



🏠 Location: 1 Benjamin Franklin Way
📅 Date: Monday, July 19, 2021
🕒 Time: 6:00 PM

CITY COUNCIL REGULAR MEETING AGENDA

1. Call to Order.
2. Roll Call.
3. Pledge of Allegiance.
4. Approve the Clerk's Journal and Accept the Tapes as the Official Minutes of the June 21, 2021 Meeting.
5. Presentations.
 - A. Proposed Roundabout on SR- 123.
6. Reception of Visitors.
7. Public Hearing.
 - A. ORDINANCE 2021-15 – AUTHORIZING THE ESTABLISHMENT OF THE “CREDIT MEMO CLEARING FUND” FOR THE PURPOSE OF HOLDING OVERPAYMENT OF UTILITY BILLS AND APPLYING THOSE CREDITS BACK TO THE CUSTOMERS IN COMPLIANCE WITH THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO (Cindy Ryan)
 - B. ORDINANCE 2021-16 – AMENDING “APPENDIX A” OF CHAPTER 1701 OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO, CAPTIONED “RATES AND FEES” TO INCLUDE FEES UNDER PART THIRTEEN, TITLE SEVEN OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO, CAPTIONED “PROPERTY MAINTENANCE CODE” (Jonathan Westendorf)
 - a. Exhibit A
 - C. ORDINANCE 2021-17 AMENDING ORDINANCE 2021-14 TO PROVIDE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY (Cindy Ryan)
 - a. Exhibit A

8. New Business.

A. RESOLUTION 2021-51 AMENDING THE POSITION DESCRIPTION FOR PROPERTY ROOM AND EVIDENCE MANAGER AND HUMAN RESOURCES SPECIALIST. (Jonathan Westendorf)

- a. Exhibit A
- b. Exhibit B

B. RESOLUTION 2021-52 - APPROVING A TAX EXEMPTION IN COMMUNITY REINVESTMENT AREA #1 FOR THE PROPERTY LOCATED AT 675 EAST SECOND STREET (DOMINO'S PIZZA) (Karisa Steed)

9. Introduction of New Legislation.

A. ORDINANCE 2021-18– LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2022 (Khristi Dunn)

B. ORDINANCE 2021-19 – AN ORDINANCE CONSIDERING THE RECOMMENDATION OF PLANNING COMMISSION WITH RESPECT TO AN APPLICATION TO REZONE APPROXIMATELY 2.2 ACRES, LOCATED ON THREE PARCELS AT 126 AND 216 EAST FOURTH STREET AND PART OF TOWER LANE FROM R-4, MULTI-FAMILY RESIDENTIAL DISTRICT, TO O-I, OFFICE AND INSTITUTIONAL DISTRICT (Barry Conway)

- a. Exhibit A
- b. Exhibit B

10. City Manager's Report.

11. Council Comments.

12. Executive Session. To consider the appointment, employment, or compensation of a public employee or official.

13. Adjournment.



🏠 Location: 1 Benjamin Franklin Way
📅 Date: Monday, June 21, 2021
🕒 Time: 6:00 PM

CITY COUNCIL CLERK'S JOURNAL

CITY COUNCIL

Brent Centers, Mayor
Todd Hall, Vice Mayor
Michael Aldridge
Denny Centers
Debbie Fouts
Paul Ruppert
Matt Wilcher

CITY STAFF

Jonathan Westendorf, City Manager
Karisa Steed, Assistant to the City Manager
Lynnette Dinkler, Law Director
Cindy Ryan, Finance Director
Brian Pacifico, Acting Police Chief
Barry Conway, City Engineer
Steve Inman, Public Works Director
Khristi Dunn, Clerk of Council

Members of the Franklin City Council met in regular session on Monday, June 21, 2021, 6:00 PM in the Council Chambers located at 1 Benjamin Franklin Way, Franklin, Ohio 45005.

1. Call to Order. Vice Mayor Todd Hall called the regularly scheduled meeting of the Franklin City Council on Monday, June 21, 2021 to order at 6:04 PM.

2. Roll Call. Ms. Dunn called roll which showed:

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

The Mayor was excused for a planned vacation. Mr. Conway, Ms. Dunn, Mr. Inman, Lt. Pacifico, Ms. Ryan, Ms. Steed and Mr. Westendorf were also present. There were two guests and one member of the press in attendance.

3. Pledge of Allegiance. The pledge of allegiance was led by Vice Mayor Hall.

4. Approve the Clerk's Journal and Accept the Tapes as the Official Minutes of the June 7, 2021 Meeting. Vice Mayor Hall asked if there were any amendments to the Clerk's Journal. Hearing none, he called for a motion. Mr. Aldridge made the motion to approve the Clerk's Journal and accept the tapes as the Official Minutes of the June 7, 2021 general meeting; seconded by Mr. Ruppert. The vote:

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

Motion passed.

5. **Reception of Visitors.** Vice Mayor Hall opened and closed the Reception of Visitors at 6:06 PM as none asked to be heard.

6. **Presentation.**
A. None.

7. **Public Hearing.**
A. ORDINANCE 2021-09 REPEALING AND REPLACING IN ITS ENTIRETY CHAPTER 911.11 TITLED “BACKFLOW PREVENTION DEVICE” OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO (Barry Conway)
a. Exhibit A
b. Exhibit B

These proposed changes were directed by Ohio Environmental Protection Agency (OEPA). The OEPA directs the City of Franklin to have a more comprehensive and enforceable Backflow Prevention Ordinance to improve protection to the public potable water supply from contaminants or pollutants which could backflow through the service connection of a consumer’s water system into the public potable water system.

Vice Mayor Hall opened and closed the Public Hearing at 6:07 PM as none asked to be heard.

The Vice Mayor opened the floor for Council deliberation. He asked if there were any questions or comments. Hearing none, he called for a motion. Mr. D. Centers made the motion to adopt **ORDINANCE 2021-09** as submitted; seconded by Mr. Wilcher. The vote:

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

MR. MICHAEL ALDRIDGE yes

Motion passed.

B. ORDINANCE 2021-10 REPEALING AND RESTATING PART THIRTEEN, BUILDING CODE, TITLE SEVEN, PROPERTY MAINTENANCE CODE, CHAPTER 1375, REFERENCED STANDARDS UNDER NEW CHAPTER 1376 AND ENACTING NEW CHAPTER 1375, PRE-SALE INSPECTION AND CERTIFICATE OF OCCUPANCY REQUIRED FOR NEW OWNERS AND TENANTS (Jonathan Westendorf)

- a. Exhibit A
- b. Exhibit B

This Ordinance will relocate a chapter and enact a new chapter in the City's Property Maintenance Code. The City of Franklin does not currently have an ordinance in its Property Maintenance Code requiring owners of real estate to first obtain a pre-sale inspection and a certificate of occupancy before selling to new owners and/or leasing to new tenants. This pre-sale inspection program is expected to increase property values, reduce nuisance and blight, and reduce crime. Influenced by the success in the City of Oakwood, Ohio, it would be in the City of Franklin's best interest to similarly pass an ordinance enacting a new section in the City's Property Maintenance Code. Since 1968, the City of Oakwood has operated a successful pre-sale inspection program as part of its property maintenance code. Before an owner of real estate is permitted to transfer title or lease to a new tenant, that owner must first arrange for a pre-sale inspection to then obtain a certificate of occupancy. Violation of such is a minor misdemeanor. Due to its longstanding pre-sale inspection and certificate of occupancy program, the City of Oakwood has experienced years of virtually no substandard housing or commercial premises, due in large part to the fact residents and property owners are encouraged to maintain their surroundings by the pre-sale inspection and certificate of occupancy program.

Vice Mayor Hall opened the Public Hearing at 6:10 PM and closed it at 6:11 PM as none asked to be heard.

The Vice Mayor opened the floor for Council deliberation. He asked if there were any questions or comments.

Mr. Aldridge reported that the Safety Committee had a very productive conversation with the Code Enforcement Officer and Law Director from Oakwood regarding their program. With the new schools coming, he feels that this will help with overall cleanup efforts as well as maintain property values. This will also help protect tenants within the City.

Vice Mayor Hall asked if there were any additional comments. Hearing none, he called for a motion. Mr. Wilcher made the motion to adopt **ORDINANCE 2021-10** as submitted; seconded by Mrs. Fouts. The vote:

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

Motion passed.

