

**FRANKLIN CITY COUNCIL  
MARCH 7, 2011**

Members of the Franklin City Council met in regular session on Monday, March 7, 2011, at 6:00 p.m. at the Franklin Municipal Building, Vice-Mayor Bob Knipper presiding.

Roll call showed:

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

There were fourteen 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. Rachael Stevens, Acting Clerk of Council.

The Pledge of Allegiance was led by Ms. Elaine Harp Eversole.

Mr. Bray made the motion to accept the tapes as the Official Minutes of the February 7, 2011 meeting; seconded by Mr. Aldridge. The vote:

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

Motion passed.

**PRESENTATION:** MARTY HEIDI, Representative Mike Turner's Office

Marty Heidi advised of the following:

A Service Academy Day will be held on April 9, 2011 from 9:00 a.m. to noon at the Dayton office. Five different academy divisions will be represented and it is an opportunity for individuals to meet these representatives and some cadets from the different branches. She hopes to see some of the members of the Franklin community at this event.

An art competition is again being held, open to all juniors and seniors of local area high schools. A member of the staff (herself) will pick up the art and it will be displayed at the Dayton Art Institute for one month. The winners of the local competition will get to go to Washington D.C. in January. WHIO will also be doing segments on Saturday mornings in recognition of the artists. Mr. Bray asked if the schools had been notified of the competition and Ms. Heidi said the schools were sent a letter.

Ms. Heidi also distributed a brochure titled "How Our Laws are Made" to Council and members of the audience. Mr. Lipps inquired if Ms. Heidi had brought a guest. Ms. Heidi informed Council that her guest was her mother, Ms. Jane Packard, who is visiting from Indiana.

**PRESENTATION:** SHERIFF LARRY SIMS, Warren County Sheriff

Sheriff Sims presented a recap of the 2010 Warren County Sheriff's Office's statistics:

Approximately 71,000 calls were handled through the Office countywide, down from 2009; 600 investigations were handled, with the majority of the caseload being personal property crime; there were 1,366 carry-and-conceal permits issued in 2010, bringing the total to 7,400 since the law was enacted; there are 516 registered sex offenders in Warren County, and information on these offenders can be accessed through a link on the Sheriff's website; there are a total of 3 canine units at the Sheriff's Office now, as they added 2; the jail renovations are approximately  $\frac{3}{4}$  complete, adding 83 beds for a total of 280 beds; the County has joined the Secure Community Initiative, which coordinates fingerprinting databases with the FBI and ICE and crosschecks them with Homeland Security; and license plate readers have been installed, with a total of 8 countywide. These devices automatically read the license plate of passing vehicles and can assist in determining the location of the vehicle at later dates. This technology was recently used with great success to solve a string of burglaries that occurred in the County.

**PRESENTATION:** JAMES ODENWELLER and BRIAN FOWLS, Income Tax Levy

James Odenweller and Brian Fowls, both second-year grad students at Wright State University, will be conducting a telephone survey to obtain citizen satisfaction and community feedback on the upcoming income tax levy, on the ballot in May. Mr. Faulkner asked when the project would begin and was advised by Mr. Odenweller that they planned to marry the information received through the calls with analysis, and the information would be available the last weekend in March. Mr. Faulkner thanked them and said he was looking forward to the results. Mr. Aldridge asked if it was an automated system. Mr. Odenweller said that no, they would be making all of the calls themselves.

#### RECEPTION OF VISITORS

Doug Greathouse expressed to the Council his concern about filling the City Manager position. He commended Mr. Lucas for his work with the City, but Mr. Greathouse would like to see candidates with a strong economic development background to capitalize on the economy.

Elaine Harp Eversole addressed the Council regarding the water bills on three properties on Hemlock Street. Ms. Harp Eversole stated that the water bills on these properties have jumped from \$30.00 to \$300.00 per billing statement. The City is claiming leaks, to which Ms. Harp Eversole said that none have been found. Sonny Lewis advised Ms. Harp Eversole that the meters will be tested. Mr. Bray asked if the houses were consecutive on the street, and Ms. Harp Eversole said that yes they were. Mr. Faulkner asked Sonny Lewis if the meters had been checked and Mr. Lewis said that yes, they have been, several times.

