

**FRANKLIN CITY COUNCIL
MARCH 21, 2011**

Members of the Franklin City Council met in regular session on Monday, March 21, 2011, at 6:00 p.m. at the Franklin Municipal Building, Mayor Denny Centers presiding.

Roll call showed:

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

There were 6 visitors at tonight's meeting. Also present; Mr. Jonathan Westendorf, Fire Chief; Mr. Russ Whitman, Police Chief; Mr. Sonny Lewis, Interim City Manager/ Public Works Director; Ms. Donnette Fisher, Law Director; and Ms. Rachel Stevens, Acting Clerk of Council.

The Pledge of Allegiance was led by Bob Knipper.

Mr. Bray made the motion to approve the Clerk's Journal and accept the tapes as the Official Minutes of the March 7, 2011 meeting; seconded by Mr. Hall. The vote:

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

Motion passed.

PRESENTATION: Russ Whitman, Chief of Police

Chief Whitman presented Council with the 2010 Annual Police Department Report. Chief Whitman stated that two officers and one dispatcher retired in 2010. He also stated that the average age of the City's officers was 43 years old with 13 years of service. Chief Whitman voiced concern that the City will need to fill several officer positions within the next few years due to retirements; the Department is already running two patrol officers short. Mr. Centers asked about the recruitment process and Chief Whitman said the candidates go through a three-month hiring process and eight weeks of training. Chief Whitman reported that there were zero internal investigations in 2010. Four officers and one dispatcher were given awards for their handling of an emergency at 815 Park Avenue. A grant received for the City to install a license plate reader in Officer Woods' police cruiser resulted in a 27% increase in citations for Officer Woods. Chief Whitman stated that felonies and misdemeanors were down from 2009; however, breaking and entering, drug related incidents and domestic disputes were higher. Service calls in 2010 were down, but 911 calls went up. The K-9 unit assisted in 118 narcotic related incidents, resulting in 69 arrests.

ORDINANCE 2011-05 TO PROVIDE APPROPRIATIONS FOR CURRENT EXPENSES AND
Emergency OTHER EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, FOR
THE FISCAL YEAR ENDING DECEMBER 31, 2011 AND DECLARING AN
EMERGENCY

Ms. Morgan stated there are very few changes to the temporary budget that was passed in December, 2010, except to the Court Funds and other Police Funds. All changes recommended by the Finance Committee have remained, including the City-wide pay freeze, no funding for a full time Finance Director, no pool funding, no special events funding and the elimination of two new police cruisers. Ms. Morgan stated that this ordinance will become effective on April 1, 2011 and is necessary because the temporary ordinance will expire on March 31, 2011.

Mr. Hall made the motion to adopt Ordinance 2011-05; seconded by Mr. Bray. The vote:

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

Motion passed.

RESOLUTION 2011-17 PRELIMINARY LEGISLATION FOR THE ODOT URBAN PAVING
PROJECT ON STATE ROUTE 73 AND STATE ROUTE 123

Mr. Lewis said this resolution is for an ODOT project to repave portions of the State Route 73 and State Route 123 under the overpasses that were damaged by the construction on I-75. Mr. Lewis also stated that there was no cost to the City of Franklin for the S.R. 123 portion of the project, and the City's cost for the S.R. 73 portion was estimated at \$224,235. Mr. Centers asked about the land across from the Pilot Station on State Route 123, near the project site, and stated that he wanted to get into negotiations with the current owners and schedule a meeting as to what the plans for that area would be. Mr. Knipper asked Mr. Lewis if there were any EPA issues with the land, and Mr. Lewis stated that no, it had been cleaned up and was ready to go.

Mr. Hall made the motion to adopt Resolution 2011-17; seconded by Mr. Faulkner. The vote:

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

Motion passed.

Introduction of New Legislation

Ordinance 2011-06 APPROVING PLANNING COMMISSION CASE Z-11-01, AMENDING
SECTION 1103.224 AND SECTION 1107.03 OF THE UNIFIED
DEVELOPMENT ORDINANCE OF THE CITY OF FRANKLIN, OHIO

Mayor Centers introduced Ordinance 2011-06. Ms. Fisher said this application was filed by Anderson's Funeral Homes. The proposed amendment to Section 1103.224 will amend the definition of "Mortuaries" to allow crematoriums and columbariums in addition to burial services and funerals. The second

proposed amendment to Section 1107.03 is to allow mortuaries as permitted use in C-1 district. Ms. Fisher stated that the Planning Commission voted unanimously on March 14, 2011 to make a favorable recommendation to Council that these amendments be approved. Mr. Centers stated that he spoke with Ruth Campbell, the engineer for Anderson Funeral Home and that the site plan is just beautiful. Mr. Knipper stated that there is to be a gazebo and a community room.

