



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 December 21, 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: December 21, 2020
TIME: 6:00 PM.
WHERE: Virtual Meeting - Joining Information

Join from PC, Mac, Linux, iOS or Android:
<https://meetings.ringcentral.com/j/1486778470>

Join by PHONE (Audio only)
US: +1(470)869-2200
Meeting ID: 148 677 8470

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 closed to the public under the COVID-19 declared state of Emergency.

**FRANKLIN CITY COUNCIL
MEETING AGENDA**

**CITY COUNCIL REGULAR MEETING - VIRTUAL MEETING
MONDAY, DECEMBER 21, 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 DECEMBER 7, 2020 Meeting.**
- 4. Reception of Visitors.**
- 5. Presentation.**
 - A. None.
- 6. Public Hearing.**
 - A. ORDINANCE 2020-17 AN ORDINANCE CONSIDERING THE RECOMMENDATION OF PLANNING COMMISSION WITH RESPECT TO AN APPLICATION TO REZONE APPROXIMATELY 0.319 ACRES, LOCATED BEHIND 675 E. SECOND STREET AT THE CORNER OF VERNON STREET AND CHARLES AVENUE FROM R-2, METROPOLITAN RESIDENTIAL DISTRICT, TO C-2, COMMUNITY COMMERCIAL DISTRICT
 - a. Exhibit A
 - b. Exhibit B
 - B. ORDINANCE 2020-18 AMENDING CHAPTER 905, SECTION 905.01 CONSTRUCTION OR REPAIR; PERMIT REQUIRED; EFFECTIVE PERIOD AND SECTION 905.03 PERMIT FEE OF THE ORDINANCES OF THE CITY OF FRANKLIN, OHIO
 - C. ORDINANCE 2020-19 AMENDING ORDINANCE 2020-15 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
 - D. ORDINANCE 2020-20 PROVIDING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, THROUGH MARCH 31, 2021, AND DECLARING AN EMERGENCY
 - a. Exhibit A

FRANKLIN CITY COUNCIL
MEETING AGENDA

7. New Business.

- A. RESOLUTION 2020-66 AUTHORIZING POSITION TITLES AND THE NUMBER OF POSITIONS FOR EACH TITLE FOR CITY OF FRANKLIN PERSONNEL FOR THE YEAR 2021
- B. RESOLUTION 2020-67 ESTABLISHING THE ORGANIZATIONAL LISTINGS AND PAY RATES FOR CITY OF FRANKLIN OFFICIALS AND EMPLOYEES FOR THE YEAR 2021
 - a. Exhibit A
- C. RESOLUTION 2020-68 AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO WARREN COUNTY FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE 2021 MACKINAW IMPROVEMENT PROJECT AND EXECUTE ANY NECESSARY DOCUMENTS
- D. RESOLUTION 2020-69 DECLARING CITY MANAGER, THE CITY'S CONTRACTING OFFICER, TO BE EMPOWERED TO ACQUIRE TITLE TO OR INTERESTS IN REAL PROPERTY, FORMERLY KNOWN AS 24 E. THIRD STREET, FRANKLIN, OHIO, PERMANENT PARCEL ID#: 04-31-127-0170.
 - a. Exhibit A
 - b. Exhibit B

8. Introduction of New Legislation.

- A. None.

9. City Manager's Report.

10. Council Comments.

11. Executive Session.

- A. To consider the appointment, employment, and compensation of public employees.

12. New Business.

- A. RESOLUTION 2020-65 APPOINTING JONATHAN WESTENDORF AS CITY MANAGER AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH JONATHAN WESTENDORF FOR SERVICES AS THE CITY MANAGER

13. Adjournment.

**FRANKLIN CITY COUNCIL
CLERK'S JOURNAL**

**CITY COUNCIL REGULAR MEETING - VIRTUAL MEETING
MONDAY, DECEMBER 7, 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, December 7, 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, December 7, 2020 to order at 6:01 PM. Roll call showed:

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

The Mayor reported that Mr. D. Centers was absent due to personal illness and was excused. Captain Coulton, Mr. Conway, Ms. Dinkler, Ms. Dunn, Mr. Inman, Mr. Lewis, Ms. Ryan, Ms. Steed and Chief Westendorf, were also present. There was one guest and one member of the press in attendance.

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

**FRANKLIN CITY COUNCIL
CLERK'S JOURNAL**

3. Approve the Clerk's Journal and Accept the Tapes as the Official Minutes of the November 16, 2020 Meeting. The Mayor asked if there were any 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 November 16, 2020 general meeting; seconded by Mr. Aldridge. The vote:

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

Motion passed.

4. Reception of Visitors. The Mayor opened and closed the Reception of Visitors at 6:03 PM as none asked to be heard.

5. Presentation. None.

6. Public Hearing.

- A. ORDINANCE 2020-14 REPEALING ORDINANCE 2005-22 TO ELIMINATE THE SAFETY OCCUPANCY PERMIT FEE
 - a. Exhibit A

This Ordinance replaces the emergency ordinance passed at last council meeting and will permanently 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 Mayor opened and closed the Public Hearing at 6:04PM as none asked to be heard.

The Mayor opened the floor for Council deliberation. He asked if there were any questions or comments. Hearing none, he called for a motion. Vice Mayor Hall made the motion to adopt **ORDINANCE 2020-14** as submitted; seconded by Mr. Ruppert. The vote:

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

**FRANKLIN CITY COUNCIL
CLERK'S JOURNAL**

MR. MICHAEL ALDRIDGE	yes
MRS. DEBBIE FOUTS	yes
MR. MATTHEW WILCHER	yes

Motion passed.

B. ORDINANCE 2020-15 AMENDING ORDINANCE 2020-12 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

This ordinance will adjust appropriations to the local coronavirus relief fund and the law enforcement fund. There was an increase of \$52,768.37 to Police Division Personal Services to allocate usage of coronavirus relief funds and an increase of \$11,000 to Other to cover the replacement of two in-car camera systems.

The Mayor opened and closed the Public Hearing at 6:06 PM as none asked to be heard.

The Mayor opened the floor for Council deliberation. He asked for clarification on the coronavirus relief fund allocation as he was under the impression that these funds were to be split between both the police and fire salaries. Mr. Lewis clarified that the first round of relief funds were split between the fire and police departments. The latest round was not as big as the first, so this is evening out the allocation between the two departments.

The Mayor asked if there were any further comments or questions. Hearing none, he called for a motion. Mr. Wilcher made the motion to adopt **ORDINANCE 2020-15** as submitted; seconded by Mrs. Fouts. The vote:

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

Motion passed.

C. ORDINANCE 2020-16 REPEALING AND REPLACING THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO, TITLE ONE, CHAPTER 105, AS AMENDED, TO PROVIDE PUBLIC RECORDS POLICY AND DECLARING AN EMERGENCY

a. Exhibit A

**FRANKLIN CITY COUNCIL
CLERK'S JOURNAL**

This ordinance will update the City's Public Records Policy which was last revised in 2016. It accounts for changes in the law that deal with use of certain technology like text messages, emails, voicemails, and other items that the law has addressed since 2016. Ms. Dinkler has also reviewed the retention schedules with staff and is preparing to submit an application for records destruction.

The Mayor opened and closed the Public Hearing at 6:09 PM as none asked to be heard.

The Mayor opened the floor for Council deliberation. He asked if there were any questions or comments. He thanked Ms. Dinkler and staff for the work that was put into preparing this ordinance as well as preparing for the records destruction application. Hearing no further comments or questions, he called for a motion. Vice Mayor Hall made the motion to adopt **ORDINANCE 2020-16** as submitted; seconded by Mr. Aldridge. The vote:

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

Motion passed.

7. New Business.

A. RESOLUTION 2020-63 AUTHORIZING THE CITY MANAGER TO EXECUTE THE INTERGOVERNMENTAL AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO AND THE MONTGOMERY COUNTY ENGINEERS OFFICE, OHIO RELATING TO THE DAYTON-CINCINNATI PIKE RETAINING WALL FEASABILITY STUDY AND REPAIR/REPLACEMENT OF THE RETAINING WALL

a. Exhibit A

This IGA allows the City of Franklin to jointly work with the Montgomery County Engineer's Office to complete a feasibility Study to repair/replace the retaining wall holding up Dayton-Cincinnati Pike (N. Dixie Highway). The retaining wall is approximately 791 feet long with 53% of the wall being located in the City of Franklin. The feasibility study would cost approximately \$100,000 for the City. The County Engineers office estimates the wall will cost approximately \$1.6 Million. The feasibility study would be completed in 2021, design in 2022 and the construction would occur in 2023. Mr. Conway reported that the Miami Conservancy District notified him that portions of the wall were falling onto the bike path which creates a safety hazard. He offered to answer any questions. The Mayor asked if Mr. Inman had anything to add. Mr. Inman said that this is a necessity as it is a safety hazard and is glad that we can share

FRANKLIN CITY COUNCIL
CLERK'S JOURNAL

the cost of the repair with Montgomery County. He asked Mr. Conway if there were any grant opportunities to help with the City's share. Mr. Conway replied that he has talked with the County Engineer about an OPWC grant and will apply if the timeline works out.

The Mayor asked if there were any comments or questions from Council. Mr. Ruppert added that with the emphasis that the state has put on the bike paths he sees this as an urgent necessity. The Mayor agreed.

He asked if there were any further comments. Hearing none, he called for a motion. Mr. Ruppert made the motion to adopt **RESOLUTION 2020-63** as submitted; seconded by Vice Mayor Hall. The vote:

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

Motion passed.

B. RESOLUTION 2020-64 AWARDING THE BID AND AUTHORIZING EXECUTION OF THE CONTRACT WITH FORD DEVELOPMENT CORPORATION FOR THE 2020 3RD STREET LIFT STATION REPLACEMENT PROJECT

On December 2, 2020, the City opened bids for this project. The Engineer's estimated cost for this Project was \$640,000. The project includes the replacement of the 1937 3rd Street Lift Station, extending the sanitary sewer along South River and installing a force main from the lift station to the sanitary sewer. There were three bidders. Staff recommends that we accept the bid in the amount of \$648,000.00 from Ford Development Corp. as the lowest and best bid. The City budgeted the cost of this Project in the Issue Two Fund. This is an OPWC project and the City will be reimbursed for 47% of the project up \$300,000.00.

The Mayor asked if we have used Ford Development Corp. previously. Mr. Conway answered that we had and that they just completed a storm sewer project. Mr. Wilcher asked about the timeline of the project. Mr. Conway answered that Ford is looking to start as quick as possible. It will take 5-6 weeks to order the lift station and their bid allocated five months for completion. The Mayor asked if there were any further comments or questions. Hearing none, he called for a motion. Mr. Aldridge made the motion to adopt **RESOLUTION 2020-64** as submitted; seconded by Mr. Wilcher. The vote:

MR. MICHAEL ALDRIDGE	yes
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**FRANKLIN CITY COUNCIL
CLERK'S JOURNAL**

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

Motion passed.

