



🏠 Location: 1 Benjamin Franklin Way
📅 Date: Monday, December 6, 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 November 15, 2021 Meeting.
5. Presentations.
 - A. Committee Reports
 - B. A Look Forward at Upcoming Infrastructure Project Timeline
6. Reception of Visitors.
7. Public Hearing
 - A. **ORDINANCE 2021-28** AMENDING CHAPTERS 911 and 919 OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO, RESPECTIVELY CAPTIONED "WATER SERVICE" AND "SEWER RENTAL" (Jonathan Westendorf)
 - a. Exhibit A: Section 911.09
 - b. Exhibit B: Section 911.10
 - c. Exhibit C: Section 919.03
 - d. Exhibit D: Section 919.05
 - B. **ORDINANCE 2021-29** AMENDING CHAPTER 1103, DEFINITIONS, CHAPTER 1107 DISTRICTS AND LAND USE STANDARDS, CHAPTER 1109 OVERLAY DISTRICTS, CHAPTER 1111 DEVELOPMENT REQUIREMENTS AND STANDARDS AND CHAPTER 1115 PROCESS AND PROCEDURES OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE (Barry Conway)
 - a. Exhibit A: Chapter 1103.01
 - b. Exhibit B: Chapter 1107.03
 - c. Exhibit C: Chapter 1107.05
 - d. Exhibit D: Chapter 1109.05
 - e. Exhibit E: Chapter 1111.08
 - f. Exhibit F: Chapter 1115.08

C. **ORDINANCE 2021-30** AMENDING ORDINANCE 2021-26 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: Appropriations

D. **ORDINANCE 2021-31** PROVIDING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, THROUGH MARCH 31, 2022, AND DECLARING AN EMERGENCY (Cindy Ryan)

- a. Exhibit A: Appropriations

8. **New Business.**

A. **Liquor Permit Applications** (Chief Colon)

- a. Speedway, 200 S. Main Street
- b. Speedway, 1295 E. Second Street
- c. Daleys Irish Pub, 544 S. Main Street & Patio

B. **RESOLUTION 2021-71** AUTHORIZING POSITION TITLES AND THE NUMBER OF POSITIONS FOR EACH TITLE FOR CITY OF FRANKLIN PERSONNEL FOR THE YEAR 2022 (Jonathan Westendorf)

C. **RESOLUTION 2021-72** ESTABLISHING THE ORGANIZATIONAL LISTINGS AND PAY RATES FOR CITY OF FRANKLIN OFFICIALS AND EMPLOYEES FOR THE YEAR 2022. (Jonathan Westendorf)

- a. Exhibit A: Pay Rates

D. **RESOLUTION 2021-73** DECLARING CITY MANAGER, THE CITY'S CONTRACTING OFFICER, TO BE EMPOWERED TO ACQUIRE TITLE TO OR INTERESTS IN REAL PROPERTY SITUATED WITHIN THE CITY OF FRANKLIN WITHIN THE SPENDING LIMIT AS ESTABLISHED IN CHARTER SECTION 5.05 EFFECTIVE FISCAL YEAR 2022 (Jonathan Westendorf)

E. **RESOLUTION 2021-74** DECLARING THE CITY MANAGER, THE CITY'S CONTRACTING OFFICER, TO BE EMPOWERED TO APPOINT AN INTERIM CITY MANAGER, IN HIS ABSENCE, TO CARRY OUT THE CITY'S OBJECTIVES, AS ESTABLISHED IN CHARTER SECTION 5.03 (Jonathan Westendorf)



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F. **RESOLUTION 2021-75** ACCEPTING THE MATERIAL TERMS OF THE ONE OHIO POLITICAL SUBDIVISION SETTLEMENT ON BEHALF OF THE CITY OF FRANKLIN AND IN ACCORDANCE WITH THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT (Jonathan Westendorf)

9. Introduction of New Legislation.
10. City Manager's Report.
11. Council Comments.
12. **Executive Session.** To consider the employment and compensation of a public employee pursuant to ORC 121.22 (G)(1).
13. Adjournment.



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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
Ben Yoder, Law Director
Cindy Ryan, Finance Director
Adam Colon, Police Chief
Andy Riddiough, Fire & EMS Chief
Steve Inman, Public Works Director
Barry Conway, City Engineer
Khristi Dunn, Clerk of Council

Members of the Franklin City Council met in regular session on Monday, November 15, 2021, 6:00 PM in the Council Chambers located at 1 Benjamin Franklin Way, Franklin, Ohio 45005.

1. **Call to Order.** Mayor Brent Centers called the regularly scheduled meeting of the Franklin City Council on Monday, November 15, 2021 to order at 6:04 PM.

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

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

Mr. Conway, Ms. Dunn, Mr. Inman, Chief Riddiough, Ms. Ryan, Ms. Steed, Mr. Westendorf, Mr. Yoder, Lt. Wayne Bowling and three guests were in attendance.

3. **Pledge of Allegiance.** The pledge of allegiance was led by Mayor Centers.

4. **Approve the Clerk's Journal and Accept the Tapes as the Official Minutes of the November 1, 2021 Meeting.** The Mayor asked if there were any amendments to the Clerk's Journal. Hearing none, he called for a motion. Vice Mayor Hall made the motion to approve the Clerk's Journal and accept the tapes as the Official Minutes of the November 1, 2021, general meeting; seconded by Mr. Aldridge. The vote:

MR. PAUL RUPPERT	yes
VICE MAYOR TODD HALL	yes
MAYOR BRENT CENTERS	yes
MR. MICHAEL ALDRIDGE	yes

MRS. DEBBIE FOUTS	yes
MR. MATT WILCHER	yes
MR. DENNY CENTERS	yes

Motion passed.

5. Presentations. None.

6. Reception of Visitors. The Mayor opened and closed the Reception of Visitors at 6:05 PM as none asked to be heard.

7. Public Hearing.

A. ORDINANCE 2021-27 EXTENDING THE MORATORIUM ON THE ESTABLISHMENT OR COMMENCEMENT OF MEDICAL MARIJUANA CULTIVATORS, PROCESSORS AND/OR RETAIL DISPENSARIES WITHIN THE CITY OF FRANKLIN FOR AN ADDITIONAL 180 DAYS

The City of Franklin currently has a moratorium in effect on the establishment or commencement of medical marijuana cultivators, processors and/or retail dispensaries within the City limits. The purpose of the moratorium is to allow the City time to study data and receive input from the City's new public safety department heads on the potential impact of these types of medical marijuana businesses on the City. The moratorium is set to expire on December 13, 2021. The City's information collection on this topic is ongoing, and the City requires additional time to study the impact of these types of medical marijuana businesses could have on City residents.

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

The Mayor opened the floor for Council deliberation. He asked when a proposal would be brought to the Council Safety Committee for consideration. Mr. Westendorf estimates during the first quarter of 2022.

They Mayor asked if there were any additional questions or comments. Hearing none, he called for a motion. Vice Mayor Hall made the motion to adopt **ORDINANCE 2021-27** as submitted; seconded by Mr. D. Centers. The vote:

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

Motion passed.

8. New Business.

A. RESOLUTION 2021-66 ADOPTING THE CITY OF FRANKLIN INVESTMENT POLICY

The City's investment policy was last updated in August 2020. This update revises the policy with suggestions from our local investment advisor based on changes in Ohio.

Once this policy is approved by City Council, we must send a copy to the Ohio Auditor of State's office for further approval.

The 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 **RESOLUTION 2021-66** as submitted; seconded by Mr. Aldridge. The vote:

MAYOR BRENT CENTERS	yes
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.

B. RESOLUTION 2021-67 APPOINTING MEMBERS OF COUNCIL TO THE VOLUNTEER FIREFIGHTERS DEPENDENTS FUND BOARD AND VOLUNTEER PEACE OFFICERS' DEPENDENTS FUND BOARD FOR THE YEAR 2022.

Appointing members of Council to the Volunteer Firefighters Dependents Fund Board and Volunteer Peace Officers' Dependents Fund Board for the year 2022.

Per the Ohio Revised Code section 146.04 (B), Election of volunteer fire fighters' dependents fund board members provided for in divisions (A)(1) and (B)(1) of section 146.03 of the Revised Code shall be held each year no earlier than the first day of November and no later than the second Monday in December. The Mayor opened the floor for Council deliberation. He asked if there were any questions or comments. Vice Mayor Hall made the motion to adopt **RESOLUTION 2021-67** 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	yes

Motion passed.

C. RESOLUTION 2021-68 CONCURRING WITH THE CITY MANAGER FOR THE APPOINTMENT OF JERI ASHER AS A CITY CODE OFFICIAL TO ENFORCE THE CITY'S PROPERTY MAINTENANCE CODE

To assist with the enforcement of the Property Maintenance Code, the City Manager desires to appoint Jeri Asher 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 Jeri Asher as a City Code Official to enforce the City's Property Maintenance Code. Other appointments continue and include Engineer and Zoning Official, Barry Conway, Zoning Official Kyle Lovelace and NIC.

The 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 **RESOLUTION 2021-68** as submitted; 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	yes
MR. MICHAEL ALDRIDGE	yes

Motion passed.

D. RESOLUTION 2021-69 AUTHORIZING THE SALE OF SURPLUS CITY-OWNED VEHICLES BY INTERNET AUCTION

This Resolution authorizes the sale of surplus City-owned vehicles by internet auction pursuant to the terms and conditions previously established by Council by Resolution 2021-31. Chief Riddiough asked to dispose of a surplus 2005 Ambulance.

The 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 **RESOLUTION 2021-69** 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	yes
MR. MICHAEL ALDRIDGE	yes
MRS. DEBBIE FOUTS	yes

Motion passed.

9. Introduction of New Legislation.

A. ORDINANCE 2021-28 AMENDING CHAPTERS 911 and 919 OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO, RESPECTIVELY CAPTIONED "WATER SERVICE" AND "SEWER RENTAL"

- a. Exhibit A: Section 911.09

- b. Exhibit B: Section 911.10
- c. Exhibit C: Section 919.03
- d. Exhibit D: Section 919.05

B. ORDINANCE 2021-29 AMENDING CHAPTER 1103, DEFINITIONS, CHAPTER 1107 DISTRICTS AND LAND USE STANDARDS, CHAPTER 1109 OVERLAY DISTRICTS, CHAPTER 1111 DEVELOPMENT REQUIREMENTS AND STANDARDS AND CHAPTER 1115 PROCESS AND PROCEDURES OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE

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10. Law Director Report.

A. Charter Review (Carly Sherman)

The City of Franklin has been working on a comprehensive update of the City Charter. Bricker & Eckler LLP, in its capacity as the City's Law Director, has reviewed the Charter; collected input from City staff, the Civil Service Commission, and the Charter Review Commission; and compiled all suggested changes into one document. A "redline" between the current version of the Charter and the proposed amended version was distributed for City Council's review. Comments explaining the thoughts behind each suggested change are placed in the margins of the document.

While there appear to be a lot of suggested changes, most of the edits fall into a handful of broad categories:

- Non-substantive, typographical changes to make terms consistent as used throughout the Charter (*e.g.* changing all "City Clerk" references to "Clerk of Council");
- Elimination of provisions that were relevant at the time the Charter was adopted, but are no longer necessary (for conciseness);
- Non-substantive changes throughout to clarify/simplify confusing language, and reorganize Charter provisions to keep similar subject matter together;
- Changes throughout to omit newspaper publication requirements, which would allow staff to publish notices in other media formats (*i.e.* on the City's website);
- Elimination of restrictions/requirements related to Council's power to acquire and dispose of real estate (the Revised Code doesn't contain such restrictions); and
- Changes to election ballot submission deadlines to bring the City's deadlines in line with the timing requirements followed by the vast majority of other jurisdictions in Warren County (a change requested by the Board of Elections).

The purpose of this Work Session is to walk through the proposed changes and thoughts behind each change and discuss any questions and comments Council may have about the proposed Charter amendments. Council approved all proposed changes except for a proposal in Section 4.05 which changed the requirement for at least 5 members of Council to approve an emergency ordinance to a majority of Council members present. This will remain as is.

Ms. Sherman will continue to work with the BOE to ensure the changes chosen by Council are delivered to the voters in the best way. The proposed changes will likely be limited to 5 changes per election. Ms. Sherman will update Council again in December.

11. City Manager's Report. Mr. Westendorf reported that the Franklin in Lights festival on December 4th is growing. The Christmas tree was scheduled to be delivered the following week. Ms. Dunn summarized the planned events for Council.

