed.

7. New Business.

A. RESOLUTION 2020-53 FINAL LEGISLATION FOR THE ODOT DOWNTOWN SIGNAL PROJECT, PHASE 2

Mr. Conway explained that this is the final legislation required by ODOT for the Downtown Signal Project, Phase 2. This Project will reconstruct the traffic signals on South Riley at E. Fourth Street and E. Sixth Street and Anderson Street at E. Sixth Street. This Project is scheduled to be let for bid in November 2020, and the work should be completed in 2021. The total cost for this Project is currently estimated at \$1,034,000 and the City's estimated share of this would be \$264,000. Our ultimate share of the project will be determined when final, actual costs are known. The money for this Project is budgeted in the ODOT Program Fund. During Phase 1, there were issues with the pole contractor as they almost went out of business due to the state of emergency. Mr. Conway does not anticipate Phase 2 to take as long as Phase 1 did.

The Mayor asked if there were any questions. Hearing none, he called for a motion. Mr. Ruppert made the motion to adopt **RESOLUTION 2020-53** as submitted; seconded by Mr. Wilcher. The vote:

MR. MATTHEW WILCHER	yes
MR. DENNY CENTERS	yes
MR. PAUL RUPPERT	yes
VICE MAYOR TODD HALL	absent
MAYOR BRENT CENTERS	yes
MR. MICHAEL ALDRIDGE	yes

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MRS. DEBBIE FOUTS absent

Motion passed.

8. Introduction of New Legislation.

A. None.

9. City Manager's Report. Mr. Lewis informed Council of a grant application that has been submitted through MVRPC for installing two electric car changing stations. MVRPC will put out the bid specs. Applying for the grant just added us to the list of potential participants. Two stations would have the ability to charge four cars. The total cost for the equipment and installation is \$45,000 and the local share would be \$15,000. Mr. Lewis feels this would be a proactive step in the push for more electric vehicles. If the grant is awarded, the City could charge for usage or waive the fee the first year and monitor the electric charges to see if charging for usage was necessary, which is what staff recommends. This can be discussed in detail if the grant is awarded. He thinks this will be a good amenity and service provided to the City, and that it could attract travelers to stop and visit while their car charges.

Mr. Lewis proposed that the City use a portion of the next CARES Act relief funds for a small business grant. He brought this suggestion to Finance Committee and the Committee all spoke in favor of the idea. This would be available to businesses within the City. He is proposing a \$2,500 grant that could be used for a variety of business expenses. Mr. Lewis would love to offer this to the small business community as a show of support. Ms. Steed has done a good deal of research on how other communities are running similar programs and has spearheaded this initiative. Logistics will be discussed at the next Finance Committee meeting. Mr. Lewis and the Mayor invited the Finance Committee to speak on the idea. Mr. D. Centers said that Mr. Lewis' explanation was sufficient and that support from the Committee was unanimous. The Mayor asked if there was discussion about how many businesses would be able to apply for the grant. Mr. D. Centers answered that it was proposed that \$100,000 be used in \$2,500 grant amounts, which could serve up to 40 businesses. Mr. Aldridge added that the details are not concrete, and that staff will be bringing recommendations to the Committee. The Mayor also spoke in favor of the proposal.

10. Council Comments.

Mr. Wilcher was excited about the electric charging stations and asked if a location had been suggested. Mr. Lewis answered that he, Ms. Steed and Mr. Inman met with the Warren County Regional Planning Commission who provided a diagram that will be proposed to the Economic Development Committee as well as potential costs, and will then be brought to Council.

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Mrs. Fouts was absent.

Mr. Aldridge offered that a business in town does have a charging station and thought that an inventory of existing stations be taken into consideration. He suggested the downtown area be considered.

Mr. D. Centers shared that a friend of his did a cross country trip in an electric car and that their charging stops were planned around their meals, which should be considered when choosing a location. He asked for an update on the proposed mirror at Charlotte Rupp Road. Mr. Lewis reported that the Traffic Engineer was strongly opposed to installing a mirror due to potential liability. The Public Works Department has cleared all the brush up to the bridge which has improved visibility. Mr. D. Centers said he was good with that as he was just concerned with the safety hazard and thanked Mr. Inman. He will pass the information to the citizen who inquired.

Mr. Ruppert thanked Mr. Inman and Mr. Conway for the help they provided to him this week as well as the Public Works department for the work they did in cleaning his street.

Vice Mayor Hall was absent.