C. DISCUSSION OF PROPERTY ON DEARDOFF ROAD

a. Exhibit A

The Mayor explained that Ms. Fouts has brought this issue to the Economic Development Committee and wanted further discussion with all of Council. Ms. Fouts thinks that with the passage of the school levy, it would be beneficial to market the City owned property on Deardoff Road for construction of new homes. Mr. Lewis said that if Council would like to sell the land, he recommends putting it out to bid, with a minimum bid restriction. The property is zoned R-1B residential. Mr. Aldridge asked if there was an ability to set requirements for the type of homes that would be built to ensure that property values of existing homes did not decrease. Mr. Lewis replied that Council can place restrictions, but not covenants. He gave examples of requiring the homes built be a minimum square footage or that the homes be all brick. Ms. Dinkler added that there are several options depending on Council's desire for the property, including keeping the minimum bid amount private if the property is put out to bid. Mr. Aldridge asked if we could market this property to specific developers to see if there was an interest. Ms. Dinkler answered that the bidding process could be waived. Mr. Aldridge added that the City has been strategic in the properties that have been purchased to increase aesthetics and wants to ensure this strategy is maintained. The Mayor agreed with Mr. Aldridge and said that there are limited places for expansion within the City. The Mayor commented that the property is currently being farmed and asked if it would be a breach of contract if the property were to be put for sale. Mr. Lewis said that it would not. The Mayor asked about connecting properties. Mr. Lewis said that Frost Wood Farms was approached in the past and they were not willing to sell at that time. Their property is currently zoned as industrial use. The Mayor asked about a fair market price in setting a minimum bid. Mr. Lewis believes the previous appraisal came in around \$10,000 per acre. There was continued discussion about protecting the value of the existing homes in the area and pursuing builders to see if there is an interest in the property. It was determined that if a proposal were brought to the City, Council could then choose to waive the bid process. Mr. Lewis suggested an easement be added for entry onto Commerce Center Drive. The Economic Development Committee will meet next year to discuss proceeding with sales strategies.

**FRANKLIN CITY COUNCIL
CLERK'S JOURNAL**

8. Introduction of New Legislation.

A. ORDINANCE 2020-17 AN ORDINANCE CONSIDERING THE RECOMMENDATION OF PLANNING COMMISSION WITH RESPECT TO AN APPLICATION TO REZONE APPROXIMATELY 0.319 ACRES, LOCATED BEHIND 675 E. SECOND STREET AT THE CORNER OF VERNON STREET AND CHARLES AVENUE FROM R-2, METROPOLITAN RESIDENTIAL DISTRICT, TO C-2, COMMUNITY COMMERCIAL DISTRICT

- a. Exhibit A
- b. Exhibit B

B. ORDINANCE 2020-18 AMENDING CHAPTER 905, SECTION 905.01 CONSTRUCTION OR REPAIR; PERMIT REQUIRED; EFFECTIVE PERIOD AND SECTION 905.03 PERMIT FEE OF THE ORDINANCES OF THE CITY OF FRANKLIN, OHIO

9. City Manager's Report. Mr. Lewis thanked Council for the proclamation and key to the city that was presented to him during the Virtual Tree Lighting ceremony. He and his family were touched and very appreciative. He said that everyone in attendance at the meeting has lifted him up during his life. He loves everyone in attendance and loves the City of Franklin. He came to Franklin when his dad passed away and said that if anything good could come out of the death of a family member, he doesn't feel there is a better place that he could have called home than Franklin. He thanked everyone. The Mayor told Mr. Lewis that Council loved him as well and that no one could dispute his love for the City of Franklin.

10. Council Comments.

Mr. Wilcher had no comments.

Mrs. Fouts asked for prayers as she had a family member pass that day from complications of COVID-19. The Mayor expressed condolences.

Mr. Aldridge had no comments.

Mr. D. Centers was absent.

Mr. Ruppert had no comments.

Vice Mayor Hall commented that the Virtual Tree Lighting ceremony went very well, he complimented the Mayor, and said he would be hugging Mr. Lewis when he could. The Mayor added that staff and Forever Franklin put in a lot of work for the tree lighting and agreed that it went very well.

FRANKLIN CITY COUNCIL
CLERK'S JOURNAL

Mayor B. Centers gave an update on the City Manager interview processes. There were 36 applicants. Each applicant was reviewed by the committee, and eight of those candidates were interviewed. Two of those eight candidates were to be interviewed that evening in executive session.

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. Ruppert made the motion to enter into executive session; seconded by Mr. Aldridge
The vote:

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

Motion passed.

Council entered into executive session at approximately 6:46 PM with no planned action to follow.

Vice Mayor Hall made the motion to adjourn out of executive session; seconded by Mr. Wilcher. The Mayor called for a voice vote and by voice vote the motion was approved 6-0. Council adjourned out of executive session at approximately 11:09 PM. The Mayor complimented Council for their diligent effort in consideration of the two City Manager candidates. There was no action taken, but there is planned action on the City Manager position at the following Council meeting.

12. Adjournment. The Mayor called for a motion to adjourn the meeting. Vice Mayor Hall made the motion; seconded by Mr. Wilcher. The Mayor called for a voice vote and by voice vote the motion was approved 6-0.

Mayor Brent Centers adjourned the meeting at 11:10 PM.

Brent Centers, Mayor

Khristi Dunn, Clerk of Council

LEGISLATIVE COVER MEMORANDUM

Introduction: December 7, 2020
Public Hearing: December 21, 2020
Effective Date: January 20, 2021

Agenda Item: **Ordinance 2020-17**

AN ORDINANCE CONSIDERING THE RECOMMENDATION OF PLANNING COMMISSION WITH RESPECT TO AN APPLICATION TO REZONE APPROXIMATELY 0.319 ACRES, LOCATED BEHIND 675 E. SECOND STREET AT THE CORNER OF VERNON STREET AND CHARLES AVENUE FROM R-2, METROPOLITAN RESIDENTIAL DISTRICT, TO C-2, COMMUNITY COMMERCIAL DISTRICT

Submitted By: Barry Conway, City Engineer/Zoning Official

Scope/Description: Lou Metro representing Southern Ohio Pizza, Inc., 64 Eleanor Drive, Springboro, Ohio 45066 requests a rezoning for the property located behind 675 E. Second Street at the intersection of Vernon Street and Charles Avenue from R-2, Metropolitan Residential District to C-2, Community Commercial District.

This rezoning request was reviewed by Planning Commission at its November 30, 2020, special meeting. After holding a public hearing on the request, Planning Commission voted unanimously (5 - 0) to make a recommendation to Council to approve this rezoning.

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 2020-17

**AN ORDINANCE CONSIDERING THE RECOMMENDATION OF PLANNING COMMISSION
WITH RESPECT TO AN APPLICATION TO REZONE APPROXIMATELY 0.319 ACRES,
LOCATED BEHIND 675 E. SECOND STREET AT THE CORNER OF VERNON STREET AND
CHARLES AVENUE FROM R-2, METROPOLITAN RESIDENTIAL DISTRICT, TO C-2,
COMMUNITY COMMERCIAL DISTRICT**

WHEREAS, Lou Metro representing Southern Ohio Pizza, Inc., 64 Eleanor Drive, Springboro, Ohio 45066 requests a rezoning for the property located behind 675 E. Second Street at the intersection of Vernon Street and Charles Avenue (Warren County Parcel No. 04-26-306-031) from R-2, Metropolitan Residential District to C-2, Community Commercial District;

WHEREAS, the Franklin City Planning Commission, at its November 30, 2020, special meeting, voted unanimously (5-0) to make a recommendation for approval on the submitted application to change the Zoning District Classification; and

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

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 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-2, Metropolitan Residential District to C-2, Community Commercial District, on the property located behind 675 E. Second Street at the intersection of Vernon Street and Charles Avenue in the City of Franklin as recommended by Planning Commission.

OR

☐ Section 1. Upon an affirmative vote of at least five (5) of the members of Council present, that the recommendation of Planning Commission is overruled in the following respects:

Section 2. All ordinances or parts of ordinances that conflict with this ordinance are hereby repealed.

Section 3. 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 January 20, 2021.

INTRODUCED: December 7, 2020

ADOPTED: December 21, 2020

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent Centers, Mayor

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

Application No. PC 20-08

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): Southern Ohio Pizza, Inc.
2. Mailing Address: 64 West Eleanor Drive, Springboro, Ohio 45066
3. Phone Number: 937-746-1005 (home) _____ (work)
4. Address of the property proposed to be rezoned: 675 E 2nd Street
5. Lot No. of the property proposed to be rezoned: Parcel ID 0426306031
6. Current Zoning District: R-2 Current Use: Vacant
7. Proposed Zoning District: C-2 Proposed Use: Domino Restaurant

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;
 - (2) The effect the applicant believes the rezoning will have on public health and safety;
 - (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;
 - (4) The effect the applicant believes the rezoning will have on the value of abutting properties;
 - (5) How the proposed zoning district and proposed use will generally conform with the City's Comprehensive Land Use Plan;
 - (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
 - (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.
- ☒ 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.****

Luis C. Mota

Signature of Applicant(s)

DATE: 11-18-2020

OFFICE USE ONLY

Received Date: 11/3/20

TRC Meeting: VIA PHONE & IN PERSON

PC Meeting: 11/30/20

Recommendation to: ☐ Approve ☐ Deny

Council Meeting: _____

☐ Approved

☐ Denied

Date of Approval or Denial: _____

Legal Notice: 11/25/20

Mailings: 11/23/20

Legal Notice: _____

Mailings: _____

Date Notice Mailed to Applicant: _____

November 19, 2020

Clark's Franklin Realty LLC

Dear City of Franklin,

I hereby authorize Southern Ohio Pizza Inc., to act on my behalf to Rezone my current property, 675 E Second St, Franklin Ohio. I understand they also need to apply for a and apply for a Conditional Use to construct a Restaurant with a Drive-Through (pick-up) window. Please grant them this rezoning and conditional use. I am hopeful they will put a beautiful Domino's Pizza on this wonderful corner.

Best Regards,



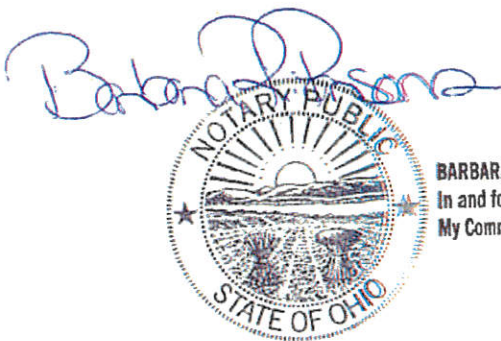
Timothy Clark

937-604-1413

7333 Paragon Rd Suite 160

Dayton, Ohio

45459



BARBARA PARSONS, Notary Public
In and for the State of Ohio
My Commission Expires Oct 25, 2023

① 112803

2/2

QUIT CLAIM DEED

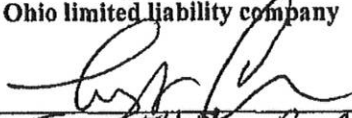
Clark Holding Company, LLC, an Ohio limited liability company, for valuable consideration paid, grants to Clark's Franklin Realty, LLC, whose tax-mailing address is 7677 Corporate Way Dayton, OH 45459, the real property described as follows:

SEE EXHIBIT "A" ATTACHED HERETO.

Parcel No. 04-26-306-030, 04-26-306-031
Prior Deed: OR Volume 3708 Page 381 of Warren County Records

Executed this 3rd day of May, 2005.

Clark Holding Company, LLC,
an Ohio limited liability company


By: TIMOTHY R. CLARK
Its: Manager/member

STATE OF OHIO)
COUNTY OF Montgomery) SS

BE IT REMEMBERED, that on this 3rd day of May, 2005, before me, the subscriber, a Notary Public in and for said County and State, personally came and Timothy R. Clark, the member(s) of Clark Holding Company, LLC, an Ohio limited liability company, the limited liability company which executed the foregoing instrument, who acknowledged that he/she/they did sign said instrument as such member(s) on behalf of the limited liability company, duly authorized; that said instrument was signed as his/her/their free act and deed individually and the free act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my notarial seal on the day and year first above written.