Staff had a preliminary meeting with a car club about continuing a car show within the City. They are taking the proposal back to their club and will have a decision back to the City within a couple of months.

12. Council Comments.

Mr. Wilcher thanked the voters for the opportunity to serve for four more years. This past year has been energizing. The current team allows for endless possibilities, and it is a pleasure to be a part of the team.

Mrs. Fouts is excited about the results of the election so that Council can continue the good work that they are doing. She is excited about the lasting work that is being done in the community. She is looking forward to the Christmas tree lighting.

Mr. Aldridge congratulated the Police Department for their recent drug seizure and a bust that occurred over the weekend. He appreciates all the work they do to make the town safe and for attacking the drug issue. He thanked the voters for re-electing him. He is more excited about being on Council now than ever due to the changes being made. He thanked his fellow Council members for their support.

Mr. D. Centers also thanked the voters for re-electing him to another term. He appreciates how Council considers the longevity of a decision.

A citizen asked him about the electric charging stations in the City Building parking lot and if there is a charge to use them. Mr. Westendorf said that they are not yet functional, so those details have not yet been figured out. He will recommend a nominal charge to start and evaluate as usage begins. Mr. Westendorf also reported that a local company was considering donating additional chargers and staff is looking at new grant opportunities as well.

Mr. D. Centers gave an overview of the Finance committee meeting from earlier that evening. Ms. Ryan reviewed the proposed investment policy changes and gave an overall review of the City's investments. She did an annual credit card review. The Mayor asked about a ding in the annual audit due to the credit card policy and asked if that was addressed. Mr. Westendorf said that this was due to the court's credit card as they do not operate under the overall city policy. This is planned to change with upcoming

personnel changes. The 2021 budget was reviewed, and things are looking better than anticipated, even with increased spending. The 2022 budget was also reviewed but is still uncertain. The budget will be monitored closely moving forward. The Mayor commented that with all of the changes occurring, it was not surprising that spending is up and expects things to stabilize as time progresses. Mr. D. Centers added that the LED updates have been more beneficial than anticipated and could have a quicker ROI than originally forecasted.

Mr. Ruppert congratulated the newest City staff who were in attendance. Everything is looking great within in the City. He also congratulated the re-elected Council members and believes the voters made a very wise choice.

Vice Mayor Hall inquired about the former Swifty property. Mr. Westendorf replied that there are some clean up issues that need addressed. He has given Chief Riddiough information on a possible grant to aid in the clean up of this and another former gas station property. Vice Mayor Hall congratulated the re-elected members.

Ms. Fouts asked about a for sale sign in front of the new Dial Park. There are several parcels within the Township, behind the park, that a seller is looking to develop. The sign is in the Right of Way in the Township, not on City property or Right of Way.

Mayor Brent Centers said the lights are looking great, he is excited about the tree lighting, and congratulated the re-elected members. Things are going very well, and he is excited to continue the good work.

13. Executive Session. To consider the compensation of a public employee pursuant to ORC 121.22 (G)(1) and preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment pursuant to ORC 121.22 (G) (4).

Mr. Ruppert made the motion to exit into executive session, seconded by Mrs. Fouts. The vote:

MR. DENNY CENTERS	yes
MR. PAUL RUPPERT	yes
VICE MAYOR TODD HALL	no
MAYOR BRENT CENTERS	yes
MR. MICHAEL ALDRIDGE	yes
MRS. DEBBIE FOUTS	yes
MR. MATT WILCHER	yes

Motion passed.

Council entered into executive session at approximately 7:06 PM.

Vice Mayor Hall made the motion to exit out of executive session, seconded by Mr. Wilcher. The vote:

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

Motion passed.

Council exited executive at approximately 8:02 PM.

14. **New Business.**

A. RESOLUTION 2021-70 APPROVING OR REJECTING THE TENTATIVE AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS, LOCAL 3742 AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE COLLECTIVE BARGAINING CONTRACT

The Mayor stated that this had been discussed. He called for a motion to either approve or reject the resolution.

Vice Mayor Hall made the motion to APPROVE **RESOLUTION 2021-70**; seconded by Mrs. Fouts. The vote:

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

Motion passed.

15. **Adjournment.** The Mayor called for a motion to adjourn the meeting. Vice Mayor Hall made the motion; seconded by Mrs. Fouts. The Mayor called for a voice vote and voice vote the motion passed 7-0.

The Mayor adjourned the meeting at 8:04 PM.

Brent Centers, Mayor

Khristi Dunn, Clerk of Council

Legislative Cover Memo

Introduction: November 15, 2021

Public Hearing: December 6, 2021

Effective Date: January 5, 2022

Agenda Item: **Ordinance 2021-28**
AMENDING CHAPTERS 911 and 919 OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO, RESPECTIVELY CAPTIONED “WATER SERVICE” AND “SEWER RENTAL”

Submitted by: Jonathon Westendorf, City Manager

Scope/Description: This Ordinance amends the City’s water and sewer utility billing provisions to clarify water and sewer service account deposit requirements and liability for unpaid water service bills.

Exhibits: Exhibit A: Section 911.09
Exhibit B: Section 911.10
Exhibit C: Section 919.03
Exhibit D: Section 919.05

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 2021-28

**AMENDING CHAPTERS 911 and 919 OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO,
RESPECTIVELY CAPTIONED "WATER SERVICE" AND "SEWER RENTAL"**

WHEREAS, Chapters 911 and 919 of the Codified Ordinances of the City of Franklin set forth the City's water and sewer utility service account billing procedures and deposit requirements, penalties for unpaid bills, and liability provisions with respect to delinquent water and sewer service accounts;

WHEREAS, the City of Franklin Council desires to amend Sections 911.09 and 911.10 of the City's Codified Ordinances to clarify water service billing procedures, deposit requirements, and personal liability for delinquent water service accounts in the context of leased premises;

WHEREAS, City Council further desires to amend Sections 919.03 and 919.05 of the City's Codified Ordinances to clarify sewer service billing procedures, deposit requirements, and personal liability for delinquent sewer service accounts in the context of leased premises;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FRANKLIN, WARREN COUNTY, OHIO THAT:

Section 1. Section 911.09 of the City's Codified Ordinances is hereby amended as set forth in Exhibit A, attached hereto.

Section 2. Section 911.10 of the City's Codified Ordinances is hereby amended as set forth in Exhibit B, attached hereto.

Section 3. Section 919.03 of the City's Codified Ordinances is hereby amended as set forth in Exhibit C, attached hereto.

Section 4. Section 919.05 of the City's Codified Ordinances is hereby amended as set forth in Exhibit D, attached hereto.

Section 5. All ordinances or parts of ordinances that conflict with this Ordinance are hereby repealed.

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 occurred 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.

INTRODUCED: November 15, 2021

ADOPTED: December 6, 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 2021-28 passed by that body on December 6, 2021.

APPROVED AS TO FORM

Khristi Dunn, Clerk of Council

Ben Yoder, Law Director

FRANKLIN CODIFIED ORDINANCE

Chapter 911 – Water Service

911.09 Billing, Penalties, Late Fees and Denial of Service

- (a) Monthly Billing: Monthly bills shall be paid on or before the last business day of the month ("the due date"). If the last business day of the month falls on a holiday, the monthly bill shall be paid on or before the day preceding the last business day of the month. The Finance Director shall establish, for the Utility Billing Division, Department policies and procedures providing fair and reasonable opportunity for resolution of any billing disputes.
- (b) Penalties and Late Fees: Any monthly bill not paid on or before the due date shall be assessed a ten percent (10%) penalty. If the bill is not paid within thirty (30) days of the due date, a late charge of one and one-half percent (1.5%) shall be added for each month or portion of a month that the amount due remains outstanding. For any bill outstanding after the due date, a notice shall be sent to the customer indicating that the water service may be shut-off without further notice.
- (c) Denial of Service:

(1) As of July 15, 1981, water and sewer service may be denied to any premises and may be shut-off for indebtedness until the same is fully paid. This section shall be applied regardless of whether there has been a change in ownership or possession of the premises or a change in the name in which the service account is carried.

(2) Any individual liable for a delinquent water services account with respect to any premises within the City may be denied water service at any other premises in the City until the total outstanding water services account balance is paid in full.

- (d) Tax Liens:

(1) When service charges for water are not paid, the Director of Finance shall certify them, together with any penalties and late fees, to the County Auditor. The County Auditor shall place the certified amount on the real property tax list and duplication against the property in the manner prescribed by ORC 743.04. The amount placed on the tax list and duplicate shall be a lien on the property served from the date placed on the list and duplicate and shall be collected in the same manner as other taxes, except that, notwithstanding ORC 323.15, the County Treasurer shall accept a payment in such amount when separately tendered as payment for the full amount of such unpaid service charges for water and associated penalties. The lien shall be released immediately upon payment in full of the certified amount.

(2) The Director of Finance shall not certify to the County Auditor, and the County Auditor shall not place upon the tax list and duplicate as a charge against the

property the amount of any unpaid service charges together with any penalties if any of the following apply:

- (A) The property served by the connection has been transferred or sold to an electing subdivision, as defined in ORC 5722.01, regardless of whether the electing subdivision is still the owner of the property, and the unpaid service charges together with any penalties have arisen from a period of time prior to the transfer or confirmation of sale to the electing subdivision;
- (B) The property served by the connection has been sold to a purchaser at sheriff's sale or auditor's sale, the unpaid service charges together with any penalties has arisen from a period of time prior to the confirmation of sale, and the purchaser is not the owner of record of the property immediately prior to the judgment of foreclosure nor any of the following:
 - (i) A member of that owner's immediate family;
 - (ii) A person with a power of attorney appointed by that owner who subsequently transfers the land to the owner;
 - (iii) A sole proprietorship owned by that owner or a member of that owner's immediate family;
 - (iv) A partnership, trust, business trust, corporation or association of which the owner or member of the owner's immediate family owns or controls directly or indirectly more than fifty percent (50%).
- (C) The property served by the connection has been forfeited to the State of Ohio for delinquent taxes, unless the owner of record redeems the property.
(Source: 743.04)

- (e) Other Actions at Law: The City may also collect by action in law, from any owner, tenant or other person who is liable to pay the water service charges.

(Ord. 1984-37. Passed 9-17-84; Ord. 1987-19. Passed 6-1-87; Ord. 2010-10. Passed 4-19-10; Ord. 2017-26. Passed 11-20-17

FRANKLIN CODIFIED ORDINANCE

Chapter 911 – Water Service

911.10 Service Application and Deposit Requirements

(a) Service Application: Application for water service shall be made by the record title owner of the ~~premises, property or~~ a tenant ~~or occupant of leased premises on the property~~. Prior to service being rendered, ~~one of the below-listed alternatives~~ items shall be complied with:

- (1) The owner or tenant of the premises, as applicable, shall sign a service agreement, stating he or she ~~that the owner~~ is responsible for ~~and shall pay~~ payment of all water services rendered to the premises. ~~The bills shall be sent to the owner, tenant or occupant, as the owner shall direct.~~
- (2) ~~In the alternative, the tenant or occupant of any leased or rented premises shall deposit with the Utility Billing Administrator a fee to assure payment for water service in accordance with the following schedule of deposit fees:~~

~~(A) Each dwelling unit \$100.00.~~

~~(B) All other users \$100.00 for each 1,333 cubic feet, as measured by the water meter, estimated to be used in a one month period.~~

If a tenant of the premises signs a service agreement providing he or she is primarily responsible for payment of water utility services to the premises, water utility bills shall be sent directly to the tenant. The tenant shall also deposit with the Utility Billing Administrator a fee to assure payment for water service according to the following schedule of deposit fees:

(A) \$100.00 per dwelling unit in the case of residential property.

(B) \$100.00 for each 1,333 cubic feet, as measured by the water meter, estimated to be used in a one-month period, in the case of all property other than residential property.

The owner of the leased premises shall also be liable for water service charges in the event of nonpayment by the tenant. The owner shall have the option of submitting an additional deposit with the Utility Billing Administrator, according to the above schedule of deposit fees, for the purpose of assuring payment for water service to the leased premises.

- (3) The required service agreement ~~or~~ and any security deposit~~s~~ shall be received by the Utility Billing Administrator before service shall be provided.

(b) Security Deposits.