Mayor B. Centers wished Mr. Lewis a Happy Birthday. He reminded Council about the upcoming school levy on November 3 and said that Ms. Fouts was absent due to an illness in her family. His prayers are with her and her family member.

The Mayor gave Ms. Dunn permission to use his digital signature for the approved legislation and minutes from the meeting.

11. Executive Session. Mayor Brent Centers called for a motion to enter into executive session to consider the appointment, employment, and compensation of a public employee. Mr. Aldridge made the motion to enter into executive session; seconded by Mr. Ruppert. The vote:

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

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MR. MATTHEW WILCHER yes
Motion passed.

Council entered into executive session at approximately 6:25 PM with no planned action to follow.

Mr. Wilcher made the motion to adjourn out of executive session; seconded by Mr. Aldridge. The Mayor called for a voice vote and by voice vote the motion was approved 5-0. Council adjourned out of executive session at approximately 7:27 PM.

12. Adjournment. The Mayor called for a motion to adjourn the meeting. Mr. Ruppert made the motion; seconded by Mr. Aldridge. The Mayor called for a voice vote and by voice vote the motion was approved 5-0.

Mayor Brent Centers adjourned the meeting at 7:28 PM.

Brent Centers, Mayor

Khristi Dunn, Clerk of Council

LEGISLATIVE COVER MEMORANDUM

Date: October 19, 2020

Agenda Item: **Ordinance 2020-12**
AMENDING ORDINANCE 2020-11 TO PROVIDE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY

Submitted By: Cindy Ryan, Finance Director

Scope/Description: This ordinance will adjust appropriations to the following funds:

- **Local Coronavirus Relief Fund** Increase of \$418,447.06 to Police Division Personal Services to allocate usage of coronavirus relief funds.
- **ODOT Program Fund** Increase of \$170,000 to Other for infrastructure projects.
- **E-911 Fund** Increase of \$6,000 to Police Division Personal Services to cover increased overtime costs.
- **Fire & EMS Replacement Fund** Increase of \$300,000 to Transfers & Advances to return advance of monies related to grant expenditures.

Emergency Legislation: Yes – Necessary to provide for the financial operations of the City through the end of the fiscal year.

Vote Required for Passage: Per Section 4.14 of the City Charter, the passage of this Ordinance requires the affirmative vote of at least **FOUR (4)** members of Council.

RECOMMENDATION: Staff recommends adoption.

CITY OF FRANKLIN, OHIO
ORDINANCE 2020-12

AMENDING ORDINANCE 2020-11 TO PROVIDE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY

WHEREAS, the Council of the City of Franklin first established its appropriations through Ordinance 2020-04, passed on March 16, 2020, which provided for appropriations for the fiscal year ending December 31, 2020, in order to meet expenses and to authorize certain expenditures; and

WHEREAS, the Council of the City of Franklin amended Ordinance 2020-04 through the emergency passage of Ordinance 2020-11, passed on October 5, 2020, which made certain amendments to the appropriations; and

WHEREAS, the Council of the City of Franklin now finds it necessary, upon the recommendation of the Finance Committee, the City Manager and the Finance Director, to make further certain amendments to the appropriations made by Ordinance 2020-11, which provides appropriations for the fiscal year ending December 31, 2020, in order to meet current expenses and to authorize certain other expenditures; and

WHEREAS, Section 4.14 of the City's Charter authorizes emergency appropriations, when such appropriations are made pursuant to an emergency ordinance,

THE CITY OF FRANKLIN HEREBY ORDAINS, at least four (4) members of Council elected thereto concurring, that:

Section 1. This Ordinance is an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Franklin, Ohio. The reason for such necessity arises from the need to provide appropriations for current expenses and other expenditures for the fiscal year ending December 31, 2020, to ensure the continued, usual, daily operation of the City Government.

Section 2. To provide for current expenses and other expenditures of the City of Franklin, Ohio, for the fiscal year ending December 31, 2020, the sums contained within the attached Exhibit A, as amended, are hereby appropriated.

Section 3. Existing Ordinance 2020-11 is hereby repealed.

Section 4. The Finance Director is hereby authorized to make payments from any of the appropriations herein made, upon receiving proper claims, certificates and or vouchers approved by the officials, department heads, or their respective designees, authorized by law to approve the same, or upon an ordinance or resolution of Council to make expenditures; provided, however, that no payments for salaries or wages shall be made except to persons employed in accordance with the ordinances of the City of Franklin and/or laws of the State of Ohio.