Linda S. Wendling
Notary Public

This instrument prepared by:
Scott A. Liberman, Esq.
Altick & Corwin Co., L.P.A.
1700 One Dayton Centre
One South Main Street
Dayton, Ohio 45402

WARREN COUNTY
BOOK 3865 PAGE 48



LINDA S. WENDLING
Notary Public
In and for the State of Ohio
My Commission Expires
March 8, 2008
PAGE 1 OF 2

EXHIBIT "A"

Parcel I:

Situated in the City of Franklin, County of Warren, Ohio and being a part of Section 26, Town 2, Range 5 North and being a part of a computed 1.764 acres as conveyed to grantors and recorded in Volume 161, Page 191 of the Deed records of Warren County, Ohio. Beginning at a point in State Route 73, being East Second Street and being the Southeast corner of said tract, witness an iron pipe North 4 deg. 25' East; thence from the beginning North 4 deg. 25' East, 147.48 feet to an iron pipe in the West line of Charles Street; thence with a new line North 87 deg. 04' 30" West 129.39 feet to an iron pipe; thence continuing with a new line South 9 deg. 55' West, 177.74 feet to a point in the South line of said property and being in East Second Street, State Route 73; thence with the South line of said property North 81 deg. 46' 30" East, 150 feet to the place of beginning, containing 0.509 acres, more or less.

Parcel No. 04-26-306-030-0

Both *(Det)*

Parcel II:

Situated in the City of Franklin, Warren County, Ohio and being a part of Section 26, Town 2, Range 5 North and being a part of a computed 1.764 acre tract as conveyed in Volume 161, Page 191 of the deed records of Warren County, Ohio. Beginning at an iron pipe, the Northeast corner of said tract being the intersection of Charles Street and Vernon Street; thence with the South line of Vernon Street, North 84 deg. 49' 30" West 129.32 feet to an iron pipe; thence South 4 deg. 25' West and parallel with Charles Street 110 feet to an iron pipe; thence South 87 deg. 04' 30" East, 129.39 feet to an iron pipe in the West line of Charles Street; thence with the West line of Charles Street, North 4 deg. 25' East, 105 feet to the place of beginning, containing 0.319 acres, more or less.

Parcel No. 04-26-306-031-0

WARREN COUNTY

535928

TRANSFERRED

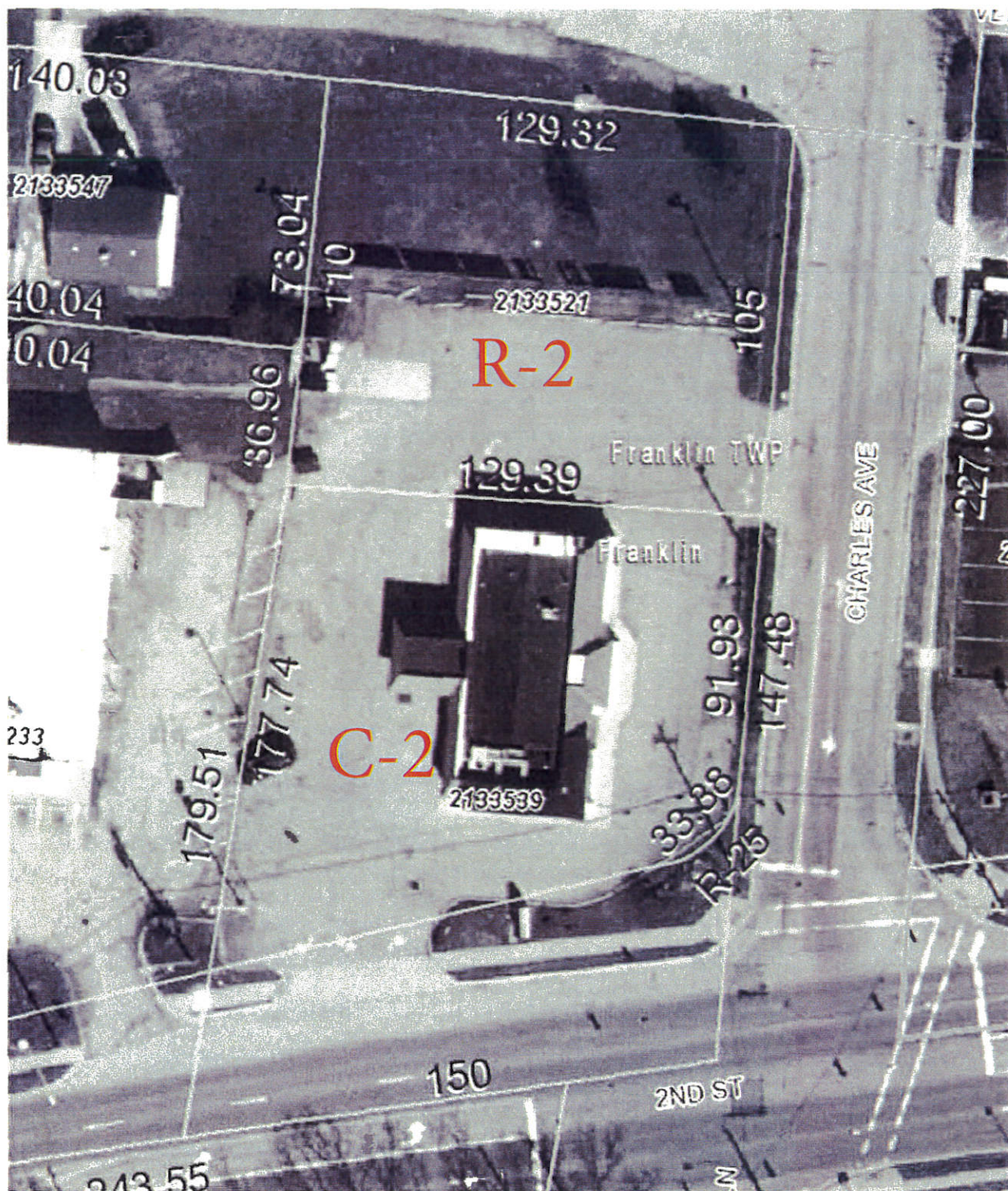
MAY 11 2005

SEC. 319.202 COMPL. BY
NICK NELSON, Auditor
WARREN COUNTY

PAGE 2

BOOK 3865 PAGE 49

BETH DEKARD - WARREN COUNTY RECORDER
Doc #: 535928 Type: DEED
Filed: 5/11/2005 14:18:43 \$ 28.00
OR Volume: 3865 Page: 48 Return: M
Rec'd: 3849
TALON GROUP
Pages: 2



Rezoning Amendment Application - Statement

Southern Ohio Pizza, Inc.

Property Address to be Rezoned: 675 E. Second St.

Item E. response

Louis C. and Karen M. Metro Family LLC (owner of Southern Ohio

Pizza, Inc.) is purchasing the referenced property which is currently

two parcels (Front is zoned C-2 and Back is zoned R-2). As presented in other Conditional Use Applications for the same property, they plan to develop a new Dominos restaurant on the property. It is our desire to rezone the back lot to C-2 and ultimately

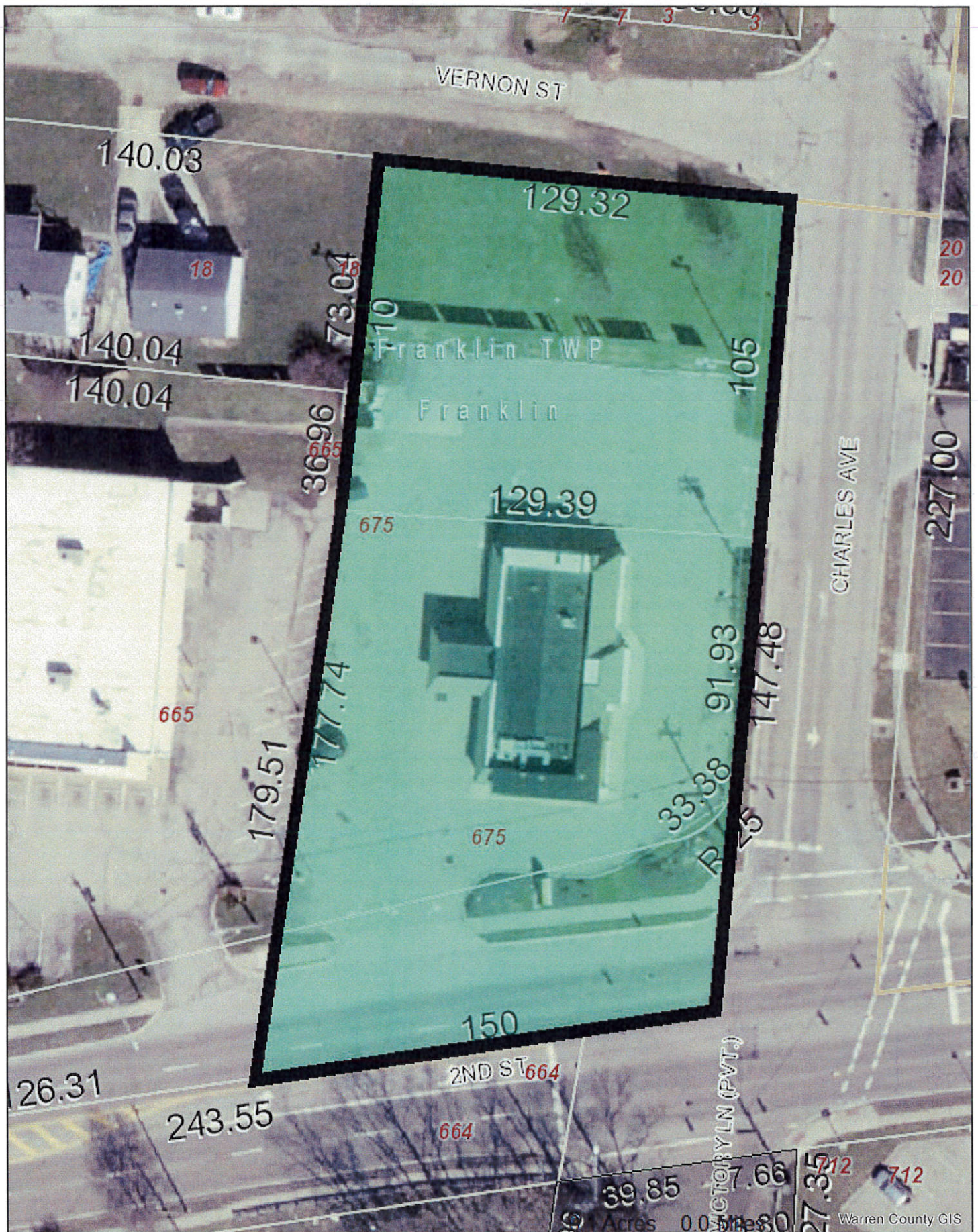
consolidate both lots into one.

This rezoning shouldn't have any effect on the public health and safety. Furthermore, it will provide a more consistent use for the land

owner. This rezoning shouldn't have any adverse effect on the abutting properties. This rezoning shouldn't have an impact on traffic congestion in the area.