- (1) Depositors whose accounts, including relocations within the City, were opened after January 1, 1980, that have not been charged for delinquencies or late payments for eight consecutive quarters (2 years) shall receive, upon request, a refund equal to the full amount of the water security deposit made. Depositors who fulfill the requirements of receiving a refund of their water security deposit shall not be required to make an additional deposit should they relocate within the City limits. The City may, in its discretion, require the depositor to submit a water security deposit in the event the depositor subsequently fails to timely pay any water service bill.
- (2) All security deposits required under this Section shall be placed in a separate fund and used for no other purpose than to offset any unpaid bills. Upon cessation of water services, any unpaid amounts may be deducted from the security deposit before the balance is returned to the depositor. ~~The posting of the deposit and the use of the deposit to offset unpaid amounts shall not relieve the depositor of the liability for amounts due in excess of the security deposit.~~ The depositor shall receive no interest on the deposit.
- (3) If water service is discontinued under Section 911.09, the security deposit(s) may be applied to the delinquency.
- (4) ~~The depositor shall receive no interest on the deposit.~~ The posting of a deposit and the use of the deposit to offset unpaid amounts shall not relieve the depositor of liability for amounts due in excess of the security deposit. In the event the security deposit does not satisfy a delinquent account in full, the owner of the property, and the tenant of the leased premises, if applicable, shall be responsible for payment of the remaining outstanding debt.

(5) In the case of a delinquent account serving leased premises for which both the owner and tenant have submitted water security deposits, the City retains the right to draw from either, or both, of the deposits made by the owner and the tenant.

- (c) Liability for Unpaid Service: The owner of the property at the time water utility bills were incurred, any tenant of the leased premises responsible for incurring water utility bills, and any subsequent individual(s) who take ownership of the property while any water utility bills remain delinquent and outstanding, as well as the lessee, tenant or occupant, shall be jointly and severally liable to the City for unpaid charges made for such outstanding services charges, in accordance with Section 911.09.

(Ord. 1984-37. Passed 9-17-84; Ord. 2000-61. Passed 1-15-01; Ord. 2010-10. Passed 4-19-10; Ord. 2017-26. Passed 11-20-17.)

FRANKLIN CODIFIED ORDINANCE

Chapter 919 – Sewer Rental

919.03 Billing, Penalties, Late Fees and Denial of Service

- (a) Monthly Billing: Monthly bills shall be paid on or before the last business day of the month ("the due date"). If the last business day of the month falls on a holiday, the monthly bill shall be paid on or before the day preceding the last business day of the month. The Finance Director shall establish, for the Utility Billing Division, Department policies and procedures providing fair and reasonable opportunity for resolution of any billing disputes.
- (b) Penalties and Late Fees: Any monthly bill not paid on or before the due date shall be assessed a ten percent (10%) penalty. If the bill is not paid within thirty (30) days of the due date, a late charge of one and one-half percent (1.5%) shall be added for each month or portion of a month that the amount due remains outstanding. For any bill outstanding after the due date, a notice shall be sent to the customer indicating that the water may be shut off (as the sewer charge is based on the water used) without further notice.
- (c) Denial of Service:
- (1) As of July 15, 1981, water and sewer service maybe denied to any premises shut off for indebtedness until the same is fully paid. This section shall be applied regardless of whether there has been a change of ownership or possession of the premises or a change in the name in which the service account is carried.
- (2) Any individual liable for a delinquent sewer services account with respect to any premises within the City may be denied sewer service at any other premises in the City until the total outstanding sewer services account balance is paid in full.
- (d) Tax Liens: When service charges for sewer are not paid, the Director of Finance shall certify them, together with any penalties and late fees, to the County Auditor in the same manner as unpaid water service charges under Section 911.09. The County Auditor shall place the certified amount on the real property tax list and duplication against the property in the same manner. The amount placed on the tax list and duplicate shall be a lien on the property served from the date placed on the list and duplicate and shall be collected in the same manner as other taxes, except that, notwithstanding ORC 323.15, the County Treasurer shall accept a payment in such amount when separately tendered as payment for the full amount of such unpaid service charges for sewer and associated penalties. The lien shall be released immediately upon payment in full of the certified amount.
- (e) Other Actions at Law: The City may also collect by action in law from any owner, tenant, or other person who is liable to pay the service charges
- (Ord. 1981-04. Passed 4-6-81; Ord. 2008-08. Passed 3-3-08; Ord. 2017-26. Passed 11-20-17.)

Statutory reference:

Sewerage rates or charges of rent, see ORC 729.49

FRANKLIN CODIFIED ORDINANCE

Chapter 919 – Sewer Rental

919.05 Service Application and Deposit Requirements

(a) Service Application. Application for sewer service shall be made by the record title owner of the premises, property or a tenant ~~or occupant~~ of leased premises on the property. Prior to service being rendered, ~~one of the below-listed alternatives~~ items shall be complied with.

- (1) The owner or tenant of the premises, as applicable, shall sign a service agreement, stating he or she ~~that the owner~~ is responsible for ~~and shall pay~~ payment of all sewer services rendered to the premises. ~~The bills shall be sent to the owner, tenant or occupant, as the owner shall direct and with the concurrence of the Utility Billing Administrator.~~
- (2) ~~In the alternative, the tenant or occupant of any leased or rented premises shall deposit with the Utility Billing Administrator a fee to assure payment for sewer service in accordance with the following schedule of deposit fees:~~

~~(A) Each dwelling unit \$100.00.~~

~~(B) All other users \$100.00 for each 1,333 cubic feet, as measured by the water meter, estimated to be used in a one month period.~~

If a tenant of the premises signs a service agreement providing he or she is primarily responsible for payment of sewer utility services to the premises, sewer utility bills shall be sent directly to the tenant. The tenant shall also deposit with the Utility Billing Administrator a fee to assure payment for water service according to the following schedule of deposit fees:

(A) \$100.00 per dwelling unit in the case of residential property.

(B) \$100.00 for each 1,333 cubic feet, as measured by the water meter, estimated to be used in a one-month period, in the case of all property other than residential property.

The owner of the leased premises shall also be liable for sewer service charges in the event of nonpayment by the tenant. The owner shall have the option of submitting an additional deposit with the Utility Billing Administrator, according to the above schedule of deposit fees, for the purpose of assuring payment for sewer service to the leased premises.

- (3) The required service agreement ~~or~~ *and any* security deposit~~s~~ shall be received by the Utility Billing Administrator before service shall be provided.

(b) Security Deposits:

- (1) Depositors whose accounts, including relocations within the City, were opened after January 1, 1980, that have not been charged for delinquencies or late payments for eight consecutive quarters (2 years) shall receive, upon request, a refund equal to the full amount of the sewer security deposit. *The City may, in its discretion, require the depositor to submit a sewer security deposit in the event the depositor subsequently fails to timely pay any water service bill.*
- (2) All security deposits required under this section shall be placed in a separate fund and used for no other purpose than to offset any unpaid bills, or returned to the depositor upon cessation of services, after deduction of any unpaid balance. ~~The posting of the deposit and the use of the deposit to offset unpaid amounts shall not relieve the depositor of any liability for amounts due in excess of the security deposit.~~ *The depositor shall receive no interest on the deposit.*
- (3) If sewer service is discontinued under Section 919.04, the security deposit (s) may be applied to the delinquency.
- (5) ~~The depositor shall receive no interest on the deposit.~~ *The posting of a deposit and the use of the deposit to offset unpaid amounts shall not relieve the depositor of liability for amounts due in excess of the security deposit. In the event the security deposit does not satisfy a delinquent account in full, the owner of the property, and the tenant of the leased premises, if applicable, shall be responsible for payment of the remaining outstanding debt.*

- (c) Liability for Unpaid Service: The owner of the property *at the time sewer utility bills were incurred, any tenant of the leased premises responsible for incurring sewer utility bills, and any subsequent individual(s) who take ownership of the property while any sewer utility bills remain delinquent and outstanding,* as well as the lessee, tenant or occupant, shall be *jointly and severally* liable to the City for unpaid charges made for such *outstanding* services *charges*, in accordance with Section 919.03.

(Ord. 1980-41. Passed 11-3-80; Ord. 1984-38. Passed 9-17-84; Ord. 2000-62. Passed 1-15-01; Ord. 2008-08. Passed 3-3-08; Ord. 2017-26. Passed 11-20-17.)

Legislative Cover Memo

Introduction: November 15, 2021

Public Hearing: December 6, 2021

Effective Date: January 5, 2022

Agenda Item: **Ordinance 2021-29**
AMENDING CHAPTER 1103, DEFINITIONS, CHAPTER 1107 DISTRICTS AND LAND USE STANDARDS, CHAPTER 1109 OVERLAY DISTRICTS, CHAPTER 1111 DEVELOPMENT REQUIREMENTS AND STANDARDS AND CHAPTER 1115 PROCESS AND PROCEDURES OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE

Submitted by: Barry Conway, City Engineer

Scope/Description: This Ordinance would amend Section 1103.01, Definitions, Section 1107.03, Commercial Districts, Section 1107.05, Industrial Districts, Section 1109.05, Planned Unit Development Overlay District, Section 1111.08, Sign Requirements and Standards and Section 1115.08, Site Plans of the Unified Development Ordinance.

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

Exhibits: Exhibits A, B, C, D, E and F.

Recommendation: These amendments originated at Planning Commission, who held a public hearing on the proposed changes at its November 8, 2021 meeting. At that meeting, Planning Commission voted unanimously (6-0) to recommend Council approve these amendments.

CITY OF FRANKLIN, OHIO
ORDINANCE 2021-29

**AMENDING CHAPTER 1103, DEFINITIONS, CHAPTER 1107 DISTRICTS AND LAND USE STANDARDS, CHAPTER 1109
OVERLAY DISTRICTS, CHAPTER 1111 DEVELOPMENT REQUIREMENTS AND STANDARDS AND CHAPTER 1115
PROCESS AND PROCEDURES OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE**

WHEREAS, Section 1115.04 of the City's Unified Development Ordinance (UDO) allows amendments to the text of the UDO to be initiated by Planning Commission, upon its own motion;

WHEREAS, the Franklin City Planning Commission initiated, upon its own motion, Planning Commission Case PC-21-12, which would amend UDO Section 1103.01, Definitions, Section 1107.03, Commercial Districts, Section 1107.05, Industrial Districts, Section 1109.05, Planned Unit Development Overlay District, Section 1111.08, Sign Requirements and Standards and Section 1115.08, Site Plans;

WHEREAS, the procedures with regard to amendments to the UDO, as set forth in Section 1115.04 of the UDO have been followed;

WHEREAS, The Franklin City Planning Commission, at its November 8, 2021 regular meeting, voted 6-0 to approve Planning Commission Case No. PC 21-12, recommending Council approval of the proposed text amendments, and

WHEREAS, this Council finds it to be in the best interests of the health, safety and welfare of the City and its inhabitants to adopt Planning Commission's recommendations and make certain amendments to the UDO,

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

Section 1. UDO Section 1103.01, Definitions, Section 1107.03, Commercial Districts, Section 1107.05, Industrial Districts, Section 1109.05, Planned Unit Development Overlay District, Section 1111.08, Sign Requirements and Standards and Section 1115.08, Site Plans are hereby amended, as shown on the attached Exhibits A, B, C, D, E and F.

Section 2. 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 3. This Ordinance shall go into effect on January 5, 2022.

INTRODUCED: November 15, 2021

ADOPTED: December 6, 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 2021-21 passed by that body on December 6, 2021.

Khristi Dunn, Clerk of Council

Approved as to form: _____
Ben Yoder, Law Director

Exhibit A

Chapter 1103.01, Definitions,

Distribution Center. A facility used for receiving, temporarily storing, and distributing of goods according to orders as they are received. Distribution centers serve as a bridge between manufacturers and suppliers by receiving pallet pack and bulk products and redistributing and shipping it to wholesale or retail customers. There is no customer-direct pick-up or access to these facilities.

Fleet Vehicle. A vehicle that is owned or operated by the person, company, or business on the premises, and which is used for purposes of delivery, pick-up, or service to patrons of the primary use. A fleet vehicle may also be a COMMERCIAL VEHICLE, but does not include semi-tractor, semi-trailer, any non-recreational trailer used for commercial purposes, or any heavy construction equipment.

Fulfillment Center. A third-party logistics warehouse that receives products and goods from suppliers, processes orders from e-commerce retailers, and ships products directly to individual consumers.

