

**FRANKLIN CITY COUNCIL
FEBRUARY 1, 2010**

Members of the Franklin City Council met in regular session on Monday, February 1, 2010, 6:00 p.m. at the Franklin Municipal Building, Mayor Carl Bray presiding.

Roll call showed:

Scott Lipps	present
Jason Faulkner	present
Bob Knipper	present
Carl Bray	present
Denny Centers	present
Michael Aldridge	present
Todd Hall	present

There were 7 visitors and no one from the press at tonight's meeting. Also present: Mr. Sonny Lewis, Public Works Director; Mr. Gordon Ellis, Police Chief; Mr. Jonathan Westendorf, Fire Chief; Ms. Sandra Morgan, Finance Director; Ms. Donnette Fisher, Law Director; Mr. Jim Lukas, City Manager and Mrs. Jane McGee, Clerk of Council.

The Pledge of Allegiance was led by Carlisle Mayor Tim Humphries.

Mr. Centers made the motion to approve the Clerk's Journal and accepting the tapes as the official minutes of the January 4, 2010 meeting; seconded by Mr. Aldridge. The vote:

Mr. Faulkner	yes
Mr. Knipper	yes
Mr. Bray	yes
Mr. Centers	yes
Mr. Aldridge	yes
Mr. Hall	yes
Mr. Lipps	yes

Motion passed.

Mr. Hall made the motion to approve the Clerk's Journal and accepting the tapes as the official minutes of the January 21, 2010 special meeting; seconded by Mr. Knipper. The vote:

Mr. Knipper	yes
Mr. Bray	yes
Mr. Centers	yes
Mr. Aldridge	abstain
Mr. Hall	yes
Mr. Lipps	abstain
Mr. Faulkner	abstain

Motion passed.

RECEPTION OF VISITORS

None tonight.

PUBLIC HEARING ORDINANCE 2010-01 ACCEPTING THE DONATION OF PROPERTY FROM THE FRANKLIN LIONS CLUB, INC. TO THE CITY OF FRANKLIN, OHIO

Mr. Lewis stated that maps are included in the packet indicating the property being donated to the City (land behind the JEMS building & land at the back of the Park, between the football field and Franklin Woods). The City has been taking care of this property for years; no additional costs to the City; approximately 3.3 acres total.

Staff recommends accepting the property.

Mr. Faulkner made the motion to adopt Ordinance 2010-01; seconded by Mr. Aldridge. The vote:

Mr. Bray	yes
Mr. Centers	yes
Mr. Aldridge	yes
Mr. Hall	yes
Mr. Lipps	yes
Mr. Faulkner	yes
Mr. Knipper	yes

Motion passed.

ORDINANCE 2010-02 EMERGENCY PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN A PRINCIPAL AMOUNT OF \$1,282,500 IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF CONSTRUCTING STORM WATER DRAINAGE IMPROVEMENTS, EXTENDING BURROWS ROAD AND SHOTWELL DRIVE, AND IMPROVING CHARLOTTE RUPP ROAD, TOGETHER WITH ALL NECESSARY APPURTENANCES, AND DECLARING AN EMERGENCY

Ms. Morgan stated that several years ago these notes were combined. On the podium tonight, is a replacement ordinance that includes language changes required by our bond counsel. Also, the decision was made to pay off the fire note due to the large carryover balance in the fire department. The City will be paying \$517,500 on the note; hopefully, we will receive an interest rate of 2.5%; 2.24% is the rate now and the same company as last year is handling the issue.

Mr. Hall made the motion to adopt Ordinance 2010-02; seconded by Mr. Faulkner. The vote:

Mr. Centers	yes
Mr. Aldridge	yes
Mr. Hall	yes
Mr. Lipps	yes
Mr. Faulkner	yes
Mr. Knipper	yes
Mr. Bray	yes

Motion passed.

RESOLUTION 2010-07 ACCEPTING THE RESIGNATION OF TERRY LENNON FROM THE FRANKLIN PLANNING COMMISSION & APPOINTING JOHN ROBINSON TO FILL THE VACANCY

Ms. Fisher stated that this is the last vacancy to fill on the Planning Commission. Terry Lennon resigned due to moving out of the City. Mr. John Robinson is present tonight; he has met with Planning Commission and they recommend his appointment. The term ends December 31, 2011.

Mr. Lipps noted that Mr. Lennon was an excellent member on that board.

Mayor Bray noted that Mr. Robinson was at the longest meeting that the Planning Commission has had.

Mr. Centers made the motion to adopt Resolution 2010-07; seconded by Mr. Knipper. The vote:

Mr. Aldridge yes
Mr. Hall yes
Mr. Lipps yes
Mr. Faulkner yes
Mr. Knipper yes
Mr. Bray yes
Mr. Centers yes

Motion passed.

RESOLUTION 2010-08 AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE OHIO AUDITOR OF STATE FOR THE PROVISION OF SERVICES

Ms. Morgan stated that the City is required by the State to convert its cash financial statements to an accrual basis. The Local Government Services, a division of the State Auditor's Office, cost to provide this service is \$25,350.00 which is lower than last year's cost.

Mr. Centers asked why the cost is lower this year. Ms. Morgan stated we are using the same company as last year; they already have some of the information, making it less time consuming to do this year's conversion.

Mr. Lipps made the motion to adopt Resolution 2010-08; seconded by Mr. Faulkner. The vote:

Mr. Hall yes
Mr. Lipps yes
Mr. Faulkner yes
Mr. Knipper yes
Mr. Bray yes
Mr. Centers yes
Mr. Aldridge yes

Motion passed.

