

FRANKLIN CITY COUNCIL
MARCH 15, 2010

Members of the Franklin City Council met in regular session on Monday, March 15, 2010, 5:30 p.m. at the Franklin Municipal Building, Mayor Carl Bray presiding.

Roll call showed:

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|------------------|-------------------------------|
| Scott Lipps | absent – arrived at 8:38 p.m. |
| Jason Faulkner | present |
| Bob Knipper | present |
| Carl Bray | present |
| Denny Centers | present |
| Michael Aldridge | absent – arrived at 5:39 p.m. |
| Todd Hall | present |

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

The Pledge of Allegiance was led by Mr. Dick Tibbs.

Mr. Centers made the motion to approve the Clerk's Journal and accepting the tapes as the official minutes of the March 1, 2010 meeting; seconded by Mr. Faulkner. The vote:

| | |
|--------------|--------|
| Mr. Faulkner | yes |
| Mr. Knipper | yes |
| Mr. Bray | yes |
| Mr. Centers | yes |
| Mr. Aldridge | yes |
| Mr. Hall | yes |
| Mr. Lipps | absent |

Motion passed.

RECEPTION OF VISITORS

Denise Price, Director of Sales of Holiday Inn Express, stated they are having problems with occupancy (21% - 26%) while the hotels in Springboro & Middletown have a much higher occupancy (65-70%). She noted that the City needs to do economic development to promote businesses; signage is a problem, people don't know where we are; need to help local business survive; and we are doing a lot to get known.

Mr. Aldridge arrived at 5:39 p.m.

Council suggested to explore billboards along I-75; to work with other businesses i.e. Gymnastics Place, JD legends, etc. Ms. Price stated they do work with JD Legends; more exposure at the end of the interstate ramps is needed as some of signs have been removed during

construction; had a billboard and it didn't help; and directional signs would help. Mr. Lukas stated he would contact ODOT about the signage at the interstate ramps.

LIQUOR LICENSE: TRANSFER C1 & C2 – J. BRUCE CAMEALY, DBA
SPRINGBORO OIL COMPANY TO H & T PETROLEUM LLC, 6901 FRANKLIN LEBANON
ROAD, SR 123

Chief Ellis stated this is a transfer of the liquor license for a carry-out located inside the gas station. There are no issues.

There being no motion made to request a hearing on this permit, the request will be returned noting that the City Council does not request a hearing.

ORDINANCE 2010-06 EMERGENCY TO PROVIDE APPROPRIATIONS FOR
CURRENT EXPENSES & OTHER EXPENDITURES FOR THE CITY OF FRANKLIN,
OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2010 AND DECLARING AN
EMERGENCY

Ms. Morgan stated that this is the budget for 2010 - \$24,587,000. The general fund is contingent upon the income tax receipts coming in as projected- short now on collections. Several projects were added to this budget:

- Street Fund - for the lions on the 2nd Street Bridge
- Capital Improvement Fund – Franklin Trenton Road Project
- Sewer Fund – Hardy's sewer line & sewer lining
- Property Acquisitions Fund - Ohio Department of Development Grant
- Storm Water Fund – retirement of employee

The General Fund balance is \$7.7 million – less than last year's.

Mr. Hall made the motion to approve Ordinance 2010-06; seconded by Mr. Aldridge. The vote:

| | |
|--------------|--------|
| Mr. Knipper | yes |
| Mr. Bray | yes |
| Mr. Centers | yes |
| Mr. Aldridge | yes |
| Mr. Hall | yes |
| Mr. Lipps | absent |
| Mr. Faulkner | yes |

Motion passed.

INTRODUCTION OF NEW LEGISLATION

Mayor Bray introduced the following legislation:

Ordinance 2010-07 Amending Sections 751.11, 751.12 and 751.99 and Enacting Section
751.110 of the Codified Ordinances of the City of Franklin, Ohio.

Ordinance 2010-08 Accepting the Dedicated Streets in Sycamore Glenn Subdivision (Plat Previously Accepted)

Ordinance 2010-09 Amending the Official Zoning Map of the City of Franklin, Ohio.

Mayor Bray called for a recess at 5:55 p.m. He reconvened the meeting at 6:06 p.m.

WORK SESSION: 2010 ISSUES

Mayor Bray stated 4 items will be discussed: Finances, Detachment, Income Tax Levy and EMS.

Finances

Ms. Morgan passed out information showing income tax receipts to date; cash position; and 3 different budget scenarios. She noted that the City spent \$1.2 million more than what we took in last year. We have lived off of several onetime occurrences the past several years that aren't there any longer. It was noted that tax receipts are down; the current budget scenario shows the fire transfer at \$750,000 for 2010 and being reinstated to previous amount of \$950,000 thru 2013; scenario one shows no fire transfer this year and then reinstated to \$950,000 thru 2013; scenario two shows no transfer this year and then gradually reinstated \$500,000, \$550,000 & \$600,000 thru 2013. Also included is the fire budget for these years and noted that the fire fund will eventually be in the red. We can buy some time, but not much. There will be big budget problems in 2013. We will know about the tax receipts in April.