Section 5. The Finance Director is hereby authorized to adjust appropriations within any Fund or Department, so long as the adjustments made do not exceed the total appropriations authorized within any Fund. In addition, the Finance Director is hereby authorized to establish additional accounts within any Fund as may from time to time be required to ensure proper accounting or by the State of Ohio.

Section 6. 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 Chapter 121 of the Ohio Revised Code, and the Rules of Council.

Section 7. This Ordinance shall take effect immediately upon its adoption and, in accordance with Sections 4.05 and 4.14 of the City's Charter, shall not be automatically repealed.

ADOPTED: October 19, 2020

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of Ordinance 2020-12 passed by that body on October 19, 2020.

_____, Khristi Dunn, Clerk of Council

Approved as to form:

Lynnette Dinkler, Law Director

<u>FUND</u>	<u>ACTIVITY</u>	<u>PERSONAL SERVICES</u>	<u>OTHER</u>	<u>TOTAL</u>
100	<u>GENERAL FUND</u>			
	<u>Public Safety</u>			
	Police Division	\$3,634,709	\$614,200	\$4,248,909
	Reserve Police	\$4,300	\$3,375	\$7,675
	Total	\$3,639,009	\$617,575	\$4,256,584
	<u>General Government</u>			
	Economic Development	\$0	\$53,000	\$53,000
	Clerk & Council	\$181,570	\$89,620	\$271,190
	Municipal Court	\$706,200	\$243,705	\$949,905
	Probation Division	\$253,830	\$14,050	\$267,880
	City Manager	\$349,560	\$12,000	\$361,560
	Finance Department	\$342,120	\$92,250	\$434,370
	Income Tax Division	\$175,300	\$276,902	\$452,202
	Law Department	\$36,776	\$265,130	\$301,906
	Civil Service Commission	\$0	\$11,500	\$11,500
	Planning Commission	\$0	\$9,200	\$9,200
	Building & Grounds	\$59,025	\$162,530	\$221,555
	Other Government	\$0	\$311,200	\$311,200
	Building Division	\$138,970	\$100,555	\$239,525
	Total	\$2,243,351	\$1,641,642	\$3,884,993
	<u>Transfers</u>			
	Transfers & Advances	\$0	\$5,033,100	\$5,033,100
	Total	\$0	\$5,033,100	\$5,033,100
	TOTAL GENERAL FUND	\$5,882,360	\$7,292,317	\$13,174,677
200	<u>STREET FUND</u>			
	Street Constr, Maint, & Repair	\$599,625	\$817,350	\$1,416,975
	Total	\$599,625	\$817,350	\$1,416,975
210	<u>STATE HIGHWAY FUND</u>			
	Street Constr, Maint, & Repair	\$0	\$38,000	\$38,000
	Total	\$0	\$38,000	\$38,000
212	<u>FIRE & EMS LEVY FUND</u>			
	Fire & EMS Division	\$1,676,390	\$636,750	\$2,313,140
	Volunteer Firefighters	\$989,000	\$1,800	\$990,800
	Transfers & Advances	\$0	\$543,000	\$543,000
	Total	\$2,665,390	\$1,181,550	\$3,846,940
215	<u>ISSUE TWO FUND</u>			
	Street Constr, Maint, & Repair	\$0	\$2,713,000	\$2,713,000
	Transfers & Advances	\$0	\$1,000,000	\$1,000,000
	Total	\$0	\$3,713,000	\$3,713,000
219	<u>E 9-1-1 WIRELESS FUND</u>			
	Police Division	\$97,440	\$91,440	\$162,665
	Total	\$97,440	\$65,225	\$162,665
220	<u>JOINT RECREATION FUND</u>			
	Swimming Pool	\$109,800	\$168,510	\$278,310
	Transfers & Advances	\$0	\$25,000	\$25,000
	Total	\$109,800	\$193,510	\$303,310

