

**FRANKLIN CITY COUNCIL  
JUNE 21, 2010**

Members of the Franklin City Council met in regular session on Monday, June 21, 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 16 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. Ross Coulton, Police Captain; Mr. Sonny Lewis, Public Works Director; Mr. Jim Lukas, City Manager and Mrs. Jane McGee, Clerk of Council.

The Pledge of Allegiance was led by Lieutenant Whitman.

Mr. Hall made the motion to adopt the Clerk's Journal and accepting the tapes as the official minutes of the June 7, 2010 meeting; seconded by Mr. Faulkner. The vote:

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

Motion passed.

#### RECEPTION OF VISITORS

Penny Stackhouse, 1032 Virginia Avenue, stated that she just learned before tonight's meeting, that the band did quit playing at JD Legends at 11:30 p.m., but that there was still loud music after 11:30 p.m. She did call twice Saturday night; music is still loud if not louder this year; dispute any improvements made by JD Legends; and this is the third time this year there has been loud music past 11:30 p.m.

Mr. Lukas stated we had one noise complaint after 11:30 p.m. two weeks ago and had 2 noise complaints after 11:30 p.m. this past Saturday.

Mr. Lipps asked to get Charlie's phone number for Ms. Stackhouse so she can call him as she did last year.

## PRESENTATIONS

### Fire Explorers – Chief Westendorf

Chief Westendorf introduced members of the Fire Explorers and Commander Watkins. He stated that 3 of the Explorers graduate this year and they are in the hiring process to fill these positions. He also noted that Ms. Karen Beal was Valedictorian at the Warren County Career Center. The Explorers recently participated in a competition at Butler Tech.

Chief Westendorf introduced the Explorers and Commander Watkins, advisor for the Explorers. Commander Watkins stated that the competition was with 10 other departments and it has been a successful year. The following Explorers updated Council on the competition.

- Zach Bors, 11<sup>th</sup> grade, stated they received 2<sup>nd</sup> place in ropes & knots competition
- Erikka Dehart stated they received 1<sup>st</sup> place in the physical agility competition
- Raymond Seehousen stated they received 1<sup>st</sup> place in the EMS competition
- David Sorrell stated they received 2<sup>nd</sup> place in the ladder relay competition

Chief Westendorf noted the following:

- The Explorers use hand-me-down equipment
- Sell 911 emergency signs for funding
- Hamilton County Chief donated gear, helmets & gloves, etc., to the Explorers and will be sending him a letter of thanks
- Proud of the kids and Commander Watkins
- Very impressive what they have done and continue to do
- Proud of the Franklin Firefighters for accepting them

Mr. Lipps stated that they are proud of them also.

### Fourth of July – Mr. Lukas & Chief Westendorf

Anne Riddiough and Betsy Westendorf, Special Events Committee, presented an update on the 4<sup>th</sup> of July Parade

- Will be held on July 3<sup>rd</sup>
- Theme “Ole Fashion Franklin Days”
- Sloan Henderson is the Grand Marshall
- Shriners involved this year
- Family event will be held at the Park this year – games & booths
- Mr. Faulkner volunteered to judge the floats
- Mayor Bray stated he will speak at the bridge ceremonies
- Parade route is different
- Pool will be open for free – asking for donation of canned food
- Received several donations (Wesbanco, Franklin Township, Wal-Mart, & in-kind donations)
- Fall Fest will be held again this year on October 23<sup>rd</sup>; making this more of festival this year, will also have booths

Mr. Lipps stated that not all of the Shriners will be attending as they are booked a year in advance.

Mr. Lukas added that they have struggled with fundraising this year – contacted some that are not usually contacted – all have helped and that shows the type of community that we have.

#### Warrant Officer Program – Lieutenant Massey & Lieutenant Whitman

Lieutenant Massey & Lieutenant Whitman presented a power point presentation on the benefits of a Warrant Officer Program. The objective is to pursue those who fail to be responsible to the Judicial Branch of the City of Franklin (outstanding warrants, fines & taxes); discourage future irresponsibility; and to provide additional protection to problem areas of the City of Franklin in a pro-active approach.