Mayor Bray stated that with the current budget (no transfer to the Fire Fund) the Fire Fund will need help next year, but will help the General Fund this year.

There was discussion on the following:

- Why income tax receipts are down
- \$1 million is needed to run the Fire Department
- No capital improvement projects included in any of the budget scenarios
- Each scenario was discussed
- Local Government Funds not included after next year
- Need to live within our means; City has been good about managing money
- Don't want to compete with the School's two levies
- Need to decide when & how do to a levy – need to fix the problem

Detachment from Franklin Township

Mayor Bray passed out information the Township provided showing projects the Township has done with the City since 1976. He explained there is \$260,000 inside millage - \$120,000 we receive that pays for the fire & police pension; \$140,000 Township receives. He explained he asked for the project list from the Township as he has always heard that we receive nothing from the Township in exchange for the millage money they receive.

He reported that he and Ms. Fisher meet with the School Superintendent to talk about the city income tax levy and detachment. They wanted to talk about partnering together to try and do something. If we detach, the money can be split one of 3 ways: 1.) go to the City; 2.) go to the Schools; or 3.) have an agreement with Schools on how the money is divided. The problem is if we have an agreement with the Schools, there is some other inside millage in the Township that would go up to meet the minimum 10 mill levy - the taxes in the Township would increase if the Schools receive any of these monies. We didn't want to do anything to make the Township residents upset before the school levy. The Superintendent was to talk with the Board (last Tuesday) and to let me know. Mayor Bray explained that he was suppose to hear from the Superintendent Tuesday, left messages to return my call, and finally on Friday, the Superintendent called and said the School Board doesn't want to be involved, doesn't want to work out an agreement, just wants to be left out of it (inside millage). Mr. Faulkner added, per his conversation with Heidi Siens, School Board Member*, that it was presented to the School Board that we wanted them to make a decision on whether the city should detach or not, not about an agreement for the inside millage. Mayor Bray stated that it was not presented that way – Ms. Fisher concurred – and that it was a great meeting with the School Superintendent.

Mayor Bray added that the Schools don't want us to put any levy on the ballot as they are having 2 levies on the ballot, one an operating levy and the second one for a new school. I told him without an agreement/meeting, that City will probably have a levy on the November ballot. We have to run the City and don't want to have to lay off people and we have to proceed. The Superintendent said we have to run the City and he has to run the Schools. I also explained that it was tough to explain to the residents that we asking for an income tax levy increase when there is approximately \$140,000 (if we detach) that we give to the Township that could come back to us.

Mayor Bray went over the items on the Township list. Ms. Fisher noted that the fire department items are per the contract with them.

Discussion continued on the following:

- The items on the Township list
- Township is in need of the inside millage money
- With the City in the Township, City pays tax to the Township; question is what does the City receive from the Township & is it fair that residents pay that and don't receive anything
- How the additional millage (if detach) monies would be divided between City & Schools; how it will affect other School districts in Warren County; Warren County will honor any agreement by the City & School on how the money would be divided, if no agreement, there is a formula to determine
- Want to work with Schools
- Need to look after City
- School uses fields at Park – inside millage could go towards that cost; could bill School for those services
- Need to talk to Township before detaching
- Need to get along with the Schools & Township
- Township has helped City, i.e. bike path, park, etc
- Township hasn't grown, why should we talk to them

- Need to work with Township
- In-kind services from Township
- Additional money could be used for Fire Department
- Need to talk about merger & annexation
- Need to take care of residents, if detach, School levy won't pass
- we all need each other
- meeting with Township needed

Income Tax Levy

Mayor Bray stated we have talked about doing a .50% income tax levy – making the rate 2%.

Mayor Bray stated the School has an operating levy on the May ballot and a new levy on the November ballot. The Superintendent stated that the November levy is a onetime shot unless the grant program gets extended.

Discussion followed on the following:

- area City income tax rates
- how additional money would be used
- need paving projects; no purchase of fire truck; no transfer to Fire Department
- been cutting the budget, total budget declining, need to take steps for future now
- how the \$960,000 transfer amount to fire fund was determined (original amount funded to fire department at time levy was passed)
- were plans to build a sub station
- need to quit the band aid fix to budget
- items can be revisited when economy improves, levy passes, etc.
- how to justify budget figures to public

Mayor Bray then polled each Council member on how they want to proceed with the income tax levy:

Mr. Hall - .50% in November

Mr. Centers - .50% in November

Mr. Aldridge - .50% push to May (2011), no choice then November; if have to choose between the 2 levies, will vote for the schools, not the city showing a \$2 million balance; think the School has only one chance for the building levy in November; the School is part of the City

Mr. Faulkner - .50% in November

Mr. Knipper - .50% in May (2011), no choice then November, won't vote for it if we do the transfer to fire department

Mayor Bray - .25% in November or in May

Discussion continued:

- if the School's May levy fails, the levy in November is a mute issue
- City and School levies are 2 different levies – School's levy is a property tax levy and the City's is an income tax levy
- committee needed to market levy
- when funds will be received

- legislation for levy will be in June

The Committee will be Mr. Hall, Mr. Centers and Mayor Bray.