225	<u>COMPUTER RESEARCH FUND</u>			
	Municipal Court	\$0	\$2,400	\$2,400
	Total	\$0	\$2,400	\$2,400
230	<u>COURT SPECIAL PROJECTS</u>			
	Municipal Court	\$60,537	\$107,500	\$168,037
	Probation Division	\$23,391	\$118,000	\$141,391
	Total	\$83,928	\$225,500	\$309,428
235	<u>CLERK'S COMPUTERIZATION</u>			
	Municipal Court	\$0	\$90,327	\$90,327
	Total	\$0	\$90,327	\$90,327
238	<u>FEMA FUND</u>			
	Fire & EMS Division	\$0	\$0	\$0
	Transfers & Advances	\$0	\$919,822	\$919,822
	Total	\$0	\$919,822	\$919,822
239	<u>LOCAL CORONAVIRUS RELIEF FUND</u>			
	Police	\$418,447	\$0	\$418,447
	Income Tax Department	\$0	\$0	\$0
	Law Department	\$0	\$0	\$0
	Fire and EMS	\$404,718	\$0	\$404,718
	Other Government	\$0	\$0	\$0
	Total	\$823,165	\$0	\$823,165
240	<u>COUNTY VEHICLE TAX FUND</u>			
	Street & Road Repair	\$0	\$0	\$0
	Total	\$0	\$0	\$0
250	<u>DRUG LAW ENFORCEMENT</u>			
	Police Division	\$0	\$2,000	\$2,000
	Total	\$0	\$2,000	\$2,000
255	<u>LAW ENFORCEMENT FUND</u>			
	Police Division	\$0	\$13,500	\$13,500
	Total	\$0	\$13,500	\$13,500
260	<u>RECREATION FUND</u>			
	Parks & Recreation	\$250,990	\$442,800	\$693,790
	Special Events	\$0	\$87,600	\$87,600
	Total	\$250,990	\$530,400	\$781,390
265	<u>LAW ENFORCEMENT ASST. FUND</u>			
	Police Division	\$0	\$10,000	\$10,000
	Total	\$0	\$10,000	\$10,000
270	<u>IDAT FUND</u>			
	Health	\$0	\$7,000	\$7,000
	Total	\$0	\$7,000	\$7,000
272	<u>IDIAM FUND</u>			
	Health	\$0	\$20,250	\$20,250
	Total	\$0	\$20,250	\$20,250
275	<u>ENFORCEMENT & EDUCATION</u>			
	Health	\$0	\$3,000	\$3,000
	Total	\$0	\$3,000	\$3,000

277	<u>IN HOUSE MONITORING FUND</u>			
	Municipal Court	\$0	\$7,000	\$7,000
	Total	\$0	\$7,000	\$7,000
290	<u>EMPLOYEE BENEFITS RESERVE FUND</u>			
	Police Division	\$92,300	\$0	\$92,300
	Parks & Recreation	\$35,650	\$0	\$35,650
	Sanitary Sewer	\$12,850	\$0	\$12,850
	Water	\$49,650	\$0	\$49,650
	Street Constr, Maint, & Repair	\$44,700	\$0	\$44,700
	Clerk & Council	\$63,000	\$0	\$63,000
	Municipal Court	\$10,200	\$0	\$10,200
	City Manager	\$46,670	\$0	\$46,670
	Finance Department	\$21,300	\$0	\$21,300
	Building Division	\$24,800	\$0	\$24,800
	Total	\$401,120	\$0	\$401,120
310	<u>BOND RETIREMENT FUND</u>			
	Bond Retirement	\$0	\$567,000	\$567,000
	Total	\$0	\$567,000	\$567,000
320	<u>SPECIAL ASSESSMENT BOND RETIREMENT</u>			
	Bond Retirement	\$0	\$50,000	\$50,000
	Total	\$0	\$50,000	\$50,000
400	<u>CAPITAL IMPROVEMENTS FUND</u>			
	Police Division	\$0	\$223,348	\$223,348
	Fire & EMS Division	\$0	\$0	\$0
	Economic Development	\$0	\$0	\$0
	Other Government	\$0	\$261,658	\$301,658
	Total	\$0	\$485,006	\$525,006
401	<u>ODOT PROGRAM FUND</u>			
	Street Constr, Maint, & Repair	\$0	\$920,000	\$750,000
	Total	\$0	\$920,000	\$920,000
403	<u>ECONOMIC DEVELOPMENT & REHABILITATION FUND</u>			
	Economic Development	\$0	\$400,000	\$400,000
	Total	\$0	\$400,000	\$400,000
410	<u>TIF FUND</u>			
	Economic Development	\$0	\$0	\$0
	Total	\$0	\$0	\$0
412	<u>FIRE & EMS REPLACEMENT FUND</u>			
	Fire & EMS Division	\$0	\$1,011,132	\$1,011,132
	Transfers & Advances	\$0	\$300,000	\$0
	Total	\$0	\$1,311,132	\$1,311,132
420	<u>SEWER REPLACEMENT FUND</u>			
	Sanitary Sewer	\$0	\$0	\$0
	Transfers & Advances	\$0	\$319,000	\$319,000
	Total	\$0	\$319,000	\$319,000
430	<u>WATERWORKS REPLACEMENT FUND</u>			
	Water	\$0	\$265,000	\$265,000
	Total	\$0	\$265,000	\$265,000
440	<u>STORMWATER REPLACEMENT FUND</u>			

