

**FRANKLIN CITY COUNCIL  
OCTOBER 17, 2011**

Members of the Franklin City Council met in regular session on Monday, October 17, 2011, 6:00 p.m. at the Franklin Municipal Building, Mayor Denny Centers presiding.

Roll Call showed:

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

The Pledge of Allegiance was led by Ms. Fisher.

There was one member of the press and 11 visitors present at tonight's meeting. Also present: Ms. Sandra Morgan, Acting Finance Director; Ms. Donnette Fisher, Law Director; Mr. Russ Whitman, Police Chief; Mr. Jonathan Westendorf, Fire Chief; Mr. Ross Coulton, Police Captain; Mr. Sonny Lewis, City Manager and Mrs. Jane McGee, Clerk of Council.

Mr. Hall made the motion to approve the Clerk's Journal and accept the tapes as the official minutes of the October 3, 2011 regular meeting; seconded by Mr. Aldridge. The vote:

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

Motion passed.

#### RECEPTION OF VISITORS

Jerry Truesdale, 6146 Paddock Court, Franklin Township, stated he was here tonight about the Senior Citizens renewal levy.

- a 5 year renewal
- money is dispersed through Franklin Township and is used for the senior bus service and the Deardoff Center
- serves the City of Franklin, Carlisle and Franklin Township.

Mr. Truesdale stressed this is a renewal levy – no additional monies. The Deardoff Center has one paid employee, the Director Mildred Brown. He added they appreciate Council's



cause of disability by 2027; this will allow us to continue addressing the disability problem; offered free to elderly services; been able to continue services with the major State cuts received; by 7/2013 will be in deficient spending if the levy fails; asked for Councils endorsement; is a 5 year renewal, on ballot last in 2006; and she provided handouts.

Mayor Centers stated that he hasn't seen any signs for the levy. Ms. Sheard stated she has plenty of signs – let her know – she is out of signs tonight from a previous presentation.

Mr. Aldridge asked how many residents in Franklin are serviced. Ms. Sheard stated 45 Franklin addresses are serviced.

Mayor Centers asked how many in Warren County are served. Ms. Sheard estimated 400-600 people are served in Warren County.

Mayor Centers thanked her for the presentation.

RESOLUTION 2011-45                      OPPOSING THE STATE OF OHIO OR ANY OTHER THIRD-PARTY CENTRAL COLLECTION ENTITY FROM SEEKING TO TAKE CONTROL OF MUNICIPAL INCOME TAX COLLECTION

Ms. Morgan stated that there is a movement to require centralized collection of local income tax by the State. She noted the following:

- Collection fee will be somewhere between 2 ½% to 5%.
- Majority of cities are opposed to this as it will be a loss of revenues to the cities
- There is an inefficiency of some State agencies to collect monies, i.e. the school district tax collected thru the Business Gateway
- OML opposes & encourages cities to pass a resolution stating their opposition
- Northern cities have already passed resolutions and it is now getting to our area
- City of Oakwood has already passed a resolution; City of Springboro, Miamisburg, West Carrollton and Carlisle will be considering resolutions
- Finance Committee has reviewed and recommends approval

Mayor Centers asked about the fee and why this is being done. Ms. Morgan stated that this will be a revenue maker for the State. It is being said that the fee will be 2 ½% to 5% but have no specifics yet. Ms. Fisher added that the State is trying to get their hands on our revenue.

Mr. Aldridge asked what the process is if we, and other cities, do this. Ms. Fisher stated that there is no bill yet. In the recent budget bill passed, the State included that we now have to pay sick leave & vacation days for the individuals that are sent to do our annual audit. We don't know if our opposition will do any good.

Mr. Lipps asked does the State think we'll save money by having fewer employees.

Ms. Fisher stated the State is saying it is for economic development purposes – a cover to grab our money.

Ms. Morgan added, that it has been discussed, that if this becomes part of a budget bill, it will be very difficult to pull it out of the bill. This is why we want to make sure our representatives are aware of our opposition.

Mayor Centers asked if anyone has not opposed this.

Ms. Morgan stated she didn't know of anyone. Some cities already have a third party collecting their taxes and they are opposed to this because of lack of control.