Mayor Bray stated the consensus of Council is that we go with the .50% in November.

When asked for his recommendation, Mr. Lukas stated a .25% income tax levy in November, with reciprocity.

Mayor Bray handed out Mr. Lukas's memo on several options in regards to the Fire Department providing ems.

Mayor Bray polled Council about how they want to proceed with the transfer of \$750,000 to the fire department – bring back to the General Fund or make the transfer.

Mr. Hall – no transfer

Mr. Aldridge – no transfer

Mr. Faulkner – do whatever. Need make a decision/commitment on what we want to do.

Mr. Centers – don't have money now, have to wait and see if levy passes

Mr. Knipper – no transfer

Mayor Bray stated if money is left over in fire department it needs to go back to the General Fund. Also, Mayor Bray stated that the Finance Committee will make a recommendation to Council.

EMS in Fire Department

Mayor Bray stated that Mr. Faulkner has always wanted direction on EMS in the Fire Department. He has worked a lot of hours on this – we need to decide what to do.

Mr. Faulkner referred to Mr. Lukas's memo and also stated that Chief Riddiough of JEMS is present tonight. Also, a memo on comparison of services was handed out.

- Problems with JEMS – public unaware of
- short comings of JEMS
- Joint District would be best
- Comparison of organization make-up of JEMS & Fire department
- 1995 last levy
- Not fair to employees, cities & residents
- Questions support of JEMS levy

Mayor Bray stated that everyone is going to need money – don't want to take on JEMS or another department that costs money.

Mr. Faulkner asked do we want to continue with fire & ems as separate services or combine them.

Discussion continued on the following:

- No money to do ems now
- Levy would be needed to fund City ems service
- People have to see JEMS problems for themselves
- Per survey, City residents happy with JEMS
- JEMS working fine, against providing ems
- No complaints about JEMS
- Leave as is
- JEMS management problems need resolved by their new Chief
- Maybe consider sometime in future
- Can Carlisle & Township support ems
- Current fire employees should be able to help at an accident, now they can't
- Certification & protocol for fire employees needed to treat anyone
- Equipment needed
- Cost of responding needed; which runs would we respond to
- Safety Council has already agreed to first responder
- Joint Fire District
- Estimated cost of \$500,000 to bring ems to fire department
- Need to decide what direction to go – what to do with JEMS- we are not here to fix JEMS

Mr. Lukas stated intent tonight is to look at the memo and if supportive, more information will be brought back.

Mr. Lipps arrived at 8:38 p.m.

Discussion continued:

- To provide basic ems services and then step up services
- Need cost to provide basic service and the next step up of services
- Carlisle and Township need to be on board

Chief Riddiough, JEMS, stated having the City help with ems will help; Carlisle and Township won't be able to do; will help with rescue and industrial calls.

Mayor Bray stated that this will cost more money.

Ms. Fisher stated that JEMS Board needs to approve this (City to assist with ems runs).

Discussion continued on benefit to do this.

Ms. Fisher also noted that the fire negotiations are on-going; don't know cost; will be issue with pay even with doing the protocol.

Discussion continued on working with Chief Riddiough, new working relationship; good first step; need cost to provide ems service; providing care if already on the scene doesn't solve the issue; and does help if able to provide care if already on the scene.

Mayor Bray recapped the work session items:

- Finance Report - Income tax collections down in 2010, hope they get better; have met with the School about the levies
- Detachment – not looking to detach from the Township, but want a joint meeting with the Township
- Levy - .50% income tax levy in November, will be meeting to discuss campaign
- EMS – not taking on at this time; need a cost to provide basic ems services if already on the scene
- Fire Fund money transfer – back to the Finance Committee for discussion

CITY MANAGER’S REPORT

Mr. Lukas reported on the following:

- the Riley Boulevard & Franklin Trenton Road Projects will be starting soon.

LAW DIRECTOR’S REPORT

Ms. Fisher reported on the following;

- Passed out the zoning map for Council to review; public hearing will be held at the next Council meeting and if there are any questions, to let her know.

COUNCIL COMMENTS

Comments tonight include: thanks for coming tonight; thanks for the discussion on fire/ems services; and Mayor Bray stated it was a good night tonight with lots of discussion.

Mr. Hall made the motion to adjourn; 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.

Mayor Bray adjourned the meeting at 8:50 p.m.

Mayor

Clerk of Council

*correction