

**FRANKLIN CITY COUNCIL  
WORK SESSION  
JULY 18, 2011**

Members of the Franklin City Council met for a work session prior to the regular scheduled Council Meeting on Monday, July 18, 2011, 5:02 p.m. at the Franklin Municipal Building, Mayor Denny Centers presiding.

Roll call showed:

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

Also present: Mr. Jonathan Westendorf, Fire Chief; Mr. Russ Whitman, Police Chief; Ms. Donnette Fisher, Law Director; Mr. Sonny Lewis, City Manager/Public Works Director; Mr. Don Woods, Chief Building Inspector; Ms. Sandy Morgan, Acting Finance Director; and Ms. Rachel Stevens, Acting Clerk of Council. Mr. Andy Riddiough, JEMS Chief, was also present.

Mr. Scott Lipps and Mr. Bob Knipper arrived shortly after the work session began.

Mayor Centers stated at the last Council meeting that the presentation from JEMS had given the members of Council a lot of things to think about and that Council decided to be pro-active in the decision of the JEMS levy and the Joint Fire District. Mayor Centers stated that Ms. Fisher has given Council information about the 3 possible moves for a joint fire and ambulance district, joint fire district and the resolving of JEMS. Mayor Centers said that the negative of the resolution of JEMS is that the district will lose about \$490,000.00 lost to the district. Mayor Centers said that he feels that the citizens of Franklin are paying for services that the Township and Carlisle use. Mayor Centers stated that he wanted to discuss mutual aid runs between Franklin, Franklin Township and Carlisle. Mayor Centers thinks that mutual aid needs to stay in place, but for commercial and industrial runs only. Mr. Bray asked what happened at the JEMS meetings between Carlisle and Franklin Township. Mr. Lewis stated that Chief Riddiough presented the same presentation at the Township meeting as was presented to Council at the last meeting and that the Township tossed around a few ideas. Mr. Lewis stated that they did not discuss combining all three areas. Mr. Faulkner said that the Carlisle meeting was dysfunctional and that Carlisle has a lot going. Mr. Faulkner stated that JEMS is a good deal for Carlisle and that Mr. Borsher of Carlisle sounded positive for a levy. Chief Westendorf discussed the work session in Franklin Township.

Chief Westendorf stated that at the work session for Franklin Township economic needs for a fire levy was discussed. Mr. Faulkner stated that he received an email from Ron Ruppert,

Township Trustee, proposing the renewal of the JEMS 1.8 mil levy. Chief Westendorf stated that no decision was made.

Mayor Centers asked Chief Westendorf to discuss the mutual aid. Chief Westendorf stated that he thinks Franklin is okay with the mutual aid. Chief Westendorf said that Middletown has called for working fires and there is no abuse of the aid. Chief Westendorf doesn't think that the upcoming layoffs in Middletown are significant to the mutual aid calls, as this is mostly for EMS. Chief Westendorf also stated that Franklin doesn't receive many calls from Clearcreek Township, Carlisle or Franklin Township. Chief Westendorf stated that Warren County Rapid Intervention is very helpful to Franklin when working a rescue. Chief Westendorf said that the AMARS contract with the Township provides all benefits for a flat \$450.00 per run, with about 100 runs a year. Chief Westendorf said that this is a win/win situation. Chief Westendorf also said that there is virtually no communication with Carlisle. Mr. Bray asked about the JEMS ambulance service showing up at every car accident. Chief Westendorf stated that he feels that it is a part of the response jurisdiction.

Mayor Centers asked Council to move on to the JEMS discussion. Mr. Faulkner stated that he was looking for a decision from Council to take to the JEMS Board meeting tomorrow night (07/19/2011). Mr. Bray stated that he could not support a 3.4 mil levy. Mr. Bray doesn't feel that this is what is best for Franklin residents. Mr. Bray stated that he felt that the 1.8 mil is still too much right now. Mr. Faulkner stated that he feels rushed, and is not in support of either at this time. Mayor Centers stated that the public perception of JEMS is 90% positive. Sonny Lewis stated that another option would be to go to hard billing to non-residents. Ms. Fisher stated that the Board has the right to set rates to residents and non-residents. Mayor Centers asked about the money from soft billing of non-residents. Chief Riddiough stated that the write off is roughly 1 million dollars and that 60% of the runs go to Atrium and that their billing company is the same as ours. Chief Riddiough stated that it is about a 1% recovery, minus the collection fees. Mr. Lewis stated that hard billing may buy some time before deciding on the levy. Chief Riddiough stated that due to recovery fees, and the people with no insurance and Medicare and Medicaid write offs, they are averaging about \$100.00 a return. Mr. Lewis stated that a renewal of the 1.8 mil levy doesn't solve the JEMS problems, and suggests that soft billing is done no matter what, to add more time and get more concrete information. Mr. Lewis again stated that the 1.8 mil levy renewal doesn't fix the problem and the 3.4 mil is too much. Mayor Centers stated that pulling in JEMS to the fire service is going to be too much for the public perception. Mr. Lewis stated that he hopes that the Township and Carlisle realize that a joint fire/ ambulance district is in the best interest of all. Mr. Faulkner stated that the JEMS Board needs a vote of 2-1 to put it on the ballot. Mayor Centers feels that the people should have the option to vote it down. Mr. Faulkner thinks that is a bad idea. Mr. Knipper stated that it isn't in the best interest of the citizens to give them a bad decision to make. Mr. Lewis asked how long a renewal would give. Chief Riddiough stated 3 years. Mayor Centers stated that 3 years gives everyone time to get something into place. Mr. Hall stated that this is assuming that the Township and Carlisle will pass this levy. Mr. Hall stated that we need to make a decision about this business regardless of the levy. Mayor Centers stated that he would like to absorb JEMS, but the timing is bad. Mr. Faulkner stated that a decision on the level of service must be made. Mr. Hall stated that the City brings it in and makes it a professional organization. Mr. Lipps stated that we cannot tell people that the system is broken. Mr. Aldridge wants to see the plan and the costs with the different configurations and