Stormwater Utility	\$0	\$0	\$0
Total	\$0	\$0	\$0
520	<u>STREET LIGHTING FUND</u>		
Street Lighting	\$0	\$170,000	\$170,000
Total	\$0	\$170,000	\$170,000
530	<u>MIAMI CONSERVANCY DISTRICT</u>		
Flood Control	\$0	\$59,650	\$59,650
Total	\$0	\$59,650	\$59,650
610	<u>WATER FUND</u>		
Water Division/Water Treatment Plant	\$791,100	\$1,077,632	\$1,868,732
Bond Retirement	\$0	\$661,000	\$661,000
Transfers & Advances	\$0	\$475,000	\$475,000
Total	\$791,100	\$2,213,632	\$3,004,732
620	<u>SEWER FUND</u>		
Sewer Division	\$496,750	\$2,319,469	\$2,816,219
Transfers & Advances	\$0	\$170,000	\$170,000
Total	\$496,750	\$2,489,469	\$2,986,219
630	<u>TRASH COLLECTION FUND</u>		
Trash Collection	\$61,050	\$874,171	\$935,221
Total	\$61,050	\$874,171	\$935,221
640	<u>STORMWATER UTILITY FUND</u>		
Stormwater Utility	\$336,150	\$245,857	\$582,007
Other Financing Uses	\$0	\$0	\$0
Total	\$336,150	\$245,857	\$582,007
810	<u>POLICE PENSION FUND</u>		
Police Division	\$447,400	\$1,000	\$448,400
Total	\$447,400	\$1,000	\$448,400
820	<u>FIRE PENSION FUND</u>		
Fire & EMS Division	\$261,400	\$1,000	\$262,400
Total	\$261,400	\$1,000	\$262,400
825	<u>F.C. DIAL TRUST FUND</u>		
Parks & Recreation	\$0	\$350,000	\$350,000
Total	\$0	\$350,000	\$350,000
835	<u>UNCLAIMED MONIES FUND</u>		
Unclaimed Funds	\$0	\$1,000	\$1,000
Transfers & Advances	\$0	\$4,000	\$4,000
Total	\$0	\$5,000	\$5,000
840	<u>INSURANCE RESERVE FUND</u>		
Insurance Demolition	\$0	\$20,000	\$20,000
Total	\$0	\$20,000	\$20,000
845	<u>BUILDING STANDARDS FUND</u>		
Building Division	\$0	\$3,000	\$3,000
Total	\$0	\$3,000	\$3,000
TOTAL BUDGET	\$13,307,668	\$25,882,068	\$39,229,736

LEGISLATIVE COVER MEMORANDUM

Date: October 19, 2020

Agenda Item: **Ordinance 2020-13**
REPEALING ORDINANCE 2005-22 TO ELIMINATE THE SAFETY
OCCUPANCY PERMIT FEE, AND DECLARING AN EMERGENCY

Submitted By: Sonny Lewis, City Manager

Scope/Description: This Ordinance will amend the Fee Schedule to eliminate the fee currently charged for Safety Occupancy Permits. Staff recommends the elimination of this fee because at this time compliance is the overriding goal and given the current economic conditions neither the City nor its local business base benefits from the imposition of this fee. The Ordinance is presented as emergency legislation to afford Safety Occupancy Permit applicants immediate financial relief and to afford the City to obtain necessary compliance.

Emergency Legislation: Yes – Necessary to provide immediate financial relief to future applicants.

Vote Required for Passage: Per Section 4.05 of the City’s Charter, the affirmative vote of at least five (5) members of Council members is required for passage.

RECOMMENDATION: Staff recommends adoption.