Mr. Aldridge stated we need to send emails also – need to be proactive about this.

Ms. Fisher stated that this is coming out of the Governor's office – have mixed responses from local representatives – the Tax Commissioner and the Lt. Governor are in favor of this.

Mr. Lipps made the motion to adopt resolution 2011-45; seconded by Mr. Hall. The vote:

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

Motion passed.

RESOLUTION 2011-46                      AUTHORIZING THE CITY MANAGER TO EXECUTE THE  
AMENDED AND RESTATED WARREN COUNTY DRUG TASK FORCE COUNCIL OF  
GOVERNMENTS CONTRACT

Chief Whitman stated that this has been approved before. This adds Hamilton Township to the Warren County Drug Task Force. The cost is \$1.00 per citizen, per year. We have no one assigned to the Drug Task Force.

Mr. Lipps stated that we had provided an officer for several years – it is a good group.

Mayor Centers stated they are relaying on him for a recommendation.

Chief Whitman stated it is worth the money and would like to be able to assign an officer to them in the future.

Mayor Centers asked his time frame to do this. Chief Whitman stated he does not have a full staff yet, three officers short and hope to fill shortly, will then re-evaluate the situation.

Mr. Aldridge asked if we provide an officer, do we still pay his salary. Mr. Lipps stated yes, but we get a little more coverage with an officer on the task force.

Mayor Centers noted that he is having monthly meetings with Mr. Lewis and Chief Whitman – being pro-active in going after the bad guys.

Mr. Lipps made the motion to adopt Resolution 2011-46; seconded by Mr. Aldridge. The vote:

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

Motion passed.

#### INTRODUCTION OF NEW LEGISLATION:

Mayor Centers introduced: Ordinance 2011-19 Enacting Section 531.03 of the Codified Ordinances of the City of Franklin, Ohio, Titled “Juvenile Curfew,” and Repealing Existing Section 531.03, Titled “Curfew”.

Ms. Fisher stated that this has been shared with the Safety Committee. Juvenile curfew regulations have been in effect since 1964. With the recent vandalism at the park, we have reviewed the ordinance. The hours have not changed and it continues to place responsibility upon the parents with a penalty provision. The Safety Committee has reviewed and recommends passage.

Mayor Centers, speaking on behalf of Mr. Knipper, asked with the increased vandalism at the Park, if this is enough – is surveillance equipment needed. Mr. Knipper said that the Boosters will help with \$4,000 - \$5,000.00 toward additional security, surveillance or whatever is needed.

Mr. Lewis stated that AAA Wastewater, Franklin City Schools, City of Franklin Parks and Franklin Pee Wee Football will each contribute \$250.00 for a reward to catch the vandals at the Park. The signs will be here shortly. Mr. Lewis added he talked with Chief Whitman today about this and we are working on it. We are being pro-active about this. Mr. Lewis stated that a suspect was caught over the weekend that was setting fires at the Park and the School. This ordinance will help with making parents responsible for the kids doing the vandalism.

Mayor Centers stated that Mr. Knipper suggested surveillance equipment is needed at the park tied to the Police Department and the Boosters are willing to contribute substantial monies toward this. Mr. Lewis stated that we would like to do this.

Mr. Hall stated that he has a problem with this – we are now having a problem at the Park and we are considering changing the ordinance for all juveniles in the city; vandalism has been a problem the past 8 months at the Park and nothing has happened. He added he isn’t disagreeing with this, but the issue is we can’t provide police 24 hours at the Park, but we can have a dedicated person at the Police Department for this.

Mayor Centers said that is not what he is talking about – said to put in surveillance equipment.

Mr. Hall continued that we had problems last Spring; don't want to create future issues; have to have some type of judgment and leeway in what we are doing; need consistency in what we do, bringing this up just because it is happening in the Park – things are happening all over the City

Mr. Lewis stated we have been trying to catch these kids the last 8 months.

Ms. Fisher stated this is a tool for the Police Department to use & explained how it could be used.

Mr. Hall stated we have to use judgment in enforcing this and common sense.