Lieutenant Massey & Lieutenant Whitman presented the following:

- Franklin Police Department’s Mission Statement  
We will improve the quality of life, by preserving & protecting the rights of all individuals, as a team, in partnership with the community, solving problems and providing the best service possible. We will continually strive to make our community a safe and enjoyable place to live.
- Why a Franklin Police Warrant Officer Program  
Past Warrant Officer Programs have exceeded expectations (1995-2008); over 9,900 warrants served 1997-2008; to provide the best service possible to the citizens in Franklin
- Franklin Police Warrant Officer  
Warrant Officer Program would improve the quality of life, help to solve fiscal problems and provide the best service possible to the citizens of Franklin; will demonstrate to the citizens that the City is being fiscally responsible by aggressively pursuing those individuals who owe taxes and fines, without taking away from the basic patrol force necessary to maintain order & safety for the people; the program, although sharing similarities with successfully warrant officer programs from the past, will be innovative in the following 9 areas
- Flexible Five Day Schedule
  - A. 3 days a week (60%) – serving arrest warrants for Franklin Municipal Court; can be any hours, as long as forethought is given to ensure that it best serves the need of the program; allow the flexibility in scheduling, anytime, night or day
  - B. 2 days a week (40%) – selective patrol; can be any hours, as long as forethought is given to ensure that it best serves the need of the community
- Focusing on Fiscal Warrants  
Will focus primarily on tax warrants at first; this serves the Tax Department and the Court at the same time; be able to serve warrants at a higher rate than arrest warrants; most are summons
- Focusing on Current Crime Trends  
Targeted patrol for traffic enforcement; speeding violations (neighborhoods, main thoroughfares, I-75 construction zone); stop signs; traffic control (no left turn at

Lions Bridge); target patrol high activity areas, drugs (buyers, sellers, users) & property crime (theft & vandalism)

- Guidelines

The Warrant Officer – will not be serving subpoenas, will not be used as a transport officer for other warrant arrests unless that activity coincides with some other warrant activity that he is already doing; will not be used to respond to routine warrant requests by outside agencies unless initiated by the Warrant Officer for pickup

- Accountability

To ensure that the efforts of the Warrant Officer are properly recorded, a detailed log will be kept (if someone that the Warrant Officer has attempted to contact turns themselves in at the PD, the Court or any other agency, it will be noted and will be part of the Warrant Officer Program statistics); program will be overseen by the Captain

- New Technology

Mobile Data Computer provides update addresses when registration or license is renewed; Lexis-Nexis provides addresses, phone records, next of kin, and business locations

- Evaluation Period

Warrant Officer Program will be reevaluated after six months; if the City of Franklin deems the program successful, the City will share the cost of the Warrant Officer with the Municipal Court; if unsuccessful, the program will be terminated and the Officer will resume status as a Road Officer or lay off per contract/city police

- Costs

The Municipal Court has agreed to reimburse 60% of the pay and benefits of the Warrant Officer for six months (\$22,774.40). The Court has the funds currently available out of Court Fund (not part of the General Fund). The other 40% would be the responsibility of the Police Department for six months (\$15,182.93). The Police Department has the funds currently budgeted

- Potential Revenue

Service of Warrants (465 outstanding warrants); \$10 fee each, State authorizes \$20 each); 50 cents for first mile, 20 cents each additional mile (\$5.50 for each trip to Warren County Jail to/from Franklin; \$13 for each trip to Butler County Jail to Warren County Jail and back to Franklin); overtime for Officer to pickup and transport prisoner on warrant overtime only (\$105 + mileage); collection of taxes; 286 people have been ordered by the Court to pay their City taxes to Franklin (110 defendants are currently paying on their taxes by Court Order \$208,360.83); 176 people have warrants for their arrest (\$53,656.40); total \$262,041.42; collection of unpaid fines, 129 outstanding fine warrants (\$29,858.64), total of outstanding fines unknown; collection of arrest fees, 465 bench warrants, arrest warrants & summons

- Conclusion

This program has the potential to help the City recover a portion of the \$300,000.00+ that is currently owed in fines, court costs and taxes to the citizens of Franklin

Mr. Centers asked what will determine if the program is successful. Lt. Massey stated they will have a detailed log & hoping the money collected will support the program.

