

**FRANKLIN CITY COUNCIL
JUNE 20, 2011**

Members of the Franklin City Council met in regular session on Monday, June 20, 2011, 6:01 p.m. at the Franklin Municipal Building, Mayor Denny Centers presiding.

Roll call showed:

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

There were 15 visitors at tonight's meeting. Also present; Mr. Jonathan Westendorf, Fire Chief; Mr. Russ Whitman, Police Chief; Ms. Donnette Fisher, Law Director; Ms. Sandra Morgan, Acting Finance Director; Mr. Don Woods, Chief Building Official; Mr. Sonny Lewis, City Manager/ Public Works Director; and Ms. Rachel Stevens, Acting Clerk of Council.

The Pledge of Allegiance was led by Matt Wilcher.

Mr. Bray made the motion to approve the Clerk's Journal and accept the tapes as the Official Minutes of the June 6, 2011 meeting; seconded by Mr. Hall. The vote:

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

Motion passed.

RECEPTION OF VISITORS

Mr. Alfred Abbott of Sunnybrook Drive addressed Council regarding "No Parking Signs" put up in front of his residence on June 8, 2011. Mr. Abbott stated that he has been parking there since recently purchasing the house on the corner of Sunnybrook and Fourth Street. Mr. Abbott stated that due to the incline of his driveway, his wife was unable to exit the vehicle unless he was parked on the street. Mr. Lewis stated that Sunnybrook is not wide enough for 3 cars and with his vehicle parked on the street in front of his house, it made it nearly impossible for cars, trucks and school buses to make the turn from Fourth Street onto Sunnybrook. Mr. Lewis stated he could park his car on Fourth Street. Mr. Abbott stated that he was having a new driveway put in, but due to the weather, work is unable to get started. Mr. Lewis stated that the City would try to work with him until his driveway was completed.

Mr. Rick Nunamaker advised Council that at one time he was involved with the Special Events Committee. Due to circumstances he backed out. Mr. Nunamaker said that he would like to be more involved with his community. He goes to the parades and other activities in Franklin, and he would like to be a participant, rather than just a viewer. Mayor Centers asked what he would like to do, and Mr. Nunamaker replied that he has gone to the library and made maps of key locations of the City, such as Wal-Mart. Mr. Nunamaker stated that he just wants to be a volunteer. Mayor Centers thanked Mr. Nunamaker and said that he and the rest of Council would look for a position with a committee for Mr. Nunamaker to fill.

PRESENTATION: JEMS LEVY

Chief Andy Riddiough from the JEMS organization presented Council with information packets regarding a pending levy for the funding of JEMS in the Franklin, Franklin Township and Carlisle area. Chief Riddiough also presented information via a slide show. Chief Riddiough stated that JEMS started as a volunteer organization using members of the local communities of Franklin, Franklin Township and Carlisle. Chief Riddiough stated that the dynamics of the community have changed and that the volunteers have dwindled. In 1988 JEMS passed their first levy of operation for 0.8 mil. In 1995 JEMS passed a 1.0 mil levy in which they are currently operating. Chief Riddiough stated that the calls for service have increased an average of 50 calls or more per year, having responded to 1,800 calls this year. Chief Riddiough stated that JEMS has 3 staffed transport units and 1 paramedic chase car. Chief Riddiough explained that the combined levies give JEMS about \$490,000.00 from the levies, and additional \$650,000.00 in billing which is not guaranteed, and that \$350,000.00 is from "roll over". Mayor Centers asked how long "soft billing" has been in place. Mr. Faulkner stated that he believed for the last 7 years. Chief Riddiough stated that JEMS has no income from the county for 3 months of operation and relies on "roll over" or money that is cut or saved throughout the year. Mr. Faulkner stated that "roll over" money is accounted for in the budget to provide money for the three months that no funding is available. Chief Riddiough stated that roughly 70% of operation is employee costs. Mr. Hall asked how many of the JEMS employees were local citizens and Chief Riddiough stated that an estimated 1/3 of the employees are local residents. Chief Riddiough said that outside of personnel costs, the rest of the money goes to apparatus and vehicle costs. Chief Riddiough stated that their equipment and fleet are aging and need to be updated and that some of the equipment is no longer maintainable due to the age of the equipment. The Chief also indicated that with the current funds there is no way to plan for maintenance or updates. Chief Riddiough stated that JEMS has borrowed equipment from neighboring towns in the past. JEMS will be asking for a 3.04 mil levy to allow training structure, update the fleet and equipment and to develop a long term plan and is asking for support from the City of Franklin. Mayor Centers thanked Chief Riddiough for a very informative, well put together presentation and stated that the members of our community need to decide if they are willing to pay for a valuable service. Mr. Bray asked what the cost to the taxpayer would be based on a \$100,000.00 home. Mr. Faulkner stated that it would be roughly \$200.00. Mr. Bray also asked if it would have to be passed in all three districts. Chief Riddiough said he believed that it must be passed in all three, due to a joint taxation district. Mr. Lipps asked why, in this economic time, they are asking for double the amount from 1.8 mil to 3.4 mil. Chief Riddiough stated that they are growing to meet the needs of the community and providing full time supervision. Mr. Lipps asked if this was the time to double the entity. Chief Riddiough stated that it isn't doubling the entity, but rather growing to meet the needs of the community. Mr. Lipps said they were asking for twice the amount of money. Chief Riddiough