General Industry. An industrial establishment that provides, as its PRIMARY ACTIVITY, space for the assembly, manufacturing, processing or warehousing of goods or products, and which typically involve external impacts such as noise, dust, smoke, fumes, odors, heavy truck and/or rail traffic or other objectionable characteristics. Such use may have outdoor storage and/or operation space and comprises a part of use groups F-1, F-2, H- 1, H-2, H-3, H-4 or H-5 of the Ohio Building Code. Examples of such uses include goods produced by factory assembly, paper mills, fabrication and assembly of metal products. **General Industry does not include junkyards, recycling centers, recycling plants, salvage/scrap yards, scrap metal processing facilities, and uses of similar intensity.**

Warehouse (Secondary Use). A secondary use to an industrial or commercial use where raw materials, parts, or finished manufactured goods may be stored before their export or distribution for sale. Such storage must be within a building.

Warehouse (Primary Use). Storage of raw materials, parts, or finished manufactured goods associated before their export or distribution for sale. The warehouse is staffed, and goods leave and enter the warehouse at a minimum on a weekly basis.

~~**Wholesale Business.** A commercial establishment that provides, as its PRIMARY ACTIVITY, storage, break-of-bulk and distribution operations to other commercial establishments. Such use may have some outdoor storage space and comprises a part of use group S of the Ohio Building Code. Examples of such uses include truck terminals and warehouses.~~

Exhibit B

Chapter 1107.03, Commercial Districts,

- (a) C-1: General Commercial District: The intent of the C-1 General Commercial District is to provide for general commercial activity, including a wide range of goods and services that will serve the region. This District is intended to be concentrated around transportation nodes (such as the intersections of primary arterial streets).
- (b) C-2: Community Commercial District: The intent of the C-2 Community Commercial District is to provide for low-intensity retail uses providing primarily convenience goods and personal services for residential areas with good access to primary and secondary arterial streets.
- (c) C-3: Central Commercial District: The intent of the C-3 Central Commercial District is to provide for commercial, office, institutional and limited residential uses at a relatively high intensity. This District is intended to be located at the historic center of the City along Main Street, from Riley Blvd. to River Street, and from First Street to Sixth Street.
- (d) Development Standards: Development standards for each of the Commercial Districts are listed in Table 6.
- (e) Permitted, Prohibited and Conditional Uses: Permitted, prohibited, accessory, and conditional uses for each Commercial District are listed in Table 7.
- (f) Additional Use Regulations: The following additional standards shall apply to uses listed in table 7.
 - (1) Business Service: If located in a Commercial Zoning District the services must be completed offsite.
 - (A) No trailer, camper, manufactured housing unit, modular office trailer or industrialized units shall be placed on the property for any purpose without Planning Commission approval, except related to construction work that requires an active building permit.
 - (B) Fleet vehicle parking shall be to the side or rear of the property on a striped asphalt or concrete paved surface.
 - (C) Fleet vehicle parking areas shall be screened by landscaping and or fencing along all sides visible from the public right of way and from adjoining residential property.
 - (D) No junk, inoperative, or unlicensed automobiles, or parts, shall be permitted on the property.
 - (E) No outdoor storage of any material or waste shall be permitted on site.

TABLE 6: Commercial Districts Lot and Dimensional Requirements

Commercial Lot and Dimensional Requirements						
District/Use	Minimum lot size (sq. ft.)	Min. Front Setback (ft.)	Min. Side Setback One Side/ Total (ft.)	Min. Rear Setback (ft.)	Min. Lot Width (ft.)	Max. Height (ft.)
PERMITTED PRINCIPAL USES						
C-1	*	35	0^	0^	—	35 †
-adj. to residential	*	35	10	30	—	35 †
C-2	*	35	0^	0^	—	25 †
-adj. to residential	*	35	10	25	—	25 †
C-3 (commercial, office)	*	0	0^	0^	—	25 †
-adj. to residential	*	As determined by Planning Commission	—	25 †		
C-3 (single family resid)	4,000	15	4:10	20	40/60	N/A
C-3 (zero lot line)	As determined by Planning Commission as a part of the PUD/PRCD					N/A
O/I	*	35	0^	0^	—	35 †
-adj. to residential	*	35	0^	0^	—	35 †
ACCESSORY USES						
Antennas & Towers	—	—	5	5	—	—
Decks, Patios & Porches	—	10	5	5	—	—
Detached Garages & Storage Sheds	—	—	3	3	—	—
Dish Antenna	Must be in rear			5	—	15 ft.
Fences**	—	ROW line	—	—	—	6 ft.
Fences, Barbed-Wire	—	ROW line	—	—	—	^^
Gazebos	—	—	5	5	—	—
Swimming Pools []	—	—	10	10	—	—

* No minimum lot size, but must meet all other requirements.

† When a building is more than 25 feet in height, an additional foot of rear yard is required for each additional 2 feet in height. Any building that exceeds maximum height shall only be allowed as a conditional use.

^ Setbacks may be needed to meet the landscaping and parking requirements of this UDO.

** See special requirements for corner lots.

^^ Must be at least six feet from ground.

[] Private, Accessory to Principal Use only.

TABLE 7: Uses in the Commercial Districts

Type of Use	Commercial District		
	C-1	C-2	C-3
General Sales or Services			
Antennas & Towers	A	A	A
Bar, Lounge, Tavern	P	Pr	C
Business Professional	P	P	P
Business Retail	P	P	P
<u>Business Services</u>	<u>C</u>	<u>C</u>	<u>C</u>
Commercial Training	P	P	P
Consumer Retail	P	C	P
Convenience Food Store	P	C	C
Decks, Patios & Porches	A	A	A
Detached Garages & Storage Sheds	A	A	A
Dish Antenna	A	A	A
Drive-Thru Retail	P	C	C
Fast Food Restaurants	P	Pr	C
Fences	A	A	A
Fence, Barbed-Wire	A	A	Pr^
Fence, Electric	C	C	Pr[]
Food Related Retail	P	P	P
Food Service/Catering	P	P	P
Gasoline Service Station	C	C	C
Gazebos	A	A	A
General Retail	P	C	C
Grocery Food and Beverage	P	C	C
Health and Personal Care	P	P	P
Hospitals	P	Pr	Pr
Hotels and Motels	P	Pr	C
Large Format Retail	C	Pr	Pr
Medical and Health Related Offices	P	P	P
Medical Center/Clinic	P	P	C
Mortuaries	P	Pr	Pr
Motor Vehicle Oriented Business	C	C	Pr
Personal Service	P	P	P
Restaurants	P	C	P
Secondhand Dealers	P	Pr	Pr
Skilled Nursing Facility	P	P	C
Small Loan Operations*	C	C	Pr
Swimming Pools^^	A	A	A
Variety Store or Price-Point Retailer	C	C	C
Vehicle Dealer	C	C	Pr
Vehicle Repair Services	C	C	Pr
Veterinary Services	C	C	C

Arts, Entertainment, and Recreation			
Commercial Entertainment	P	C	C
Commercial Recreation	C	C	C
Public Recreation	Pr	Pr	C
Education, Public Administration, Health Care & Other Institutional Uses			
Churches	P	P	C
Cultural/Community Facilities	P	P	C
Day Care Centers	C	C	C
Elementary Schools	C	C	C
Junior and Senior High Schools	C	C	C
Colleges and Universities	C	C	C
Health Care and Human Services	C	C	C
Residence or Accommodation			
Dwelling, Single-Family	Pr	Pr	P
Dwelling, Zero-Lot Line	Pr	Pr	P**
Upper Floor Dwelling Units	Pr	C	C

P=Permitted Use, C=Conditional Use, A=Accessory Use, Pr=Prohibited

* Limited to one per 4,000 residents

^ Not prohibited if use is governmental or institutional function; permit required.

[] Not prohibited if use is governmental or institutional function; conditional use permit required.

^^ Private, Accessory to Primary Use.

** Zero Lot Line Dwellings shall only be permitted in the R-4 District as part of an approved PUD or PRCD.

(Ord. 2009-12. Passed 7-6-09; Ord. 2010-05. Passed 3-1-10; Ord. 2011-06. Passed 4-4-11; Ord. 2011-07. Passed 4-4-11; Ord. 2013-09. Passed 6-17-13; Ord. 2013-18. Passed 11-4-13; Ord. 2014-01. Passed 3-17-14; Ord. 2014-17. Passed 1-5-15.)

HISTORY

Amended by Ord. [2021-06](#) on 5/3/2021

Exhibit C

Chapter 1107.05 Industrial Districts,

- (a) I-1: Light Industrial District: The intent of the I-1 Light Industrial District is to provide for industrial and office uses that are not of an intensity to produce objectionable impacts on adjacent development. This District should be located within areas of the City with suitable access to transportation routes and necessary utilities.
- (b) I-2: General Industrial District: The intent of the I-2 General Industrial District is to provide for all industrial uses, including those high-intensity uses that create noticeable impacts on the surrounding area. All uses, however, will be required to operate without causing a risk to the health and welfare of the inhabitants of the City. This District is intended to be located within areas of the City that have suitable access to transportation routes and necessary utilities and that are away from residential uses.
- (c) Development Standards: Development standards for each of the Industrial Districts are listed in Table 10.
- (d) Permitted, Prohibited and Conditional Uses: Permitted, prohibited, accessory, and conditional uses for each of the Industrial Districts are listed in Table 11. **If a box in Table 11 is blank or if a use is not listed in Table 11 as a permitted, accessory, or conditional use, it shall be considered prohibited.**

TABLE 10: Industrial Lot and Dimensional Requirements

Industrial Lot and Dimensional Requirements						
District/Use	Min. Lot Size (acres)	Min. Front Setback (ft.)	Min. Side Setback One Side/Total (ft.)	Min. Rear Setback (ft.)	Min. Lot Width (ft.)	Max. Height (ft.)
Permitted Principal Uses						
I-1	*	35	15	15	200	45 †
-adj. to residential	*	50	50	50	200	45 †
I-2	*	25	15	15	200	45 †
-adj. to residential	*	50	100	50	300	45 †
Accessory Uses						
Antennas & Towers	—	—	5	5	—	—
Decks, Patios & Porches	—	10	5	5	—	—
Detached Garages & Storage Sheds	—	—	3	3	—	—
Fences**	—	ROW line	—	—	—	6-10 ft.
Fences, Barbed-Wire	—	ROW line	—	—	—	^

Gazebos	—	—	5	5	—	—
Swimming Pools ^{^^}	—	—	10	10	10	—

* No minimum lot size, but must meet all other requirements.

† When a building is more than 45 feet in height, an additional foot of rear yard is required for each additional 2 feet in height. Any building that exceeds maximum height shall only be allowed as a variance.

** See special requirements for corner lots.

[^] Must be at least six feet from ground.

^{^^} Private, Accessory to Principal Use Only.

TABLE 11: Uses in the Industrial Districts

Type of Use	Industrial District	
	I-1	I-2
Alcohol and Drug Addiction Treatment Facilities	C	C
Ancillary Offices	A	A
Antenna & Towers	A	A
Business Services	P	P
Decks, Patios & Porches	A	A
Detached Garages & Storage Sheds	A	A
Dish Antenna	A	A
Distribution <u>Center</u>	<u>P*</u>	<u>P*</u>
Fences	A	A
Fence, Barbed-Wire	A	A
Fence, Electric	C	C
<u>Fulfillment Center</u>	<u>P*</u>	<u>P*</u>
Gazebos	A	A
Gasoline Service Stations	C	C
General Industry	<u>PR</u>	P
<u>Junkyard, Recycling Center, Recycling Plant, Salvage/Scrap Yards or Scrap Metal Processing Facility</u>	<u>PR</u>	<u>PR</u>
Light Industry	P	P
Real Property Services	P	P
Research and Development Facilities	P	P
Self-Service Storage Facility or Mini-Warehouse	C	C
Sexually Oriented Businesses	C	C
Swimming Pools ^{^^}	A	A
Transportation, Communication, Utility	P	P
Vehicle Repair Service	C	C
<u>Warehouse (secondary use)</u>	<u>P*</u>	<u>P*</u>
<u>Warehouse (primary use)</u>		<u>C</u>

<u>Wholesale Business</u>	<u>€</u>	<u>P</u>
----------------------------------	-----------------	-----------------

P=Permitted Use, C=Conditional Use, A=Accessory Use, **PR=Prohibited**

^^ Private, Accessory to Principal Use Only

(*) Indicates permitted uses that have additional use-specific standards.