Mayor Bray stated that this was discussed at the Finance Committee meeting and concerns were voiced if the Judge would enforce. (Lt. Whitman added that the Judge was invited to the meeting tonight.) If the warrant is served and the individuals are in jail over the weekend, that would make an impact. If we try the program for six months and it doesn't work, the position would be eliminated.

Mr. Lipps added that the Committee talked about this & the Judge's involvement & support at length; the Committee tabled without a recommendation, hoping to have Judge Ruppert at this meeting; discussed raising the \$10 fee to \$20; advantage is this has the consumers paying for the program, those using it; and positive if we can get the Judge's cooperation.

Mr. Faulkner apologized for making the Lieutenants feel like being in the middle at the meeting—due to Council's frustration with the Court. He likes this program; not sold on the Court numbers; frustrated with it, need to take whole look at the City and is this the right time to do this. Mr. Faulkner also apologized to both Lieutenant Massey & Whitman on a comment made being misconstrued. He stated he has spent a lot of time working with fire and ems with his position with JEMS. The system is broke, needs fixed and he can't do anything about it. He left the impression that is all that matters to him, and that he would give up everything else at the risk of fixing it. That's not the case, been supportive of the police department & all emergency services in the past and will continue to do so. This is a good presentation but I question when is the right time to do this.

Lt. Massey stated it is time to do – to get the money owed to the City.

Mayor Bray stated that no decision has to be made tonight.

Mr. Hall stated that if this is funded for 6 months, at no cost to the City, why not try it. See no problem with the program.

Mr. Lukas stated the City is 2 officers and 1 dispatcher short.

Mr. Faulkner stated we are getting ready to ask for a levy – we want to do this – is this the right time to do?

Mr. Centers stated this is self-funded – nothing lost if we try – why not try it.

Lt. Whitman added that the fees go to the General Fund.

Mr. Aldridge asked how soon this can get started.

Lt. Massey stated we have a current list now – will fill this position with a current officer and he explained why. The new officer will fill that vacant position.

Mr. Lipps stated that he doesn't think this is self funding. We have money in the police budget that doesn't have to be spent; Court money doesn't have to be spent – is at the Judge's discretion.

If the program is to apply pressure to users of the program, want them in jail over weekend, it could be positive for the City.

Lt. Massey stated crime is all over the City; told of recent trip to Wal-Mart and grandson found a heroin needle in the parking lot – is a wide spread problem; need officer than can get on the road and serve warrants and target problem areas.

Mayor Bray stated if anyone has any further questions to let them know before the next meeting. Mr. Lukas added to refer questions to Safety Director Rockwood or himself.

OLD BUSINESS    TABLED    RESOLUTION 2010-27    GRANTING TAX  
EXEMPTION TO THE REAL PROPERTY OF WALTHER ENGINEERING &  
MANUFACTURING COMPANY UNDER THE COMMUNITY REINVESTMENT AREA  
PROVISIONS, AREA #3

Mr. Faulkner made the motion to untable Resolution 2010-27; seconded by Mr. Aldridge. The vote:

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

Motion passed.

Mr. Lukas stated that Walther Engineering & Manufacturing, Shotwell Drive, is proposing to expand their current building by 30,000 sf (current building 35,420 sf); adding 10-20 employees (39 FT employees now); and has applied for a 12 year -100% CRA tax exemption. The Franklin City School District & Warren County Career Center have been notified – no comments received from them. The Economic Development Council Committee recommends the abatement.