C. ORDINANCE 2021-11 AUTHORIZING THE ESTABLISHMENT OF THE “AMERICAN RESCUE PLAN ACT FUND” FOR THE PURPOSE OF SEPARATELY ACCOUNTING FOR FEDERAL FUNDS RECEIVED UNDER THE AMERICAN RESCUE PLAN ACT AND IN COMPLIANCE WITH THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO (Cindy Ryan)

This governmental fund is necessary to account for funds received under the American Rescue Plan Act.

Vice Mayor Hall opened and closed the Public Hearing at 6:13 PM as none asked to be heard.

The Vice Mayor opened the floor for Council deliberation. He asked if there were any questions or comments. Hearing none, he called for a motion. Mr. Ruppert made the motion to adopt **ORDINANCE 2021-11** as submitted; seconded by Mr. Aldridge. The vote:

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

Motion passed.

D. ORDINANCE 2021-12 AMENDING AND RESTATING TITLE THREE – UTILITIES, CHAPTER 911 – WATER SERVICE, SECTION 911.10 SERVICE APPLICATION AND DEPOSIT REQUIREMENTS AND CHAPTER 919 – SEWER RENTAL, SECTION 919.05 SERVICE APPLICATION AND DEPOSIT REQUIREMENTS OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO (Cindy Ryan)

The amendment to Sections 911.10 and 919.05 are required to correct errors. Section 911.10 needs to properly reflect the existence of a “fund” as opposed to an “account.” Section 919.05 needs to be

amended to correct a verbiage error. These corrections were discovered when investigating the need to create separate water and sewer security deposit funds, the subject of Ordinance 2021-13.

Vice Mayor Hall opened and closed the Public Hearing at 6:14 PM as none asked to be heard.

The Vice Mayor opened the floor for Council deliberation. He asked if there were any questions or comments. Hearing none, he called for a motion. Mr. Aldridge made the motion to adopt **ORDINANCE 2021-12** as submitted; seconded by Mr. Ruppert. The vote:

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

Motion passed.

E. ORDINANCE 2021-13 AUTHORIZING THE ESTABLISHMENT OF THE “WATER SECURITY DEPOSIT FUND” AND THE “SEWER SECURITY DEPOSIT FUND” THROUGH AMENDMENT AND RESTATEMENT OF TITLE FIVE – ADMINISTRATIVE CODE, CHAPTER 162, WATER AND SEWER DIVISION FOR THE PURPOSE OF HOLDING WATER AND SEWER SECURITY DEPOSITS PAID BY CUSTOMERS IN COMPLIANCE WITH THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO (Cindy Ryan)

a. Exhibit A

The creation of separate funds to hold Water Security Deposits and Sewer Security Deposits is necessary to segregate these funds which shall only be used to offset any unpaid utility bills.

Vice Mayor Hall opened and closed the Public Hearing at 6:16 PM as none asked to be heard.

The Vice Mayor opened the floor for Council deliberation. He asked if there were any questions or comments. Hearing none, he called for a motion. Mr. Wilcher made the motion to adopt **ORDINANCE 2021-13** as submitted; seconded by Mr. Aldridge. The vote:

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

MR. MATT WILCHER	yes
MR. DENNY CENTERS	yes
MR. PAUL RUPPERT	yes

Motion passed.

F. ORDINANCE 2021-14 AMENDING ORDINANCE 2021-02 TO PROVIDE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY (Cindy Ryan)

a. Exhibit A

This ordinance will adjust appropriations as noted for the year 2021. This was taken to Finance Committee and is recommended for approval.

Vice Mayor Hall opened and closed the Public Hearing at 6:17 PM as none asked to be heard.

The Vice Mayor opened the floor for Council deliberation. He asked if there were any questions or comments. Hearing none, he called for a motion. Mr. D. Centers made the motion to adopt **ORDINANCE 2021-14** as submitted; seconded by Mr. Aldridge. The vote:

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

Motion passed.

G. RESOLUTION 2021-45 ADOPTING THE TAX BUDGET FOR THE CITY OF FRANKLIN, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2022, AND AUTHORIZING THE FINANCE DIRECTOR TO SUBMIT IT TO THE WARREN COUNTY AUDITOR (Cindy Ryan)

a. Exhibit A

State law requires that City Council adopt a tax budget for the next fiscal year by July 15th of the current year and then file it with the County Auditor by July 20th. This is the first legally-required step in the annual budget process. The Warren County Budget Commission uses the tax budget to issue a Certificate of Estimated Resources for the City, which details the amount of property tax and local government funds that the City will receive in the next fiscal year. Many of the figures in this tax budget will be amended as actual 2021 revenues and expenditures become clearer and as City staff begins

working on the 2022 annual budget. This process will additionally be further impacted by the financial effects and consequences of COVID-19.

Vice Mayor Hall opened and closed the Public Hearing at 6:19 PM as none asked to be heard.

The Vice Mayor called for a motion. Mr. Aldridge made the motion to adopt **RESOLUTION 2021-45** as submitted; seconded by Mr. Ruppert. The vote:

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

Motion passed.

8. New Business.

A. Franklin Township Senior Levy Endorsement Discussion

a. Exhibit A

Mr. Westendorf asked Council to discuss endorsement of the upcoming levy. The levy committee has asked for endorsement by June 30th. This levy will not increase taxes. Mr. Westendorf will ask the committee to make a formal presentation to Council at a later date.

Vice Mayor Hall called for a motion. Mr. Ruppert made the motion to endorse the **Franklin Township Senior Levy**; seconded by Mrs. Fouts. The vote:

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

Motion passed.

B. RESOLUTION 2021-46 AMENDING RESOLUTION 2021-14 AND AUTHORIZING POSITION TITLES AND THE NUMBER OF POSITIONS FOR EACH TITLE FOR CITY OF FRANKLIN PERSONNEL FOR THE YEAR 2021 (Jonathan Westendorf)

This Resolution provides for the re-organization of titles and/or positions and/or creation of new positions. The title of Code Official and Zoning Official are assigned to more than one already established position (Fire Department Lt and City Engineer), both of which were assigned to the City Engineer on one line; and the addition of the following positions: Human Resources Specialist, Finance Clerk, Payroll Clerk, Accounts Payable Clerk, Property Room and Evidence Manager, Seasonal Intern. These changes serve to reflect the need for updated business operations.

Vice Mayor Hall asked if there were any questions or discussion. Mr. D. Centers said that these changes were also discussed at the Finance Committee meeting. The Vice Mayor he called for a motion. Mr. Wilcher made the motion to adopt **RESOLUTION 2021-46** as submitted; seconded by Mr. Aldridge. The vote:

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

Motion passed.

C. RESOLUTION 2021– 47 AMENDING RESOLUTION 2021-21 ESTABLISHING THE ORGANIZATIONAL LISTINGS AND PAY RATES FOR CITY OF FRANKLIN OFFICIALS AND EMPLOYEES FOR THE YEAR 2021 (Jonathan Westendorf)

a. Exhibit A

Resolution 2021-21 is being amended to set the rates of pay for 2021. New positions include Human Resources Specialist, Seasonal Interns, Accounts Payable Clerk and Code Official. Chief of Fire and Police are updated. Other changes have been made to update position descriptions and department placement.

Vice Mayor Hall asked if there were any additional questions or discussion. Hearing none, he called for a motion. Mr. Aldridge made the motion to adopt **RESOLUTION 2021-47** as submitted; seconded by Mr. D. Centers. The vote:

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

Motion passed.

D. RESOLUTION 2021-48 AMENDING POSITION DESCRIPTIONS FOR CITY ENGINEER AND INCOME TAX CLERK (Jonathan Westendorf)

- a. Exhibit A
- b. Exhibit B

To accurately represent the chain of command, City Engineer Job Description needs to be updated to show that he is in the Building and Zoning Division.

The Income Tax Clerk position is being updated to more accurately describe the position and include cross training responsibilities.

Vice Mayor Hall asked if there were any additional questions or discussion. Hearing none, he called for a motion. Mr. Wilcher made the motion to adopt **RESOLUTION 2021-48** as submitted; seconded by Mr. Aldridge. The vote:

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

Motion passed.