#### RESOLUTION 2011-16 APPOINTING RACHEL STEVENS AS ACTING CITY CLERK

Section 3.08 of the City of Franklin Charter provides that Council may appoint an Acting City Clerk to serve during the temporary absence of the City Clerk. Mr. Lewis stated that with Ms. McGee still off and Ms. Flinchum resigning, an Acting Clerk is needed. This Resolution will appoint Rachael Stevens as Acting Clerk and she will then clerk the Council meetings until Ms. McGee's return.

Mr. Hall made the motion to adopt Resolution 2011-16; seconded by Mr. Bray. The vote:

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

Motion passed.

RESOLUTION 2011-12      AUTHORIZING THE EXECUTION OF THE CONTRACT FOR THE PURCHASE OF WATER METER RADIO REMOTES FROM NEPTUNE EQUIPMENT COMPANY

Mr. Lewis said that the installation of these radio remotes was an ongoing process that was about halfway complete. Mr. Lewis also advised that the meters would enable the City to get a monthly meter reading, rather than a reading every 3 months. Mr. Bray asked if the cost of the remotes was still the same and Mr. Lewis stated that yes, the cost was still about the same as last year. Mr. Faulkner inquired if this money was coming from the water fund. Mr. Lewis said yes, they had budgeted about \$120,000 this year. Mr. Aldridge asked if by installing the meters ourselves saved the City money. Mr. Lewis stated that it would save the City approximately \$600,000 in total by installing the meters ourselves, over the entire installation process, by avoiding the cost of an outside contractor.

Mr. Faulkner made the motion to adopt Resolution 2011-12; seconded by Mr. Aldridge. The vote:

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

Motion passed.

RESOLUTION 2011-13      AUTHORIZING THE EXECUTION OF A CONTRACT FOR THE PURCHASE OF A DIESEL EXHAUST REMOVAL SYSTEM FOR THE FRANKLIN DIVISION OF FIRE

Mr. Westendorf stated that the Franklin Division of Fire has been awarded an Assistance to Firefighters Grant in 2009. The proposed project will equip our fleet with diesel exhaust removal systems. The City's cost of the project is \$2,500, and grant dollars will be covering the remainder of \$47,500. Mr. Hall asked if the total cost of the project was \$50,000 and Mr. Westendorf stated yes. Mr. Lipps asked if these devices were station-mounted and Mr. Westendorf stated that no, they were truck-mounted, and the truck-mounted systems worked better overall than the station units. Mr. Faulkner asked how many units were being purchased. Mr. Westendorf said six. Mr. Faulkner said he was appreciative of the grant and thanked the staff for such efficient grant writing skills.

Mr. Hall made the motion to adopt Resolution 2011-13; seconded by Mr. Faulkner. The vote:

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

Motion passed.

RESOLUTION 2011-14      ACCEPTING THE RESIGNATION OF HOLLY DEAN FROM THE  
FRANKLIN PARKS AND RECREATION COMMISSION AND  
APPOINTING TIM CROWE TO FILL THE VACANCY

Mr. Lewis stated that Holly Dean has submitted her resignation from the Parks and Recreation Commission after 6 years of service, wanting more free time since her daughter has graduated from high school. Mr. Lewis said Tim Crowe was available for and interested in the position. Mr. Lewis said that Tim Crowe was a native of Franklin and is currently the principal of Schenck Elementary. Mr. Lewis also stated that Mr. Crowe has served on the Parks and Recreation Commission in the past, and was a college worker for him in the Public Works department in the 1980's.

Mr. Bray made the motion to adopt Resolution 2011-14; seconded by Mr. Hall. The vote:

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

Motion passed.

RESOLUTION 2011-15      APPROVING JAMES A. STEWART, Jr. (et al.) RENEWAL APPLICATION  
PUBLIC HEARING      FOR PLACEMENT OF 54.6570 ACRES OF LAND IN AND  
AGRICULTURAL DISTRICT

Ms. Fisher stated that this is a renewal application by the Stewart family for placement of their land within an agricultural district, known as CAUV. This land is on Pennyroyal Road, next to the elementary and has been in a CAUV since 1995. Ms. Fisher informed Council that by law, Council must hold a public hearing on the matter. Vice-Mayor Knipper then opened the public hearing. Bruce and Susan Stewart stated that the property is 54 plus acres with some scrap land, and is used for agricultural purposes, as it has been for many years. Vice-Mayor Knipper then asked if anyone else wished to address Council. Hearing none, Vice-Mayor Knipper closed the public hearing.

Mr. Lipps made the motion to adopt Resolution 2011-15; seconded by Mr. Faulkner. The vote:

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

Motion passed.