Ms. Kimm Coyner, representing the Company, stated the following:

- Company has been in existence since 1992
- Part of two prior generations manufacturing transportation components
- Moved to Franklin in 2001 and also has a company in Michigan
- Expanding the current building by 30,000 sf - \$1 million project, 10-20 new jobs, \$500,000 new payroll
- Received a CRA property tax abatement on the initial project in 2001; 15 years at 100%; committed to hiring 25 full time employees, currently have 37 full time employees with annual payroll of \$1,882,000; committed to investing \$1 million in a new facility and \$1.7 million in machinery & equipment; current investment is \$1.235 million in building & \$4.15 in machinery & equipment
- Asking for 12 year CRA exemption at 100%
- Also working with the State on job creation tax incentives & low interest financing
- No lay-offs during the recession

- Current jobs of 37 provided an estimated income tax base of \$28,200 per year
- Proposed new jobs would provide estimated income tax of \$7,500 per year
- This project will have approximately 50 employees working & supporting the community, if this project doesn't move forward these jobs could be at risk

Mayor Bray asked about the company located in Michigan. Mr. Rick Walther stated that the Vice President of Sales is located in Michigan, they do no manufacturing. He also noted that their major supplier wants them to relocate to Michigan and that they are encouraging them to relocate to Franklin.

Mr. Lipps asked if they had any connection with Dayton Walther. Mr. Rick Walther stated that he was part of them; he opened up this business at the Franklin site for machinery and assembly – the old company no longer exists.

Mr. Faulkner asked what the completion date is & when will the jobs come. Ms. Coyner stated they hope to start construction this year. Mr. Walther added that they have to sell the product, don't have any customers yet – will start putting people on board immediately.

Mr. Scott made the motion to adopt Resolution 2010-27; seconded by Mr. Faulkner. 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.

**PUBLIC HEARING ORDINANCE 2010-13 AMENDING THE PROVISIONS OF THE INCOME TAX ORDINANCE TO PROVIDE FOR AN INCREASE IN THE INCOME TAX OF ONE-HALF OF ONE PERCENT (0.50%) FROM AND AFTER JANUARY 1, 2011, FOR THE PURPOSE OF PROVIDING REVENUES FOR EXPENDITURES ON GENERAL MUNICIPAL OPERATIONS, CAPITAL IMPROVEMENTS AND CAPITAL OUTLAYS, BY AMENDING SECTION 751.03(A) OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, SUBJECT TO THE APPROVAL OF THE ELECTORS OF THE CITY OF FRANKLIN**

Mr. Lukas stated that this ordinance was introduced at the last Council meeting. There are handouts on the podium from Ms. Morgan and this is for a one-half percent income tax increase levy to be on the November ballot.

Mayor Bray opened the Public Hearing and asked for any public comments.

Mr. Don Walter, 12 Overlook Drive, stated that he is unaffected by this ordinance; City has done good job with the monies; timing is bad with the current economic times – this is a huge increase and don't see how you can sell it.

Ms. Fisher stated that 70-80% of the taxes paid are by people who don't live here in the City which means this levy would only affect 20-30% of the residents.

Mayor Bray closed the Public Hearing and asked for Council comments.

Mr. Faulkner asked for any feedback from the Council Tax Committee.

Mayor Bray stated the Tax Committee has met about how to go about promoting the levy. We talked about a .25% and a .50%; felt the .25% would get us thru the next 5-6 years; with the last increase in 1977 we agreed on .50% increase to get us thru another 20-30 years hopefully.

Mr. Hall stated we talked about if we want a band aid fix or fix the problem. We talked about the .25%; might get us 5-7 years; after talking with Ms. Morgan, it may not get us that long and then we are looking at having to generate more revenue. By going with .50% increase is one possible solution so we won't have to go back to the voters. We looked at a lot of ways to go so we don't have to go back to the voters - this is what we agreed on. We are also getting hit at the State & Federal level; don't think any of us want do this; we need the revenue or can go back to the Finance Committee for cuts.

