

FRANKLIN CITY COUNCIL
OCTOBER 16, 2017

Members of the Franklin City Council met in regular session on Monday, October 16, 2017, 6:00 p.m. at the Franklin City Building. The meeting was called to order by Jane McGee, Clerk of Council.

Roll call showed:

Brent Centers	present
Paul Ruppert	present
Carl Bray	absent
Denny Centers	absent
Michael Aldridge	present
Debbie Fouts	present
Todd Hall	present

With the Mayor & Vice Mayor being absent from tonight's meeting, Mrs. McGee asked for a motion to appoint a Presiding Officer for tonight's meeting.

Mr. B. Centers made the motion to appoint Mr. Todd Hall as the Presiding Officer; seconded by Mr. Aldridge. The vote:

Mr. Ruppert	yes
Mr. Bray	absent
Mayor Centers	absent
Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes

Motion passed. Mr. Hall will serve as the Presiding Officer for the October 16, 2017 meeting.

There were several visitors and no press at tonight's meeting. Also present: Mr. Barry Conway, City Engineer; Mr. Ross Coulton, Assistant Safety Director; Mr. Jonathan Westendorf, Fire & EMS Chief; Mr. Steven Inman, Public Works Director; Mrs. Amy Miller, Acting Finance Director; Ms. Lynette Dinkler, Acting Law Director; Mr. Sonny Lewis, City Manager and Mrs. Jane McGee, Clerk of Council.

The Pledge of Allegiance was led by Myra Haney.

Mr. Ruppert made the motion to approve the Clerk's Journal and accept the tapes as the Official Minutes of the October 2, 2017 regular meeting; seconded by Mr. Aldridge. The vote:

Mr. Bray	absent
Mayor Centers	absent
Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes
Mr. Ruppert	yes

Motion passed.

RECEPTION OF VISITORS

There were no visitor remarks at tonight's meeting.

PRESENTATION: ELECTRIC AGGREGATION
(attached)

Mr. Jim Macenko and Mr. Richard Lonneman, representing Eagle Energy, explained the process for the City to proceed with electric aggregation. Mr. Macenko noted that they are both former CG&E employees. Mr. Macenko stated years ago the State General Assembly passed the electric deregulation bill. The City started this process, when the residents voted to approve electric aggregation. He added at that time, he was the City's rep with CG&E. He noted the following: the distribution rate is fixed; the generation part is what the residents can shop for a lower rate. Today, residents receive lots of calls, mail and people going door-to-door trying to get them to sign up for a lower rate when actually, it's higher. Currently, our customers are seeing a \$0.0515/KWH and \$0.0527/KWH rate for green power. The average rate currently is \$0.06149. It's cheaper because you're buying in volume. Mr. Macenko briefly explained the procedure: public hearings will be held; file certification application with PUCO; send out 'Request for Proposals'; review the rates received with the City; no penalty if you want to switch; and no complaints since they began in 2002. The proposed timeline was passed out. Mr. Macenko noted there is no cost to the City and they are reimbursed by the supplier. Also, the City will have to have two public hearings which can or not be held at a Council meeting.

Mr. B. Centers stated that they presented this to the Economic Development Council Committee and it was approved to move forward with. Mr. Macenko added that it takes a while to go thru the process to be approved and if we follow the proposed timeline, it will be April before it would be in place. Mr. B. Centers stated the City can opt out anytime, guarantee will save money and also green power is available.

Mr. Aldridge stated when we talked about this at the last meeting he asked for more information. He then asked if they will do the RFP. Mr. Macenko, stated, yes, they do all the work and will work with the City and the residents. Currently they represent 10 communities and will also talk to the residents. Mr. Aldridge asked the only thing the consumer will see is a lower bill? Mr. Macenko stated, yes. Mr. Hall asked what the City's commitment is. Mr. Macenko stated the contracts are usually 3 years and we will have several to choose from.

Mr. B. Centers asked him to explain how this will work for the businesses. Mr. Macenko stated a letter will be sent to the residents and they can participate or not participate. Businesses will be done separate. Chief Whitman asked what will happen after the 3 years. Mr. Macenko stated we'll renegotiate for the rate. He also noted that they will work with the residents. Mr. Aldridge asked about the letters being sent out to the customers if they will show a partnership with the City. Mr. Macenko stated the letters will be on City letterhead. Also, should put it in the newsletter – need to do everything to help the City. Mr. Hall asked if someone is already signed up with another company, what happens. Mr. Macenko stated they need to call the company they are signed up with and usually, can get out of the contract. He noted that they will help them, and if released, they can join the City contract. Mr. Lewis stated he'd like to include in the contract that if a resident decides to opt-out, that there won't be any fees by the provider or your company, as we've heard that this is being done. Mr. Macenko stated that won't happen and it will be included in the contract.