(e) ***Additional Use Regulations: The following additional standards shall apply to uses listed in table 11.***

(1) ***Distribution Center: In any zoning district in which this use is a conditional or permitted use, all these conditions shall apply:***

- (A) ***No trailer, camper, manufactured housing unit, modular office trailer or industrialized units shall be placed on the property for any purpose without Planning Commission approval, except related to construction work that requires an active building permit.***
- (B) ***Fleet vehicle parking shall be to the side or rear of the property on a striped asphalt or concrete paved surface.***
- (C) ***Fleet vehicle parking areas shall be screened by landscaping and or fencing along all sides visible from the public right of way and from adjoining residential property.***
- (D) ***No junk, inoperative, or unlicensed automobiles, or parts, shall be permitted on the property.***
- (E) ***No outdoor storage of any material or waste shall be permitted on site.***

(2) ***Fulfillment Center: In any zoning district in which this use is a conditional or permitted use, all these conditions shall apply:***

- (A) ***No trailer, camper, manufactured housing unit, modular office trailer or industrialized units shall be placed on the property for any purpose without Planning Commission approval, except related to construction work that requires an active building permit.***
- (B) ***Fleet vehicle parking shall be to the side or rear of the property on a striped asphalt or concrete paved surface.***
- (C) ***Fleet vehicle parking areas shall be screened by landscaping along all sides visible from the public right of way and from adjoining residential property.***
- (D) ***No junk, inoperative or unlicensed automobiles, or parts shall be permitted on the property.***
- (E) ***No outdoor storage of any material or waste shall be permitted on site.***

(3) ***Warehousing (Primary Use): In any zoning district in which this use is a conditional or permitted use, all these conditions shall apply:***

- (A) ***Warehousing is not permitted on a previously undeveloped property. This includes subdividing an existing property to create a***

new buildable lot and demolishing an existing building in order to construct a new warehouse as a primary use.

- (B) *No trailer, camper, manufactured housing unit, modular office trailer or industrialized units shall be placed on the property for any purpose without Planning Commission approval, except related to construction work that requires an active building permit.*
- (C) *No outdoor storage of any material or waste shall be permitted on site.*

(4) *Warehousing (Secondary Use): In any zoning district in which this use is a permitted secondary use, all these conditions shall apply:*

- (A) *Warehousing is allowed as a secondary use to retail, manufacturing, or industrial uses on the same property.*
- (B) *Secondary warehousing shall not exceed 35% of the total building area, unless specifically approved by Planning Commission.*
- (C) *No trailer, camper, manufactured housing unit, modular office trailer or industrialized units shall be used on the property for any purpose without Planning Commission approval, except related to construction work that requires an active building permit.*

(Ord. 2009-12. Passed 7-6-09; Ord. 2013-18. Passed 11-4-13; Ord. 2014-01. Passed 3-17-14; Ord. 2015-11. Passed 7-6-15; Ord. 2017-01. Passed 2-6-17.)

HISTORY

Amended by Ord. [2018-08](#) on
5/21/2018 Amended by Ord. [2018-19](#)
on 11/5/2018

Exhibit D

Chapter 1109.05 Planned Unit Development Overlay Districts,

(a) Purpose:

- (1) The Planned Unit Development (PUD) Overlay District is intended to permit development that will, over a period of time, be enhanced by coordinated area site planning, diversified location of structures, diversified building heights and types, and/or mixing of compatible uses. Such developments are intended to provide a safe and efficient system for pedestrian and vehicle traffic; to provide attractive recreation and open spaces as integral parts of the developments; to enable economic design in the location of public and private utilities and community facilities; and to ensure adequate standards of construction and planning. The PUD Overlay District under this Section will allow for flexibility of overall development design with benefits to the developer and the community, while at the same time maintaining the standards or use requirements set forth in the underlying basic zoning district.
- (2) The PUD Overlay District may also be used to accommodate the development or redevelopment of parcels consistent with the design principles of traditional neighborhoods and conservation subdivisions. Traditional neighborhood development means a consolidated, mixed-use neighborhood where residential, commercial and civic buildings are within close proximity or walking distance to each other. A conservation subdivision means a housing development in a rural setting that is characterized by reduced size lots and common open space and where natural features of land are maintained. Such proposed developments may be considered for approval at locations and with conditions that the City determines to be appropriate for the development and the surrounding area.

- (b) Permitted Uses: ~~Uses permitted in the underlying basic use district are permitted uses in the PUD district.~~ **Any use may be allowed within a PUD Overlay District subject to the approval of Planning Commission and City Council.** Individual structures shall comply with specific building area requirements of the underlying basic use district, and shall meet setbacks as required, **unless specifically approved otherwise** by the Planning Commission.

Exhibit E

Chapter 1111.08 Sign Requirements and Standards,

TABLE 27: Sign Regulations Applicable in All Districts^a

Sign Type	Per Unit	Per Street Front	Maximum Height (Ft.)	Maximum Sign Area	Min. Setback from Right-of-way
SCHOOLS, PARKS, CHURCHES, LIBRARIES, CEMETERIES AND PUBLIC USES					
Monument	—	1 †	6	36 sq. ft.	10*
Wall	—	1 †	—	20 sq. ft.	—
PARKING LOTS AND OUTDOOR COMMERCIAL RECREATION FACILITIES					
Monument	—	1	6	36 sq. ft.	—

* Or as otherwise approved by Planning Commission or the Zoning Official, as applicable.

† Only one wall sign or one monument sign shall be allowed per streetfront.

^aIf a Use is a Permitted Use in a Particular District utilize the Sign Code for that particular District.

Exhibit F

Chapter 1115.08 Site Plans.

1115.08(h)(3)Design Standards: The following design standards shall be used for Major Site Plan development to which this section is applicable:

- (A) All building elevations shall consist of tripartite configuration consisting of a base or foundation; a middle or modulated wall; and a top portion formed by a pitched roof or articulated cornice.
- (B) All building elevations shall be articulated in a manner to avoid an uninterrupted appearance through the use of windows, doors, offsets or a change in materials.
- (C) The following building materials are permitted for use under this section:
 - (i) Residential-scale brick using non-glazed finishes;
 - (ii) Natural stone material;
 - (iii) Natural and natural-based wood materials, excluding T- 111 or similar materials;
 - (iv) Exterior insulation and finish systems (EIFS) above the pedestrian level;
 - (v) Split-face concrete masonry unit (CMU) on exposed foundations and using colors embedded into the material;
 - (vi) **Unless specifically modified by Planning Commission:** (Glass only for doors and windows. Curtain walls are not permitted);
 - (vii) Metal cladding for use as roofing material; and
 - (viii) Concrete siding designed to share an appearance of wood siding such as Hardiboard or Hardiplank.

Legislative Cover Memo



Meeting Date: December 6, 2021

Agenda Item: **Ordinance 2021-30**
AMENDING ORDINANCE 2021-26 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 funds:

- **General Fund**
 - Decrease of \$20,000 to Income Tax-Personal Services and increase of \$20,000 to Income Tax-Other to account for the larger than expected refund requests.
- **FEMA Fund**
 - Increase of \$1,500 to Other for SAFER grant reimbursements to be transferred back to the Fire/EMS Fund.
- **ODOT Fund**
 - Increase of \$1,054,350 to Other for ODOT projects to post on-behalf payments to city finance records.
 - Need to post:
 - \$504,697 Downtown Signal 1
 - \$229,166 Downtown Signal 2
 - \$83,058 S Dixie Resurfacing
 - \$784,398 Great Miami GAP
 - Less 547,000 already appropriated.
- **Water Replacement Fund**
 - Decrease of \$700,000 to Other for projects that did not materialize during the year.

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

Exhibits: Exhibit A: Appropriations

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 2021-30

AMENDING ORDINANCE 2021-26 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 2021-26, passed on September 20, 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 2021-26 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 6, 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 2021-30 passed by that body on December 6, 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	\$176,400	\$320,222	\$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	\$2,382,450	\$1,873,412	\$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	\$6,274,350	\$7,214,598	\$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	\$444,605	\$443,105
Total		\$0	\$444,605	\$444,605
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	<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	\$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	<u>BOND RETIREMENT FUND</u>			
	Bond Retirement	\$0	\$561,000	\$561,000
	Total	\$0	\$561,000	\$561,000
320	<u>SPECIAL ASSESSMENT BOND RETIREMENT</u>			
	Bond Retirement	\$0	\$45,000	\$45,000
	Total	\$0	\$45,000	\$45,000
400	<u>CAPITAL IMPROVEMENTS FUND</u>			
	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	<u>ODOT PROGRAM FUND</u>			
	Street Constr, Maint, & Repair	\$0	\$3,373,232	\$2,318,882
	Total	\$0	\$3,373,232	\$3,373,232
403	<u>ECONOMIC DEVELOPMENT & REHABILITATION FUND</u>			
	Economic Development	\$0	\$545,000	\$545,000
	Total	\$0	\$545,000	\$545,000
410	<u>TIF FUND</u>			
	Other	\$0	\$278,373	\$278,373
	Total	\$0	\$278,373	\$278,373
412	<u>FIRE & EMS REPLACEMENT FUND</u>			
	Fire & EMS Division	\$0	\$436,965	\$436,965
	Total	\$0	\$436,965	\$436,965
420	<u>SEWER REPLACEMENT FUND</u>			
	Sanitary Sewer	\$0	\$30,000	\$30,000
	Transfers & Advances	\$0	\$343,440	\$343,440
	Total	\$0	\$373,440	\$373,440
430	<u>WATERWORKS REPLACEMENT FUND</u>			
	Water	\$0	\$375,000	\$1,075,000
	Total	\$0	\$375,000	\$375,000
440	<u>STORMWATER REPLACEMENT FUND</u>			
	Stormwater Utility	\$0	\$25,000	\$25,000
	Total	\$0	\$25,000	\$25,000
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
611	<u>WATER SECURITY DEPOSIT FUND</u>			
	Other	\$0	\$20,000	\$20,000
	Total	\$0	\$20,000	\$20,000
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
621	<u>SEWER SECURITY DEPOSIT FUND</u>			
	Other	\$0	\$20,000	\$20,000
	Total	\$0	\$20,000	\$20,000
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	\$631,879
	Other Financing Uses	\$0	\$8,000	\$8,000
	Total	\$311,400	\$328,479	\$639,879
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	\$23,000	\$23,000
	Total	\$0	\$24,000	\$24,000
840	<u>INSURANCE RESERVE FUND</u>			
	Insurance Demolition	\$0	\$20,000	\$20,000
	Total	\$0	\$20,000	\$20,000
845	<u>BUILDING STANDARDS FUND</u>			
	Building Division	\$0	\$3,000	\$3,000
	Total	\$0	\$3,000	\$3,000
	TOTAL BUDGET	\$13,188,732	\$26,478,579	\$39,667,311

Legislative Cover Memo

Meeting Date:	December 6, 2021
Agenda Item:	Ordinance 2021-31 PROVIDING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, THROUGH MARCH 31, 2022, AND DECLARING AN EMERGENCY
Submitted by:	Cindy Ryan, Finance Director
Scope/Description:	<p>This ordinance will provide temporary appropriations for the year ending December 31, 2022.</p> <p>This Ordinance appropriates funds for the first three months of the 2022 fiscal year. It is a temporary budget, and we will present the final budget to City Council before March 31, 2022.</p> <p>This budget uses the projected revenues from the Tax Budget as passed by City Council in Resolution 2021-45 on June 21, 2021. The majority of expenditures mirror the 2021 permanent budget.</p> <p>Salary increases were included in this temporary budget. Once the City's five-year plan and final numbers are finalized, line items will need to be modified for the permanent budget in March.</p>
Budgetary Impact:	Provides appropriations to meet expenses, as budgeted, for the beginning of the 2022 fiscal year.
Exhibits:	Exhibit A: 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:	Approval

CITY OF FRANKLIN, OHIO
ORDINANCE 2021-31

**PROVIDING TEMPORARY APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR
THE CITY OF FRANKLIN, OHIO, THROUGH MARCH 31, 2022, 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 2022 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 2022 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 2022 fiscal year, ending March 31, 2022, 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 2022 fiscal year, ending March 31, 2022, the sums contained within Exhibit A are hereby appropriated. These appropriations shall be chargeable to the appropriations in the 2022 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 2022 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, 2022, and in accordance with Sections 4.05 and 4.14 of the City's Charter, shall not be automatically repealed.

ADOPTED: December 06, 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 2020-20 passed by that body on December 21, 2020.