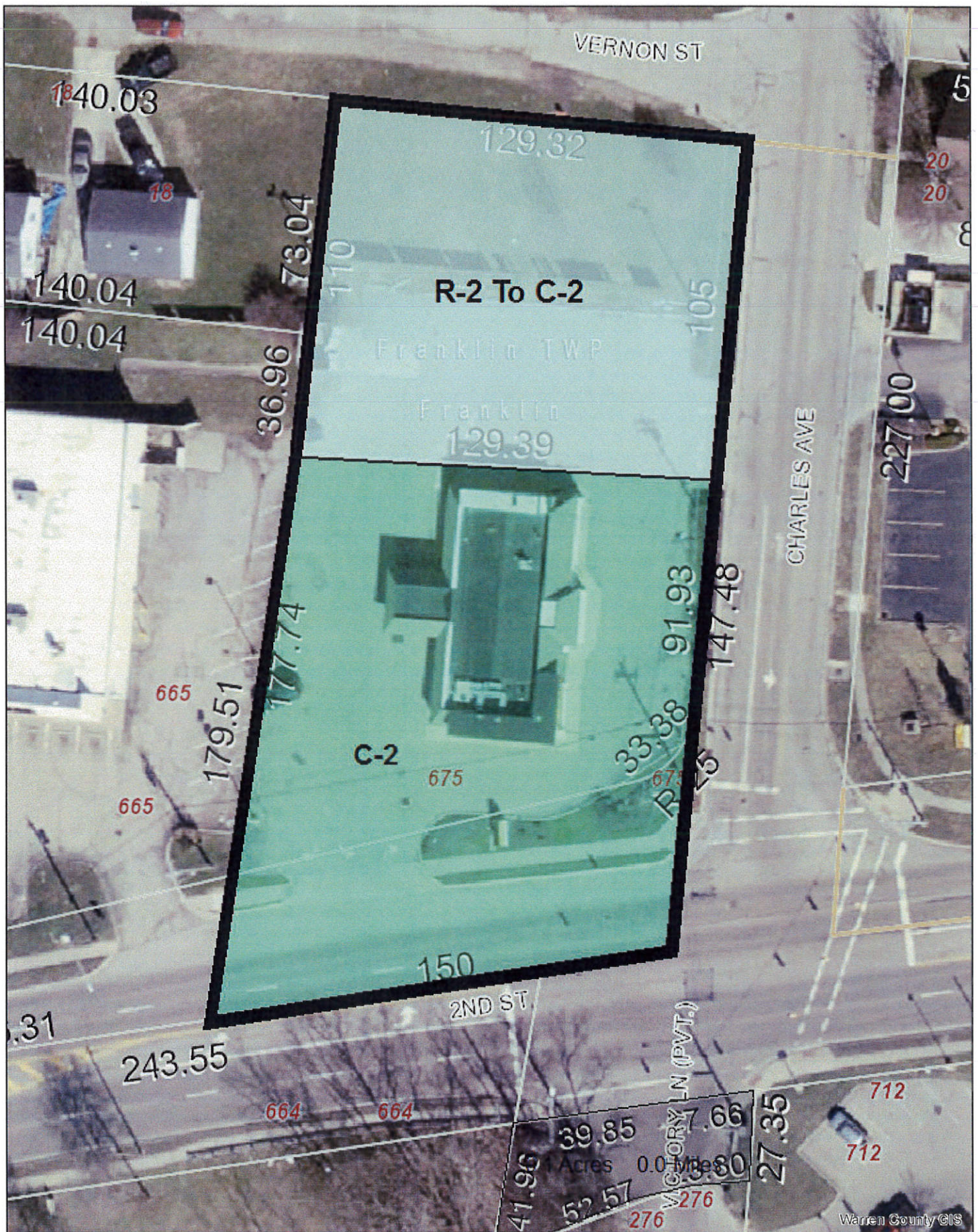
Finally we believe this rezoning is consistent with the intent of the

City's comprehensive land use plan.



Date: 11/25/2020

<p>Cadastral Lines</p> <ul style="list-style-type: none"> Corporate Line County Line Parcel Line ROW Unknown Width Line Subdivision Lot Line Township and Range Line Tract Line VMS Line Washed Road Line <p>Line Type</p> <ul style="list-style-type: none"> Auditors Tract Line Overpass Line School Line Civil Township Line Subdivision Unit Line Section Line 	<p>675 E Second St</p> <p>The provider makes no warranty or representation with respect to the 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 = 40 feet</p>
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Date: 11/30/2020

<p>Cadastral Lines</p> <ul style="list-style-type: none"> Corporate Line County Line Parcel Line ROW known With Line Road ROW Subdivision Lot Line Township and Range Line Tract Line VMS Line Waste Road Line <p>Line Type</p> <ul style="list-style-type: none"> Auditor's Text Line Overpass Line School Line Section Line 	<p>675 E Second St</p> <p>The provider makes no warranty or representation with respect to the 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 = 40 feet</p>
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LEGISLATIVE COVER MEMORANDUM

Introduction: December 7, 2020
Public Hearing: December 21, 2020
Effective Date: January 20, 2021

Agenda Item: **Ordinance 2020-18**
Amending Chapter 905, Section 905.01 Construction or Repair; Permit Required; Effective Period and Section 905.03 Permit Fee of the Ordinances of the City of Franklin, Ohio

Submitted By: Barry Conway, City Engineer

Scope/Description: This Ordinance will amend Chapter 905, Section 905.01 Construction or Repair; Permit Required; Effective Period and Section 905.03 Permit Fee of the Ordinances of the City of Franklin, Ohio to require the Public Works Director or his approved designee to manage the construction of Sidewalks, Curbs, Gutters and Driveways instead of the Chief Building Official.

Vote Required for Per Section 4.03 of the City Charter, the approval of a majority of the members of Council present is required for passage.

Recommendation: Approval.

CITY OF FRANKLIN, OHIO
ORDINANCE 2020-18

**AMENDING CHAPTER 905, SECTION 905.01 CONSTRUCTION OR REPAIR; PERMIT
REQUIRED; EFFECTIVE PERIOD AND SECTION 905.03 PERMIT FEE OF THE
ORDINANCES OF THE CITY OF FRANKLIN, OHIO**

WHEREAS, to increase efficiencies within City operations, staff recommends the amendment of Chapter 905, Section 905.01, Construction or repair; permit required; effective period and 905.03 Permit fee to require the Public Works Director or his designated representative to manage certain projects instead of the Chief Building Official; and

WHEREAS, Council finds it to be in the best interests of the health, safety and welfare of the residents of the City of Franklin to amend Chapter 905, Section 905.01, Construction or repair; permit required; effective period and 905.03 Permit fee; and

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

Section 1. Chapter 905.01, Construction or repair; permit required; effective period, of the Codified Ordinances of the City of Franklin, Ohio is hereby amended to read as follows:

905.01 CONSTRUCTION OR REPAIR; PERMIT REQUIRED; EFFECTIVE PERIOD.

No person, as principal, agent or employee, whether an abutting owner or otherwise, shall construct or repair any public sidewalk, curbing, curb and gutter or driveway area without first obtaining from the Public Works Director or his designated representative ~~Chief Building Official~~ the required permit for such work. Such permit shall expire within two months from its date of issuance.

Section 2. Chapter 905.03, Permit fee, of the Codified Ordinances of the City of Franklin, Ohio is hereby amended to read as follows:

905.03 PERMIT FEE.

The Public Works Director or his designated representative ~~Chief Building Official~~ is hereby authorized and directed to charge and collect a permit fee as set forth in Appendix A of Chapter 17, Rate and Fee Schedule, for the purpose of constructing, repairing or replacing curbings, curbs and gutters and driveway approaches.

Section 3. 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 go into effect on January 20, 2021.

INTRODUCED: December 7, 2020

ADOPTED: December 21, 2020

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Bent Centers, Mayor

LEGISLATIVE COVER MEMORANDUM

Date: December 21, 2020

Agenda Item: **Ordinance 2020-19**
AMENDING ORDINANCE 2020-15 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:

Fund	Change	Explanation
Issue Two	(\$1,450,000)	Reduce appropriations due to lower expenditures than anticipated-lower bids
Joint Recreation	(\$109,800)	Reduce appropriations due to lower expenditures than anticipated-no salary expense
FEMA	(\$241,416)	Reduce appropriations due to lower expenditures than anticipated
Recreation	(\$200,000)	Reduce appropriations due to lower expenditures than anticipated
Fire & EMS Replacement	+ \$100,000	To return monies advanced related to timing of grant expenditures and reimbursement receipt
FC Dial Trust	(\$350,000)	Reduce appropriations for park project that did not happen during year
Building Standards Fee	(\$1,000)	Reduce appropriations due to lower expenditures than anticipated

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 2020-19

AMENDING ORDINANCE 2020-15 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 finds it necessary, upon the recommendation of the Finance Committee, the City Manager and the Finance Director, to make certain amendments to the appropriations made by Ordinance 2020-15, passed on December 7, 2020, 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 2020-15 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: December 21, 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 2020-19 passed by that body on December 21, 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	\$2,263,000	\$2,263,000
	Transfers & Advances	\$0	\$0	\$0
	Total	\$0	\$2,263,000	\$2,263,000
219	<u>E 9-1-1 WIRELESS FUND</u>			
	Police Division	\$97,440	\$65,225	\$162,665
	Total	\$97,440	\$65,225	\$162,665
220	<u>JOINT RECREATION FUND</u>			
	Swimming Pool	\$0	\$168,510	\$168,510
	Transfers & Advances	\$0	\$25,000	\$25,000
	Total	\$0	\$193,510	\$193,510

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	\$678,406	\$919,822
	Total	\$0	\$678,406	\$678,406
239	<u>LOCAL CORONAVIRUS RELIEF FUND</u>			
	Police	\$471,215	\$0	\$471,215
	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	\$875,933	\$0	\$875,933
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	\$24,500	\$24,500
	Total	\$0	\$24,500	\$24,500
260	<u>RECREATION FUND</u>			
	Parks & Recreation	\$250,990	\$242,800	\$442,800
	Special Events	\$0	\$87,600	\$87,600
	Total	\$250,990	\$330,400	\$581,390
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	\$920,000
	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	\$400,000	\$400,000
	Total	\$0	\$1,411,132	\$1,411,132
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	\$0	\$350,000
	Total	\$0	\$0	\$0
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	\$2,000	\$3,000
	Total	\$0	\$2,000	\$2,000
TOTAL BUDGET		\$13,250,636	\$23,750,652	\$37,041,288

LEGISLATIVE COVER MEMORANDUM

Date: December 21, 2020

Agenda Item: **Ordinance 2020-20**
PROVIDING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, THROUGH MARCH 31, 2021, AND DECLARING AN EMERGENCY

Submitted By: Cindy Ryan, Finance Director

Scope/Description: This ordinance will provide temporary appropriations for the year ending December 31, 2021.

This Ordinance appropriates funds for the first three months of the 2021 fiscal year. It is a temporary budget, and we will present the final budget to City Council before March 31, 2021.

This budget uses the projected revenues from the Tax Budget as passed by City Council in Resolution 2020-31 on June 15, 2020. The majority of expenditures mirror the 2020 permanent budget.

Salary increases were included in this temporary budget. Once the City's five-year plan and final numbers are has been finalized, line items will need to be modified for the permanent budget in March.

Budgetary Impact: Provides appropriations to meet expenses, as budgeted, for the beginning of the 2021 fiscal year.

Exhibits: Temporary Budget.

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: Presented to Finance Committee who recommends approval.