Mr. Hall asked if we need to make a decision now. Mr. Lewis stated we'll bring legislation back to you.

RESOLUTION 2017-49 AUTHORIZING THE CITY MANAGER TO JOIN A COALITION OF MUNICIPALITIES RETAINING SPECIAL COUNSEL FOR PURPOSES OF INITIATING LITIGATION TO CHALLENGE THE CONSTITUTIONALITY OF AMENDMENTS TO CHAPTER 718 OF THE OHIO REVISED CODE RELATING TO MUNICIPAL INCOME TAX

Mr. Lewis stated we discussed this at our last meeting. The State is proposing to collect our business tax, then forward it to the City and the State will probably have a fee to do this. To date, 100 Cities have joined the coalition. A legal opinion from a larger City, states if you didn't join the coalition and are a home-rule City, whatever happens, if they win, may not apply to that City. Mr. Lewis noted that \$4,000 will be our share of the cost. Also, he checked with our State Representative Lipps and he does support HB 49. Mr. B. Centers asked if he said why he supports it. Mr. Lewis stated because he's on the Committee for small business owners. Mr. Lewis added he will also ask Senator Wilson next week as he has a meeting with him. Mr. Lewis also noted that letters have been sent to our legislators stating that we are against this. Discussion continued on how this will effect Cities.

Mr. B. Centers made the motion to adopt Resolution 2017-49; seconded by Mrs. Fouts. The vote:

Mayor Centers	absent
Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes
Mr. Ruppert	yes
Mr. Bray	absent

Motion passed.

RESOLUTION 2017-50 APPROVING UPDATE TO PERSONNEL POLICY MANUAL 5.30, WORKPLACE VIOLENCE, TO COMPLY WITH OHIO REVISED CODE SECTION 2923.231 REGARDING CONCEALED CARRY RIGHTS FOR EMPLOYEES PARKING WHILE AT WORK

Ms. Dinkler stated that this updates the Employee Policy Manual, Section 5.30 to be in compliance with State Law 2923.126 - Carrying a Concealed Weapon (CCW) in parking lots.

Mr. P. Ruppert made the motion to adopt Resolution 2017-50; seconded by Mr. Aldridge. The vote:

Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes
Mr. Ruppert	yes
Mr. Bray	absent
Mayor Centers	absent

Motion passed.

CITY MANAGER'S REPORT

Mr. Lewis reported on the following:

- Mr. Conway and Mr. Inman has met with the contractors and Stadia/Skokiaan project is to begin October 23 and the Hemlock project should start October 30th. They are running behind because of the weather and they are small jobs.
- Trick or Treat is October 31 – 6:00 p.m. to 8:00 p.m.
- Fall Fest is October 27 & 29
- Asked Mrs. Fouts if she had been contacted by the Police Department about her concerns brought up at the last meeting – Mrs. Fouts stated that she has been contacted.

COUNCIL COMMENTS

Mrs. Fouts stated need to look at Riley Blvd. /2nd Street intersection, the road is getting rough.

Mr. B. Centers stated at the Franklin Township meeting they recommended to put the monument on the Fraternal Order of Eagles property. A candidate's forum will be held 11/2/17, by the Franklin Chamber of Commerce at the Deardoff Center (some discussion if this was on or not). Also, Mr. B. Centers recommended that Council look at "My City App" – an app that residents can contact a City Department directly.

Mr. Aldridge asked about the leaf pick-up schedule. Mr. Lewis stated it starts today and Mr. Inman added it is on the website and was included in the water bills.

Mr. Ruppert thanked Captain Coulton for his help with a parked truck on his street.

Mr. Hall stated on the Lions Bridge, west side, it looks like someone dropped grenades on the concrete. Also, back side of David Boulevard (lower side), there is a white PT Cruiser parked that hasn't moved and grass hasn't been mowed. Mr. Lewis stated this will be checked.

Mrs. Fouts made the motion to adjourn; seconded by Mr. Ruppert. The vote:

Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes
Mr. Ruppert	yes
Mr. Bray	absent
Mayor Centers	absent
Mr. Aldridge	yes

Motion passed.

Mr. Hall, Presiding Officer, adjourned the meeting at 6:53 p.m.

Denny Centers, Mayor

Jane McGee, Clerk of Council