_____, Khristi Dunn, Clerk of Council

Approved as to form:

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	\$4,021,500	\$542,200	\$4,563,700
	Reserve Police	\$4,300	\$3,375	\$7,675
	Total	\$4,025,800	\$545,575	\$4,571,375
	<u>General Government</u>			
	Economic Development	\$0	\$26,500	\$26,500
	Clerk & Council	\$176,440	\$51,500	\$227,940
	Municipal Court	\$796,000	\$240,750	\$1,036,750
	Probation Division	\$282,250	\$21,810	\$304,060
	City Manager	\$452,360	\$17,000	\$469,360
	Finance Department	\$330,720	\$106,500	\$437,220
	Income Tax Division	\$264,450	\$306,000	\$570,450
	Law Department	\$38,870	\$309,000	\$347,870
	Civil Service Commission	\$0	\$9,300	\$9,300
	Planning Commission	\$0	\$9,200	\$9,200
	Building & Grounds	\$66,050	\$132,600	\$198,650
	Other Government	\$0	\$351,000	\$351,000
	Building Division	\$308,700	\$113,850	\$422,550
	Total	\$2,715,840	\$1,695,010	\$4,410,850
	<u>Transfers</u>			
	Transfers & Advances	\$0	\$4,638,611	\$4,638,611
	Total	\$0	\$4,638,611	\$4,638,611
	TOTAL GENERAL FUND	\$6,741,640	\$6,879,196	\$13,620,836
200	<u>STREET FUND</u>			
	Street Constr, Maint, & Repair	\$792,050	\$932,850	\$1,724,900
	Total	\$792,050	\$932,850	\$1,724,900
210	<u>STATE HIGHWAY FUND</u>			
	Street Constr, Maint, & Repair	\$0	\$55,000	\$55,000
	Total	\$0	\$55,000	\$55,000
212	<u>FIRE & EMS LEVY FUND</u>			
	Fire & EMS Division (Includes Grant)	\$1,825,700	\$660,350	\$2,486,050
	Volunteer Firefighters	\$848,400	\$1,800	\$850,200
	Transfers & Advances	\$0	\$683,000	\$683,000
	Total	\$2,674,100	\$1,345,150	\$4,019,250
215	<u>ISSUE TWO FUND</u>			
	Street Constr, Maint, & Repair	\$0	\$100,000	\$100,000
	Total	\$0	\$100,000	\$100,000
219	<u>E 9-1-1 WIRELESS FUND</u>			
	Police Division	\$97,950	\$20,400	\$118,350
	Total	\$97,950	\$20,400	\$118,350
220	<u>JOINT RECREATION FUND</u>			
	Swimming Pool	\$136,900	\$106,050	\$242,950
	Transfers & Advances	\$0	\$0	\$0
	Total	\$136,900	\$106,050	\$242,950

225 COMPUTER RESEARCH FUND

Municipal Court	\$0	\$2,400	\$2,400
Total	\$0	\$2,400	\$2,400

230 COURT SPECIAL PROJECTS

Municipal Court	\$95,760	\$104,500	\$200,260
Probation Division	\$25,292	\$96,000	\$121,292
Total	\$121,052	\$200,500	\$321,552

235 CLERK'S COMPUTERIZATION

Municipal Court	\$0	\$91,000	\$91,000
Total	\$0	\$91,000	\$91,000

238 FEMA FUND

Fire & EMS Division	\$0	\$0	\$0
Transfers & Advances	\$0	\$295,000	\$295,000
Total	\$0	\$295,000	\$295,000

239 LOCAL CORONAVIRUS RELIEF FUND

Police Division	\$0	\$0	\$0
Fire & EMS Division (Includes Volunteers)	\$0	\$0	\$0
Total	\$0	\$0	\$0

240 COUNTY VEHICLE TAX FUND

Street & Road Repair	\$0	\$0	\$0
Total	\$0	\$0	\$0

250 DRUG LAW ENFORCEMENT

Police Division	\$0	\$8,000	\$8,000
Total	\$0	\$8,000	\$8,000

255 LAW ENFORCEMENT FUND

Police Division	\$0	\$20,000	\$20,000
Total	\$0	\$20,000	\$20,000

260 RECREATION FUND

Parks & Recreation	\$339,910	\$222,100	\$562,010
Special Events	\$0	\$75,500	\$75,500
Total	\$339,910	\$297,600	\$637,510

265 LAW ENFORCEMENT ASST. FUND

Police Division	\$0	\$10,000	\$10,000
Total	\$0	\$10,000	\$10,000

270 IDAT FUND

Health	\$0	\$7,000	\$7,000
Total	\$0	\$7,000	\$7,000

272 IDIAM FUND

Health	\$0	\$20,250	\$20,250
Total	\$0	\$20,250	\$20,250

275 ENFORCEMENT & EDUCATION FUND

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

280	<u>AMERICAN RESCUE PLAN FUND</u>			
	Other	\$0	\$608,185	\$608,185
	Total	\$0	\$608,185	\$608,185
290	<u>EMPLOYEE BENEFITS RESERVE FUND</u>			
	Police Division	\$152,000	\$0	\$152,000
	Parks & Recreation	\$10,000	\$0	\$10,000
	Sanitary Sewer	\$10,000	\$0	\$10,000
	Water	\$52,000	\$0	\$52,000
	Street Constr, Maint, & Repair	\$55,000	\$0	\$55,000
	Clerk & Council	\$10,000	\$0	\$10,000
	Municipal Court	\$12,750	\$0	\$12,750
	City Manager	\$10,000	\$0	\$10,000
	Finance/Income Tax	\$40,000	\$0	\$40,000
	Building Division	\$55,000	\$0	\$55,000
	Total	\$406,750	\$0	\$406,750
310	<u>BOND RETIREMENT FUND</u>			
	Bond Retirement	\$0	\$487,500	\$487,500
	Total	\$0	\$487,500	\$487,500
320	<u>SPECIAL ASSESSMENT BOND RETIREMENT</u>			
	Bond Retirement	\$0	\$0	\$0
	Total	\$0	\$0	\$0
400	<u>CAPITAL IMPROVEMENTS FUND</u>			
	Police Division	\$0	\$212,000	\$212,000
	Other Government	\$0	\$250,000	\$250,000
	Total	\$0	\$462,000	\$462,000
401	<u>ODOT PROGRAM FUND</u>			
	Street Constr, Maint, & Repair	\$0	\$2,767,000	\$2,767,000
	Total	\$0	\$2,767,000	\$2,767,000
403	<u>ECONOMIC DEVELOPMENT & REHABILITATION FUND</u>			
	Economic Development	\$0	\$200,000	\$200,000
	Total	\$0	\$200,000	\$200,000
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	\$326,965	\$326,965
	Total	\$0	\$326,965	\$326,965
420	<u>SEWER REPLACEMENT FUND</u>			
	Sanitary Sewer	\$0	\$10,000	\$10,000
	Total	\$0	\$10,000	\$10,000
430	<u>WATERWORKS REPLACEMENT FUND</u>			
	Water	\$0	\$425,000	\$425,000
	Total	\$0	\$425,000	\$425,000
440	<u>STORMWATER REPLACEMENT FUND</u>			
	Stormwater Utility	\$0	\$10,000	\$10,000
	Total	\$0	\$10,000	\$10,000
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	\$60,000	\$60,000
	Total	\$0	\$60,000	\$60,000
610	<u>WATER FUND</u>			
	Water Division (Includes Water Treatment Plant)	\$1,046,860	\$1,270,250	\$2,317,110
	Bond Retirement	\$0	\$383,000	\$383,000
	Transfers & Advances	\$0	\$325,000	\$325,000
	Total	\$1,046,860	\$1,978,250	\$3,025,110
611	<u>WATER DEPOSIT</u>			
	Other	\$0	\$35,000	\$35,000
	Total	\$0	\$35,000	\$35,000
620	<u>SEWER FUND</u>			
	Sewer Division	\$341,825	\$2,470,800	\$2,812,625
	Transfers & Advances	\$0	\$25,000	\$25,000
	Total	\$341,825	\$2,495,800	\$2,837,625
621	<u>SEWER DEPOSIT</u>			
	Other	\$0	\$35,000	\$35,000
	Total	\$0	\$35,000	\$35,000
630	<u>TRASH COLLECTION FUND</u>			
	Trash Collection	\$63,050	\$916,210	\$979,260
	Total	\$63,050	\$916,210	\$979,260
640	<u>STORMWATER UTILITY FUND</u>			
	Stormwater Utility	\$361,800	\$389,076	\$750,876
	Other Financing Uses	\$0	\$25,000	\$25,000
	Total	\$361,800	\$414,076	\$775,876
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)	\$366,400	\$1,000	\$367,400
	Total	\$366,400	\$1,000	\$367,400
825	<u>F.C. DIAL TRUST FUND</u>			
	Parks & Recreation	\$0	\$0	\$0
	Total	\$0	\$0	\$0
835	<u>UNCLAIMED MONIES FUND</u>			
	Unclaimed Funds	\$0	\$1,000	\$1,000
	Transfers & Advances	\$0	\$6,500	\$6,500
	Total	\$0	\$7,500	\$7,500
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	\$13,998,198	\$21,833,882	\$35,832,080

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

3053198		TRFO		ORPHEUS L GARRISON 544 S MAIN ST & PATIO FRANKLIN OH 45005
PERMIT NUMBER		TYPE		
06	01	2019		
ISSUE DATE				
11	16	2021		
FILING DATE				
D5				
PERMIT CLASSES				
83	044	A	F26719	
TAX DISTRICT		RECEIPT NO.		

FROM 11/18/2021

1879346				DALEYS IRISH PUB LLC 544 S MAIN ST & PATIO FRANKLIN OH 45005
PERMIT NUMBER		TYPE		
06	01	2019		
ISSUE DATE				
11	16	2021		
FILING DATE				
D5				
PERMIT CLASSES				
83	044			
TAX DISTRICT		RECEIPT NO.		



MAILED 11/18/2021

RESPONSES MUST BE POSTMARKED NO LATER THAN.

12/20/2021

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

A TRFO 3053198

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF FRANKLIN CITY COUNCIL
1 BENJAMIN FRANKLIN WAY
FRANKLIN OHIO 45005

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

84189942395		STCK	SPEEDWAY LLC DBA SPEEDWAY 7409 1295 E SECOND ST FRANKLIN OHIO 45005
PERMIT NUMBER		TYPE	
ISSUE DATE			
05 17 2021			
FILING DATE			
C1 C2 D6			
PERMIT CLASSES			
83	044	A	F26674
TAX DISTRICT			RECEIPT NO.

FROM 11/16/2021

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT		RECEIPT NO.



MAILED 11/16/2021

RESPONSES MUST BE POSTMARKED NO LATER THAN. 12/17/2021

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

A STCK 8418994-2395

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

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(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF FRANKLIN CITY COUNCIL
1 BENJAMIN FRANKLIN WAY
FRANKLIN OHIO 45005

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

84189942245		STCK	SPEEDWAY LLC DBA SPEEDWAY #1033 200 S MAIN ST FRANKLIN OHIO 45005
PERMIT NUMBER		TYPE	
ISSUE DATE			
05 17 2021			
FILING DATE			
C1 C2			
PERMIT CLASSES			
83	044	A	F26675
TAX DISTRICT			RECEIPT NO.

FROM 11/16/2021

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT		RECEIPT NO.



MAILED 11/16/2021

RESPONSES MUST BE POSTMARKED NO LATER THAN. 12/17/2021

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A STCK 8418994-2245**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF FRANKLIN CITY COUNCIL
1 BENJAMIN FRANKLIN WAY
FRANKLIN OHIO 45005

Legislative Cover Memo



Meeting Date: December 6, 2021

Agenda Item: **Resolution 2021-71**
AUTHORIZING POSITION TITLES AND THE NUMBER OF
POSITIONS FOR EACH TITLE FOR CITY OF FRANKLIN
PERSONNEL FOR THE YEAR 2022

Submitted by: Jonathan Westendorf, City Manager

Scope/Description: Changes for 2022 include:

- Deleting Secretary to Finance Director after Amy Miller's retirement as it was replaced with Finance Clerks and HR Specialist.
- Adding an additional part-time Secretary to Fire & EMS as Lt. Williams hours have decreased to one day per week.
- Removing the part-time Fire Inspector position.
- Police Lieutenants reduced to 2 after retirement and other staffing changes have been implemented.

Budget Impact: None.

Exhibits: None.

Recommendation: Approval.