CITY OF FRANKLIN, OHIO
ORDINANCE 2020-20

PROVIDING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, THROUGH MARCH 31, 2021, AND DECLARING AN EMERGENCY

WHEREAS, Ohio Revised Code Section 5705.38 grants this Council the authority to postpone passage of the required annual appropriation ordinance until an amended official certificate of estimated resources, based on actual balances, is received from Warren County;

WHEREAS, said ORC 5705.38 also provides that a temporary appropriation ordinance may be passed in order to meet the ordinary expenses of the City until no later than the first day of April of the fiscal year;

WHEREAS, this Council finds it necessary and desirable to postpone the 2021 Annual Appropriation Ordinance of the City until the receipt of the amended official certificate of estimated resources;

WHEREAS, this Council further finds it necessary, upon the recommendation of the Finance Committee, the City Manager and the Finance Director, to make certain temporary appropriations for the first quarter of the 2021 fiscal year in order to meet current expenses and to authorize certain other expenditures, pending receipt of the amended official certificate of estimated resources; 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 temporary appropriations for current expenses and other expenditures for the first quarter of the 2021 fiscal year, ending March 31, 2021, to ensure the continued, usual, daily operation of the City Government.

Section 2. Pending receipt of the Amended Official Certificate of Estimated Resources, and in order to provide for current expenses and other expenditures of the City of Franklin, Ohio, for the first quarter of the 2021 fiscal year, ending March 31, 2021, the sums contained within Exhibit A are hereby appropriated. These appropriations shall be chargeable to the appropriations in the 2021 Annual Appropriation Ordinance when passed.

Section 3. Upon receipt of the Amended Official Certificate of Estimated Resources, the City Manager shall present to this Council the 2021 Annual Appropriation Ordinance for consideration and passage.

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 as of January 1, 2021, and in accordance with Sections 4.05 and 4.14 of the City's Charter, shall not be automatically repealed.

ADOPTED: December 21, 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 2020-20 passed by that body on December 21, 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	\$3,685,460	\$614,200	\$4,299,660
	Reserve Police	\$4,300	\$3,375	\$7,675
	Total	\$3,689,760	\$617,575	\$4,307,335
	<u>General Government</u>			
	Economic Development	\$0	\$53,000	\$53,000
	Clerk & Council	\$175,420	\$89,620	\$265,040
	Municipal Court	\$722,550	\$245,405	\$967,955
	Probation Division	\$261,600	\$14,050	\$275,650
	City Manager	\$351,460	\$16,050	\$367,510
	Finance Department	\$332,720	\$101,650	\$434,370
	Income Tax Division	\$191,650	\$274,202	\$465,852
	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	\$62,300	\$162,530	\$224,830
	Other Government	\$0	\$275,000	\$275,000
	Building Division	\$139,020	\$111,355	\$250,375
	Total	\$2,273,496	\$1,628,692	\$3,902,188
	<u>Transfers</u>			
	Transfers & Advances	\$0	\$4,518,100	\$4,518,100
	Total	\$0	\$4,518,100	\$4,518,100
	TOTAL GENERAL FUND	\$5,963,256	\$6,764,367	\$12,727,623
200	<u>STREET FUND</u>			
	Street Constr, Maint, & Repair	\$676,200	\$1,096,100	\$1,772,300
	Total	\$676,200	\$1,096,100	\$1,772,300
210	<u>STATE HIGHWAY FUND</u>			
	Street Constr, Maint, & Repair	\$0	\$60,000	\$60,000
	Total	\$0	\$60,000	\$60,000
212	<u>FIRE & EMS LEVY FUND</u>			
	Fire & EMS Division (Includes Grant)	\$1,879,890	\$595,800	\$2,475,690
	Volunteer Firefighters	\$1,017,000	\$1,800	\$1,018,800
	Transfers & Advances	\$0	\$533,000	\$533,000
	Total	\$2,896,890	\$1,130,600	\$4,027,490
215	<u>ISSUE TWO FUND</u>			
	Street Constr, Maint, & Repair	\$0	\$0	\$0
	Sanitary Sewer	\$0	\$0	\$0
	Total	\$0	\$0	\$0
219	<u>E 9-1-1 WIRELESS FUND</u>			
	Police Division	\$90,790	\$11,200	\$101,990
	Total	\$90,790	\$11,200	\$101,990
220	<u>JOINT RECREATION FUND</u>			
	Swimming Pool	\$109,800	\$88,060	\$197,860

	Transfers & Advances	\$0	\$0	\$0
	Total	\$109,800	\$88,060	\$197,860
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	\$95,760	\$107,000	\$202,760
	Probation Division	\$23,391	\$118,000	\$141,391
	Total	\$119,151	\$225,000	\$344,151
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	\$433,381	\$433,381
	Total	\$0	\$433,381	\$433,381
239	<u>LOCAL CORONAVIRUS RELIEF FUND</u>			
	Police Division	\$0	\$0	\$0
	Fire & EMS Division (Includes Volunteers)	\$0	\$0	\$0
	Total	\$0	\$0	\$0
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	\$10,000	\$10,000
	Total	\$0	\$10,000	\$10,000
260	<u>RECREATION FUND</u>			
	Parks & Recreation	\$250,990	\$151,300	\$402,290
	Special Events	\$0	\$84,100	\$84,100
	Total	\$250,990	\$235,400	\$486,390
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 IN HOUSE MONITORING FUND

Municipal Court	\$0	\$7,000	\$7,000
Total	\$0	\$7,000	\$7,000

290 EMPLOYEE BENEFITS RESERVE FUND

Police Division	\$157,250	\$0	\$157,250
Parks & Recreation	\$40,600	\$0	\$40,600
Sanitary Sewer	\$0	\$0	\$0
Water	\$48,250	\$0	\$48,250
Street Constr, Maint, & Repair	\$0	\$0	\$0
Clerk & Council	\$0	\$0	\$0
Municipal Court	\$8,700	\$0	\$8,700
City Manager	\$39,600	\$0	\$39,600
Finance Department	\$24,350	\$0	\$24,350
Building Division	\$56,800	\$0	\$56,800
Total	\$375,550	\$0	\$375,550

310 BOND RETIREMENT FUND

Bond Retirement	\$0	\$561,000	\$561,000
Total	\$0	\$561,000	\$561,000

320 SPECIAL ASSESSMENT BOND RETIREMENT

Bond Retirement	\$0	\$45,000	\$45,000
Total	\$0	\$45,000	\$45,000

400 CAPITAL IMPROVEMENTS FUND

Police Division	\$0	\$304,500	\$304,500
Fire & EMS Division	\$0	\$0	\$0
Economic Development	\$0	\$0	\$0
Other Government	\$0	\$403,703	\$403,703
Total	\$0	\$708,203	\$708,203

401 ODOT PROGRAM FUND

Street Constr, Maint, & Repair	\$0	\$1,533,882	\$1,533,882
Total	\$0	\$1,533,882	\$1,533,882

403 ECONOMIC DEVELOPMENT & REHABILITATION FUND

Economic Development	\$0	\$450,000	\$450,000
Total	\$0	\$450,000	\$450,000

410 TIF FUND

Economic Development	\$0	\$0	\$0
Total	\$0	\$0	\$0

412 FIRE & EMS REPLACEMENT FUND

Fire & EMS Division	\$0	\$436,965	\$436,965
Total	\$0	\$436,965	\$436,965

420 SEWER REPLACEMENT FUND

Sanitary Sewer	\$0	\$0	\$0
Total	\$0	\$0	\$0

430 WATERWORKS REPLACEMENT FUND

Water	\$0	\$1,125,000	\$1,125,000
Total	\$0	\$1,125,000	\$1,125,000

440 STORMWATER REPLACEMENT FUND

Stormwater Utility	\$0	\$0	\$0
Total	\$0	\$0	\$0

520	<u>STREET LIGHTING FUND</u>			
	Street Lighting	\$0	\$520,000	\$520,000
	Total	\$0	\$520,000	\$520,000
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 (Includes Water Treatment Plant)	\$946,610	\$1,149,561	\$2,096,171
	Bond Retirement	\$0	\$389,750	\$389,750
	Transfers & Advances	\$0	\$1,100,000	\$1,100,000
	Total	\$946,610	\$2,639,311	\$3,585,921
620	<u>SEWER FUND</u>			
	Sewer Division	\$304,955	\$2,353,661	\$2,658,616
	Transfers & Advances	\$0	\$80,000	\$80,000
	Total	\$304,955	\$2,433,661	\$2,738,616
630	<u>TRASH COLLECTION FUND</u>			
	Trash Collection	\$56,100	\$862,205	\$918,305
	Total	\$56,100	\$862,205	\$918,305
640	<u>STORMWATER UTILITY FUND</u>			
	Stormwater Utility	\$303,800	\$276,900	\$580,700
	Other Financing Uses	\$0	\$25,000	\$25,000
	Total	\$303,800	\$301,900	\$605,700
810	<u>POLICE PENSION FUND</u>			
	Police Division	\$452,911	\$1,000	\$453,911
	Total	\$452,911	\$1,000	\$453,911
820	<u>FIRE PENSION FUND</u>			
	Fire & EMS Division (Includes Grant)	\$306,400	\$1,000	\$307,400
	Total	\$306,400	\$1,000	\$307,400
825	<u>F.C. DIAL TRUST FUND</u>			
	Parks & Recreation	\$0	\$550,000	\$550,000
	Total	\$0	\$550,000	\$550,000
835	<u>UNCLAIMED MONIES FUND</u>			
	Unclaimed Funds	\$0	\$1,000	\$1,000
	Transfers & Advances	\$0	\$10,500	\$10,500
	Total	\$0	\$11,500	\$11,500
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	\$12,853,403	\$22,459,362	\$35,312,765

LEGISLATIVE COVER MEMORANDUM

Meeting Date: December 21, 2020

Agenda Item: **Resolution 2020-66**
AUTHORIZING POSITION TITLES AND THE NUMBER OF
POSITIONS FOR EACH TITLE FOR CITY OF FRANKLIN
PERSONNEL FOR THE YEAR 2021

Submitted by: Sonny Lewis, City Manager

Scope/Description: There are 2 position changes for 2021. We are adding one Lieutenant to the Fire and EMS Division. We have discussed moving the zoning to the Fire Department and this will help to accomplish the transition. This has been taken to the Safety Committee and the Finance Committee. Both Committees have endorsed this position change.

The other change is the removal of the Assistant to the Safety Director Position.

There are no other position changes.