Ms. Fisher stated things are happening all over the City – Council can repeal if it doesn't work.

Mr. Lipps stated the Safety Committee met about this – lot of discussion – haven't amended it since 1964 – don't like, but alternative is worse.

Ms. Fisher stated all we did is change the penalty structure to a sliding fee scale.

Mr. Aldridge asked if there are police patrols in the middle of the night at the Park. Chief Whitman stated yes, that is how we caught the suspect last weekend.

Mayor Centers introduced: Ordinance 2011-20 Amending Chapter 1321 of the Codified Ordinances of the City of Franklin, Ohio, Titled "Unsafe Buildings".

Ms. Fisher stated that this ordinance adds a provision that in case of a fire, the insurance company has to send part of the proceeds to the City for security to cover any City costs. Also included is establishing an Insurance Fund and changed the notification requirements for demolition as required by recent case law.

Mayor Centers stated because of previous legislation passed, it helped with the past fire.

Chief Westendorf stated he recently received a phone call from a township resident inquiring about the building across from the cemetery – how it is still standing and we were able to bring ours down so quickly. Explained that I have been entrusted with the powers to do so verse the limitations the Township has. He was appreciative and thought that was pro-active.

Mayor Centers introduced: Ordinance 2011-21 Amending Section 723.13(a) of the Codified Ordinances of the City of Franklin, Ohio, Titled "Records".

Chief Whitman stated this is part of the secondhand dealers ordinance. It will allow secondhand dealers to use the online reporting "Leads on Line" program instead of paper reporting. Pawn shops already can do this. This will give the secondhand dealers the option to use this program. The estimated cost to access the program is \$2,128.00 year.

## CITY MANAGER'S REPORT

Mr. Lewis reported on the following:

- Fall Fest this past weekend – Chief Westendorf will talk about, good feedback, well received by the community
- Flu shots tomorrow

## LAW DIRECTOR'S REPORT

None tonight.

## COUNCIL COMMENTS

Comments tonight:

Mr. Hall stated a red car has been parked on Riley Boulevard since last Thursday (past Pacey's at the fence); Fall Fest was awesome, lots of people, appreciate the hard work by the committee, thanks and keep up the good work.

Mr. Aldridge echoed Mr. Hall remarks about Fall Fest – good event; people from surrounding communities here, the fireworks were good, pumpkin roll a great event and to Chief Westendorf, good job of organizing and it was well run – congratulations.

Mr. Lipps stated great time at the Fall Fest, to Jonathan & Betsy – it was well organized and was a good time; personally thanked each vendor for coming; congrats to the Fire Department on the 5K race; his employees did a water stop for the race & want to do it again; welcome to Skip Weaver; thanks to Ms. Sheard for coming tonight; fascinated by the pumpkin roll; and this is a great thing we are building in Franklin.

Mayor Centers thanked Ms. Sheard for coming tonight; thanks to all volunteers who helped with the festival; what can we do as Council to help make it better next year.

Chief Westendorf stated they are having a meeting tomorrow night, will be asking for a funding mechanism – a volunteer donation on the water bill which will help provide money beside tax money; fire fighters going thru the process to be fireworks shooter; need lots of money for fireworks and feel we have one chance to do it right; new things done this year, Cincinnati Circus came; firefighters manned a camp fire in the middle of the street (also a firefighter saved a life that night) have great volunteers – lots of hours involved.

Mayor Centers stated you need more funding & more advertising. Chief Westendorf stated yes, like to have an electronic sign, applied for a grant last year to purchase, is a 50/50 joint effort with the Library; we had paid advertisements in the boosters & soccer clubs, cable channels, water bill, newspaper flyers and posters.

Mr. Aldridge stated a good job done for getting corporate sponsors.

Mayor Centers stated he has never been asked for money except for the year book. Mayor Centers added it was a great event and appreciate all the work. One negative, Lisa (Lisa's Kitchen) felt the road was closed to early. Mr. Lewis added that this will be addressed next year.

Mr. Greathouse added Lisa's concern was she got hit hard on Friday.

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

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

Motion passed.

---

Mayor

---

Clerk of Council