E. RESOLUTION 2021-49 ADOPTING POSITION DESCRIPTIONS FOR HUMAN RESOURCE SPECIALIST, SEASONAL INTERN, ACCOUNTS PAYABLE CLERK, PAYROLL CLERK, FINANCE CLERK, CODE OFFICIAL, ZONING OFFICIAL AND PROPERTY ROOM AND EVIDENCE MANAGER. (Jonathan Westendorf)

- a. Exhibit A
- b. Exhibit B
- c. Exhibit C
- d. Exhibit D
- e. Exhibit E

- f. Exhibit F
- g. Exhibit G
- h. Exhibit H

This Resolution adopts a new position description for Human Resource Specialist, Seasonal Intern, Accounts Payable Clerk, Payroll Clerk, Finance Clerk, Code Official, Zoning Official and Property Room and Evidence Manager. The descriptions were provided by Clemans Nelson and reviewed by Department Heads.

Vice Mayor Hall asked if there were any questions or discussion. Hearing none, he called for a motion. Mr. Ruppert made the motion to adopt **RESOLUTION 2021-49** as submitted; seconded by Mr. Aldridge. The vote:

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

Motion passed.

F. RESOLUTION 2021-50 CONCURRING WITH THE CITY MANAGER FOR THE APPOINTMENT OF KYLE LOVELACE AS A CITY CODE OFFICIAL TO ENFORCE THE CITY'S PROPERTY MAINTENANCE CODE (Jonathan Westendorf)

To assist with the enforcement of the Property Maintenance Code, the City Manager desires to appoint Kyle Lovelace as Code Official. Pursuant to the Property Maintenance Code, the Code Official shall be appointed by the City Manager, upon the concurrence of City Council. The purpose of this Resolution is for Council to concur with the City Manager for the appointment of Kyle Lovelace as a City Code Official to enforce the City's Property Maintenance Code. Other appointments continue and include Engineer and Zoning Official, Barry Conway and NIC.

Vice Mayor Hall asked if there were any additional questions or discussion. Hearing none, he called for a motion. Mr. D. Centers made the motion to adopt **RESOLUTION 2021-50** as submitted; seconded by Mrs. Fouts. The vote:

MAYOR BRENT CENTERS	absent
MR. MICHAEL ALDRIDGE	yes
MRS. DEBBIE FOUTS	yes

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

Motion passed.

9. Introduction of New Legislation.

A. ORDINANCE 2021-15 – AUTHORIZING THE ESTABLISHMENT OF THE “CREDIT MEMO CLEARING FUND” FOR THE PURPOSE OF HOLDING OVERPAYMENT OF UTILITY BILLS AND APPLYING THOSE CREDITS BACK TO THE CUSTOMERS IN COMPLIANCE WITH THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO (Cindy Ryan)

B. ORDINANCE 2021-16 – AMENDING “APPENDIX A” OF CHAPTER 1701 OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO, CAPTIONED “RATES AND FEES” TO INCLUDE FEES UNDER PART THIRTEEN, TITLE SEVEN OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO, CAPTIONED “PROPERTY MAINTENANCE CODE” (Jonathan Westendorf)

a. Exhibit A

10. City Manager’s Report. Mr. Westendorf reported that the City has entered into an agreement with Ben Yoder of Bricker and Eckler as law director. He thanked Ms. Dinkler for her years of service and continued friendship.

He thanked staff for the six months of work that went into preparing the agenda for that evening. He is excited about the legislation that was passed and for the results it will bring.

Vice Mayor Hall welcomed Mr. Yoder and thanked Mr. Lovelace.

11. Council Comments.

Mr. Wilcher welcomed Mr. Yoder. He thanked Mr. Lovelace for the work he has done and told him to keep at it as he is making a difference.

Mr. D. Centers welcomed Mr. Yoder and thanked Mr. Lovelace.

There were storms over the weekend that caused some water issues. Mr. Inman gave a report of the cleanup efforts at Community Park as a result of the flooding. Mr. D. Centers thanked Mr. Inman.

Mrs. Fouts attended a ribbon cutting ceremony for the new business, Franklin Nutrition. She is excited as business breeds business.

Mr. Ruppert thanked Mr. Inman and his staff for their work in removing a tree over the weekend that had fallen.

Mr. Aldridge appreciates Ms. Dinkler's service. She is first class, and he wishes her nothing but the best in the future.

He welcomed Mr. Yoder and thanked Mr. Lovelace. He told Mr. Lovelace his efforts are important and appreciated.

He visited Loveland over the past week to research some of the ideas for Franklin's downtown improvement. He is looking forward to the changes that are coming.

Vice Mayor Hall told Mr. Inman that his department and the Fire Department did a fantastic job in cleaning up after the storms.

He echoed Mr. Aldridge's comments in thanking Mr. Lovelace and the impact he is having in the cleanup efforts.

He congratulated and thanked Mr. Yoder and echoed the comments of Ms. Dinker. She did an outstanding job for the City and he hates to see her go. However, he is excited about the opportunities that working with Mr. Yoder and Bricker and Eckler will bring.

He is appreciative of the efficiency of the meeting considering the large agenda.

12. Adjournment. Vice Mayor Hall called for a motion to adjourn the meeting. Mr. D. Centers made the motion; seconded by Mr. Aldridge. The vote:

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

Motion passed.

The Vice Mayor adjourned the meeting at 6:45 PM.

Brent Centers, Mayor

Khristi Dunn, Clerk of Council

Legislative Cover Memo

Introduction: June 21, 2021
Public Hearing: July 19, 2021
Effective Date: August 18, 2021

Agenda Item: **Ordinance 2021-15**
AUTHORIZING THE ESTABLISHMENT OF THE “CREDIT MEMO CLEARING FUND” FOR THE PURPOSE OF HOLDING OVERPAYMENT OF UTILITY BILLS AND APPLYING THOSE CREDITS BACK TO THE CUSTOMERS IN COMPLIANCE WITH THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO

Submitted by: Cindy Ryan, Finance Director

Scope/Description: This proprietary fund is necessary to separately account for enterprise money with the implementation of the new utility billing software to maintain the financial integrity of the various funds when utility customers overpays their utility account.

Vote Required: At least four (4) members of the Council elected thereto concurring.

Exhibits: None.

Recommendation: Approval.

CITY OF FRANKLIN, OHIO
ORDINANCE 2021-15

**AUTHORIZING THE ESTABLISHMENT OF THE “CREDIT MEMO CLEARING FUND” FOR THE PURPOSE OF
HOLDING OVERPAYMENT OF UTILITY BILLS AND APPLYING THOSE CREDITS BACK TO THE CUSTOMERS IN
COMPLIANCE WITH THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO**

WHEREAS, Chapter 141 Finance Division, Section 141.03(b)(6)(B) of the City’s Codified Ordinances states:

(6) Other Special Funds -

(A) The Finance Director is hereby authorized to create other special funds which are established or required by law, either specifically or in general.

(B) Council may establish, with the approval of and in the manner prescribed by the Ohio State Auditor, other such special funds that are not established by law, either specifically or in general, as may be needed or desirable. Special funds which are needed for a period of less than five (5) years may be established by resolution, and special funds which are needed for a period of five (5) years or more shall be established by ordinance. Any ordinance or resolution establishing a special fund may provide that money derived from specified sources other than the general property tax shall be paid directly into such special fund;

and

WHEREAS, the City of Franklin must comply with local, state and federal law and administrative orders and guidelines directing and requiring the establishment of certain funds to maintain financial integrity of the public monies it receives and spends; and

WHEREAS, The City of Franklin has established a new utility billing system that applies overpayments to a credit memo instead of a utility revenue; and

WHEREAS, In order to maintain the financial integrity of the various funds when utility customers overpays their utility account; and

WHEREAS, The City of Franklin needs a method of processing those overpayments; and

WHEREAS, This type of fund, a proprietary fund for enterprise money, is authorized under Ohio Revised Code Section 5705.12;

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

Section 1. In accordance with Chapter 141 Finance Division, Section 141.03(b)(6)(B) and Ohio Revised Code Section 5705.12 the Finance Director is authorized to establish a fund called “Credit Memo Clearing Fund.”

Section 2. The purpose of this fund shall be to serve as a clearing account for over payments of utility accounts and credits back to those customers accounts when a new utility bill is established.

Section 3. No Interest earned shall be credited to this fund.

Section 4. The Finance Director shall forward a copy of this Ordinance to the Auditor of State and shall perform all required action and execute any required applications to the Ohio Auditor of State in order to obtain all necessary approval for the creation of the Credit Memo Clearing Fund.