RESOLUTION 2010-09 AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT FOR THE PURCHASE OF POLICE VEHICLES FROM ARENA DODGE

Chief Ellis stated that we have received a bid from Arena Dodge which is \$40 cheaper per vehicle than the State bid. The cost per vehicle is lower this year than last year. The two vehicles will be paid for from the Law Enforcement Fund; no major repairs to date with the Dodge Chargers and the base price of each vehicle is \$20,280.00.

Mr. Faulkner made the motion to adopt Resolution 2010-09; seconded by Mr. Lipps. The vote:

Mr. Lipps yes
Mr. Faulkner yes
Mr. Knipper yes
Mr. Bray yes
Mr. Centers yes
Mr. Aldridge yes
Mr. Hall yes

Motion passed.

INTRODUCTION OF NEW LEGISLATION

Mayor Bray introduced: ORDINANCE 2010-03 ENACTING CHAPTER 139 OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO, TITLED “INDIGENT BURIAL POLICY”.

Ms. Fisher stated that under Ohio Law the City is required to bury indigent residents. The State previously provided this service, but now requires cities and townships to provide the service. She noted that the application handed out previously will have to be revised. This policy will allow \$500 per burial; City had a lot of requests last year; City Manager is the administrator of the policy; allows the City to determine who is indigent; requires cremation and the City also has the duty to bury the remains.

Mr. Centers asked if \$500 is enough to cover this expense and what if a burial is wanted. Ms. Fisher stated that we currently pay \$500 for indigent burials (to the funeral home); if the remains aren't claimed, the City is required to bury them.

Mr. Lukas added that the City has been supplementing funeral expenses a lot this year.

Ms. Fisher stated that several have been truly indigent – others have been sent by the funeral home to get the City to supplement costs.

Mr. Lipps stated that the application is very long & detailed, and if they do complete it, they must truly need the money.

Ms. Fisher stated the new application will be shorter; want truly indigent people to receive the money.

Mayor Bray introduced: ORDINANCE 2010-04 GRANTING A PERMANENT EASEMENT TO THE MIAMI CONSERVANCY DISTRICT FOR THE PURPOSES OF CONSTRUCTING AND MAINTAINING A LEVEE.

Mr. Lukas stated that early last year, we were approached by Miami Conservancy District about levee study they were doing. They determined that a levee is needed near the SR 73/Main Street/Dixie Highway intersection. We have a land use permit, for across the river, with MCD which is now due. We have worked out an exchange with them – a permanent easement they need on City land for the new levee and MCD agreed to waive the permit fees on the land use permit.

Mr. Hall questioned where the amphitheater is across the river – it is the concrete pad on the river bank.

Mayor Bray introduced: ORDINANCE 2010-05 AMENDING SECTIONS 1107.01, 1107.03, 1107.04 AND 1115.08 OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE

Ms. Fisher stated that the Planning Commission has been working on this and recommends the following amendments to the Unified Development Ordinance:

- Create an Office Service District
- Gas stations conditional use
- Site plan code clarifications
- Planning Commission hasn't voted on the map yet
- These changes can be done before the map is approved
- Planning Commission voted unanimously to send these amendments to Council

CITY MANAGER'S REPORT

Mr. Lukas reported on the following:

- Sheriff Sims will be at the March 1 meeting
- Need to know if you want to proceed with a Council Retreat
- Referred to Chief Ellis who announced that he has been assigned as the Commander of the 147th RTI. There will be a ceremony in April and all are invited to attend.

LAW DIRECTOR'S REPORT

Ms. Fisher reported on the following:

- Handed out the Civil Service Report on 2009 testing information.

Mr. Faulkner asked if the application fee is working. Mrs. Ball stated yes. Mr. Lipps added you can see by the report that it is working.

Mr. Lukas noted that there is an opening on the Civil Service Commission. Ms. Fisher stated there we will advertise the vacancy.

Mayor Bray noted that former Sheriff Tom Ariss is in the audience tonight.

COUNCIL COMMENTS

Comments tonight include: thanks for coming this evening; thanks to Lorna Ball for her work on the Civil Service Commission and thanks to Ellis Ball for attending; thanks to Lee Dunlap for his continued support; thanks to Mayor Humphries for the regional cooperation; update on lion (in process of being done); first meeting of the Historical District Review Board last week, the Historical Society is applying for a grant for the old post office to apply planks to the outside – this is historically accurate to do; JEMS update, Mr. Faulkner is the chairman, carryover of \$362,000 this year, approved purchase of ambulance; thanks to Mr. Robinson for wanting to serve; received great comments on street cleaning during recent snow, please pass on to service department employees; problems with the sidewalk pavers downtown; Franklin Ridge project looks good; status of Shell Station on 2nd Street (empty); time frame of the remodeling for the coffee shop, 2nd Street, next NY NY; Mrs. Feltner stated that the school board would like to have a joint meeting with Council; need to have a retreat; congrats to Chief Ellis; thanks to Sheriff Ariss for attending; the island at Second Street, by the Interstate, needs landscaped, need to spruce up the entrance to City; received resident complaint about PH Bistro - extended hours, fights and underage drinking; lease has been signed for a new restaurant downtown; status of complaint of barrels by Mr. Frosty's (NIC handling); and Mayor Bray noted there is a Franklin Athletic Dance at the Amvets on February 6th; benefit for Peggy Hembree's (Police Dispatcher) son at the Legion this past Saturday raised approximately \$8,000 and thanks for coming this evening.

Mr. Falulkner made the motion to adjourn; seconded by Mr. Hall. The vote:

Mr. Faulner	yes
Mr. Knipper	yes
Mr. Bray	yes
Mr. Centers	yes
Mr. Aldirdge	yes
Mr. Hall	yes
Mr. Lipps	yes

Motion passed.

Mayor Bray adjourned the meeting at 6:55 p.m.

Mayor

Clerk of Council