

**FRANKLIN CITY COUNCIL
JULY 19, 2010**

Members of the Franklin City Council met in regular session on Monday, July 19, 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 was one member of the press and 13 visitors at tonight's meeting. Also present: Mr. Don Woods, Chief Building Official; Mr. Bob Rockwood, Safety Director; Ms. Donnette Fisher, Law Director; Ms. Sandra Morgan, Finance Director; Mr. Ross Coulton, Police Captain; Mr. Gary Heitkamp, CDS Associates; Mr. Jim Lukas, City Manager and Mrs. Jane McGee, Clerk of Council.

The Pledge of Allegiance was led by Ms. Marty Heide.

Mr. Centers made the motion to approve the Clerk's Journal and accepting the tapes as the official minutes of the June 21, 2009 meeting; seconded by Mr. Hall. 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.

RECEPTION OF VISITORS

Angela Slaton, Manager of Franklin Common Apartments, stated she needed help with some issues – drugs, fighting etc. She noted that some residents are here to support her request. The police have been called; know their hands are tied; have had problems in the past; put in lighting in the back; can't afford security cameras; residents want her to do something but she can't unless the police catch and charge the individuals.

Mr. Lukas stated that Safety Director Rockwood has talked with her and started the foot patrol again.

Ms. Slaton stated the foot patrols are much appreciated; a child found crack cocaine in the parking lot; she will work with the police; people scatter when they hear the police coming; incidents along the fence line also; residents think I should call police – I can't call unless I witness the incident; they don't want to get involved, some are afraid.

Mr. Faulkner stated the property owner needs to be involved- cameras would help. Mr. Lukas stated that they (property owner) had considered putting in a camera, in the back, when they had the previous problems. Mr. Faulkner continued that with only one entrance, a camera is needed to monitor who is coming in and out.

Ms. Slaton stated she would tell the property owner what was discussed tonight and that security cameras are recommended.

Mr. Aldridge suggested a flyer to the tenants – some kind of communication is needed to raise awareness.

Mayor Bray stated that she should keep in touch with Safety Director Rockwood and Mr. Lukas.

Margie Taulbee, 926 Franklin Commons, stated she has concerns for the children at the apartments – unsupervised at all times of the day at the apartment complex - Children Services need to be called.

Mr. Faulkner asked her what she wants us to do. Ms. Taulbee stated maybe a letter – saying things won't be tolerated – apartments are being trashed – were just remodeled.

Mr. Knipper asked if we patrol the area. Safety Director Rockwood stated yes we do; we re-established the foot patrol; will help you; you can call Children's Services if you see something; need community approach. Mr. Knipper added that the property owner should hire their own security – need someone on the property.

Mayor Bray asked what can we do to assist the property owner.

Ms. Fisher stated the police are limited – have to witness; the residents need to call the police, don't have to give their name, can give info on car color, license number, etc; can patrol; property owner can hire security and install cameras.

Mayor Bray suggested the City contact the property owner to partner with us. Mr. Knipper added that the property owner has some responsibility.

Mr. Lukas stated he will contact the property owner.

Mr. Centers asked how concerned is the property owner. Ms. Slaton stated just now at this point – going to get back with them with info from the meeting tonight. Mr. Centers added they need to show some responsibility in this situation.

Mayor Bray thanked them for coming.

Andy Irwin, Yorktown Court, stated he has called the police several times about loud noise; told don't have the resources to do anything; wife has medical issues; can come to my place and see everything – they scatter when the police come; police cruiser helps, maybe need plain clothes officer.

Mary Heide, Warren County Outreach for Congressman Turner, provided information to Council on federal government agency contacts. She added that the information is also available at the Dayton office.

PRESENTATION: INCOME TAX LEVY

Mr. Lukas presented a power point presentation on the Income Tax Ballot Language to be on the November 2, 2010 ballot (attached).

Issues addressed:

- Why Income Tax Revenue Is Important To Our Financial Health
- Recent Income Tax History
- Three Year Forecast - No Corrective Fiscal Action Taken
- ½% Income Tax Increase
- How Did We Make It 35 Years Without An Increase When Others Needed One?
- How Would The ½% Income Tax Increase Impact A City Of Franklin Resident?
- Impact On Resident Making \$50K/Yr
- Why \$1.65 Million Is Needed – Staff's Recommendation
- Legislative Recommendation

Mr. Centers asked how is the public going to be notified.

Mr. Lukas stated a press release will be sent out and a 'letter to the residents' will be in the newsletter.

Mr. Centers asked what will happen if the levy doesn't pass.

Mr. Lukas stated that Council asked for a positive approach – all of staff contributed.

Mr. Knipper stated he has had a lot of concerns; got information from Sandie and talked to Mr. Lewis about the streets; talked to different people about the levy, they said they wanted the choice on what to do.

Mr. Hall stated if it doesn't pass, no choice. Mr. Centers added Council said positive approach – but need to say cuts will be made right away. Mr. Lukas stated in the letter to the residents, he listed a couple of cuts to be made. Mr. Centers stated don't want to sugar coat – tough cuts will have to be made. Again, Mr. Lukas stated he can add that information, but was directed to be positive.