Exhibits: None

Recommendation: Approval

CITY OF FRANKLIN, OHIO
RESOLUTION 2020-66

**AUTHORIZING POSITION TITLES AND THE NUMBER OF POSITIONS FOR
EACH TITLE FOR CITY OF FRANKLIN PERSONNEL FOR THE YEAR 2021**

WHEREAS Section 3.03 of the City of Franklin Charter grants this Council the power to fix the number of employees in the various offices, departments, divisions, bureaus, boards and commissions of the City, by ordinance or resolution; and

WHEREAS, Section 171.04 of the Codified Ordinances of the City of Franklin requires this Council, by ordinance or resolution, to establish a yearly list of position titles and the number of positions that may be filled under each title for each department of the City government; and

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

Section 1. The following list of position titles and the number of positions to be filled under each title for the year 2021 is hereby authorized and approved, subject to the availability of funds authorized in the Annual Appropriations Ordinance:

	<u>Full -Time</u>	<u>Part-Time</u>	<u>Volunteer</u>
A. Council:			
Clerk of Council	1	0	
B. Administration:			
City Manager	1	0	
Admin. Assistant to City Manager	1	0	
Secretary to City Manager	0	1	
C. Finance Department:			
Finance Director	1	0	
<u>Finance Division:</u>			
Secretary to Director	1	0	
Assistant to Finance Director	0	1	
Utility/Income Tax Clerk	1	0	
<u>Income Tax Division:</u>			
Income Tax Administrator	1	0	
Income Tax Clerk	0	1	
Seasonal Income Tax Clerk	0	1	
<u>Utility Billing Division:</u>			
Utility Billing Administrator	1	0	
Utility Clerk	1	1	
D. Law Department:			
Law Director	0	1 (contractual)	
Prosecutor	0	1	

	<u>Full -Time</u>	<u>Part-Time</u>	<u>Volunteer</u>
E. Public Works Department:			
Public Works Director	1	0	
Secretary to Director	1	0	
City Engineer/Zoning Official	1	0	
Custodian	1	0	
Seasonal Labor	0	10	
<u>Parks Division:</u>			
Park Worker/Lead	1	0	
Park Worker	1	0	
Pool Manager	0	1	
Asst. Pool Manager	0	1	
Pool Personnel (including Lifeguards)	0	40	
<u>Stormwater Division:</u>			
Utility Person – Stormwater	2	0	
<u>Streets Division:</u>			
Street Superintendent	1	0	
Utility Person – Street	4	0	
<u>Water Division & Sewer Division:</u>			
Water & Sewer Superintendent	1	0	
Utility Person	7	0	
<u>Water Treatment Division:</u>			
Water Treatment Superintendent	1	0	
F. Safety Department:			
Safety Director	0	0	
Assistant to the Safety Director	0	0	
<u>Fire & EMS Division:</u>			
Chief	1	0	
Secretary to Fire & EMS Division	0	1	
Captain	1	0	
Lieutenant	2	0	
Firefighter	6	0	
Second Lieutenant	0	0	9
Volunteer Firefighter	0	0	65
Fire Inspector	0	1	
<u>Police Division:</u>			
Chief	1	0	
Captain	0	0	
Lieutenant	3	0	
Sergeant	3	0	
Patrol Officer	19	0	
Dispatcher	7	0	

	<u>Full -Time</u>	<u>Part-Time</u>	<u>Volunteer</u>
<u>Police Division</u>			
Reserve Officer	0	0	12
Reserve Dispatcher	0	0	5

Zoning & Building Division:
(See City Engineer/Zoning Official)

G. Boards & Commissions:

Planning Comm. Secretary	0	1
Civil Service Comm. Secretary	0	1

H. Municipal Court:

Judge	0	1
Magistrate	1	0
Chief Bailiff	1	0
Deputy Bailiff	0	2
Security Officer	0	1
Clerk of Courts	1	0
Chief Deputy Clerk	1	0
Deputy Clerk	6	1
Chief Probation Officer	1	0
Probation Officer II	1	0
Probation Officer I	1	0

Section 2. 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 3. The changes set forth in this Resolution will be administered on January 1, 2021.

ADOPTED: December 21, 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 Resolution 2020-66 passed by that body on December 21, 2020.

Khristi Dunn, Clerk of Council

LEGISLATIVE COVER MEMORANDUM

Agenda Item: **Resolution 2020-67**
ESTABLISHING THE ORGANIZATIONAL LISTINGS AND PAY RATES
FOR CITY OF FRANKLIN OFFICIALS AND EMPLOYEES FOR THE
YEAR 2021

Date: December 21, 2020

Submitted By: Sonny Lewis, City Manager

Scope/Description: This Resolution provides for rates of pay for 2021. Changes in rates of pay are included for the International Fire Fighters Association and is covered by its current contract. There are no changes in rates of pay for the Franklin Law Enforcement Association and Teamsters Unions for Service and Clerical Unions as the contract is currently under negotiations. No increases have been made to the Non-Bargaining unit Employees at this time. City Manager's Salary is set by contract.

Exhibits: Exhibit A: 2021 Payroll Rates

Budgetary Impact: Increase in Fund 212 Fire and EMS

Recommendation: Approval

CITY OF FRANKLIN, OHIO
RESOLUTION 2020-67

**ESTABLISHING THE ORGANIZATIONAL LISTINGS AND PAY RATES FOR THE CITY OF
FRANKLIN OFFICIALS AND EMPLOYEES FOR THE YEAR 2020**

WHEREAS, section 3.03 of the City of Franklin Charter grants this Council the power to fix the number of employees in the various offices, departments, divisions, bureaus, boards and commissions of the City and to fix the rate of their compensation;

WHEREAS, this Council, by Resolution 2020-66, passed on December 21, 2020, has established a list of position titles and the number of authorized positions to be filled under each title for the year 2021; and

WHEREAS, this Council finds it necessary to establish the salaries and pay rates for said positions,

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

Section 1. The compensation hereafter provided in Exhibit A shall apply to the listed positions for and during the year 2021.

Section 2. Effective with the first pay period of 2021, each non-union employee shall pay fifteen percent (15%) of the premium for health and dental insurance. Life insurance in an amount equal to one-year's base salary and double indemnity for accidental death will also be provided to each employee at the City's sole expense.

Section 3. The City Manager is authorized to issue regulations for the administration of the organizational listings and pay rates set forth in this Resolution.

Section 4. The salary or hourly wage of each employee shall be reviewed annually by his or her department head for the purpose of determining whether the employee is entitled to a step increase. All of the employee's personnel records, performance and length of service shall be considered in making recommendations, with major emphasis placed on the evaluation of services rendered. On the recommendation of the department head, the City Manager may advance an employee at the time of such review until the maximum step has been reached.

Section 5. The City Manager may hire a new employee at an advanced step in the event such new employee has a considerable amount of experience, training and/or education and the City would be best served by authorizing such an advanced step.

Section 6. The City will pay to the employee pension fund all full-time employees' pension costs, in accordance with and in the amounts set forth in Section 143.14 of the Codified Ordinances of the City of Franklin or as set forth in the collective bargaining agreement applicable to the employee.

Section 7. The full-time, non-union employees of the Police Division shall receive a uniform allowance of \$900 per year. This amount will be paid in two (2) equal payments of \$450.00 each. The payments will be made on or before the 10th day of February and on or before the 10th day of August, and shall be issued by separate checks.

Section 8. The full-time, non-union employees of the Fire & EMS Division shall receive a uniform allowance of \$400 per year. This amount will be paid on or before the 10th day of February and will be issued by separate check.

Section 9. The full-time, non-union employees of the Public Works Department shall receive annual incentive bonuses as follows:

EPA Lab Certification	\$800.00
Water & Sewer Distribution License	\$200.00
Water I Certificate	\$400.00
Water II Certificate	\$600.00
Water III Certificate	\$800.00

Section 10. The following monthly car allowances will be paid to the listed employees who drive their private vehicles on City-related business:

City Manager	(provided with City vehicle)
Fire & EMS Chief	\$400
Police Chief	(provided with City vehicle)
City Engineer/Zoning Official	\$200

Section 11. The City Manager is hereby authorized to issue, by Administrative Directive, a Smart Phone Policy, establishing regulations and eligibility for a monthly cell phone allowance to employees, not to exceed thirty-five dollars (\$35.00) per month, and a monthly data plan allowance to employees, not to exceed twenty-five dollars (\$25.00) per month.

Section 12. An employee who serves in the position of “Acting Director” of one of the City’s four Departments (Finance, Law, Safety or Public Works) for a period of thirty (30) days or more shall be paid at Step 1 of the Director’s then current salary for the time period in which the employee serves as the Acting Director of the Department.

Section 13. Volunteer Firefighter-Standby personnel working a scheduled shift as determined by the Fire Chief, shall receive double time payment for actual hours worked at a minimum, for the following holidays: Independence Day; Thanksgiving Day; Christmas Eve; Christmas Day and a 24 hour period beginning on New Year’s Eve at 6 p.m. and ending on New Year’s Day at 6 p.m.

Section 14. 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 15. The changes set forth in this Resolution shall become effective on January 1, 2021.

ADOPTED: December 21, 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 Resolution 2020-67 passed by that body on December 21, 2020

Khristi Dunn, Clerk of Council

Resolution 2020-67

Exhibit A

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
Council									
Mayor	\$8,500								
Council Member	\$8,000								
Clerk of Council	\$55,000	\$56,650	\$58,356	\$60,113					
Acting Clerk	\$100 (per meeting)								
Administration									
City Manager	\$105,000	-	\$120,000 (per employment contract)						
Admin. Asst. to City Manager	\$58,350	\$59,516	\$60,706	\$61,920	\$63,158	\$64,421	\$65,709	\$67,023	
Secretary to City Manager	\$37,196	\$37,940	\$38,699	\$39,473	\$40,262	\$41,067	\$41,889	\$42,727	
Secretary to City Manager, P/T	\$16.74	\$17.63	\$18.54	\$20.47	\$21.08				
Finance Department									
Finance Director	\$77,807	\$81,309	\$84,969	\$88,793	\$92,789	\$96,965			
Asst to Finance Director, P/T	\$16.26	\$17.12	\$18.00	\$18.54					
Finance Division									
Secretary to Finance Director	\$47,663	\$49,093	\$50,565	\$52,082	\$53,644	\$55,253	\$56,911	\$67,531	
Utility/Income Tax Clerk*		\$19.88	\$21.11	\$22.25					
Income Tax Division									
Income Tax Administrator	\$52,123	\$53,687	\$54,813	\$55,938	\$57,063	\$58,301	\$59,539	\$60,777	\$61,985
Income Tax Clerk* (per hour)		\$19.88	\$21.11	\$22.25					
Income Tax Clerk, part-time (per hr)	\$16.75	\$17.64	\$18.55	\$20.48					
Income Tax Clerk, seasonal (per hr)	\$16.26	\$16.75	\$17.25	\$17.77					
Utility Billing Division									
Utility Billing Administrator	\$52,123	\$53,687	\$54,813	\$55,938	\$57,063	\$58,301	\$59,539	\$60,777	\$61,985
Utility Clerk* (per hour)		\$19.88	\$21.11	\$22.25					
Utility Clerk, part-time (per hour)	\$16.75	\$17.64	\$18.55	\$20.48					
Law Department									
Law Director		(per employment contract)							
Prosecutor, part-time	\$30,106	(per employment contract)							

Resolution 2020-67

Exhibit A

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
Public Works Department									
Public Works Director	\$85,298	\$87,857	\$90,493	\$93,208	\$96,004				
Secretary to PW Director	\$36,726	\$37,827	\$39,806	\$41,902	\$43,997				
City Engineer/Zoning Official	\$80,214	\$82,695	\$85,254	\$90,125	\$92,561				
Custodian* (per hour)		\$16.26	\$17.22	\$18.20					
Seasonal Labor (per hour)	\$11.51	\$12.08	\$12.73	\$13.40					
Parks Division									
Parks Superintendent	(filled by Public Works Director)								
Lead Park Worker* (per hour)	\$23.25	\$24.71	\$25.92	\$27.15					
Park Worker* (per hour)	\$22.46	\$23.90	\$25.11	\$26.31					
Pool Manager		\$5,665	\$5,950	\$8,250					
	\$8.75	(for additional hours of work for swim lessons, pool parties, etc.)							
Assistant Pool Manager		\$4,250	\$4,750	\$6,250					
	\$8.75	(for additional hours of work for swim lessons, pool parties, etc.)							
Concession Manager (per hour)	\$8.25								
Head Lifeguard (per hour)	\$8.25								
Lifeguards (per hour)	\$7.25	\$7.50	\$7.75	\$8.00					
(hourly rate for pool parties)	\$8.00								
Pool Personnel (per hour)	\$7.25								
(hourly rate for opening/closing)	\$8.00								
Stormwater Division									
Stormwater Superintendent	(filled by Public Works Director)								
Utility Person I* (per hour)		\$23.55	\$25.01	\$26.31					
Utility Person II* (per hour)		\$26.58	\$27.29	\$27.79					
Utility Person III* (per hour)		\$27.92	\$28.68	\$29.21					
Street Division									
Street Superintendent		\$66,696	\$70,202	\$73,881					
Utility Person I* (per hour)		\$23.55	\$25.01	\$26.31					
Utility Person II* (per hour)		\$26.58	\$27.29	\$27.79					
Utility Person III* (per hour)		\$27.92	\$28.68	\$29.21					

