

**FRANKLIN CITY COUNCIL
JUNE 16, 2014**

Members of the Franklin City Council met in regular session on Monday, June 16, 2014, 6:00 p.m. at the Franklin City Building, Mayor Denny Centers presiding.

Roll call showed:

Scott Lipps	present
Matt Wilcher	present
Jason Faulkner	present
Denny Centers	present
Carl Bray	present
Michael Aldridge	present
Todd Hall	present

There was one member of the press and 5 visitors at tonight's meeting. Also present: Mr. Russ Whitman, Police Chief; Mr. Jonathan Westendorf, Fire Chief; Ms. Donnette Fisher, Law Director; Mr. Ross Coulton, Assistant Safety Director; Mr. Sonny Lewis, City Manager and Mrs. Jane McGee, Clerk of Council.

The Pledge of Allegiance was led by Doug Greathouse.

Mr. Lipps made the motion to approve the Clerk's Journal and accept the tapes as the official minutes of the June 2, 2014 regular meeting; seconded by Mr. Wilcher. The vote:

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

Motion passed.

RECEPTION OF VISITORS

Phyllis Clark, Clarks Tax Service, 1111 E. Second Street, asked Council for an emergency vote tonight on Ordinance 2014-07 so she can get her sign fixed.

Mr. Lewis stated that Ordinance 2014-07 is on the agenda to be introduced tonight. The Planning Commission voted to recommend approval of the changes.

Mayor Centers stated that Ordinance 2014-07 is for her sign. Mr. Bray added that it is introduced tonight and voted on by Council in two weeks (at the next meeting). Mayor Centers stated that with the passage of the ordinance, it will allow her to replace the sign.

Mr. Faulkner stated that he missed that Planning Commission meeting – thought that she is allowed to replace her sign. He then voiced concern about changing the code.

Mayor Centers added he thought she could do what she wanted to do.

Mr. Lewis stated she can replace what was there – do the inserts that were there – if she wants a new sign, it has to be done according to the code.

Mrs. Clark stated she has been trying since January to get the sign replaced; she wants an electronic sign, same size; the existing frames are broke and need replaced – sign size is the same.

Mayor Centers stated the code doesn't allow signs to be grandfathered; think the sign contractor is part of the problem, has changed what you want; changing the code will allow you to replace the current sign and adopting the ordinance will allow you to do that.

Mr. Bray stated we want to make sure what we're doing will work.

Mr. Faulkner asked if we do this, will we have issues with other signs being replaced.

Mr. Lewis stated if it is passed, all non-conforming signs can go back to the original sign if damaged.

Ms. Fisher added that, if the ordinance is passed, it will allow New York New York to replace its large wall sign.

Mr. Aldridge asked how we will know what they had before.

Mr. Faulkner stated he thought it was all taken care of.

Mr. Lewis stated the current sign is bigger than what is allowed per current code – there is no grandfathering of signs in the current code.

Ms. Fisher stated we went from repair to a new sign – that's the issue.

Ms. Betsy Westendorf, Special Events Committee, gave an update on events. We are having 'Movies at the Park', on Saturday nights; first one last Saturday, very successful but have some bugs to work out; next movie is July 5th, 'One Direction' and there will also be one in August.

Fourth of July Parade – Luke Kennard & Brian Bales are the Grand Marshals; parade theme is "Shooting for the Stars"; need a Council judge (Mayor Centers, maybe, or Mr. Wilcher); Fall Fest is scheduled October 24th & 25th; and we need manpower.

Mayor Centers thanked all of the Committee for the work they do.

ORDINANCE 2014-05 PUBLIC HEARING DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2015

Mr. Lewis stated that this is the second of three steps for street lighting. The total cost is \$144,765.00, with the City funding 2% of that cost.

Mayor Centers opened the Public Hearing and asked for any public comments. There being none, he closed the Public Hearing and asked for any Council comments. There were none.

Mr. Faulkner made the motion to adopt Ordinance 2014-05; seconded by Mr. Bray. The vote:

Mr. Faulkner yes
Mr. Centers yes

Mr. Bray yes
Mr. Aldridge yes
Mr. Hall yes
Mr. Lipps yes
Mr. Wilcher yes

Motion passed.

RESOLUTION 2014-19 AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS, AND TO EXECUTE CONTRACTS, AS REQUIRED, FOR PROGRAM YEAR 2016 (PY 30), FOR THE WILLIAM C. GOOD BOULEVARD COMPLETION PROJECT

Mr. Lewis stated that this is to submit an application for an Issue II, Program Year 2016 project, for William C. Good Boulevard. We had submitted this project previously, but didn't do because of the recession. The estimated cost is \$765,100.00; 51% local match. We will also be requesting CDBG funds in 2016 to help with the local share. We feel this is money well spent.

Mr. Bray asked if Mr. Conway prepares the estimate. Mr. Lewis stated, yes, and that he also worked with CDS.