stated that the entity would not be doubled, the levy would allow for updates and full time supervision. Mr. Faulkner said that this has been an issue for the last 5 years. Mr. Faulkner asked if there was any way of making this work with the three areas without asking for money from the tax payers. Chief Riddiough stated that yes, but it would require all three of the board members to agree. Chief Riddiough stated that it would be quite an impressive operation pulling the resources from all three areas and making a true joint emergency district. Mayor Centers asked if it would be an additional \$500,000.00 more to pull JEMS into the current fire department, and Mr. Faulkner stated that yes, that was one of the options. Mayor Centers stated that this was an option that needs to be considered. Mr. Faulkner stated that Chief Riddiough will be making the same presentation to Carlisle and Franklin Township, and that all three needed to be in agreement to this type of arrangement. Mr. Faulkner stated that he is 1/3rd of the vote. Mr. Lipps stated that Franklin is the only part of the district with the infrastructure to provide services to the area. Mr. Lipps asked Chief Westendorf to weigh in on this conversation. Chief Westendorf stated that he would like to work side by side with Chief Riddiough. Chief Westendorf believes that the departments need to work collectively. Mayor Centers asked for a plan and numbers from them. Chief Westendorf stated that they need a commitment from Carlisle and the Township as to whether they want in or not. Mr. Knipper stated that a joint fire system is the best. Mr. Knipper stated that if Carlisle and the Township don't want to join forces, then the City of Franklin would absorb JEMS in with our fire, and the other alternative would be just to dissolve all of JEMS in the City. Mr. Hall will attend the meeting with Chief Riddiough with the City of Carlisle. Mr. Faulkner will go to the Township presentation.

OLD BUSINESS:

ORDINANCE 2011-10 PUBLIC HEARING DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2012

Mr. Lewis stated that this was introduced at the last Council meeting.

Mayor Centers 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. Hall made the motion to adopt Ordinance 2011-10; seconded by Mr. Aldridge. The vote:

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

Motion passed.

NEW BUSINESS:

ORDINANCE 2011-11 EMERGENCY AMENDING ORDINANCE 2011-05 TO PROVIDE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER

EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, FOR THE FISCAL YEAR
ENDING DECEMBER 31, 2011, AND DECLARING AN EMERGENCY

Ms. Morgan stated that this is the first supplemental of the year. This restores some of the budget cuts made in the past year. Mr. Bray asked if these were new hires and Chief Whitman stated that this would resume a full force with some new hires replacing retiring officers as well as two new officers. Mr. Lipps stated that this will make our force whole again. Chief Whitman stated that of the two officers, it is the intention for one of the officers to go back into our school system and the other to the Warren County Task Force.

Mr. Hall made the motion to adopt Ordinance 2011-11; seconded by Mr. Faulkner. The vote:

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

Motion passed.

RESOLUTION 2011-26 PUBLIC HEARING ADOPTING THE TAX BUDGET FOR
THE CITY OF FRANKLIN, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1,
2012 AND SUBMITTING IT TO THE WARREN COUNTY AUDITOR

Ms. Morgan stated that the State of Ohio requires that a tax budget be adopted and filed with the County Auditor by July 20th of each year. Ms. Morgan stated that this was a rough estimate.

Mayor Centers 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. Aldridge made the motion to adopt Resolution 2011-26; seconded by Mr. Bray. The vote:

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

Motion passed.

RESOLUTION 2011-27 AUTHORIZING REIMBURSEMENT OF UP TO \$2,500.00 TO
WARREN COUNTY KUSTOMS FOR THE FRANKLIN DOWNTOWN SATURDAY NIGHT
CAR SHOW

Mr. Lewis stated that Ordinance 2011-11 establishes the funds to do this. He added that for the last several years, the City has partnered with Warren County Kustoms for the car show. The

City will again partner with Gary Bates to provide up to \$2,500 for the car show along with security & clean-up of the site. Mayor Centers noted that the \$2,500 is part of the \$25,000 discretionary funds included in Ordinance 2011-11. Mr. Knipper stated that the term "Cruise In" originated in the City by Warren County Kustoms - originally held at Frisch's. Mayor Centers stated that this is the last year that 'PPG' will fund the car show and this may be the last one. There was discussion on this and Mr. Lewis stated that he will talk with Mr. Bates after this year's car show and talk with him about how to continue the car show.

Mr. Faulkner made the motion to adopt Resolution 2011-27; seconded by Mr. Hall. The vote:

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

Motion passed.

RESOLUTION 2011-28 AMENDING RESOLUTION 2011-22 TO AUTHORIZE POSITION TITLES AND THE NUMBER OF POSITIONS FOR EACH TITLE FOR CITY OF FRANKLIN PERSONNEL FOR 2011

Mr. Lewis stated that the money was funded for these positions in Ordinance 2011-11 and this authorizes us to hire those positions.