Mr. Lipps stated that this has not been to the Finance Committee; haven't seen a financial plan telling where the money will be spent, how much money will be generated and cuts that have been made. He added that he thinks the private sector got the heck beat out of it – don't think the City or City employees did; think we said things are tough- we need to raise taxes. He also added that he had to lay-off employees because he couldn't afford them and he had no option to raise taxes or prices; disagree this is the only alternative; referred to Pete Beck's statement opposing H.B. 318 to raise taxes; agree the City has done the best job of any City in southwestern Ohio; no one has struggled or suffered; we haven't eliminated any programs, or asked unions to take cuts. The private sector has struggled – lots of businesses in the City have laid off employees.

Mayor Bray stated that he has been on the fence on this issue. We are not like the State when they vote on something it goes into effect. This gives the residents the chance to make the decision before cuts are made; if they don't want, then we will look at cuts.

Mr. Knipper stated that he agreed with Mr. Lipps. Agree to let the people choose but they need to know what is going to be cut.

Mayor Bray stated that the Tax Committee talked about cuts; didn't want to threaten people, don't want negative campaign. If Council wants to do that, we can. The Tax Committee felt it should be run a different way.

Mr. Lipps stated he believes in positives – problem is lack of information, lack of plan and where is staff's leadership position on this. We are a part time council, can't be writing the plan that has to be sold to the residents to take their money; is a difficult time; so easy to raise taxes; believe in services and take pride in condition of parks, leaf pickup, trash cleanliness of City and snow removal. Don't see how we are selling this without packaging it properly and selling it professionally - want to be able to prove to the citizens that we did this right.

Mr. Aldridge stated we talked about this in February, and about having public meetings to inform the residents, now it is June – never had any of those meetings. Don't know if that is our fault for not being more proactive.

Mr. Lipps stated probably only 20 citizens would have attend; is frustrating; want to do the right thing – concern and confused over no one attending meetings, etc.

Mr. Faulkner stated our carry over which has been adjusted to \$1.65 million (per Ms. Morgan based on the reduced income tax revenue) which in reality is less than 10% of what it costs to operate the City as a whole; share concerns over communication; we have business cards & tee shirts that say “City of Franklin, Inventing Our Future”- been on Council 7 years, when are we going to have this meeting; have to be behind this, have to sell it and it needs to happen; and do share concerns over the game plan.

Mr. Lipps asked what happened to detachment - have we done everything that we can to get that \$150,000; need an operating agreement with them for \$75,000 & we won't detach, and the money goes to a specific issue, not the general fund – won't happen now if the levy passes.

Mr. Aldridge asked, from staff's perspective, is it mandatory that this be done November.

Ms. Morgan stated that income tax receipts are at 2003-2005 levels; cost of doing business continues to grow; basic cuts have been done; lot of major cuts made in how services are offered to the public; recent newsletter tells of need; 2 police officers short; 1 dispatcher short; have part-time Finance Director; capital improvements have been curtailed; this was discussed at the Finance Committee meeting in September 2009 and that is when she started sending Finance Committee packets to all of Council; have looked at other ways to get revenues - property tax & reciprocity – this will generate the most revenue and have the least impact on City residents; this won't affect majority of City residents as most work outside the City and won't affect the senior citizens; we are at low end of tax rate compared to surrounding cities and we have delayed in going to the residents.

Ms. Fisher stated that this first came to Finance Committee in 8/3/2009. Staff was asked to come back with recommendations on how to increase revenues. Department heads met and gave Council a list with serious deep cuts already made and more willing to be made which can be done if Council thinks they are needed. Three revenue sources were looked at – reducing reciprocity, property tax levy and income tax levy. The income tax levy has the least effect on residents and think that is why staff made that recommendation.

Mayor Bray added we didn't think we would be in the middle of June looking at revenues down \$400,000.00 -businesses are hurting & struggling –things are not improving as we had hoped it would.

Mr. Lipps stated his business saw some growth in March & April, May very slow – he thinks we are in for a tough summer.

Mr. Knipper stated he is struggling with the State cutting funding for different agencies and we are having to pay for all or part of them now; public & medical employees are still seeing pay increases, others are taking less; all of City does a great job; do we need the levy in November; if fails in November, what are we going to do?