Mr. Bray asked if we anticipate any other projects for 2016. Mr. Lewis stated he doesn't think so.

Mayor Centers asked if there are any other future projects being considered. Mr. Lewis stated future projects are the Stadia/Skokiaan intersection and Hemlock Street.

Mr. Faulkner asked when the Stadia/Skokiaan intersection was done. Mr. Lewis stated he doesn't know – remember it always being that way.

Mr. Hall made the motion to adopt Resolution 2014-19; seconded by Mr. Bray. The vote:

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

Motion passed.

At this time, Mayor Centers added Resolution 2014-20 to the agenda.

RESOLUTION 2014-20 APPROVING THE FILING OF PETITION FOR FORFEITURE OF THE PROPERTY LOCATED AT 2 N. MAIN STREET AND AUTHORIZING THE EXPENDITURE OF FUNDS TO ACQUIRE SAID PROPERTY

Ms. Fisher stated that the property at 2 N. Main Street was a tax foreclosure case and has remained unsold after two attempts to sell it at public auction. We feel we should try and get it. There is \$7,000+ in mowing costs assessed to the property. The City will have to pay \$4,838.01; \$4,027.25 outstanding tax bill and court costs of \$810.76. The house was recently demolished as part of the Moving Ohio Forward Program. We already maintain this property and will have to continue to maintain. Considering the cost, we feel we should get this property.

Mayor Centers asked what our plan for these lots is.

Mr. Lewis stated we have been talking about getting the land downtown; we already maintain the lots and feel we should get them.

Mayor Centers stated he feels we should sell them if we can.

Mr. Lewis stated we will if someone wants to purchase them.

Ms. Fisher added it is easier for us to sell the property if we have ownership – if we don't purchase the property, it will go to the State.

Mayor Centers stated he doesn't want to keep buying lots and mowing them.

There was some discussion on buying and selling lots in the downtown area.

Mr. Bray made the motion to adopt Resolution 2014-20; seconded by Mr. Faulkner. The vote:

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

Motion passed.

INTRODUCTION OF NEW LEGISLATION

Mayor Centers introduced the following legislation:

Ordinance 2014-06 Amending Certain Sections of the City of Franklin Traffic Code to be Concurrent with State Law through July 1, 2014

Ordinance 2014-07 Amending Section 1105.09 and 1111.08(1) of the City of Franklin Unified Development Ordinance

WORK SESSION

Parks

Mayor Centers asked for an update on the Springboro Park.

Mr. Lewis stated the first meeting will be July 15th at the Springboro City Building.

Mayor Centers stated he has been trying to contact Mr. Powers & left him a message (property on SR 123); haven't heard from him and Mr. Lewis might want to try to contact him. Mr. Lewis stated that with the Springboro property, there have been some complications with FEMA as there are new regulations. He has asked for a feasibility study on the 18 acre property, take approximately one month to do; also looking at incorporating it with our current Park; will present the information to the Park Board, also the Council Park Committee and also will look at including the school property.

Mayor Centers summarized that we are looking at 2 options: the Springboro Park and the land across the street from the Community Park.

Mr. Wilcher asked about the cost to provide WI-FI in the Park. Mr. Lewis stated we have considered it and got a cost of approximately \$45,000 to do.

Mr. Lipps asked about a possible joint project with the Schools and the Township.

Mr. Lewis stated we will continue to work on this. Discussion followed.

See Something Say Something

Mr. Lewis stated that a quarterly report was sent out by Chief Whitman.

Chief Whitman went over the report with Council, noting there have been a total of 50 calls since January, 34 calls with information and 16 calls were hang-ups; and that arrests are being made. The exact number of arrests made will be forwarded to Council.

Mayor Centers stated the complaints he's received are that officers didn't act quickly enough; they need to more appreciative of the information and to thank the people for calling.

Mr. Aldridge asked if the calls are being answered. Mr. Lewis stated no, they would not be anonymous if they were answered. Mr. Aldridge continued that he thinks they should have the option to speak to the Dispatcher and that there should be instant communication on 1TIP calls.

Discussion continued. Chief Whitman stated the messages are checked twice each shift. Mr. Wilcher asked if they can be checked more often. Chief Whitman stated, yes, and that after the dispatch remodeling, we will be able to change how we handle the calls, will be able to have a dedicated monitor for the calls.

Discussion continued on having a dedicated monitor for calls; when calling 1TIP, the message does give the number to contact the dispatcher, if they don't want to leave a message; 911 is available; and that it is working.

Mr. Lewis asked Council to consider changing the posters for the 1TIP program, as it is about more than just drugs. He asked if it is possible to get posters without the drugs & needles on them especially in the downtown area. He asked Council to think about it.

Mr. Aldridge agreed it is for other things also; Mr. Bray stated it is just for drugs. Chief Whitman stated he wants the program for all crimes.

Mayor Centers stated they will give it some thought and look at it.