Mr. Hall added can also say personnel cuts.

Mr. Faulkner stated we have to give the residents a chance to say what they want.

Mayor Bray stated we had it easy, had money, done a good job, will see what happens.

Mr. Faulkner added we have looked everywhere to save money - let voters decide.

RESOLUTION 2010-31 REQUESTING & AUTHORIZING THE WARREN COUNTY BOARD OF ELECTIONS TO PLACE UPON THE CITY OF FRANKLIN BALLOT AT THE GENERAL ELECTION OF NOVEMBER 2, 2010, THE QUESTION OF WHETHER ORDINANCE 2010-13, INCREASING THE CITY OF FRANKLIN INCOME TAX RATE BY ONE-HALF OF ONE PERCENT SHALL BE APPROVED IN ACCORDANCE WITH SECTION 718.01 OF THE REVISED CODE

Mr. Hall made the motion to adopt Resolution 2010-31; seconded by Mr. Centers. The vote:

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

Motion passed.

INTRODUCTION OF NEW LEGISLATION

Mayor Bray introduced Ordinance 2010-15 - Amending Sections 723.13, Titled “Records and Other Duties”, Amending Section 723.15, Titled “Refusal or Revocation of License”, And Enacting Section 723.18, Titled “Recovery of Stolen Goods”, of The Codified Ordinances of The City of Franklin, Ohio.

Ms. Fisher explained in 2009 an ordinance was adopted to regulate secondhand dealers as they are not regulated by State law and we had issues with the receipt of stolen property by some of these dealers. After a year of enforcement, a couple of areas need changed and recommended the following: 1) add new subsection that applies to scrap metal dealers (mirrors State law); 2) prohibits the operation of a secondhand dealer business without a license and allows the Police Chief to prevent the operation of a secondhand dealer when the dealer does not have a license or when the license has been revoked; and 3) a section dealing with the recovery of stolen goods (mirrors State law).

Mayor Bray introduced Ordinance 2010-16 Amending Section 505.09 of the Codified Ordinances of the City of Franklin, Ohio, Titled “Barking or Howling Dogs”.

Ms. Fisher explained we currently have regulations for dogs becoming a nuisance. The issue is when a dog owner is cited into Court, no matter how many times, the owner is only required to pay a penalty of \$25,000 and is not required to appear in Court. We have issues – 1 man has

been cited 6 times and doesn't have to show up in court. This ordinance creates a penalty structure that increases the fines the more times an owner is cited into court.

CITY MANAGER'S REPORT

Mr. Lukas stated he has asked Gary Heitkamp, CDS Associates, to update Council on next year's Issue Two projects. Recommending to proceed with the SR 73 project which TIFF funds will be used for the local share and not to proceed with SR 123 project.

Mr. Heitkamp stated the City has two projects for 2011 – SR 73 Reconstruction from Deadoff Road to East of Commerce Center Drive and SR 123 Reconstruction from Riley to the South Corporation line. The SR 123 project (ODOT Urban Paving Project) is funded by ODOT (\$860,000), Issue II (\$550,000) and City funds (\$570,000). The City doesn't have the funding; we are asking ODOT to reschedule this project to 2015; originally was scheduled for 2009, didn't have the money then and it was rescheduled to 2010. SR 123 will be a maintenance concern for the Service Department.

The SR 73 project total cost is \$1.7 million; ODOT (\$300,000); Issue II (\$700,000) and City Funds (\$700,000). The City's share will come from the TIFF funds. The final applications are due and will be submitted.

Mr. Lukas added that Mr. Lewis was part of the meetings. He couldn't be here tonight and also recommends not to proceed with the SR 123 project.

LAW DIRECTOR'S REPORT

Ms. Fisher noted that she shared information with the residents from Franklin Commons on things that her apartment complex implemented on similar issues that they are having.

COUNCIL COMMENTS

Comments tonight include: need to call NIC about 459 Greenup Court, high grass in back; Allen Street, green Taurus, hasn't moved; compliments to Special Events Committee on the 4th of July Parade & the Shriners; were there any problems at PH Bistro Saturday night; Carlisle is having a fire levy on the November ballot; thanks for coming; a restaurant chain is interested in coming to Franklin & they are considering downtown; appreciate the Police Department; does the high grass ordinance include grass in flower beds (Ms. Fisher stated that Mr. Lukas needs to tell NIC to include flowerbeds); Mr. Knipper noted that he has been approached by Lee Pennekamp to be part of the "Back Pack Program" for Franklin - only food some kids have is what they get at school during the week – this provides a back pack of food for the kids over the weekend - cost is \$6.00 (\$3.00 local match), let me know if you would like to help or need more information; and Mayor Bray thanked the Special Events Committee and the Shriners, great parade; Chuck Richards has started the renovation of the strip mall, restaurant will be a tenant; and an executive session is needed for personnel.

Mr. Knipper made the motion to enter into executive session to discuss personnel; seconded by Mr. Faulkner. The vote:

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

Motion passed.

At 7:25 p.m., Mayor Bray and members of Council entered into executive session to discuss personnel.

Mayor Bray then reconvened and adjourned the meeting.

Mayor

Clerk of Council