Mr. Hall stated we talked about that. If it fails, we will come back with .25% and with cuts that are going to be made – cutting people & services – won't threatened people with cuts - cuts will have to be made. Proposed cuts are in the document on the podium. This has been discussed – whether to do a .25% or .50% increase and nobody really cared because we wanted to get out of the meetings. Now it is time to vote on it and everybody wants to back away from it.

Mr. Knipper disagreed with Mr. Hall; some talked about .25% increase but the recommendation was if we go with .50% and it could be stretched out longer. There was also suppose to be meetings on what we were going to do and I've never seen the information on the podium before.

Mr. Faulkner stated that doesn't make the need any less; agree it needs to be done; have concerns about selling it; as long as we say what we are going to do and do what we say, then let the residents decide.

Mayor Bray stated we haven't done a good job of doing what we say we are going to do. If this fails, we will be getting out of the Township and doing a lot of cuts, including staff.

Mr. Lukas noted that employee benefits have taken a hit – we have Health Savings Accounts, the only City in the county to have; this is the first year we have paved, been 3 years; turned back Issue II projects, estimated \$233,000; decreased the fire fund transfer; Local Government Fund is going away, and reduced the Park fund by \$80,000.

Discussion continued on trying to avoid cuts; reciprocity has been looked at; need to meet with the Township about detachment, have meet with the Schools; and how to sell the levy (newsletter, get unions on board, newspaper, meet with Harding House and various organizations) and the schools may have a levy on the November ballot.

Mr. Knipper asked when the deadline is.

Ms. Fisher stated that the State changed the law - to file from 75 to 90 days before the election. This ordinance has to be passed tonight to be effective; and the resolution with the ballot language has to be passed at the 7/19/10 meeting – only meeting in July – to meet the August 4, 2010 deadline for the Board of Elections. The ballot language was questioned.

Mr. Lukas stated his recommendation is to use Miamisburg's language.

Mr. Lukas asked if Council wants a meeting with the Township or to attend a meeting. Mayor Bray stated to schedule a meeting with the Township and if one can't be, then we will attend a Township meeting.

Mrs. Westendorf stated that the Library was in the same position; we cut, cut, cut – got to a point couldn't cut anymore - unless shutting down.

Mr. Knipper stated we need to tell the people what is going to be cut.

Mr. Lipps stated he believes we can pass a levy if we educate the residents - need working agreement with the Township so we can say we went after the money before putting on the tax levy.

Mr. Knipper asked what are we getting from the Township – only benefit is to vote for trustee. There was some discussion.

Mayor Bray stated if we do detach, no guarantee we will get the money, will probably go to the school.

Mr. Centers stated we have made a lot of cuts; don't want us to get in such bad shape that it will take a lot of money & time to recover - need to be good stewards of the City monies; survey done, people are satisfied with services; owe it to the people to let them vote on the levy; no one wants to pass a levy, is necessary, been 33 years.

Mr. Faulkner stated he is ready to move forward – want to see time lines and who is doing what – need to let the voters decide.

Mr. Knipper stated he wants more information and to put this on the July agenda – want to see the cuts to be made – until he gets answers he can't vote for this.

Mr. Centers asked what does it matter what is cut? We have to start moving forward if we are going to do this.

Mr. Knipper asked can this be done at the first meeting in July.

Ms. Fisher stated if you table the ordinance tonight, it would have to be done as an emergency ordinance at the July meeting along with the Resolution done the same night unless a special meeting is held (only 1 meeting in July). The Ordinance has to be in affect before the Resolution.

Mayor Bray stated it should not be an emergency ordinance.

Mr. Hall made the motion to adopt Ordinance 2010-13; seconded by Mr. Faulkner. The vote:

|              |     |
|--------------|-----|
| Mr. Centers  | yes |
| Mr. Aldridge | yes |
| Mr. Hall     | yes |
| Mr. Lipps    | no  |
| Mr. Faulkner | yes |
| Mr. Knipper  | no  |
| Mr. Bray     | yes |

Motion passed.

PUBLIC HEARING ORDINANCE 2010-14 DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2011

Mr. Lukas stated that this is the next step in the street lighting process.