CITY OF FRANKLIN, OHIO
ORDINANCE 2020-13

**REPEALING ORDINANCE 2005-22
TO ELIMINATE THE SAFETY OCCUPANCY PERMIT FEE,
AND DECLARING AN EMERGENCY**

WHEREAS, the City of Franklin establishes a Fee Schedule per Ordinance 2004-46, passed December 20, 2004; and

WHEREAS, a fee for Safety Occupancy Permit under Fire Prevention - Part Fifteen, Franklin Codified Ordinance, was established and added to the Fee Schedule through the passage of Ordinance 2005-22, passed July 18, 2005; and

WHEREAS, because the City must obtain compliance with the Safety Occupancy Permit requirements, and charging a fee for such permit at this time given the current economic conditions, Council finds it appropriate to eliminate the fee presently established and for the Fee Schedule to be so amended; and

WHEREAS, the amended Fee Schedule is attached hereto as Exhibit A; and

WHEREAS, Section 4.05 of the City's Charter authorizes emergency ordinances to meet public emergencies affecting public health, safety, morals, or welfare of the City of Franklin, Ohio.

THE CITY OF FRANKLIN HEREBY ORDAINS, at least five (5) members of Council elected thereto concurring, that:

Section 1. This Ordinance is an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Franklin, Ohio. The reason for such necessity arises from the need to obtain immediate compliance from all City businesses and in doing so, to not impose a financial hardship upon such local business.

Section 2. Existing Ordinance 2005-22 is hereby repealed.

Section 3. The amended Fee Schedule to be immediately adopted is attached Exhibit A.

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 Chapter 121 of the Ohio Revised Code, and the Rules of Council.

Section 5. This Ordinance shall become effective immediately upon adoption.

ADOPTED: October 19, 2020

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of Ordinance 2020-12 passed by that body on October 19, 2020.

_____, Khristi Dunn, Clerk of Council

Approved as to form:

Lynnette Dinkler, Law Director

LEGAL ADV

CITY OF FRANKLIN, OHIO
FRANKLIN CODIFIED ORDINANCE SECTION 1701.03, APPENDIX A
FEE SCHEDULE

EFFECTIVE MARCH 1, 2020

COLA 2.10%

The following schedule for fees is authorized by Ordinance 2004-46, passed December 20, 2004.

All of the rates & fees set forth below shall be subject to an annual increase equal to the percentage obtained by averaging the national inflation rate from the United States Labor Department, Bureau of Labor Statistics for the previous three years. This increase shall be referred to as the Cost of Living Adjustment (COLA). The new flat rate is established by adding the COLA to the then existing flat rate. When the yearly COLA is applied, all fees/licenses less than \$50.00 shall be rounded to the nearest \$.25; all fees/licenses greater than \$50.00 shall be rounded to the nearest dollar; and all charges/rates based on volume shall be rounded to the nearest penny. This increase shall be implemented by the City Management no later than March 1st of each year.

The rates & fees for services and permits of the City of Franklin are as follows:

<u>FEE OR</u> <u>PERMIT NAME</u>	<u>FLAT</u> <u>RATE OR FEE</u>
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1. BUSINESS REGULATIONS – PART SEVEN, FRANKLIN CODIFIED ORDINANCE

<u>Carnivals & Circus, per day</u>	\$ 68.00
<u>Junk Yard/Recycling Center/Recycling Plant</u>	\$ 35.50
Renewal	\$ 35.50
<u>Mechanical Amusement Device License</u>	
Juke box	\$ 35.50
Mechanical amusement device	\$ 35.50
<u>Motor Vehicle Salvage Dealers License or</u>	
<u>Salvage Motor Vehicle Auction License or</u>	
<u>Salvage Motor Vehicle Pool License</u>	\$ 68.00 each
Renewal for each	\$ 68.00
<u>Taxi Cabs</u>	
Certificate of Public Convenience	\$ 68.00
Vehicles	\$ 35.50 each
<u>Rooming House –Per Ordinance 2009-23, passed 10/5/09, effective 11/4/09</u>	
License for New Owner of Existing Rooming House	\$116.00
License Renewal	\$116.00
Duplicate/Replacement License	\$ 60.00

2. TRAFFIC CODE – PART THREE, FRANKLIN CODIFIED ORDINANCE

<u>Commercial & Heavy Vehicle Permit</u>	\$ 8.25
Police Officer, first hour & fraction thereof	\$ 14.00

3. STREETS, UTILITIES & PUBLIC SERVICES – PART NINE, FRANKLIN CODIFIED ORDINANCE

Waste Collector's License \$142.00

Curbing, Curbs, Gutters, Driveway Approaches
Constructing, Repairing or Replacing \$35.25 each