#### CITY MANAGER'S REPORT

Mr. Lewis reported on the following:

The City has received notice from the State that there will be no state funding for Capital Improvements this year. The Second Street project is part of that program. Several people have been sending letters, and Mr. Lewis hopes to have new information on the funding soon.

831 Arlington Avenue has been visited several times regarding zoning and parking violations and pictures have been taken of any violations. The police have been monitoring this area and at least 3 citations have been issued, resulting from parking on the grass, parking on the sidewalk and blocking the roadway. Mr. Lewis believes the residents are due in Court on Friday to establish if a business is illegally being run from this location.

Mr. Lewis said that Mark George, the City's Street Superintendent, had a stroke Sunday night. He seems to be doing okay, is on medication, but it scared him. Mr. George is at Sycamore hospital and may be released on Tuesday.

#### LAW DIRECTOR'S REPORT

Ms. Fisher had nothing to report.

#### COUNCIL COMMENTS

Comments tonight included:

Mr. Hall wanted everyone to keep Mayor Centers and his family in their thoughts and prayers.

Mr. Aldridge concurred with Mr. Hall's comments. He also informed everyone of the Franklin High School's HORSE tournament, hosted by Coach Brian Bales. Mr. Aldridge said that last year's event brought in many folks from the community and that this year, Mr. Bales has several local celebrities including some ex-Bengal football players and possibly A.J. Hawk. Registration for the tournament is due on Wednesday.

Mr. Bray stated that visitation for Loretta Centers, Denny's mother, was this evening and that is why Mayor Centers was absent. Mr. Bray said that he saw Mr. Centers today and he seemed to be doing okay, and wanted Mr. Bray to pass along his thanks for the concern and phone calls. Mr. Bray said that he had been in contact with Dr. Klosterman regarding the annual Easter Egg Hunt, and informed Dr. Klosterman that due to budget cuts, there would not be City funding for the event this year. Dr. Klosterman said that he was running behind in organizing the event due to office rehab, but thought that he would still sponsor the event. Mr. Bray said that Jim Craycraft of Ample Industries will be hiring 25-40 positions through

Work Force One. Mr. Bray said that he also attended the Athletic Fundraiser at the V.F.W., and there was a decent turnout for that event. Mr. Bray stated that many in attendance were asking about the Franklin Community Pool and the funding for the upcoming year. Mr. Bray said that the City had no funds for the pool this year and referred the matter to the Township.

Mr. Lipps stated that the Finance Committee met today to discuss, among other issues, the upcoming income tax levy. Mr. Lipps said the Committee had identified about 25 people from the community it will be inviting to the first "Grassroots Meeting" about the levy. Mr. Lipps informed Council that Sonny and staff have a very organized process and plan; an outline that works. Mr. Lipps stated how critical this levy is to restore the services and programs the citizens deserve. Mr. Lipps reminded Council of the importance of educating the public about the levy.

Mr. Faulkner thanked everyone for coming and echoed Mr. Lipps comments about the Finance Meeting. Mr. Faulkner said he appreciates staff's plan for the levy and is looking forward to executing the plan. Mr. Faulkner also thanked Mr. Lewis for filling in as Interim City Manager.

Mr. Aldridge thanked Holly Mears Daniels for pushing the levy to the parents at the weekend fast pitch clinic. He stated that Ms. Daniels really reached out to the community regarding her concerns on the levy issue.

Mr. Knipper thanked everyone that was in attendance and acknowledged to Chief Whitman that the situation on David Boulevard was gone. Mr. Knipper then addressed Chief Westendorf regarding the fiscal responsibility of the fire department and stated that there is no one better than our staff at getting money.

#### EXECUTIVE SESSION

Vice-Mayor Knipper asked for a motion to go into executive session to discuss personnel; specifically the employment of a public employee or official. Vice-Mayor Knipper announced there would no action taken after the executive session. Mr. Faulkner made the motion; seconded by Mr. Aldridge. The vote:

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

Motion passed.

At 6:52 p.m. Vice Mayor Knipper and members of Council entered into executive session with Don Vermillion to discuss the employment of a public employee or public official.

Mr. Faulkner made a motion to come out of executive session; seconded by Mr. Hall. The vote:

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

Motion passed.

Mr. Lipps made a motion to adjourn; seconded by Mr. Bray. The vote:

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

Motion passed.

Vice-Mayor Knipper adjourned the meeting at 7:58 p.m..

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Mayor Denny Centers

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Acting Clerk of Council