CITY OF FRANKLIN, OHIO
RESOLUTION 2021-71

**AUTHORIZING POSITION TITLES AND THE NUMBER OF POSITIONS FOR EACH TITLE FOR CITY OF
FRANKLIN PERSONNEL FOR THE YEAR 2022**

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	
Human Resources Specialist	1	0	
Seasonal Intern	0	4	
C. Finance Department:			
Finance Director	1	0	
Finance Clerk	0	1	
Payroll Clerk	1	0	
Accounts Payable Clerk	1	0	
<u>Income Tax Division:</u>			
Income Tax Administrator	1	0	
Income Tax Clerk	2	0	
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	
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	2	
Captain	1	0	
Lieutenant	3	0	
Firefighter	12	0	
Second Lieutenant	0	0	9
Volunteer Firefighter	0	0	65
<u>Police Division:</u>			
Chief	1	0	
Captain	0	0	
Lieutenant	2	0	
Sergeant	3	0	

	<u>Full -Time</u>	<u>Part-Time</u>	<u>Volunteer</u>
Patrol Officer	20	0	
Dispatcher	7	0	
Property Room and Evidence Manager	0	1	

Police Division

Reserve Officer	0	0	12
Reserve Dispatcher	0	0	5

Building & Zoning Division:

City Engineer	1	0	
Zoning Official	0	0	
Code Official	1	0	

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, 2022

ADOPTED: December 6, 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 December 6, 2021

Khristi Dunn, Clerk of Council

Legislative Cover Memo



Meeting Date:	December 6, 2021
Agenda Item:	Resolution 2021-72 ESTABLISHING THE ORGANIZATIONAL LISTINGS AND PAY RATES FOR CITY OF FRANKLIN OFFICIALS AND EMPLOYEES FOR THE YEAR 2022
Submitted by:	Jonathan Westendorf, City Manager
Scope/Description:	<p>This annual resolution authorizes the hourly or salary pay rates for all city staff for 2022. Collective bargaining and non-union staff have received a 2.5% increase. Currently, there have been no changes to contract employee rates nor any rates associated with the pool and concession rates within the Parks Division. City staff will be examining potential changes early in 2022 for this department. Therefore, future changes to this section will be forthcoming following those discussions with council's committee early in the year.</p> <p>The addition of our Human Resources Specialist brings forward new opportunities, especially considering the wealth of expertise of Ms. Chibis, which was not anticipated when the position was originally contemplated. Therefore, the pay range for that position has been expanded. One of many upcoming tasks for the HR position will include a comprehensive evaluation of this pay scale during 2022. Future changes are expected to account for future needs and alignment where found to be necessary. Any and all changes will be discussed with the appropriate committees of council next year.</p>
Budget Impact:	Increase in various payroll funds as reflected in budget for 2022.
Exhibits:	Exhibit A: 2022 Payroll Rates
Recommendation:	Approval.

CITY OF FRANKLIN, OHIO
RESOLUTION 2021-72

ESTABLISHING THE ORGANIZATIONAL LISTINGS AND PAY RATES FOR THE CITY OF FRANKLIN OFFICIALS AND EMPLOYEES FOR THE YEAR 2022.

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 2021-71, passed on December 6, 2021, has established a list of position titles and the number of authorized positions to be filled under each title for the year 2022; 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 2022.

Section 2. Effective with the first pay period of 2022, 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	\$200 (until provided with City vehicle)
Police Chief	(provided with City vehicle)
City Engineer	\$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, 2022.

ADOPTED: December 6, 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 December 6, 2021

Khristi Dunn, Clerk of Council

Resolution 2021-72

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	\$57,784	\$59,518	\$61,310	\$63,155					
Acting Clerk	\$100 (per meeting)								
Administration									
City Manager	\$115,000 (per employment contract)								
Admin. Asst. to City Manager	\$61,304	\$62,530	\$63,781	\$65,057	\$66,358	\$67,685	\$69,039	\$70,420	
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	\$17.59	\$18.53	\$19.48	\$21.51	\$22.16				
Human Resources Specialist	\$51,168	\$52,703	\$54,284	\$55,913	\$57,590	\$59,318	\$61,097	\$62,930	
Seasonal Intern (per hour)	\$12.00	\$12.36	\$12.73	\$13.11	\$13.51				
Finance Department									
Finance Director	\$81,746	\$85,425	\$89,270	\$93,287	\$97,485	\$101,872			
Finance Clerk P/T	\$16.26	\$17.12	\$18.00	\$18.54					
Finance Division									
Payroll Clerk		\$20.89	\$22.18	\$23.38					
Accounts Payable Clerk		\$20.89	\$22.18	\$23.38					
Income Tax Division									
Income Tax Administrator	\$54,762	\$56,404	\$57,587	\$58,769	\$59,951	\$61,252	\$62,552	\$63,852	\$65,121
Income Tax Clerk* (per hour)		\$20.89	\$22.18	\$23.38					
Income Tax Clerk, part-time (per hr)	\$17.60	\$18.53	\$19.48	\$21.51					
Income Tax Clerk, seasonal (per hr)	\$16.26	\$16.75	\$17.25	\$17.77					
Utility Billing Division									
Utility Billing Administrator	\$54,762	\$56,404	\$57,587	\$58,769	\$59,951	\$61,252	\$62,552	\$63,852	\$65,121
Utility Clerk* (per hour)		\$20.89	\$22.18	\$23.38					
Utility Clerk, part-time (per hour)	\$17.60	\$18.53	\$19.48	\$21.51					
Law Department									
Law Director		(per employment contract)							
Prosecutor, part-time	\$31,630 (per employment contract)								

Resolution 2021-72

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	\$89,616	\$92,304	\$95,073	\$97,925	\$100,863				
Secretary to PW Director	\$38,585	\$39,743	\$41,822	\$44,024	\$46,225				
Custodian* (per hour)		\$17.08	\$18.09	\$19.12					
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)	\$24.43	\$25.96	\$27.23	\$28.52					
Park Worker* (per hour)	\$23.60	\$25.11	\$26.38	\$27.64					
Pool Manager		\$5,750	\$6,050	\$8,375					
		\$9.75	(for additional hours of work for swim lessons, pool parties, etc.)						
Assistant Pool Manager		\$4,350	\$4,825	\$6,350					
		\$9.75	(for additional hours of work for swim lessons, pool parties, etc.)						
Concession Manager (per hour)	\$9.80	\$10.00	\$10.25	\$10.50					
Head Lifeguard (per hour)	\$9.80	\$10.00	\$10.25	\$10.50					
Lifeguards (per hour)	\$8.80	\$9.00	\$9.25	\$9.50					
(hourly rate for pool parties)	\$9.00								
Pool Personnel (per hour)	\$8.80	\$9.00	\$9.25	\$9.50					
(hourly rate for opening/closing)	\$9.00								
Stormwater Division									
Stormwater Superintendent	(filled by Public Works Director)								
Utility Person I* (per hour)		\$24.74	\$26.28	\$27.64					
Utility Person II* (per hour)		\$27.93	\$28.67	\$29.20					
Utility Person III* (per hour)		\$29.33	\$30.13	\$30.69					
Street Division									
Street Superintendent		\$70,072	\$73,756	\$77,622					
Utility Person I* (per hour)		\$24.74	\$26.28	\$27.64					
Utility Person II* (per hour)		\$27.93	\$28.67	\$29.20					
Utility Person III* (per hour)		\$29.33	\$30.13	\$30.69					

Resolution 2021-72

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		\$70,072	\$73,756	\$77,622					
Utility Person I* (per hour)		\$24.74	\$26.28	\$27.64					
Utility Person II* (per hour)		\$27.93	\$28.67	\$29.20					
Utility Person III* (per hour)		\$29.33	\$30.13	\$30.69					
Water Treatment Division									
Water Treatment Superintendent		\$70,072	\$73,756	\$77,622					
Safety Department									
Safety Director	(filled by City Manager)								
Building & Zoning Division									
City Engineer	\$84,274	\$86,881	\$89,570	\$94,687	\$97,246				
Code Official* (per hour)	\$29.71	31.56	33.06						
Fire & EMS Division									
Chief	\$94,064	\$96,886	\$99,146	\$101,315	\$104,315	\$107,315	\$110,315		
Division Secretary (per hour)	\$17.61	\$18.14	\$18.69	\$19.25	\$19.82	\$20.42	\$21.03	\$21.66	\$22.31
Captain* (per hour)	\$25.44	\$26.23	\$27.04	\$27.52					
Lieutenant* (per hour)	\$21.51	\$22.18	\$22.87	\$23.58	\$24.30	\$25.05			
Zoning Official* (per hour)	\$21.51	\$22.18	\$22.87	\$23.58	\$24.30	\$25.05			
Firefighter-Paramedic* (per hour)	\$18.91	\$19.20	\$19.49	\$19.77	\$20.07	\$20.38	\$20.67	\$20.99	
Firefighter-EMT* (per hour)	\$16.82	\$17.08	\$17.33	\$17.59	\$17.86	\$18.12	\$18.40	\$18.68	
Volunteers: (per hour)									
Firefighter	\$10.78	\$11.10	\$11.43	\$11.78	\$12.13	\$12.49	\$12.86	\$13.25	\$13.66
EMT	\$11.32	\$11.66	\$12.01	\$12.36	\$12.73	\$13.11	\$13.50	\$13.91	\$14.34
Paramedic	\$12.98	\$13.38	\$13.77	\$14.18	\$14.61	\$15.05	\$15.49	\$15.95	\$16.44
Firefighter/Paramedic	\$17.10	\$17.61	\$18.14	\$18.68	\$19.24	\$19.82	\$20.41	\$21.03	\$21.65
Firefighter/EMT	\$13.91	\$14.33	\$14.77	\$15.21	\$15.67	\$16.13	\$16.62	\$17.12	\$17.64
Second Lieutenant	(additional stipend per hour)			\$0.25	\$0.50	\$0.75	\$1.00	\$1.25	\$1.50
Fire Inspector (per hour)	\$14.33	\$14.76	\$15.19	\$15.65	\$16.13	\$16.60	\$17.11	\$17.61	\$18.14
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
Safety Department, cont.									

Resolution 2021-72

Exhibit A

Police Division							
Chief	\$95,754	\$98,717	\$101,769	\$104,860	\$107,860	\$110,860	\$113,860
Captain	\$90,103	\$91,943	\$93,819	\$95,735			
Lieutenant ^(d) (per hour) PROBATION	\$35.90						
Lieutenant ^(d) (per hour)	\$37.78	\$42.94					
Lieutenant* ^(e) (per hour)	\$39.49	\$40.64	\$42.94				
Sergeant* ^(d) (per hour) PROBATION	\$33.32						
Sergeant* ^(d) (per hour)	\$35.08	\$38.34					
Sergeant* ^(e) (per hour)	\$35.26	\$36.28	\$38.34				
Patrol Officer* ^(b) (per hour) PROBATION	\$23.85						
Patrol Officer* ^(b) (per hour)	\$25.28	\$26.79	\$28.35	\$29.82	\$34.23		
Patrol Officer* ^(c) (per hour) PROBATION	\$25.18						
Patrol Officer* ^(c) (per hour)	\$26.44	\$27.77	\$29.15	\$30.62	\$32.14	\$34.23	
Dispatcher* ^(b) (per hour) PROBATION	\$22.02						
Dispatcher* ^(b) (per hour)	\$23.13	\$24.30	\$27.86				
Dispatcher* ^(c) (per hour) PROBATION	\$23.66						
Dispatcher* ^(c) (per hour)	\$24.61	\$25.59	\$26.61	\$27.86			
Reserve Officer (per hour)	\$12.85	\$13.23	13.63				
Reserve Dispatcher (per hour)	\$12.85						
Property Room & Evidence Manager (per hour)	\$20.00	\$20.50					
Municipal Court							
Judge ^(a)	\$22,200						
Magistrate	\$91,982	\$94,742	\$97,584	\$100,512	\$103,527		
Chief Bailiff ^(a)				\$29,232			
Deputy Bailiff	\$2,814	\$2,959	\$3,118	\$3,441			
Security Officer (per hour)	\$20.07						
Clerk of Courts ^(a)	\$36,636	\$37,368	\$38,115	\$38,877	\$39,655	\$40,448	\$41,257
Chief Deputy Clerk	\$52,240	\$53,284	\$54,031	\$55,436	\$56,545	\$57,674	
Deputy Clerk	\$40,620	\$42,762	\$45,018	\$48,305	\$49,754		
Deputy Clerk P/T (per hour)	\$15.00						
Chief Probation Officer	\$61,061	\$62,283	\$63,529	\$64,800	\$66,096	\$67,418	\$68,766
Probation Officer II	\$51,640	\$52,672	\$53,726	\$54,801	\$55,896	\$57,015	\$58,155
Probation Officer I	\$44,517	\$45,408	\$46,316	\$47,244	\$48,187	\$49,150	\$50,134
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.