Excavation Permit \$0.10 per sq. yard, \$35.25 minimum

Water

Water Rate \$13.90 per 333 cu. ft., or fraction thereof, per month

Water Tap-in Fees

Line Size	Tap-in fee	Installation Fee	Water Utilization Fee
¾" line	\$ 2925.00	\$2,223.00	\$696.00
1"	\$ 3,294.00	\$2,365.00	\$696.00
1 ½"	\$ 3,657.00	\$2,782.00	\$696.00
2"	\$ 4,026.00	\$3,197.00	\$696.00
3"	\$ 5,118.00		\$696.00
4"	\$ 6,583.00		\$696.00
6"	\$10,243.00		\$696.00
8"	\$21,942.00		\$696.00
10"	\$26,334.00		\$696.00
12"	\$32,186.00		\$696.00

Multi Family Units
2 or more families water tap-in fee + utilization fee for each unit

Sewer

Sewer Rate Effective August 1, 2018 - \$12.27 per 333 cu. ft. or fraction thereof, per month.
For the years 2019 thru 2023, the sewer rate will increase 7% in January plus the COLA rate in March.

*Effective 1/2019 – sewer rate \$13.13 per 333 cu. ft. or fraction thereof, per month

* Effective 3/2019 – sewer rate \$13.38 per 333 cu. ft. or fraction thereof, per month

* Effective 1/2020 – sewer rate \$14.32 per 333 cu. ft. or fraction thereof, per month

* Effective 3/2020 – sewer rate \$14.62 per 333 cu. ft. or fraction thereof, per month

Sewer Tap-in Fees (based on water line size)

Line size:	Fee:
¾" line	\$ 2,925.00
1"	\$ 3,294.00
1 ½"	\$ 3,657.00
2"	\$ 4,026.00
3"	\$ 5,118.00

4"	\$ 6,583.00
6"	\$10,243.00
8"	\$21,942.00
10"	\$26,334.00
12"	\$32,186.00

Multi-Family Units	
2 or more families	sewer tap-in fee + rate adjustment fee (915.041 CO)
Flow Assisted by Pump Station	sewer tap-in fee + \$696.00
Standard Solid Surcharge*	additional charge of \$631.00 Per ton for all suspended solid in excess of two hundred twenty-five milligrams (225mg) per liter
Chemical Oxygen Demand Charge*	additional charge of \$159.00 per ton in excess of six hundred milligrams (600 mg) per liter

~~4. FIRE PREVENTION – PART FIFTEEN, FRANKLIN CODIFIED ORDINANCE~~

Safety Occupancy Permit	\$113.00
(Ordinance 2005-22, 7-18-05, effective August 17, 2005)	

54. PROPERTY MAINTENANCE CODE – PART THIRTEEN, FRANKLIN CODIFIED ORDINANCE (Ord. 2019-07, emergency, passed 8-5-19 and Ord. 2019-10, passed 9-19-19)

Abatement of Violation, Inspection & Administration	\$255.00
Emergency Repair Administration	\$255.00
Administration	\$255.00
Furniture Administration	\$255.00
Rubbish or Garbage Administration	\$255.00
Appeal Application	\$102.00

LEGAL

Adv: March 2, 2020

LEGISLATIVE COVER MEMORANDUM

Meeting Date: October 19, 2020

Agenda Item: **Resolution 2020-54 AUTHORIZING CITY MANAGER TO EXECUTE AGREEMENT WITH FORD DEVELOPMENT CORP. TO MAKE EMERGENCY REPAIR TO THE STORM WATER SYSTEM WITHOUT BIDDING**

Submitted by: Sonny Lewis, City Manager

Scope/Description: The passage of this Resolution is necessary to empower the City Manager to authorize and execute a contract for emergency repair to the Storm Water System without bidding the project to serve the health, safety and welfare of the community and to preserve the proper functioning of the Storm Water System. The contract amount is \$87,200 with Ford Development Corp.

Budget Impact: \$87,200

Exhibits: A – Work Proposal

Recommendation: Approval

CITY OF FRANKLIN, OHIO
RESOLUTION 2020-54

**AUTHORIZING CITY MANANGER TO EXECUTE AGREEMENT WITH FORD
DEVELOPMENT CORP. TO MAKE EMERGENCY REPAIR TO THE STORM WATER
SYSTEM WITHOUT BIDDING**

WHEREAS, Ohio Revised Code § 735.051 Emergency conditions obviate formal bidding and advertising for contracts provides:

In the case of a real and present emergency arising in connection with the operation and maintenance of the department of public service, including all municipally owned utilities, the department of public safety, or any other department, division, commission, bureau, or board of the municipality, the legislative authority of the municipality may by a two-thirds vote of all the members elected thereto, authorize the director of public service, director of public safety, city manager, board of public affairs, or other duly authorized contracting officer, commission, board, or authority, to enter into a contract for work to be done or for the purchase of supplies or materials without formal bidding and advertising.