Resolution 2020-67

Exhibit A

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
Public Works Department									
Water Division & Sewer Division									
Water & Sewer Superintendent		\$66,696	\$70,202	\$73,881					
Utility Person I* (per hour)		\$23.55	\$25.01	\$26.31					
Utility Person II* (per hour)		\$26.58	\$27.29	\$27.79					
Utility Person III* (per hour)		\$27.92	\$28.68	\$29.21					
Water Treatment Division									
Water Treatment Superintendent		\$66,696	\$70,202	\$73,881					
Safety Department									
Safety Director	(filled by City Manager)								
Building & Zoning Division									
City Engineer/Zoning Official	(see salary under Public Works)								
Fire & EMS Division									
Chief	\$89,532	\$92,218	\$94,369	\$96,434					
Division Secretary (per hour)	\$16.76	\$17.26	\$17.76	\$18.29	\$18.82	\$19.39	\$19.97	\$20.57	\$21.19
Captain* (per hour)	\$24.82	\$25.59	\$26.38	\$26.85					
Lieutenant* (per hour)	\$20.99	\$21.64	\$22.31	\$23.00	\$23.71	\$24.44			
Firefighter-Paramedic* (per hour)	\$18.45	\$18.73	\$19.01	\$19.29	\$19.58	\$19.88	\$20.17	\$20.48	
Firefighter-EMT* (per hour)	\$16.41	\$16.66	\$16.91	\$17.16	\$17.42	\$17.68	\$17.95	\$18.22	
Volunteers: (per hour)									
Firefighter	\$10.26	\$10.57	\$10.89	\$11.21	\$11.55	\$11.90	\$12.25	\$12.62	\$13.00
EMT	\$10.77	\$11.10	\$11.44	\$11.78	\$12.13	\$12.50	\$12.88	\$13.27	\$13.67
Paramedic	\$12.35	\$12.72	\$13.10	\$13.49	\$13.89	\$14.31	\$14.74	\$15.18	\$15.64
Firefighter/Paramedic	\$16.27	\$16.76	\$17.26	\$17.78	\$18.31	\$18.86	\$19.43	\$20.01	\$20.61
Firefighter/EMT	\$13.24	\$13.63	\$14.04	\$14.46	\$14.89	\$15.34	\$15.80	\$16.27	\$16.76
Second Lieutenant	(additional stipend per hour)			\$0.25	\$0.50	\$0.75	\$1.00	\$1.25	\$1.50
Fire Inspector (per hour)	\$13.64	\$14.05	\$14.47	\$14.90	\$15.35	\$15.81	\$16.28	\$16.77	\$17.26

Resolution 2020-67

Exhibit A

	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
Safety Department, cont.									
Police Division									
Chief	\$91,140	\$93,959	\$96,864	\$99,806					
Captain	\$85,761	\$87,512	\$89,297	\$91,120					
Lieutenant ^(d) (per hour) PROBATION	33.55								
Lieutenant ^(d) (per hour)	\$35.32	\$40.14							
Lieutenant* ^(e) (per hour)	37.25	\$38.33	\$40.14						
Sergeant* ^(d) (per hour) PROBATION	31.44								
Sergeant* ^(d) (per hour)	\$33.09	\$36.16							
Sergeant* ^(e) (per hour)	33.56	\$34.53	\$36.16						
Patrol Officer* ^(b) (per hour) PROBATION	\$22.70								
Patrol Officer* ^(b) (per hour)	\$24.06	\$25.50	\$26.98	\$28.38	\$32.58				
Patrol Officer* ^(c) (per hour) PROBATION	\$23.97								
Patrol Officer* ^(c) (per hour)	\$25.17	\$26.43	\$27.75	\$29.14	\$30.59	\$32.58			
Dispatcher* ^(b) (per hour) PROBATION	\$20.96								
Dispatcher* ^(b) (per hour)	\$22.02	\$23.13	\$26.52						
Dispatcher* ^(c) (per hour) PROBATION	\$22.52								
Dispatcher* ^(c) (per hour)	\$23.42	\$24.36	\$25.33	26.52					
Reserve Officer (per hour)	\$12.85	\$13.23							
Reserve Dispatcher (per hour)	\$12.85								
Municipal Court									
Judge ^(a)	\$22,200								
Magistrate	\$87,550	\$90,177	\$92,882	\$95,668	\$98,538				
Chief Bailiff ^(a)				\$27,823					
Deputy Bailiff	\$2,678	\$2,816	\$2,967	\$3,275					
Security Officer (per hour)	\$19.10								
Clerk of Courts ^(a)	\$34,870	\$35,567	\$36,278	\$37,004	\$37,745	\$38,500	\$39,270		
Chief Deputy Clerk	\$49,723	\$50,717	\$51,428	\$52,766	\$53,821	\$54,895			
Deputy Clerk	\$38,662	\$40,701	\$42,848	\$45,977	\$47,356				
Deputy Clerk P/T (per hour)	\$15.00								
Chief Probation Officer	\$58,119	\$59,281	\$60,467	\$61,676	\$62,910	\$64,168	\$65,451		
Probation Officer II	\$49,151	\$50,134	\$51,137	\$52,160	\$53,203	\$54,268	\$55,353		
Probation Officer I	\$42,372	\$43,220	\$44,084	\$44,967	\$45,865	\$46,782	\$47,719		
Boards & Commissions									
Planning Comm. Secretary	\$75.00 (per meeting)								
Civil Service Secretary	\$125.00 (per month; max. \$1500 per yr)	\$65.00 (per test, per 15 applicants)	\$5.00 (per addtl applicant)						

All wages are shown as annual salaries, unless otherwise noted.

^(a) Figure represents 3/5ths of total comp.; remaining portion paid directly to employee by Warren County Auditor's Office, as required by the ORC.

^(b) Hired on or before January 1, 2018

*Indicates Union Position

^(c) Hired after January 1, 2018

^(d) Promoted on or before January 1, 2018

^(e) Promoted after January 1, 2018

LEGISLATIVE COVER MEMORANDUM

Date: December 21, 2020

Agenda Item: **Resolution 2020-68**
AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO WARREN COUNTY FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE 2021 MACKINAW IMPROVEMENT PROJECT AND EXECUTE ANY NECESSARY DOCUMENTS

Submitted By: Barry Conway, City Engineer

Scope/Description: This Resolution authorizes the City Manager to submit for CDBG funds for fiscal year 2021 to Warren County and to execute any necessary documents with the County Commissioners. The proposed project will involve the grinding and repaving of the alleys between Elm Street and Cedar Street. We will also replace some deteriorated curb and gutter on Maple Street, replace two deteriorated catch basins and line a 36" storm sewer on W. Second St.

Per the 2010 Census, these areas of the City of Franklin are classified as Low-to-Moderate Income and meet the LMI qualification in areas where CDBG work is to be performed.

Further, because Warren County has been classified as an urban county, the County Office of Grants Administration will administer the entire project, including bidding for the project.

Budgetary Impact: Estimated Total Project cost: \$400,000
Estimated CDBG Funds: \$180,000
Estimated City's portion: \$60,000, this would be paid out of the Stormwater Fund.

RECOMMENDATION: Approval

CITY OF FRANKLIN, OHIO
RESOLUTION 2020-68

AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO WARREN COUNTY FOR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR THE 2021 MACKINAW IMPROVEMENT PROJECT AND EXECUTE ANY NECESSARY DOCUMENTS

WHEREAS, the Ohio Department of Development, through its Office of Housing and Community Partnerships (OHCP) has awarded FY2021 Community Development Block Grant (CDBG) Funds to Warren County, as an urban county;

WHEREAS, the CDBG Program provides that the City shall have its grant funds awarded and administered by Warren County;

WHEREAS, the City received notice from the Warren County Board of Commissioners requesting submittals for funding and project proposals; and

WHEREAS, the City has identified infrastructure needs which are eligible under the FY2021 Warren County CDBG Program,

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

Section 1. The City Manager is hereby authorized to apply for the 2021 Mackinaw Improvement Project to the Warren County Board of Commissioners for FY 2021 CDBG funding, and to execute all necessary documents related to said request and program activities.

Section 2. The City hereby commits to fund any 2021 Mackinaw Improvement Project costs that exceed the estimated CDBG allocated amount of One Hundred Eighty Thousand Dollars (\$180,000), in an amount not to exceed Sixty Thousand Dollars (\$60,000), if awarded.

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: December 21, 2020

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent Centers, Mayor

LEGISLATIVE COVER MEMORANDUM

Date: December 21, 2020

Agenda Item: **Resolution 2020-69**
DECLARING CITY MANAGER, THE CITY'S CONTRACTING OFFICER, TO BE EMPOWERED TO ACQUIRE TITLE TO OR INTERESTS IN REAL PROPERTY, FORMERLY KNOWN AS 24 E. THIRD STREET, FRANKLIN, OHIO, PERMANENT PARCEL ID#: 04-31-127-0170.

Submitted By: Barry Conway, City Engineer

Scope/Description: This resolution will empower the City Manager to accept the identified property within the City of Franklin for Five Thousand Seven Hundred and Sixty Dollars and Zero Cents (\$5,760.00).

Budget Information: The \$5,760.00 will come from the Economic Development Fund, 403-4155-51201.

Exhibits: Exhibit A: Quit Claim Deed
Exhibit B: Property Map

RECOMMENDATION: Staff Recommends Approval

CITY OF FRANKLIN, OHIO
RESOLUTION 2020-69

**DECLARING CITY MANAGER, THE CITY'S CONTRACTING OFFICER, TO BE
EMPOWERED TO ACQUIRE TITLE TO OR INTERESTS IN REAL PROPERTY,
FORMERLY KNOWN AS 24 E. THIRD STREET, FRANKLIN, OHIO,
PERMANENT PARCEL ID#: 04-31-127-0170**

WHEREAS, Charter of the City of Franklin, Ohio, Effective January 1, 1984, and last amended on January 1, 2018, Section 3.03 POWERS OF COUNCIL, provides:

(i) The power to acquire title to or interests in real property shall be vested in the Council, whether such property is acquired by: the exercise of the power of eminent domain, purchase, gift, lease, devise, bequest, in trust, or otherwise. The power to sell or otherwise convey, lease, or grant interests in real property shall be vested in the Council. Such sale, conveyance, lease or grant, shall be in the manner provided by the ordinance authorizing the sale, conveyance, lease, or grant provided that real estate shall not be sold or leased except to the highest and best bidder after competitive bids have been received pursuant to a notice of the proposed sale or lease published once a week for four (4) consecutive weeks in a newspaper of general circulation in the City. Written notice of intent to sell or lease real property shall be posted on the real estate to be sold or leased in a conspicuous location on such property and shall remain posted for four (4) consecutive weeks. The requirement that real estate be sold or leased only after competitive bidding may be waived upon the vote of at least five (5) members of the Council provided, however, that the Council shall give notice of its intent to dispense with competitive bidding by publication of such intent in the manner prescribed herein and by the reading of such intent at two consecutive regular Council meetings. Notwithstanding any other provision of this section, property may be sold or leased to the United States, the State of Ohio, or any governmental unit or agency thereof, without competitive bidding, by ordinance, upon the vote of at least five (5) members of Council. (Ord 17-17, 11-17-17; passed by electorate 11-17-17, eff. 1-1-18);