doesn't feel comfortable with any of this until he gets this information. Mr. Hall said that it has been a problem for some time, but we haven't wanted to fix the situation. Mr. Knipper stated that for a \$100,000.00 home, \$35.00 is worth it, but it is a touchy subject. Mr. Aldridge stated that regardless of what happens that the City needs to start right now to provide the fire department the ability to offer services. Mr. Lewis stated that he doesn't know if the City has the ability to do that with the cost associated with doing such. Chief Westendorf said that the JEMS Board has to grant them permission to provide service and Mr. Faulkner stated that JEMS has to be OK with providing these services. Mr. Lewis asked what plan, if any, was in place if the levy does not pass. Chief Riddiough stated that it would be to cut services. Mr. Lewis asked if the hard billing could be put in place immediately. Mr. Faulkner said yes, probably, but there is no return for 6 to 9 months. Mr. Faulkner also stated that he doesn't want this to go on the ballot now, because it isn't the right thing to do, but the City needs to start working on what is the right thing immediately. Mr. Lewis stated that we need to move forward with the billing to gain some time, but somewhere along the line someone is going to die. Mr. Lewis thinks that the City needs to show the others that it is time to move forward. Mr. Knipper stated that hard billing needs to start now, put the procedure in place even though nothing will be seen for 9 months. Mr. Faulkner stated that this decision needs to be decided by tomorrow night to go to the JEMS Board. Mr. Bray asked if we wanted EMS to be brought into our fire department if the levy fails, and funded through our general funds. Mr. Bray's concern is that we not cross any lines, and solely for Franklin residents. Chief Riddiough stated that this isn't possible with the mutual aid agreement. Mr. Lewis said that can't be an issue with the way the funds stand now, as it will cost the City \$700,000.00 to bring EMS in. Mr. Faulkner asked if there is anything the City can do to help JEMS? Chief Riddiough stated that yes, but it isn't a simple fix, and the issue isn't just strictly personnel, but also reliable vehicles. Mr. Faulkner asked what if the City bought a vehicle, and Chief Riddiough stated yes, of course that would help. Ms. Fisher stated that if JEMS were to dissolve, the County Auditor would be required to do a split. Mr. Knipper said if the City owned the vehicle, and just loaned it out to JEMS, that if JEMS dissolved, the City would just take possession back. Ms. Fisher stated that this may be possible. Chief Westendorf stated that the numbers have changed over the years, and everything has evolved, including personnel. Chief Westendorf stated that the only way to determine the cost is if the City decides to go into this with just Franklin in mind. Mayor Centers asked each Council member for a final thought. Mr. Lipps stated that he is against both levies. Mr. Faulkner thinks that the 3.4 levy is a mistake and the 1.8 levy is not the right thing to do. Mr. Faulkner thinks there is a much better way. Mr. Knipper is no on both, but stated the need to come up with a plan to look out for Franklin. Mr. Hall said he is no, although he thinks the other two will pass. Mr. Aldridge doesn't support this personally, but doesn't oppose it going to the ballot. Mr. Bray said he is a no on both. Mayor Centers said that the City needs to think about City control. Mayor Centers also said that he is no on both, but doesn't think it will pass in all three entities.

Mayor Centers asked for a motion to close the work session. Mr. Hall made the motion to close; seconded by Mr. Bray. 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.

Members of Council took a brief break at 6:07 prior to opening the regularly scheduled Council Meeting.

**FRANKLIN CITY COUNCIL  
JULY 18, 2011**

Members of the Franklin City Council met in regular session on Monday, July 18, 2011, 6:17 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 11 visitors at tonight's meeting. Also present; Mr. Jonathan Westendorf, Fire Chief; Mr. Russ Whitman, Police Chief; Ms. Donnette Fisher, Law Director; Mr. Sonny Lewis, City Manager/Public Works Director; Mr. Don Woods, Chief Building Official and Ms. Rachel Stevens, Acting Clerk of Council.