Section 5. 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 6. This Ordinance shall become effective on August 18, 2021.

INTRODUCED: June 21, 2021

ADOPTED: July 19, 2021

ATTEST: _____

Khristi Dunn, Clerk of Council

APPROVED: _____

Brent Centers, Mayor

Approved as to form: _____

Law Director

Legislative Cover Memo

Introduction: June 21, 2021
Public Hearing: July 19, 2021
Effective Date: August 18, 2021

Agenda Item: **Ordinance 2021-16**
AMENDING "APPENDIX A" OF CHAPTER 1701 OF THE
CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO,
CAPTIONED "RATES AND FEES" TO INCLUDE FEES UNDER
PART THIRTEEN, TITLE SEVEN OF THE CODIFIED
ORDINANCES OF THE CITY OF FRANKLIN, OHIO, CAPTIONED
"PROPERTY MAINTENANCE CODE"

Submitted by: Jonathan Westendorf, City Manager

Scope/Description: This Ordinance provides those fees arising under the Property Maintenance Code, and includes newly added fees associated with the newly adopted Pre-Sale Inspection and Certificate of Occupancy Program.

Exhibits: Exhibit A: Chapter 1701, Appendix A, captioned Rates and Fees

Vote Required for Passage: Per Section 4.03 of the City's Charter, the passage of this Ordinance requires the affirmative vote of a majority of Council members present.

Recommendation: Approval.

CITY OF FRANKLIN, OHIO
ORDINANCE 2021-16

AMENDING "APPENDIX A" OF CHAPTER 1701 OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO, CAPTIONED "RATES AND FEES" TO INCLUDE FEES UNDER PART THIRTEEN, TITLE SEVEN OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO, CAPTIONED "PROPERTY MAINTENANCE CODE"

WHEREAS, the City of Franklin's Property Maintenance Code, under Part Thirteen, Title Seven of the Codified Ordinances of the City of Franklin, imposes certain administration, inspection, and appeal application fees; and

WHEREAS, The City's fee schedule for fees arising under the City of Franklin's Property Maintenance Code is in need of amendment to include new fees associated with the City's newly added Pre-Sale Inspection and Certificate of Occupancy Program;

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

Section 1. Chapter 1701, Appendix A, is hereby amended as set forth in Exhibit A, attached hereto.

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 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. This Ordinance shall become effective thirty (30) days after the date of its adoption.

INTRODUCED: June 21, 2021

ADOPTED: July 19, 2021

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 2021-16 passed by that body on July 19, 2021.

APPROVED AS TO FORM:

Khristi Dunn, Clerk of Council

Law Director



FRANKLIN CODIFIED ORDINANCE

SECTION 1701.03, APPENDIX A FEE SCHEDULE

EFFECTIVE MARCH 1, 2021

COLA 1.87%

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

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

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

FEE OR PERMIT NAME	FLAT RATE OR FEE
1. BUSINESS REGULATIONS – PART SEVEN, FRANKLIN CODIFIED ORDINANCE	
<u>Carnivals & Circus, per day</u>	\$ 69.00
<u>Junk Yard/Recycling Center/Recycling Plant</u>	\$ 36.25
Renewal	\$ 36.25
<u>Mechanical Amusement Device License</u>	
Juke box	\$ 36.25
Mechanical amusement device	\$ 36.25
<u>Motor Vehicle Salvage Dealers License or</u>	
<u>Salvage Motor Vehicle Auction License or</u>	
<u>Salvage Motor Vehicle Pool License</u>	\$ 69.00 each
Renewal for each	\$ 69.00
<u>Taxi Cabs</u>	
Certificate of Public Convenience	\$ 69.00
Vehicles	\$ 36.25 each
<u>Rooming House –Per Ordinance 2009-23, passed 10/5/09, effective 11/4/09</u>	
License for New Owner of Existing Rooming House	\$118.00
License Renewal	\$118.00
Duplicate/Replacement License	\$ 61.00



2. TRAFFIC CODE – PART THREE, FRANKLIN CODIFIED ORDINANCE

<u>Commercial & Heavy Vehicle Permit</u>	\$ 8.50
Police Officer, first hour & fraction thereof	\$ 14.25

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

<u>Waste Collector's License</u>	\$145.00
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<u>Curbing, Curbs, Gutters, Driveway Approaches</u>	
Constructing, Repairing or Replacing	\$36.00 each

<u>Excavation Permit</u>	\$0.10 per sq. yard, \$36.00 minimum
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Water

Water Rate	\$14.16 per 333 cu. ft., or fraction thereof, per month
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Water Tap-in Fees

Line Size	<u>Tap-in fee</u>	<u>Installation Fee</u>	<u>Water Utilization Fee</u>
¾" line	\$ 2,980.00	\$2,265.00	\$709.00
1"	\$ 3,356.00	\$2,409.00	\$709.00
1 ½"	\$ 3,725.00	\$2,834.00	\$709.00
2"	\$ 4,101.00	\$3,257.00	\$709.00
3"	\$ 5,214.00		\$709.00
4"	\$ 6,706.00		\$709.00
6"	\$10,435.00		\$709.00
8"	\$22,352.00		\$709.00
10"	\$26,826.00		\$709.00
12"	\$32,788.00		\$709.00

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

Sewer

Sewer Rate	Effective August 1, 2018 - \$12.27 per 333 cu. ft. or fraction thereof, per month. For the years 2019 thru 2023, the sewer rate will increase 7% in January plus the COLA rate in March.
	*Effective 1/2019 – sewer rate \$13.13 per 333 cu. ft. or fraction thereof, per month
	* Effective 3/2019 – sewer rate \$13.38 per 333 cu. ft. or fraction thereof, per month
	* Effective 1/2020 – sewer rate \$14.32 per 333 cu. ft. or fraction thereof, per month
	* Effective 3/2020 – sewer rate \$14.62 per 333 cu. ft. or fraction thereof, per month



- * Effective 1/2021 – sewer rate \$15.64 per 333 cu. ft. or fraction thereof, per month
- * Effective 3/2021 – sewer rate \$15.93 per 333 cu. ft. or fraction thereof, per month

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

Line size:	Fee:
¾" line	\$ 2,980.00
1"	\$ 3,356.00
1 ½"	\$ 3,725.00
2"	\$ 4,101.00
3"	\$ 5,214.00
4"	\$ 6,706.00
6"	\$10,435.00
8"	\$22,352.00
10"	\$26,826.00
12"	\$32,788.00

Multi-Family Units

- 2 or more families sewer tap-in fee + rate adjustment fee (915.041 CO)
- Flow Assisted by Pump Station sewer tap-in fee + \$709.00

Standard Solid Surcharge* additional charge of \$643.00 Per ton for all suspended solid in excess of two hundred twenty-five milligrams (225mg) per liter

Chemical Oxygen Demand Charge* additional charge of \$162.00 per ton in excess of six hundred milligrams (600 mg) per liter

4. PROPERTY MAINTENANCE CODE – PART THIRTEEN, FRANKLIN CODIFIED

ORDINANCE (Ord. 2019-07, emergency, passed 8-5-19, Ord. 2019-10, passed 9-19-19, Ordinance 2021-10, introduced 6-7-21)

Abatement of Violation, Inspection & Administration	\$260.00
Emergency Repair Administration	\$260.00
Administration	\$260.00
Furniture Administration	\$260.00
Rubbish or Garbage Administration	\$260.00
Appeal Application	\$104.00
<u>Pre-sale Inspection and Certificate of Occupancy</u>	<u>\$60.00</u>
<u>(Required for new owners and tenants)</u>	