Ordinance 2011-07 APPROVING PLANNING COMMISSION CASE Z-11-02, ADOPTING
SECTION 1103.301 AND AMENDING SECTION 1107.03 OF THE
UNIFIED DEVELOPMENT ORDINANCE OF THE CITY OF FRANKLIN, OHIO

Mayor Centers introduced Ordinance 2011-07. Ms. Fisher said that this rezoning was initiated upon the Planning Commission's own motion. The first proposed amendment is to add a definition of "Secondhand Dealers" to the UDO. This definition will be based off of the City's secondhand dealer regulations contained in Chapter 723. The second proposed amendment will permit secondhand dealers in the C-1 area, but prohibit them from C-2 (Community Commercial) and C-3 (the downtown area). Ms. Fisher stated that on March 14, 2011 the Planning Commission voted unanimously to make a favorable recommendation to Council that these amendments be approved. Mr. Centers asked where the C-3 district was and Ms. Fisher stated that she believed that this area was from Riley Boulevard to River Street from 1st Street to 7th.

Ordinance 2011-08 ENACTING SECTION 549.12 TITLED "DISCHARGING FIREARMS,"
AND SECTION 549.13, TITLED "THROWING OR SHOOTING
PROJECTILES," OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN,
OHIO

Mayor Centers introduced Ordinance 2011-08. Ms. Fisher stated that in 1980, Council enacted prohibitions against shooting firearms or bows and arrows within the City limits. It appears when American Legal Publishing did their 2009 updates to the Codified Ordinances, they inadvertently deleted these prohibitions. The purpose of this Ordinance simply to re-enact those regulations.

CITY MANAGER'S REPORT

Mr. Lewis reported on the following: On April 1, 2011, NIC will start enforcing the high grass and trash citations. He said he will start getting a monthly report from NIC. Mr. Knipper stated that he would like to see the citation and fee report. Mr. Lewis stated that he spoke with the man living at 831 Arlington and that situation is scheduled to be in Court within the next few weeks. Mr. Lewis reported that the meters at the properties owned by Elaine Harp Eversole have been tested and that they are running fine. Mr. Lewis then stated that Chief Westendorf wanted to address Council. Chief Westendorf stated they would like to apply for another Assistance to Firefighters Grant to get a new station-mounted air compressor. Mr. Westendorf stated that he must get permission from Council to proceed with the grant application, as the Fire Department must commit to paying 5% of costs that the grant does not cover. Council agreed this was acceptable, and commented on the fact that this grant would allow us to acquire a new air compressor at a fraction of the cost. Council thanked Chief Westendorf for his continued efforts to win grant money for our Fire Department.

LAW DIRECTOR'S REPORT

Ms. Fisher stated that the City received a letter from the State Liquor Board and that all the liquor licenses within the City were up for renewal is June 1, 2011. Council could object to the renewal of any of these licenses, but must do so before May 2, 2011. Councilman Faulkner asked if there was a list of all the active licenses. Ms. Fisher said she would compile one and send it out to Council this we

COUNCIL COMMENTS

Comments tonight include:

Mr. Hall thanked Mr. Combs and said that Mr. Lewis will be looking into things for him. Mr. Hall stated that the May 3, 2011 tax levy is critical as our City is in financial trouble.

Mr. Aldridge thanked the audience for coming to the meeting and said that some of the properties in Franklin have become an eyesore and it didn't appear that NIC was keeping up on the property maintenance; perhaps it was time to revisit that contract.

Mr. Bray said that the Franklin Commons have been having more drugs and fighting and addressed the Police Chief on the situation occurring at this area. Mr. Bray also said that he had been in contact with Dr. Klosterman regarding the annual Easter Egg Hunt and that the event would be taking place on April 16, 2011 at the Franklin Community Park and hoped to see everyone there to help with the hiding of the eggs.

Mr. Faulkner thanked everyone for coming and said he agreed with Mr. Aldridge that maybe it was time to revisit the property maintenance contract. Mr. Faulkner said he would like to see reports from NIC more often and in a more defined format.

Mr. Knipper thanked everyone that was in attendance and discussed the importance of the levy in May.

Mr. Centers also agreed that the cleanliness of the City is so important and again discussed the property across from the Pilot on State Route 123. Mr. Centers commented on the outstanding job the Levy committee has been doing. Mr. Centers then read a proclamation declaring March 25, 2011 as the James P. Miller National Congressional Medal of Honor Day in Franklin.

Mr. Hall made the motion to adjourn, seconded by Mr. Knipper. The vote:

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

Motion passed.

Mayor Centers adjourned the meeting at 7:23 p.m.

Mayor

Acting Clerk of Council