WHEREAS, the City of Franklin, Ohio, Charter Section 5.05 Contracting Powers provides:

The City Manager shall be the contracting officer of the City and shall award and execute contracts and agreements on behalf of the City in the manner and under the procedures required by this Charter, provided that:

(a) Competitive Bidding. When the expenditure of funds for the purchase of equipment, supplies or materials, or to provide labor for any work to be performed under a contract exceeds the amount fixed by State law, such expenditure shall first be authorized and directed by an ordinance or resolution passed by the Council. In such event, the City Council shall award a written contract to the lowest and best bidder after advertisement for not less than two (2) nor more than four (4) consecutive weeks in a newspaper determined by the Council to be of general circulation within the City, unless competitive bidding is not required pursuant to State Law. Council may, in its discretion, reject all bids.

WHEREAS, the City of Franklin is on notice of the emergent need to repair damage caused to its Storm Water System by a third party contractor, arising from the ODOT grant project; and

WHEREAS, Ford Development Corp. will perform the necessary emergency work required to abate the damage caused to the City's Storm Water System for \$87,200 as reflected in Exhibit A.

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

Section 1. An emergency repair must be made to preserve the operation of the City's Storm Water System and time does not exist to afford for the bidding of this project costing over \$50,000, therefore the emergency project must proceed under the authority of Ohio Revised Code § 735.051.

Section 2. The City Manager is hereby authorized to execute all necessary documents to engage Ford Development Corp. for performance of the work outlined in Exhibit A and all other required documents to allow for the immediate repair of the Storm Water System.

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: October 19, 2020

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent Centers, Mayor

kdunn@franklinohio.org

From: Steve Inman <sinman@franklinohio.org>
Sent: Monday, October 19, 2020 1:55 PM
To: Khristi Dunn
Subject: Fwd: Storm - Second at River

----- Forwarded message -----

From: **Andy Kloenne** <AKloenne@forddevelopment.com>
Date: Mon, Oct 19, 2020 at 1:14 PM
Subject: RE: Storm - Second at River
To: Steve Inman <sinman@franklinohio.org>

Steve:

Our price to install the 36" storm sewer as outlined below is \$87,200. We would like the city take care of MOT and removing the tree. Let me know if you have any questions and thanks for asking us to look at it.

Andrew J. Kloenne, PE

Ford Development Corp.

11148 Woodward Lane

Cincinnati, Ohio 45241

P (513) 772-1521

F (513) 772-1556

From: Steve Inman <sinman@franklinohio.org>
Sent: Thursday, October 8, 2020 4:43 PM
To: Andy Kloenne <AKloenne@forddevelopment.com>
Subject: Fwd: Storm - Second at River

Here is a map - I will get you the Depth of the manholes tomorrow morning

----- Forwarded message -----

From: <bconway@franklinohio.org>

Date: Wed, Oct 7, 2020 at 4:15 PM

Subject: Storm - Second at River

To: Steve Inman <sinman@franklinohio.org>

Steve,

Attached is a rough plan for the storm sewer, it would include 3 manholes (the middle one may have to be a 6 foot inside diameter, the other two could probably be 5 foot diameter. I would see if Ford could give us a price for 100 feet of water tight double wall N-12 (and also a price for just regular N-12).

The project would include

- Removing and installing a new manhole at second street, tying in existing storm sewer
- Remove 40 feet of 12" storm and install 40 feet of 36" storm sewer
- Install new manhole
- Install 60 feet of 36" storm
- Install new manhole over existing 36" storm sewer, tying in existing 36" storm sewer
- Abandon in place existing 36" storm sewer
- Repair roadway and bikepath
- Gravel backfill in right-of- way
- Repair park area

If a tree needs removed we could probably do that ahead of time. Also we could do the traffic control for him, up to you. We will need to close that section of River, probably eastbound Second until the manhole is replaced and we get out of the intersection, and reroute the bike path.

Barry

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Steve Inman
Public Works Director
202 Baxter Dr.
937-746-5001

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Steve Inman
Public Works Director
202 Baxter Dr.
937-746-5001