- Ordinance 2004-46, passed 12-20-04, established this fee schedule.
- Ordinance 2005-22, passed 7-18-05 amended Section 1701.03 – added new item 6. Fire Prevention (effective August 17, 2005)
- Ordinance 2005-40 (emergency), passed 10-3-05, amended 2. Planning & Zoning –Part Eleven, FCO – added new fee “Building, Housing & Zoning Appeals Application”, for variance, no charge.
- Ordinance 2005-41, passed 10-17-05, permanent ordinance for O-05-40
- Ordinance 2008-23, passed 8-18-08, amended 1. Building Department & 2. Planning & Zoning
- Ordinance 2009-06, passed 3-16-09, deleted Sections 1. Building Department and 2. Planning & Zoning.
- Ordinance 2018-01, passed 3-19-18, amended Part 3, Sewer*
- Ordinance 2018-10, passed 6-4-18, amended Part 3, Sewer, effective 8-1-18
- Ordinance 2019-07, (emergency) passed 8-5-19, added Part 5 – Property Maintenance Code, Part Thirteen, Title Seven of the Franklin Codified Ordinances
- Ordinance 2019-10, passed 8-19-19, added Part 5 – Property Maintenance Code, Part Thirteen, Title Seven of the Franklin Codified Ordinances
- Ordinance 2020-13, (emergency) passed 10-19-2020, repealed Ordinance 2005-22 and removed fee for Safety Occupancy Permit under Fire Prevention – Part Fifteen of the Franklin Codified Ordinances
- Ordinance 2020-14, passed 12-07-2020, repealed Ordinance 2005-22 and removed fee for Safety Occupancy Permit under Fire Prevention – Part Fifteen of the Franklin Codified Ordinances
- **Ordinance 2021-10, introduced 6-7-21, enacted a new chapter in the City’s Property Maintenance Code: CHAPTER 1375, PRE-SALE INSPECTION AND CERTIFICATE OF OCCUPANCY REQUIRED FOR NEW OWNERS AND TENANTS.**

Legislative Cover Memo

Meeting Date: July 19, 2021

Agenda Item: **Ordinance 2021-17**
AMENDING ORDINANCE 2021-14 TO PROVIDE
APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER
EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, FOR THE
FISCAL YEAR ENDING DECEMBER 31, 2021, AND DECLARING
AN EMERGENCY

Submitted by: Cindy Ryan, Finance Director

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

- **Stormwater Utility Fund** Reclass of \$17,000 from Other Financing Uses to Stormwater Utility to account for the replacement of 200 feet of pipe in Franklin Landing.

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 2021-17

AMENDING ORDINANCE 2021-14 TO PROVIDE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021, 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 2021-14, passed on June 21, 2021, which provides appropriations for the fiscal year ending December 31, 2021, 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, 2021, 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, 2021, the sums contained within the attached Exhibit A, as amended, are hereby appropriated.

Section 3. Existing Ordinance 2021-14 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: July 19, 2021

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 2021-17 passed by that body on July 19, 2021.

APPROVED AS TO FORM:

Khristi Dunn, Clerk of Council

Ben Yoder, 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	\$3,887,600	\$684,200	\$4,571,800
	Reserve Police	\$4,300	\$3,375	\$7,675
	Total	\$3,891,900	\$687,575	\$4,579,475
	<u>General Government</u>			
	Economic Development	\$0	\$53,000	\$53,000
	Clerk & Council	\$177,220	\$95,320	\$272,540
	Municipal Court	\$740,350	\$245,405	\$985,755
	Probation Division	\$269,700	\$14,050	\$283,750
	City Manager	\$361,610	\$26,050	\$387,660
	Finance Department	\$361,820	\$101,650	\$463,470
	Income Tax Division	\$196,400	\$300,222	\$496,622
	Law Department	\$37,770	\$390,130	\$427,900
	Civil Service Commission	\$0	\$30,000	\$30,000
	Planning Commission	\$0	\$9,200	\$9,200
	Building & Grounds	\$63,600	\$162,530	\$226,130
	Other Government	\$0	\$310,000	\$310,000
	Building Division	\$193,980	\$115,855	\$309,835
	Total	\$2,402,450	\$1,853,412	\$4,255,862
	<u>Transfers</u>			
	Transfers & Advances	\$0	\$4,653,611	\$4,653,611
	Total	\$0	\$4,653,611	\$4,653,611
	TOTAL GENERAL FUND	\$6,294,350	\$7,194,598	\$13,488,948
200	<u>STREET FUND</u>			
	Street Constr, Maint, & Repair	\$699,500	\$1,206,818	\$1,906,318
	Total	\$699,500	\$1,206,818	\$1,906,318
210	<u>STATE HIGHWAY FUND</u>			
	Street Constr, Maint, & Repair	\$0	\$62,000	\$62,000
	Total	\$0	\$62,000	\$62,000
212	<u>FIRE & EMS LEVY FUND</u>			
	Fire & EMS Division (Includes Grant)	\$1,905,550	\$615,800	\$2,521,350
	Volunteer Firefighters	\$767,000	\$1,800	\$768,800
	Transfers & Advances	\$0	\$683,000	\$683,000
	Total	\$2,672,550	\$1,300,600	\$3,973,150
215	<u>ISSUE TWO FUND</u>			
	Street Constr, Maint, & Repair	\$0	\$150,000	\$150,000
	Transfers & Advances	\$0	\$500,000	\$500,000
	Total	\$0	\$650,000	\$650,000
219	<u>E 9-1-1 WIRELESS FUND</u>			
	Police Division	\$95,600	\$11,200	\$106,800
	Total	\$95,600	\$11,200	\$106,800
220	<u>JOINT RECREATION FUND</u>			
	Swimming Pool	\$124,900	\$150,305	\$275,205
	Transfers & Advances	\$0	\$0	\$0
	Total	\$124,900	\$150,305	\$275,205

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	\$24,656	\$118,000	\$142,656
	Total	\$120,416	\$225,000	\$345,416
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	\$443,105	\$443,105
	Total	\$0	\$443,105	\$443,105
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	\$8,000	\$8,000
	Total	\$0	\$8,000	\$8,000
255	<u>LAW ENFORCEMENT FUND</u>			
	Police Division	\$0	\$45,000	\$45,000
	Total	\$0	\$45,000	\$45,000
260	<u>RECREATION FUND</u>			
	Parks & Recreation	\$255,090	\$221,300	\$476,390
	Special Events	\$0	\$110,600	\$110,600
	Total	\$255,090	\$331,900	\$586,990
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	\$216,550	\$0	\$216,550
Parks & Recreation	\$41,600	\$0	\$41,600
Sanitary Sewer	\$0	\$0	\$0
Water	\$49,250	\$0	\$49,250
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	\$436,850	\$0	\$436,850

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	\$539,203	\$539,203
Total	\$0	\$843,703	\$843,703

401 ODOT PROGRAM FUND

Street Constr, Maint, & Repair	\$0	\$2,318,882	\$2,318,882
Total	\$0	\$2,318,882	\$2,318,882

403 ECONOMIC DEVELOPMENT & REHABILITATION FUND

Economic Development	\$0	\$545,000	\$545,000
Total	\$0	\$545,000	\$545,000

410 TIF FUND

Other	\$0	\$278,373	\$278,373
Total	\$0	\$278,373	\$278,373

412 FIRE & EMS REPLACEMENT FUND

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

420 SEWER REPLACEMENT FUND

Transfers & Advances	\$0	\$343,440	\$343,440
Total	\$0	\$343,440	\$343,440

430 WATERWORKS REPLACEMENT FUND

Water	\$0	\$1,075,000	\$1,075,000
Total	\$0	\$1,075,000	\$1,075,000

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)	\$970,610	\$1,164,230	\$2,134,840
	Bond Retirement	\$0	\$389,750	\$389,750
	Transfers & Advances	\$0	\$1,100,000	\$1,100,000
	Total	\$970,610	\$2,653,980	\$3,624,590
620	<u>SEWER FUND</u>			
	Sewer Division	\$311,005	\$2,589,320	\$2,900,325
	Transfers & Advances	\$0	\$180,000	\$180,000
	Total	\$311,005	\$2,769,320	\$3,080,325
630	<u>TRASH COLLECTION FUND</u>			
	Trash Collection	\$57,150	\$861,434	\$918,584
	Total	\$57,150	\$861,434	\$918,584
640	<u>STORMWATER UTILITY FUND</u>			
	Stormwater Utility	\$311,400	\$320,479	\$303,479
	Other Financing Uses	\$0	\$8,000	\$25,000
	Total	\$311,400	\$328,479	\$631,879
810	<u>POLICE PENSION FUND</u>			
	Police Division	\$507,911	\$1,000	\$508,911
	Total	\$507,911	\$1,000	\$508,911
820	<u>FIRE PENSION FUND</u>			
	Fire & EMS Division (Includes Grant)	\$351,400	\$1,000	\$352,400
	Total	\$351,400	\$1,000	\$352,400
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	\$13,208,732	\$25,995,229	\$39,203,961

Legislative Cover Memo

Meeting Date:	July 19, 2021
Agenda Item:	Resolution 2021-51 AMENDING THE POSITION DESCRIPTION FOR PROPERTY ROOM AND EVIDENCE MANAGER AND HUMAN RESOURCES SPECIALIST.
Submitted by:	Jonathan Westendorf, City Manager
Scope/Description:	<p>To accurately represent the requirements and duties, Property Room and Evidence Manager Job Description needs to be updated to remove the incorrect required OPOTA certificate, passage of civil service exam, and removes other duties that will not be performed.</p> <p>The Human Resources Specialist position will not require certification as a Human Resources Professional.</p>
Budget Impact:	None.
Exhibits:	Exhibit A – Amended Property Room and Evidence Manager Position Exhibit B – Amended Human Resources Specialist Position
Recommendation:	Approval.