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

Mr. Centers made the motion to adopt Ordinance 2010-14; seconded by Mr. Hall. 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.

PUBLIC HEARING RESOLUTION 2010-29 ADOPTING THE TAX BUDGET OF THE CITY OF FRANKLIN, OHIO FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2011 AND SUBMITTING IT TO THE WARREN COUNTY AUDITOR

Ms. Morgan stated that this is required by the State to be passed by July 15 and submitted to the Warren County Budget Commission by July 20<sup>th</sup>. In September, the budget hearing will be held and then will know what our property tax receipts & local government share will be for 2011. This is not the actual budget but is the basis from which we will work. We receive a Certificate of Estimated Resources and we can't spend any more than what is listed for each fund.

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

Mr. Knipper questioned the volunteer fire fighter amount in the Fire Fund. Chief Westendorf explained that when their classification was changed, monies were moved to a different line item – consolidated the funds.

Mr. Faulkner made the motion to adopt Resolution 2010-29; seconded by Mr. Hall. 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 2010-30      AWARDING THE BID AND AUTHORIZING THE PURCHASE  
OF DE-ICING SALT FROM CARGILL SALT THROUGH THE SWOP4G PROGRAM

Mr. Lewis stated that the cost is down this year – from \$63.15 per ton to \$62.65 per ton from Cargill Salt. He added that we have been proactive; bins are full now and have \$40,000 in budget for salt.

Mr. Lipps noted that since we don't need the piler, the cost is less.

Mr. Lipps made the motion to adopt Resolution 2010-30; seconded by Mr. Centers. 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.

CITY MANAGER'S REPORT

Mr. Lukas reported on the following:

- Sent an email late today to Council – met with the residents about the high grass issue; both issues are grandfathered - the bridge and the high grass; no resolution from the meeting

LAW DIRECTOR'S REPORT

None tonight.

COUNCIL COMMENTS

Comments tonight: issue with house on 3<sup>rd</sup> Street behind the License Bureau (has been reported to NIC); dumpster behind PH Bistro is bad (NIC contacted); Mr. Aldridge stated that he came tonight to not support the tax levy in November because he thought if it could be put off, that would be the right thing to do; if we are at the point of cuts, etc, he thinks the full support of Council is needed to do as we are in tune with the budget & operations of the City – how can we ask residents to pass a levy if we can't agree on it; Mr. Knipper stated that he would support .25%, not .50% for the levy – with the economic times we need to look at the least amount; Mr. Faulkner added that we need timelines, needs to happen, need to do our homework; EMS report in packet – the Board almost came to ask for \$5000.00, will probably be asking for a levy; and Mayor Bray stated that the Pennyroyal Baptist Church is having an event on June 27 at the FHS to honor veterans; received email complaining about the bathrooms at the park were terrible and asked why the bathrooms at the stadium weren't open and need an executive session for personnel issues tonight.

Mr. Faulkner stated that he rode along with officers Friday night, witnessed them closing PH Bistro's early, not a good situation. Mr. Lukas stated that he has talked with Tim Smith; also talked to the Judge and he's going to talk with Mr. Smith, Judge wants to do something about his liquor license. Mr. Centers stated we need to tell him we are going to call the Liquor Board. Ms. Fisher added that we are on record with the recent appeal.

Mr. Lipps thanked the citizens for coming tonight, and the levy vote should be unanimous. Mr. Lipps added that he would support a .50% levy if you guys would commit to meeting with the Township and 4 of you didn't step up and say you would do that. If you don't want to meet with the Township about getting that money, I can't support the .50% levy. Mr. Centers stated he thought we were going to schedule a meeting with them. Mr. Lukas added he was going to call tomorrow. Mr. Lipps added that was the deal breaker for him – felt no one was going to make that happen.

Mr. Centers made the motion to enter into executive session to discuss personnel; 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.

At 8:10 p.m., Mayor Bray and members of Council entered into executive session to discuss personnel.

Mayor Bray then reconvened and adjourned the meeting.

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Mayor

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Clerk of Council