Mr. Bray made the motion to adopt Resolution 2011-28; seconded by Mr. Hall. The vote:

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

Motion passed.

INTRODUCTION OF NEW LEGISLATION: NONE

CITY MANAGER'S REPORT

Mr. Lewis spoke of the 4th of July parade, asking Council if they wanted to have golf carts again this year. Council said they needed 6 golf carts, as Mr. Lipps will be on vacation. Mr. Knipper commented on Mr. Lewis being named Citizen of the Year. Rick Nunamaker expressed interest in helping with the parade. Mr. Lewis introduced Betsy Westendorf of the Special Events committee. Ms. Westendorf passed out a few letters of intention to participate in the Special Events Committee. Ms. Westendorf said that this year's 4th of July parade's theme was "Sparkling Future". Ms. Westendorf and her daughters passed out golf balls and explained a

game that would be played at the parade festival in “Minute to Win It” fashion. Council participated in this demonstration. Ms. Westendorf stated that financial backing would be needed to bring in fireworks for the upcoming year. Chief Westendorf said talks were in the works for a contract with a company out of Pennsylvania to have the firework display by next year. Ms. Westendorf also informed Council that she was in need of a judge for the parade floats. Mayor Centers volunteered. Ms. Westendorf stated that the City wide garage sale would be the same weekend, August 13th, as the car show. Ms. Westendorf also said that the City’s Fall Festival will be held October 14 & 15. Mayor Centers said that a “Fly-Over” is in the works for next year as well.

LAW DIRECTOR’S REPORT

Ms. Fisher said that a memorandum has been put in the packet regarding a moratorium regarding internet sweepstakes cafes. Ms. Fisher said that she is presenting one as an emergency and one as an introduction. Ms. Fisher stated that State Bill 153 has not yet been set for hearing. Ms. Fisher stated that this bill will license these establishments. Ms. Fisher stated that Ordinance 2011-12 is an emergency to adopt a 6 month moratorium on the establishment of these internet sweepstakes cafés so that the City has time to determine if they are legal.

Mayor Centers added Ordinance 2011-12 to the agenda.

ORDINANCE 2011-12 EMERGENCY DECLARING A MORATORIUM ON THE ESTABLISHMENT OR COMMENCEMENT OF OPERATION OF “INTERNET/SWEEPSTAKES CAFES” OR SIMILAR USES FOR A SIX-MONTH PERIOD, AND DECLARING AN EMERGENCY

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

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

Motion passed.

COUNCIL COMMENTS

Comments tonight include:

Mr. Lipps thanked everyone for attending. Mr. Lipps said that JD Legends was announced as Business of the year. Mr. Lipps stated that Mr. Lewis’ daughter flew in from California to see Mr. Lewis receive his Citizen of the Year Award.

Mr. Faulkner thanked the Special Events Committee for all of their hard work. Mr. Faulkner recognized Patrick for all of the pictures that he took. Mr. Faulkner also thanked Council for helping to push through the JEMS presentation.

Mr. Hall thanked everyone for coming.

Mr. Aldridge congratulated Sonny Lewis, the Special Events Committee, Rick Nunamaker, and the Fire/EMS participants. Mr. Aldridge said that maybe a work session is needed to work together and figure something out.

Mr. Bray thanked everyone for coming. Mr. Bray congratulated Sonny Lewis.

Mr. Knipper thanked Chief Riddiough for everything that he had done. Mr. Knipper also thanked Chief Westendorf for all the hard work on the grants that he has done. Mr. Knipper said that Franklin Ridge Nursing Home received the Aldridge Award. The Feel Good Corporation of the Year was Atrium and Mr. Frosty's. Mr. Knipper said it was a good attended event. Mr. Knipper also stressed that we need to educate regarding the Fire/JEMS issue.

Mayor Centers stated that he appreciated this joint fire district has finally come to a head and that these issues can be addressed. Mayor Centers thanked Betsy Westendorf for all of her hard work. Mayor Centers said that he knows and sees the results of Chief Whitman and the hard work he has put into addressing the issues. Mayor Centers said he wanted to get the school issue resolved. Mr. Lewis asked if Council wants him to hire an outside firm. Mayor Centers said he wants to meet with them to discuss. Mr. Lipps thinks it is a misinterpretation. Ms. Fisher stated that the Supreme Court has done the interpretation and that the City is viewing it the same as the Supreme Court. Mr. Knipper said that all the schools are fighting this. Mayor Centers said that he has faith that Mr. Lewis will get this resolved. Mayor Centers said that a special work session may have to be called to get all of the issues brought up at the meeting resolved.

Mayor Centers stated there was no reason to enter into an executive session. At 8:17 p.m., Mr. Hall made the motion to adjourn; seconded by Mr. Aldridge. The vote:

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

Motion passed.

Mayor Centers adjourned the meeting.

Mayor

Acting Clerk of Council