CITY OF FRANKLIN, OHIO
RESOLUTION 2021-51

AMENDING THE POSITION DESCRIPTION FOR PROPERTY ROOM AND EVIDENCE MANAGER AND HUMAN RESOURCES SPECIALIST.

WHEREAS, Section 8.08 of the Franklin City Charter requires this Council to adopt a Position Classification Plan containing position descriptions for all City positions, considering the duties, authority and responsibility of each position;

WHEREAS, this Council adopted a Position Classification Plan and a position descriptions for the Poll Employee positions on August 18, 2003; and

WHEREAS, upon the request and recommendation of the City Manager/Safety Director, this Council now finds it desirable to update the position description;

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

Section 1. The position description for Property Room and Evidence Manager is hereby amended as shown in the attached Exhibit A.

Section 2. The position description for Human Resources Specialist is hereby amended as shown in the attached Exhibit B.

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. That this resolution shall become effective immediately upon its passage.

ADOPTED: July 19, 2021

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 a resolution passed by that body on July 19, 2021.

_____, Clerk of Council

CITY OF FRANKLIN
An Equal Opportunity Employer
POSITION DESCRIPTION

Page 1 of 3

Employee Name:		Division:	Police
Civil Service Status:	Unclassified	Position Title:	Property Room and Evidence Manager
Employment:	Part-time	Reports To:	Detective in Charge of Property
FLSA Status:	Non-Exempt	Supervises:	N/A

QUALIFICATIONS:

High school diploma or equivalent; training and/or experience in office practices and procedures; ~~must pass civil service exam.~~ Criminal History check and drug screen.

LICENSURE OR CERTIFICATION REQUIREMENTS:

Valid Ohio driver's license; ~~current Ohio Peace Officer Training Certificate~~; must meet the requirements to be bonded.

MINIMUM ACCEPTABLE CHARACTERISTICS: (* indicates developed after employment)

Knowledge of: two-way radio operations; safety practices and procedures; department goals and objectives; department policies and procedures; investigation techniques; ~~arrest procedures~~; law enforcement procedures and methods; techniques of collection and preservation of evidence; federal, state, and local laws; law enforcement administration; ~~surveillance techniques~~; security practices and procedures; interpersonal relations; public relations; civil rights.

Skill in: computer operation; operation and care of firearms.

Ability to: carry out detailed but basic written or oral instructions; deal with many variables and determine specific action; recognize unusual or threatening conditions ~~and take appropriate action~~; apply management principles to solve agency problems; define problems, collect data, establish facts, and draw valid conclusions; exercise independent judgement and discretion; understand, interpret, and apply laws, rules or regulations to specific situations; complete routine forms; prepare accurate documentation; compile and prepare reports; communicate effectively; develop and maintain effective working relationships.

ESSENTIAL FUNCTIONS OF THE POSITION: For purposes of 42 USC 12101.

1. Maintains proper evidence facilities, equipment, and procedures concerning the custody, storage and organization of all Franklin Police Department evidence.
2. Supervises and/or executes the agency's obligations in the correct disposition of evidence and of property forfeited through civil or criminal process.
3. Ensures the correct completion of forms, chain of custody records and receipts related to the submission, transports evidence and/or property in a secure manner to designated locations.
4. Prepares and submits forms/letters requesting disposal of evidence.

CITY OF FRANKLIN
An Equal Opportunity Employer
POSITION DESCRIPTION

Page 2 of 3

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5. Ensures the timely updating of all related property records; prepares, submits and maintains destruction orders by court of record
 6. Develops and maintains a thorough knowledge of current property room procedures and agency policy relating to evidence management and control.
 7. Makes recommendations based on statutory changes, case law and other sources, for the revision of existing agency policy, as necessary.
 8. Prepares for and participates in regular property room inventories and audits as directed.
 9. Works with detectives, other law enforcement agencies, crime laboratories, attorneys, prosecutors, and court officials.
 10. Assists prosecutors in preparation of cases; appears in court and other official proceedings to provide testimony regarding evidence management, chain of custody and storage.
 11. Provides information to the public regarding related law enforcement matters.
 12. Meets all job safety requirements and all applicable OSHA safety standards that pertain to essential functions.
 13. Demonstrates regular and predictable attendance.

OTHER DUTIES AND RESPONSIBILITIES:

14. Attends job related training as required.
15. Performs other duties as required.

EQUIPMENT OPERATED: The following are examples only and are not intended to be all inclusive.
Computer, ~~dispatch radio~~, copier, fax machine, typewriter, audio/video equipment, telephone.

INHERENTLY HAZARDOUS OR PHYSICALLY DEMANDING WORKING CONDITIONS:

(For purposes of O.R.C. 4167)

1. Floor openings, wall openings and holes; open-sided floors, platforms and runways; stairs.
2. Emergency plans and fire plans.
3. Noisy operations or activities.
4. Compressed gases.

Developed by:

Date Adopted:

Clemans, Nelson & Associates, Inc.

Date Revised:

Loveland, Ohio 45140

{7/25/2007 PDFRKCI 00046106.DOC}

CITY OF FRANKLIN
An Equal Opportunity Employer
POSITION DESCRIPTION

Page 3 of 3

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5. General requirements for use, care, and limitations of personal protective equipment.
 6. Eye and face protection due to potential exposure to flying objects, impact, and other hazards.
 7. Medical and first aid.
 8. Portable fire extinguishers.
 9. Handling of material and supplies. (Includes mechanical handling equipment, the manner in which things are stored, and housekeeping.)
 10. Air contaminants.
 11. Lead, including lead based paints or lead from other sources.
 12. Human blood or other potentially infectious materials.
 13. Hazardous chemicals.

GENERAL DUTY: SAFE AND HEALTHFUL WORKPLACE

The employee:

1. Uses or works in proximity to the use of firearms.
2. Works in or around crowds.
3. Has contact with potentially violent or emotionally distraught persons.
4. Has exposure to potentially vicious animals.
5. Has exposure to life threatening situations.
6. Has exposure to hazardous driving conditions.

This position description in no manner states or implies that these are the only duties and responsibilities to be performed by the position incumbent. My (employee) signature below signifies that I have reviewed and understand the contents of my position description.

(Approval of Appointing Authority)

(Date)

(Employee Signature)

(Date)

CITY OF FRANKLIN
An Equal Opportunity Employer
POSITION DESCRIPTION

Page 1 of 3

Employee Name:		Department:	Administration
Civil Service Status:	Unclassified-124.11 (A)(8)	Position Title:	Human Resources Specialist
Employment:	Full-time	Reports To:	City Manager
FLSA Status:	Exempt	Supervises:	N/A

GENERAL DESCRIPTION:

Under direction, the Human Resources Specialist provides wide-ranging human resources services such as recruitment and selection, compensation, leave administration, benefits, unemployment, and recordkeeping; acts as consultant to Division/Department Heads; and advises employees on rights, privileges, and benefits.

QUALIFICATIONS:

Bachelor's degree from an accredited college or university with major course work in Human Resources, Personnel Administration, Business or related field and two (2) years work experience in compensation plans, payroll, recruitment, benefits, or recordkeeping or other related personnel transactions; or any equivalent combination of education, experience, and training which provides the required knowledge, skills, and abilities.

LICENSURE OR CERTIFICATION REQUIREMENTS:

Must possess a valid State of Ohio driver's license. Must remain insurable under the City's vehicle insurance policy. ~~Must possess certification as a Human Resources Professional.~~

EQUIPMENT OPERATED: The following are examples only and are not intended to be all inclusive:

Calculator, computer, fax machine, copier, scanner, telephone, typewriter; postage machine, and other standard modern business office equipment.