Resolution 2021-72

Exhibit A

- ^(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
- ^(c) Hired after January 1, 2018
- ^(d) Promoted on or before January 1, 2018
- ^(e) Promoted after January 1, 2018

*Indicates Union Position

Legislative Cover Memo

Meeting Date: December 6, 2021

Agenda Item: **Resolution 2021-73**
DECLARING CITY MANAGER, THE CITY'S CONTRACTING OFFICER, TO BE EMPOWERED TO ACQUIRE TITLE TO OR INTERESTS IN REAL PROPERTY SITUATED WITHIN THE CITY OF FRANKLIN WITHIN THE SPENDING LIMIT AS ESTABLISHED IN CHARTER SECTION 5.05 EFFECTIVE FISCAL YEAR 2021

Submitted by: Jonathan Westendorf, City Manager

Scope/Description: This Resolution is a renewal of Resolution 2021-38, passed on May 3, 2021 to empower the City Manager to purchase properties within the City of Franklin, such as foreclosure properties, in amounts allowed under the City Manager's contracting authority as Contracting Official for the City, to carry out the City's objectives.

This Resolution will be effective immediately upon passage until December 31, 2022. This Resolution, absent other direction from Council, will be updated and placed on the agenda for action in December 2022 for fiscal year 2023.

As this Resolution does not involve bidding, a majority of members present concurring is required for its passage.

Budget Impact: Amounts will vary but will be nominal.

Exhibits: None.

Recommendation: Approval.

CITY OF FRANKLIN, OHIO
RESOLUTION 2021-73

DECLARING CITY MANAGER, THE CITY'S CONTRACTING OFFICER, TO BE EMPOWERED TO ACQUIRE TITLE TO OR INTERESTS IN REAL PROPERTY SITUATED WITHIN THE CITY OF FRANKLIN WITHIN THE SPENDING LIMIT AS ESTABLISHED IN CHARTER SECTION 5.05 EFFECTIVE FISCAL YEAR 2022

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, Charter of the City of Franklin, Ohio, Effective January 1, 1984, and last amended on January 1, 2018, Section 5.05 CONTRACTING POWERS, provides:

The City Manager shall be the chief administrative, operating and executive officer of the City. He or she shall be responsible to the Council for the administration of all City affairs placed in his or her charge by or under this Charter. He or she shall have the following powers, duties and functions: (O-08-27, 8-18-08 (EM) & O-08-32, 10-6-08, passed by the electorate 11-4-08, eff. 1-1-09)

- (a) To appoint and, when he or she deems it necessary for the good of the service, suspend, remove or otherwise discipline all City employees and appointive administrative officers provided for, by, or under this Charter, except as otherwise provided by this Charter or personnel rules adopted pursuant to this Charter. The City Manager may authorize any administrative officer who is subject to his or her direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency.

- (b) To direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by this Charter.
- (c) To attend all Council meetings and shall have the right to take part in discussion but may not vote.
- (d) To see that all laws, provisions of this Charter and acts of the Council, subject to enforcement by the City Manager or by officers subject to his or her direction and supervision, are faithfully executed.
- (e) To prepare and submit the annual budget and capital programs to the Council.
- (f) To submit to the Council and make available to the public a complete report on the finances, administrative activities and an inventory of the real properties and equipment of the City as of the end of each fiscal year.
- (g) To make such other reports as the Council may require concerning the operations of City departments, offices and agencies subject to his or her direction and supervision.
- (h) To keep the Council fully advised as to the financial condition and future needs of the City and make recommendations to the Council concerning the affairs of the City as he or she deems necessary.
- (i) To perform such other powers, duties and functions, as specified in this Charter, ordinances or resolutions, or as may be required by the Council.
- (j) The City Manager shall execute, on behalf of the City, all contracts, agreements, bonds, notes, conveyances, evidences of indebtedness, and any other instruments to which the City is a party, except as otherwise required or provided by this Charter or Ohio Law. (O-08-27, 8-18-08 (EM) & O-08-32, 10-6-08, passed by the electorate 11-4-08, eff. 1-1-09)

WHEREAS, from time to time, the City has opportunity, just like any other interested person, to bid on property being offered at auction at Warren County Sheriff's Sales. Notice is limited for these Sheriff's Sales and the amount needed for a winning bid will be unknown until the close of each sale.

WHEREAS, from time to time, the City has opportunity, just like any other interested person, to purchase foreclosure or other property from, for example, lending institutions or other property holders. Time is of the essence to strike these deals, which are for discounted purchase prices.

WHEREAS, the City benefits, as do 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.

WHEREAS, Council desires to re-visit this matter yearly, therefore, this Resolution will be effective immediately upon passage until December 31, 2022, and the Clerk of Council is directed to place this matter on the agenda for Council action in late 2022.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, a majority of members 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 citizenry.

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 real property in transaction amounts consistent with Charter Section 5.05.

Section 4. This Resolution shall become effective immediately upon its passage and expires December 31, 2022.

ADOPTED: December 6, 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 December 6, 2021

Khristi Dunn, Clerk of Council

Legislative Cover Memo

Meeting Date: December 6, 2021

Agenda Item: **Resolution 2021-74**
DECLARING CITY MANAGER, THE CITY'S CONTRACTING OFFICER, TO BE EMPOWERED TO APPOINT AN INTERIM CITY MANAGER IN HIS ABSENCE AS ESTABLISHED IN CHARTER SECTION 5.03

Submitted by: Jonathan Westendorf, City Manager

Scope/Description: This Resolution will empower the City Manager to appoint an Interim City Manager to carry out the City's objectives, in his absence, as provided for by the City's Charter.

Chiefs Colon and Riddiough are being added as authorized appointees.

Budget Impact: None.

Exhibits: None.

Recommendation: Approval.

CITY OF FRANKLIN, OHIO
RESOLUTION 2021-74

**DECLARING THE CITY MANAGER, THE CITY'S CONTRACTING OFFICER, TO BE EMPOWERED TO APPOINT
AN INTERIM CITY MANAGER, IN HIS ABSENCE, TO CARRY OUT THE CITY'S OBJECTIVES, AS ESTABLISHED
IN CHARTER SECTION 5.03**

WHEREAS, Charter of the City of Franklin, Ohio, Effective January 1, 1984, and last amended on January 1, 2018, Section 5.03 INTERIM CITY MANAGER, provides:

Should a vacancy in the office of City Manager occur, or during periods of temporary absence or disability of the City Manager lasting thirty (30) days or more, a majority of Council shall appoint an interim City Manager to fill the vacancy. In cases where the City Manager is vacant from his office for a period of less than thirty (30) days due to vacation, illness or other leave, the City Manager shall appoint an interim City Manager in his absence by administrative directive, with the approval of Council. (O-2007-24, 8-6-07 (EM) & O-2007-31, 8-20-07, passed by electorate 11-6-07, effective 1-1-08.);

WHEREAS, Council and the City Manager seek to plan and prepare for absences in advance to allow for the smooth operation of City business under periods of less than thirty (30) days;

WHEREAS, the approval of the following individuals to serve in this capacity will allow for the immediate appointment of an Interim City Manager as such needs arise.

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 allow the City Manager to appoint an Interim City Manager, in his temporary absence of thirty (30) days or less, with the approval of Council, to carry out the City's objectives. With approval of Council, the City Manager is hereby authorized to appoint Karisa Steed, Barry Conway, Adam Colon or Andy Riddiough to serve as Interim City Manager under such absence.

Section 2. The City Manager is hereby empowered and directed, by Council under Charter Section 3.03(i), to carry out the City's objectives by appointing an Interim City Manager to carry out the City's objectives, in his absence for thirty (30) days or less, consistent with Charter Section 5.03.

Section 3. This Resolution shall become effective immediately upon its passage and will remain in full force and effect until otherwise resolved by Council.

ADOPTED: December 6, 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 May 3, 2021.

Khristi Dunn, Clerk of Council

Legislative Cover Memo



Date: December 6, 2021

Agenda Item: **Resolution 2021-75**
ACCEPTING THE MATERIAL TERMS OF THE ONE OHIO POLITICAL SUBDIVISION SETTLEMENT ON BEHALF OF THE CITY OF FRANKLIN AND IN ACCORDANCE WITH THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT

Submitted by: Jonathan Westendorf, City Manager

Scope/Description: Corporations involved in the marketing, manufacturing, and distribution of various medications containing opioids (in various forms) have faced a variety of lawsuits across the country. The State of Ohio proposed an equitable manner in which these claims can be settled on behalf of Ohio's political subdivisions, commonly known as the "One Ohio" settlement.

City Council previously passed Resolution 2021-58, authorizing the City Manager to execute documents joining the City of Franklin as part of the One Ohio settlement class and accepting the proposed settlement at the time with three opioid manufacturers – AmerisourceBergen, Cardinal Health and McKesson. Another settlement has since been received from opioid manufacturer Janssen/Johnson & Johnson. The City's potential share of funds from the latest proposed settlement are estimated to be between \$17,414.45 and \$24,877.78, depending on the number of political subdivisions that opt into the settlement.

Budget Impact: None at this time, other than possible increased revenue.

Exhibits: None.

Recommendation: Approval.

CITY OF FRANKLIN, OHIO

RESOLUTION 2021-75

ACCEPTING THE MATERIAL TERMS OF THE ONE OHIO POLITICAL SUBDIVISION SETTLEMENT ON BEHALF OF THE CITY OF FRANKLIN AND IN ACCORDANCE WITH THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT

WHEREAS, the City of Franklin, Ohio is a municipal corporation formed and organized pursuant to the Constitution and the laws of the State of Ohio;

WHEREAS, the people of the State of Ohio and its local communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain;

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio;

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and counsel, are engaged in litigation seeking to hold Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused by their misfeasance, nonfeasance and malfeasance (the "Opioid Lawsuit");

WHEREAS, the State and its Local Governments, subject to completing formal settlement documents resolving the Opioid Lawsuit, drafted a One Ohio Memorandum of Understanding (the "MOU") relating to the allocation and use of proceeds of any potential settlement of the Opioid Lawsuit;

WHEREAS, the MOU was collaboratively drafted to preserve all individual claims Local Governments may have against Opioid Pharmaceutical Supply Chain Participants, while allowing the State and Local Governments to cooperate in exploring all possible means of resolution of the Opioid Lawsuit;

WHEREAS, the purpose of the MOU is to create an effective means of distributing any potential funds obtained in settlement of the Opioid Lawsuit in a manner and through means which promote effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio;

WHEREAS, nothing in the MOU binds any party to a specific outcome in the Opioid Lawsuit, but rather, any proposed resolution under the MOU will require further acceptance thereof by the State of Ohio and the involved Local Governments;

WHEREAS, City Council previously agreed, through the passage of Resolution 2021-58, to a settlement proposal presented to the State of Ohio and Local Governments by opioid distributors AmerisourceBergen, Cardinal, and McKesson to resolve governmental entity claims in the State of Ohio in accordance with the terms of the MOU and the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement;

WHEREAS, another settlement proposal has since been presented to the State of Ohio and Local Governments by opioid distributor Janssen/Johnson & Johnson (the "Settling Distributor") to resolve governmental entity claims in the State of Ohio in accordance with the terms of the MOU and the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement; and

WHEREAS, City Council wishes to agree to the terms of the MOU and the material terms of the proposed National Opioid Distributor Settlement Agreement with the Settling Distributor (the "Proposed Settlement").

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FRANKLIN, WARREN COUNTY, OHIO THAT:

Section 1. City Council hereby accepts the Proposed Settlement in accordance with the terms of the MOU and the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement.

Section 2. The City Manager is hereby authorized to demonstrate the City's acceptance of the Proposed Settlement by executing all documentation on the City's behalf as may be required to endorse the City's acceptance and support of the Proposed Settlement.

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 occurred 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 is hereby declared to be an emergency measure, necessary for the preservation of the peace, health, welfare and safety of the citizens of the City of Franklin. The reason for the emergency is to ensure prompt pursuit of funds to assist in abating the opioid epidemic throughout the State of Ohio.

ADOPTED: December 6, 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 December 6, 2021

Khristi Dunn, Clerk of Council