Sidewalk Replacement/Repair Program

Mr. Lewis stated it has been 20 years since this was last done and we need to revisit it. He handed out information on the procedure that has to be followed in order to assess the cost to the property owner. He also handed out 3 scenarios of estimated replacement/repair costs.

Scenario #1 – sidewalk, approach & curb, all needs replaced
Estimated project cost \$5,488; option of paying the entire amount or assessed for 10 years at \$549 per year

Scenario #2 – 2 sections sidewalk, approach & curb in approach
Estimated cost \$2,330; option of paying the entire amount or assessed for 10 years at \$233 per year

Scenario #3 – 2 sections of sidewalk replaced
Estimated cost \$280; option of paying the entire amount or assessed for 10 years at \$28 per year.

Mr. Lewis explained how the program works and the estimated cost he used is based on a recent bid from another community. There was some discussion.

Mr. Lewis stated that he believes the City should pay for the curb repair as the salt damages it, we have paved into the gutter plate and etc. The curb repair is expensive and that is why we didn't include it in this year's summer street paving project.

Mayor Centers stated maybe we just do a percentage of the curb repair. Mr. Lewis stated that the ordinance says the property owner is responsible for the sidewalk; approach and curb/gutter repair. He thinks the City should be responsible for the curb. He asked Council to consider the following: to add \$2.00 to the storm water fee, per month (\$3.50 currently), total of \$24.00 year to be used for curb repair and the City will cover the remainder of the cost of curb replacement; and to re-evaluate the fee after 10 years.

Discussion continued on how this will work; great idea and the money needs to go in a curb fund only; it will go into the Storm Water Utility fund to be used for curbs.

Mr. Wilcher stated he liked the idea. Mr. Lipps asked if we know what Miamisburg's storm water fee is - no we don't know. Mr. Lipps added, the curb repair will increase the value of the property for the City and the resident. Mr. Aldridge asked if the downtown will be included. Mr. Lewis stated we will have to check to see if there are any agreements on the sidewalks & curbs from when the streetscape program was done. Mr. Aldridge asked if residents question this fee or other city fees and if there is a survey of this fee available (as is done for the water/sewer fees) – not aware of one. Mr. Wilcher added his neighbor is a realtor, and has voiced concern about the condition of the sidewalks & curbs as it is a problem when selling homes in the City. Mr. Faulkner stated it is the responsibility of the property owner to maintain – just hasn't been done – he likes the idea and we need to do.

Consensus of Council is to proceed with the fee and the sidewalk/curb/approach repair/replacement program. Ms. Fisher added that the Storm Water Ordinance may need to be amended.

CITY MANAGER'S REPORT

Mr. Lewis stated that Saturday was a great day in Franklin and he will let others comment.

LAW DIRECTOR'S REPORT

Ms. Fisher stated that the Farmers Market was a success, we had lots of vendors and they either sold out or almost did. It was a fabulous day, well attended by city staff, and have more vendors scheduled for the next one.

COUNCIL COMMENTS

Mr. Hall stated that at 420 David Boulevard they are building in the backyard (checked today & left a card for them to call as no one was there); lights at the pool are out and need replaced and that his wife was at the Farmer’s Market and his boys attended the movie night at the Park.

Mr. Aldridge thanked everyone for coming tonight.

Mr. Bray stated downtown, the grates around the trees are uneven; Purple Heart Signs (haven’t found yet); landscaping at I-75 & SR 123, now has lots of dead plants (Mr. Lewis stated they will be replaced, will also be seeding & composting the ruts); any more problems with the trucks at Laynecrest shopping Center (Chief Whitman stated no, and that we have authorization to deal with them now); the lady downtown with the covered windows, can we do anything about the windows, the paper needs taken down (Mr. Lewis stated going to try painting the windows, Lakes building is the first to be done); and great job by the Special Events Committee Saturday night.

Mr. Lipps had no comments tonight.

Mr. Wilcher thanked everyone for coming tonight and the Special Events Committee did a good job Saturday night.

Mr. Faulkner thanked everyone for coming tonight; thanked the Special Event Committee; thanked Phyllis Clark for coming, a valued member of the community and thanks to Mr. Lewis on the sidewalk presentation and we need to do it.

Mayor Centers stated he’s received positive comments about the Farmers Market and the ‘Movies at the Park’ and asked about the 4th of July Parade. Mr. Bray will get the golf carts; everyone will get their own candy; and be at the Golf Course at 9:15 a.m. Mayor Centers also stated that Luke Kennard made the final cut and the team for the U-18 National Team; need to keep after the purchase/trade of the house at the corner of 3rd Street; and thanks to everyone for coming out tonight.

Mr. Faulkner made the motion to adjourn; seconded by Mr. Bray. The vote:

- Mr. Aldridge yes
- Mr. Hall yes
- Mr. Lipps yes
- Mr. Wilcher yes
- Mr. Faulkner yes
- Mr. Centers yes
- Mr. Bray yes

Motion passed.

Mayor Centers adjourned the meeting at 8:15 p.m.

Mayor

Clerk of Council