MINIMUM ACCEPTABLE CHARACTERISTICS: (* indicates developed after employment)

Knowledge of: *City goals and objectives; *City policies and procedures; budgeting; payroll practices and procedures; OSHA rules and regulations; Department of Labor rules and regulations; human resources management; labor relations; employee training and development; personnel administration; FLSA; employee benefits administration; workplace safety; records management; public relations; computer programs; and general office practices and procedures; English spelling, grammar, and punctuation; project management principles and practices.

Skill in: Use of modern office equipment; data entry; computer operation; telephone console operation; Microsoft Office applications.

Ability to: Interpret a variety of instructions in written, oral, or picture form; deal with many variables and determine specific action; recognize unusual or threatening conditions and take appropriate action; exercise independent judgment and discretion; select most qualified applicant according to specifications for referral; add, subtract, multiply, and divide whole numbers; complete routine forms; prepare accurate documentation; compile and prepare reports; respond to routine inquiries from public and/or officials; prepare and deliver speeches and presentations; conduct effective interviews, communication effectively; train or instruct others; understand a variety of written and/or verbal communications; maintain effective working relationships; maintain records

Developed by:

Date Adopted:

Clemans, Nelson & Associates, Inc.

Date Revised:

Loveland, Ohio 45140

CITY OF FRANKLIN
An Equal Opportunity Employer
POSITION DESCRIPTION

Page 2 of 3

according to established procedures; handle sensitive inquiries from and contacts with officials and general public; resolve complaints; travel to and gain access to worksite.

ESSENTIAL FUNCTIONS OF THE POSITION: For purposes of 42 USC 12101.

1. Assists in the development and implementation of personnel policies and procedures; prepares and maintains the employee handbook and the policies and procedures manual; compiles statistical data; calculates service time; maintains personnel records; maintains information of a confidential or sensitive nature; prepares personnel reports; conducts new employee orientation and training and coordinates existing employee training programs.
2. Handles employee relations counseling, outplacement counseling and exit interviewing; responds to employee relation issues such as employee complaints, harassment allegations, and civil rights complaints; develops and maintains affirmative action program; files EEO-1 report annually; and maintains other records, reports and logs to conform to EEO regulations; analyzes data and makes recommendations to the management team for corrective action and continuous improvement.
3. Administers employee benefit programs (e.g., sick and vacation leave, FMLA, group health insurance [e.g., open enrollment & monthly additions/changes], workers' compensation, etc.); reviews and determines processing status for benefit claims; ensures proper documentation for personnel transactions and maintains agency personnel files.
4. Partners with employees and management to communicate various human resource policies, procedures, laws, standards and other government regulations; responds to inquiries regarding laws, rules, benefits, personnel procedures, etc.; provides information to employees regarding benefit programs including health care coverage and claims, civil service laws and procedures, agency policies and procedures, etc.
5. Coordinates hiring process with department heads; conducts recruitment efforts for all City exempt and nonexempt personnel; interviews and screens applicants for employment; administers, scores, and interprets employment tests; recommends hiring of employees; conducts reference checking; extends job offers.
6. Assists in preparing the budget; verifies and records salary increases, leaves of absence and other calendar items; assists in preparing for collective bargaining negotiations with City Administration and department heads; may represent or assist City Administration in collective bargaining.
7. Attends meetings and serves on committees, as required; attends various meetings, seminars, and workshops.
8. Meets all job safety requirements and all applicable OSHA safety standards that pertain to essential functions.

Developed by:

Date Adopted:

Clemans, Nelson & Associates, Inc.

Date Revised:

Loveland, Ohio 45140



CITY OF FRANKLIN
An Equal Opportunity Employer
POSITION DESCRIPTION

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9. Demonstrates regular and predictable attendance.

OTHER DUTIES AND RESPONSIBILITIES:

10. Performs other duties as required.

INHERENTLY HAZARDOUS OR PHYSICALLY DEMANDING WORKING CONDITIONS: (For purposes of O.R.C. 4167) Employee has exposure to chemical compounds found in an office environment (e.g., toner, correction fluid, etc.); is exposed to environmental conditions which may result in injury from fumes, odors, dusts, mists, gases, and/or poorly ventilated work areas; Physical demand requirements are in excess of those for Sedentary Work. Even though the weight lifted may be only a negligible amount, a job should be rated Light Work: (1) when it requires walking or standing to a significant degree; or (2) when it requires sitting most of the time but entails pushing and/or pulling of arm or leg controls; and/or (3) when the job requires working at a production rate pace entailing the constant pushing and/or pulling of materials even though the weight of those materials is negligible. NOTE: The constant stress and strain of maintaining a production rate pace, especially in an industrial setting, can be and is physically demanding of a worker even though the amount of force exerted is negligible.

Note: In accordance with the U.S. Department of Labor physical demands strength ratings, this is considered light work.

In cases of emergency, unpredictable situations, and/or department needs, may be required to lift, push, pull, and/or carry objects heavier than D.O.L. strength ratings recommend.

This position description in no manner states or implies that these are the only duties and responsibilities to be performed by the position incumbent. My (employee) signature below signifies that I have reviewed and understand the contents of my position description.

(Signature of Appointing Authority/Designee)

(Date)

(Signature of Employee)

(Date)

Legislative Cover Memo

Meeting Date: July 19, 2021

Agenda Item: **Resolution 2021-52**
APPROVING A TAX EXEMPTION IN COMMUNITY
REINVESTMENT AREA #1 FOR THE PROPERTY LOCATED AT
675 EAST SECOND STREET (DOMINO'S PIZZA)

Submitted by: Karisa Steed, Assistant to the City Manager

Scope/Description: Issuing a CRA (Community Reinvestment Act) to Louis & Karen Metro Family, LLC located at 675 East Second Street, Franklin, Ohio 45005 for the demolition and new construction of a Domino's Pizza. Louis & Karen Metro Family, LLC will construct a 2,000 square foot Domino's Pizza with an indoor seating area as well as a drive thru. The total cost of the new structure is estimated at \$817,675.

They are requesting a CRA exemption in Community Reinvestment Area #1 for 10 years at 100% of value of the new construction. The number of jobs created will be six full-time and twenty-two part-time positions.

Budget Impact: **Increase in Income Tax**

Exhibits: None.

Recommendation: Staff recommends approval for 8 years at 100% of value of the new construction.

CITY OF FRANKLIN, OHIO
RESOLUTION 2021-52

**APPROVING A TAX EXEMPTION IN COMMUNITY REINVESTMENT AREA #1 FOR
THE PROPERTY LOCATED AT 675 EAST SECOND STREET (DOMINO'S PIZZA)**

WHEREAS, Louis & Karen Metro Family LLC (the "Company"), as owner of the property located at 675 East Second Street, Franklin, Ohio 45005 (the "Property") filed an application with the City for a Community Reinvestment Act ("CRA") tax exemption from real property taxes with respect to new construction on the Property, more particularly described in the Company's CRA application (the "Project");

WHEREAS, pursuant to Resolution 1979-18 and Resolution 1994-42, and in accordance with Ohio Revised Code Sections 3735.65 through 3735.70 (the "CRA Statutes"), the City created a community reinvestment area designated "Community Investment Area #1" ("CRA #1") in which the Property is located;

WHEREAS, the City's Housing Officer has reviewed the Company's CRA application and determined the Project meets the requirements to receive an exemption under the CRA Statutes; and

WHEREAS, the Planning & Economic Development Council Committee has recommended the grant of a real property tax exemption, under the CRA Area #1 provisions, to the Company for a period of eight (8) years at one hundred percent (100%) of the value of the Project's new construction;

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

Section 1. There is hereby granted to Louis & Karen Metro Family LLC a real property tax exemption under the CRA #1 provisions for the property located at 675 East Second Street, Franklin, Ohio 45005 for a period of eight (8) years at one hundred percent (100%) of value of the new construction thereon.

Section 2. The Housing Officer is hereby authorized and directed to execute, on behalf of the City of Franklin, all documents and to take such steps as are deemed necessary to execute the grant of this tax exemption under the CRA #1 provisions and all applicable provisions of the Ohio Revised Code.

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: July 19, 2021

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 a resolution passed by that body on July 19, 2021

Khristi Dunn, Clerk of Council

Legislative Cover Memo

Introduction: July 19, 2021
Public Hearing: August 2, 2021
Effective Date: September 1, 2021

Agenda Item: **Ordinance 2021-18**
LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF CITY
STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF
FOR THE YEAR 2022

Submitted by: Khristi Dunn, Clerk of Council

Scope/Description: This is the last step Council must act upon to implement the annual street lighting assessments for 2021.