WHEREAS, the City Manager, under the Charter of the City of Franklin, Ohio, Effective January 1, 1984, and last amended on January 1, 2018, Section 3.03 POWERS OF COUNCIL, appoints the City Contracting Officer;

WHEREAS, the City desires to acquire permanent parcel number 04-31-127-0170, formerly known as 24 E. Third Street, Franklin, OH 45005;

WHEREAS, the Seller has offered to sell the property to the City of Franklin for the current land value as shown on the Warren County Auditor's site;

WHEREAS, the City benefits, as to its citizens, when the City purchases certain property situated in city limits that it deems desirable to accomplish the objectives established by council and carried out by staff;

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

Section 1. It is hereby declared necessary for the preservation of the public health, safety and welfare of the City of Franklin, Ohio, to reduce blight, nuisance, and like conditions within the City;

Section 2. It is hereby declared necessary for the preservation of the public health, safety and welfare of the City of Franklin, Ohio, to acquire certain property, regardless of whether such property in blighted or nuisance like condition, to accomplish the objectives established by Council and carried out by Staff to best serve its citizens;

Section 3. The City Manager is hereby empowered and directed, by Council under Charter Section 3.03(i), to carry out the City's objectives by acquiring title to or interests in the real property identified by permanent parcel number 04-31-127-0170 and formerly known as 24 E. Third Street, Franklin, OH 45005, said parcel to be sold to the City of Franklin in the amount of Five Thousand and Seven Hundred Sixty Dollars and Zero Cents (\$5,760.00), said property having a value in this exact amount according to the Warren County Auditor's site;

Section 4. The Quit Claim Deed is attached hereto as Exhibit A and the Property Map depicting the parcel to be acquired is attached hereto as Exhibit B. The City Manager is authorized to execute all necessary documents to acquire title to or interests in the identified real property.

Section 5. This Resolution shall become effective immediately upon its passage.

ADOPTED: December 21, 2020

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent Centers, Mayor

QUIT CLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS THAT William R. Dorsey and Betty J. Dorsey, Trustees of The Dorsey Family Trust, dated September 23, 2009, Grantors, in consideration of Five Thousand Seven Hundred and Sixty Dollars and Zero Cents (\$5,760.00) and other good and legal consideration, to it in hand paid by **The City of Franklin**, Grantee, whose tax mailing address is 1 Benjamin Franklin Way, Franklin, Ohio 45005, does hereby **Remise, Release and Forever Quit Claim**, to the said The City of Franklin, Ohio, its successors and assigns forever, the following described Real Estate:

Situate in the City of Franklin, County of Warren, State of Ohio, and is described as follows:

Permanent Parcel Number: 04-31-127-017

And being Lot Numbered FIVE HUNDRED TWELVE (512) as the same is known and designated on the revised Plat of said City of Franklin, Ohio, and extends back to the North boundary line of Lot numbered Five Hundred Nine (509), a distance of One Hundred Twenty-five (125) feet.

Subject to all restrictions, reservations, limitations, conditions, covenants, easements, rights of way, and legal highways of record pertaining to the same and now in force and effect.

Prior Deed Reference: Deed Book 5084, Pages 98-100; Doc #779366 Franklin Revised Plat, Plat Book 2, Pages 17 of the Deed Records of Warren County, Ohio.

Formerly known as: 24 E. Third Street, Franklin, Ohio 45005.

Executed this _____ day of January, 2021.

GRANTORS:

William R. Dorsey, Trustee of The Dorsey
Family Trust, dated September 23, 2009

STATE OF OHIO)
 : SS
COUNTY OF WARREN)

BE IT REMEMBERED, that on this _____ day of January, 2021, before me, the subscriber, personally came the above-named William R. Dorsey, Trustee of The Dorsey Family Trust, Dated September 23, 2009, the Grantor in the foregoing deed and as such, acknowledged the signing of the same to be his voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal on the day and year last aforesaid.

Notary Public

Betty J. Dorsey, Trustee of The Dorsey Family
Trust, Dated September 23, 2009

STATE OF OHIO)
 : SS
COUNTY OF WARREN)

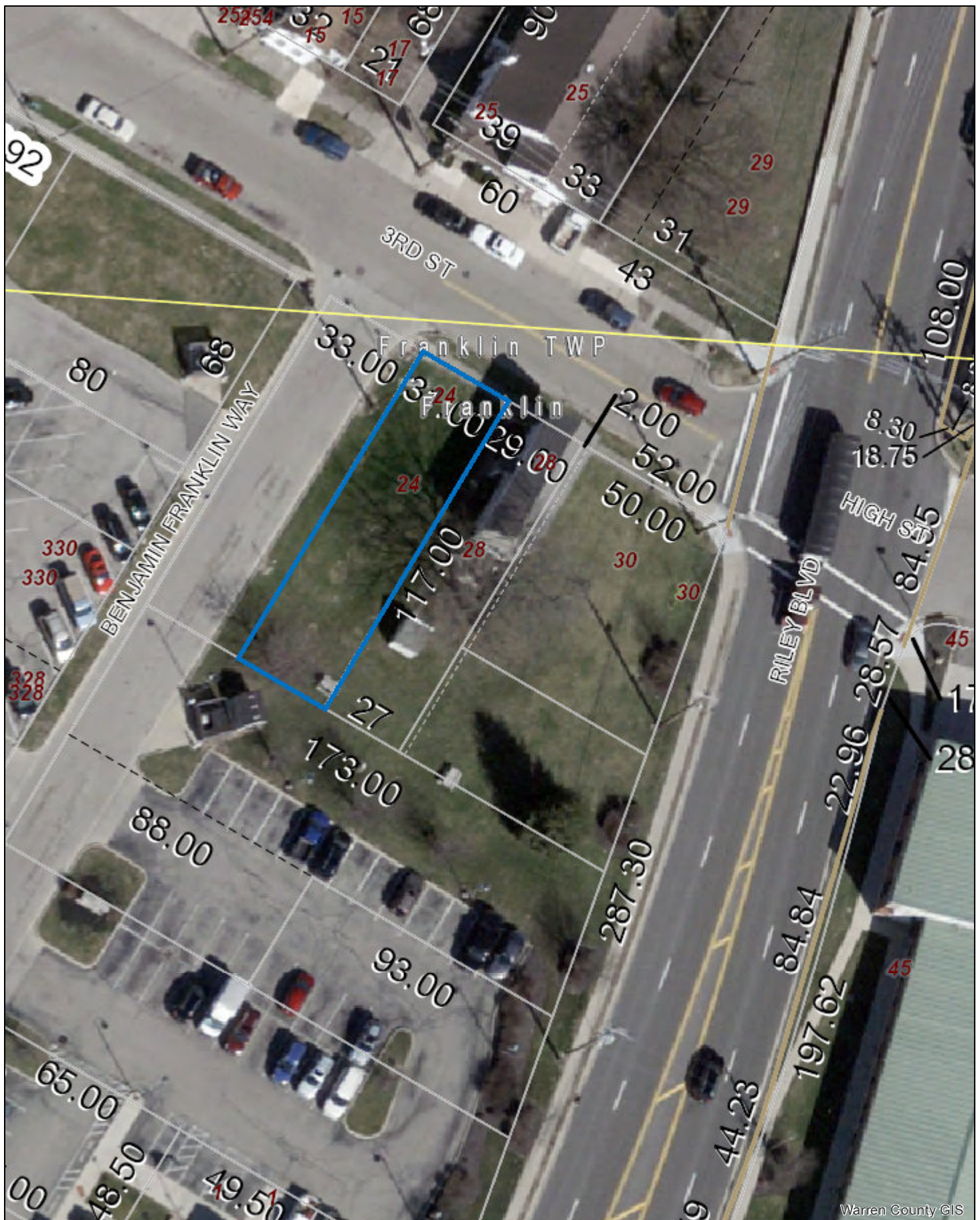
BE IT REMEMBERED, that on this _____ day of January, 2021, before me, the subscriber, personally came the above-named Betty J. Dorsey, Trustee of The Dorsey Family Trust, Dated September 23, 2009, the Grantor in the foregoing deed and as such, acknowledged the signing of the same to be her voluntary act and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal on the day and year last aforesaid.

Notary Public

This instrument prepared by:

Lynnette Dinkler
Law Director – City of Franklin
DINKLER LAW OFFICE, LLC
5335 Far Hills Avenue, Suite 123
Dayton, OH 45429



Date: 12/15/2020

Cadastral Lines - (all other values) Line Type - Audiot Tied Line - Civil Township Line		Corporate Line County Line Farm Lot Line Overpass Line Sub Division Unit Line	Parcel Line ROW Unknown Width Line Road ROW School Line Section Line	Hardware Sub Division Lot Line Township and Range Line Tract Line VMS Line Vacated Road Line	1 inch = 40 feet <h2 style="text-align: center;">E. Third St.</h2> <p>The provider makes no warranty or representation with respect to the information, its quality or suitability for a particular purpose. The 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 excavation, information, programs or data.</p>
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LEGISLATIVE COVER MEMORANDUM

Agenda Item: **Resolution 2020-65**
APPOINTING JONATHAN WESTENDORF AS CITY MANAGER AND
AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH
JONATHAN WESTENDORF FOR SERVICES AS THE CITY MANAGER

Date: December 21, 2020

Submitted By: Sonny Lewis, City Manager

Scope/Description: This Resolution appoints Jonathan Westendorf as the full-time City Manager.

Budgetary Impact: \$115,000

Recommendation: Approval

CITY OF FRANKLIN, OHIO
RESOLUTION 2020-65

**APPOINTING JONATHAN WESTENDORF AS CITY MANAGER AND AUTHORIZING THE
MAYOR TO EXECUTE A CONTRACT WITH JONATHAN WESTENDORF FOR SERVICES
AS THE CITY MANAGER**

WHEREAS, Section 5.01 of the Charter of the City of Franklin, Ohio, grants Council the authority to appoint, by majority vote, a City Manager for a term of five years beginning January 1, 2020 and to fix his annual compensation including benefits, the first year being \$115,000;

WHEREAS, this Council desires to appoint Jonathan Westendorf as City Manager and enter into an employment agreement with Mr. Westendorf for his services as City Manager; and

WHEREAS, Section 6.02 of the Charter allows the City Manager to serve as the head of one or more Departments, with the approval of Council,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, that:

Section 1. Jonathan Westendorf is hereby appointed the City Manager of the City of Franklin, effective January 1, 2021 for a term of five years, ending December 31, 2025.

Section 2. The compensation for the first year is \$115,000 plus benefits and the City agrees to review the City Manager's compensation annually upon the contract anniversary date.

Section 3. The contract may be mutually terminated by either party for any reason with thirty days written notice. Where early termination occurs, the City Manager shall receive a severance payment equal to the amount of six month's salary and benefits and the payment of unused leave benefits.

Section 4. The City Manager shall receive twenty-five days of paid vacation leave and sick leave shall accrue at the same rate as full time employees. The City Manager shall receive all other leave benefits, retirement benefits, insurance benefits and fringe benefits afforded full time employees.

Section 5. The City may fix any such other terms and conditions related to performance as it deems necessary.

Section 6. The Mayor, on behalf of the City Council, is hereby authorized to execute a contract with Jonathan Westendorf for his services as the City Manager, upon such terms and conditions as approved by this Council, and in a form as approved by the Director of Law.

Section 7. In accordance with the Franklin City Charter, this Council hereby approves Mr. Westendorf, as City Manager, to also serve as the head of the Safety Department.

Section 8. 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 9. This Resolution shall become effect immediately upon its passage.

ADOPTED: December 21, 2020

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent Centers, Mayor