Budgetary Impact: \$170,000 is the total project cost for 2022. The City funds 2% of the total, or \$3,400.

Vote Required For Passage: Per Section 4.03(b) of the City's Charter, the passage of this Ordinance requires the affirmative vote of a majority of members of Council present.

CITY OF FRANKLIN, OHIO
ORDINANCE 2021-18

**LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING
THEREOF FOR THE YEAR 2021**

WHEREAS, this Council, on April 5, 2021, duly adopted Resolution 2021-27, declaring the necessity of improving City streets and public ways within the corporate limits of the City by the lighting thereof, said lighting to be provided by electrical lighting, for the year 2022;

WHEREAS, this Council by Ordinance 2021-07, adopted on May 3, 2021, determined to proceed with said improvement;

WHEREAS, the actual cost of the improvement has been ascertained and the amount of the special assessments have been increased or decreased in the same proportion to the estimated assessments as the actual cost of the improvements bears to the estimated cost of the improvement upon which the estimated assessments were based; and

WHEREAS, Ohio Revised Code Section 727.25 requires this Council, after the actual cost of improvement has been ascertained, to assess by Ordinance, upon the lots and lands enumerated in the estimated assessment, that portion of the total costs of the improvement to be paid for by special assessments,

THE CITY OF FRANKLIN HEREBY ORDAINS, a majority of the members of the Council present concurring, that:

Section 1. The adjusted assessment of the cost of improving City streets and public ways by the lighting thereof, said lighting to be provided by electrical lighting, in the City of Franklin, Ohio, for the year 2022, as reported to this Council and filed in the office of the Clerk of Council, and aggregating One Hundred Seventy Thousand Dollars and No Cents (\$170,000.00), is adopted and affirmed. The City shall pay two percent (2%) of the cost of the improvement.

Section 2. There are hereby levied and assessed upon all lots and lands lying within the corporate limits of the City of Franklin, Ohio the several amounts reported in the adjusted assessments, which assessments are in proportion to the tax value thereof. The assessments do not exceed any statutory limitations.

Section 3. The portion of the cost of the improvement to be assessed against benefited property, in the amount of One Hundred Sixty-Six Thousand Six Hundred Dollars and No Cents (\$166,600.00), shall be assessed in the amount, manner and number of installments provided in Resolution 2021-27, adopted on April 5, 2021, which declared the necessity of the improvement.

Section 4. The adjusted assessments are in the same proportion to the estimated assessments as the actual cost of the improvement bears to the estimated cost upon which such estimated assessments were based.

Section 5. The total assessment against each lot and parcel of land shall be payable, in cash, to the Finance Director of the City of Franklin within thirty (30) days after passage of this Ordinance or, at the option of the property owner assessed, in two (2) semi-annual installments. All assessments which have not been paid at the expiration of the thirty (30) day period shall be certified by the Finance

Director to the County Auditor, to be placed on the tax duplicate and collected in the same as other taxes are collected, as provided by law.

Section 6. The Clerk of Council is directed to cause notice of the passage of this Ordinance to be published once in a newspaper of general circulation in the City, as required by law.

Section 7. The Finance Director is authorized and directed to keep the adjusted assessments on file in her office for as long as any of them remain unpaid.

Section 8. The Finance Director is directed to cause notice of the levy of the assessments herein to be filed with the County Auditor within thirty (30) days after the passage of this Ordinance.

Section 9. 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 10. This Ordinance shall go into effect September 1, 2021.

INTRODUCED: July 19, 2021

ADOPTED: August 2, 2021

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent Centers, Mayor

Approved as to form: _____,
Ben Yoder, Law Director

Legislative Cover Memo

Introduction: July 19, 2021
Public Hearing: August 2, 2021
Effective Date: September 1, 2021

Agenda Item: **Ordinance 2021-19**
AN ORDINANCE CONSIDERING THE RECOMMENDATION OF PLANNING COMMISSION WITH RESPECT TO AN APPLICATION TO REZONE APPROXIMATELY 2.2 ACRES, LOCATED ON THREE PARCELS AT 126 AND 216 EAST FOURTH STREET AND PART OF TOWER LANE FROM R-4, MULTI-FAMILY RESIDENTIAL DISTRICT, TO O-I, OFFICE AND INSTITUTIONAL DISTRICT.

Submitted by: Barry Conway, City Engineer

Scope/Description: The City of Franklin, 1 Benjamin Franklin Way, Ohio 45005 requests a rezoning for its property located 126 E. Fourth Street (Warren County Parcel No. 04312050010) and 216 E. Fourth Street (Warren County Parcel No. 04312050420 and 04212050430) and part of Tower Lane Franklin, Ohio 45005 from R-4, Multi-Family Residential District to O-I, Office and Institutional District.

This rezoning request was reviewed by Planning Commission at its July 12, 2021 meeting. After holding a public hearing on the request, Planning Commission voted unanimously (6 - 0) to make a recommendation to Council to approve this rezoning.

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.

Exhibits: Rezoning Application; Map.

Recommendation: Approval.

CITY OF FRANKLIN, OHIO
ORDINANCE 2021-19

AN ORDINANCE CONSIDERING THE RECOMMENDATION OF PLANNING COMMISSION WITH RESPECT TO AN APPLICATION TO REZONE APPROXIMATELY 2.2 ACRES, LOCATED ON THREE PARCELS AT 126 AND 216 EAST FOURTH STREET AND PART OF TOWER LANE FROM R-4, MULTI-FAMILY RESIDENTIAL DISTRICT, TO O-I, OFFICE AND INSTITUTIONAL DISTRICT.

WHEREAS, The City of Franklin, 1 Benjamin Franklin Way, Ohio 45005 requests a rezoning for its property located 126 E. Fourth Street (Warren County Parcel No. 04312050010) and 216 E. Fourth Street (Warren County Parcel No. 04312050420 and 04212050430) and part of Tower Lane Franklin from R-4, Multi-Family Residential District to O-I, Office and Institutional District;

WHEREAS, the Franklin City Planning Commission, at its July 12, 2021 meeting, voted unanimously (6-0) to make a recommendation to Council 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-4, Multi-family Residential District to O-I, Office and Institutional District, on the property located at 126 and 216 East Fourth Street and part of Tower Lane 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 September 1, 2021.

INTRODUCED: July 19, 2021

ADOPTED: August 2, 2021

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 2021-19 passed by that body on August 2, 2021.

Khristi Dunn, Clerk of Council

Approved as to form: _____
Ben Yoder, Law Director

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

Application No. PC 21-10

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): CITY OF FRANKLIN
2. Mailing Address: 1 BENJAMIN FRANKLIN WAY
3. Phone Number: 937 7469921 (home) _____ (work)
4. Address of the property proposed to be rezoned: 126 1/2 216 E. FORTU ST.
5. Lot No. of the property proposed to be rezoned: 13, 109, PT 901
6. Current Zoning District: R-4 Current Use: AMERICAN LEGION & CITY WATER TOWER
7. Proposed Zoning District: O-1 Proposed Use: MEDICAL & HEALTH & CITY WATER TOWER
RELATED OFFICES

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.****


Signature of Applicant(s)

DATE: 7/2/2021

OFFICE USE ONLY

Received Date: 7/2/21

TRC Meeting: ELECTRONICALLY

Legal Notice: 7/6/21

Mailings: 7/2/21

PC Meeting: 7/12/21

Recommendation to: ☒ Approve ☐ Deny

Council Meeting: 7/19/21

Legal Notice: _____

Mailings: _____

☐ Approved

☐ Denied

Date of Approval or Denial: _____

Date Notice Mailed to Applicant: _____

Date: 7/2/2021

Rezoning R-4 to O-1

The provider makes no warranty or representation with respect to this 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.

1 inch = 100 feet

Cadastral Lines	Corporate Line	Hardware
County Line	County Line	ROW Unimproved Width Line
Farm Lot Line	Farm Lot Line	Subdivision Lot Line
Highway Right-of-Way Line	Highway Right-of-Way Line	Swamp and Range Line
Section Line	Section Line	Tax Line
Subdivision Level Line	Subdivision Level Line	MDL Line
Unimproved Road Line	Unimproved Road Line	Unimproved Road Line