The Pledge of Allegiance was led by Ms. Donnette Fisher.

Mr. Hall made the motion to approve the Clerk's Journal and accept the tapes as the Official Minutes of the June 20, 2011 meeting; seconded by Mr. Knipper. 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.

**RECEPTION OF VISITORS**

None

**OLD BUSINESS**

None

NEW BUSINESS

RESOLUTION 2011-29 AUTHORIZING THE CITY MANAGER TO EXECUTE A ONE YEAR ADDENDUM TO THE SOLID WASTE & COMMINGLED RECYCLABLES COLLECTION AND DISPOSAL SERVICES CONTRACT WITH RUMPKE OF OHIO, INC.

Mr. Lewis stated that this extends the contract with Rumpke for the solid waste disposal and that there is an increase from \$11.70 to \$12.10. Mr. Lewis stated that the City currently charges their customers \$14.56, with a \$2.86 service fee, and it is not recommended that there is an increase. Mr. Lipps asked what will happen next year and Mr. Lewis stated that we will take another look next year, and see what they will be offering, as the \$0.40 increase is reasonable. Mr. Lewis stated that this is the first of three additional one-year terms.

Mr. Bray made the motion to adopt Resolution 2011-29; seconded by Mr. Aldridge. The vote:

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

Motion passed.

RESOLUTION 2011-30 AWARDING THE BID AND AUTHORIZING THE PURCHASE OF DE-ICING SALT FROM CARGILL SALT THROUGH THE SWOP4G PROGRAM

Mr. Lewis stated that the SWOP4G program is a cooperative that the City uses. Mr. Lewis said there is a slight increase from the price that was quoted to them last year. Mr. Lewis stated last year was an extreme year for salt. Mr. Lewis stated that there is no guarantee for a minimum purchase, have 4500 tons on reserve and our supply was just about full. Mr. Lipps stated that a few years ago, 4 of the major salt companies colluded, stating there were too few barges on the river to transport the salt, and the City paid \$150.00 per ton. Mr. Lewis stated the salt at Franklin Yards belongs to Detroit Salts.

Mr. Lipps made the motion to adopt Resolution 2011-30; seconded by Mr. Hall. The vote:

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

Motion passed.

RESOLUTION 2011-31 APPOINTING PATRICK N. LYONS AND MICHAEL H. JOHNSON TO THE CITY OF FRANKLIN SPECIAL EVENTS COMMITTEE

Jonathan Westendorf stated Mr. Lyons and Mr. Johnson both have the desire to serve on the Special Events Committee. Mr. Lyons wife has also decided to come on board, as well as Heather Faulkner. Mr. Faulkner thanked the Special Events Committee for the 4<sup>th</sup> of July events. Mayor Centers said that he spoke with Gary Bates about the Car Show. Mayor Centers stated he would like for the Special Events Committee, along with Council, to get with Mr. Bates to discuss ways to continue the car show. Mr. Westendorf stated that he would get with him. Mayor Centers asked for legislation from the Special Events Committee to raise the cap.

Mr. Bray made to motion to adopt Resolution 2011-31; seconded by Mr. Faulkner. 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

Mr. Knipper introduced: Ordinance 2011-13 Declaring a Moratorium on the Establishments or Commencement of Operations of “Internet/Sweepstakes Cafes” or Similar Uses for a Six-Month Period

Mr. Bray introduced: Ordinance 2011-14 Amending the Official Zoning Map of the City of Franklin, Ohio, to Rezone the Property Located at 550 Conover Drive (Parcel No’s. 04252510060, 04252510070 and 04252510080) From C-1 “General Commercial District”, to I-1 “Light Industrial District”

CITY MANAGER’S REPORT

Mr. Lewis stated that he had nothing at this time.

LAW DIRECTOR’S REPORT

Ms. Fisher updated Council on the Bistro hearing. Ms. Fisher stated that the hearing was scheduled for next week and it would take approximately 2-3 weeks for a ruling. Mr. Bray asked if this was a public hearing and Ms. Fisher stated that no, it was a State Board Hearing.

COUNCIL COMMENTS

Comments tonight include:

Mr. Lipps stated that he didn't have anything else to add and that he enjoyed this evening's meeting.

Mr. Faulkner thanked all for coming. Mr. Faulkner stated when Park Avenue gets repaved he would like to paint the stripes and numbers over there.

Mr. Knipper asked Mr. Lewis about the Swap Shop window, as it is broken, if there is anything that could be done. Mr. Lewis stated that it could be declared a hazard.

Mr. Hall thanked the Special Events Committee for the 4<sup>th</sup> of July events. Mr. Hall also said he was working on some issues for the pool and has some ideas for additions.

Mr. Aldridge thanked the Special Events Committee as well. Mr. Aldridge also asked about the vacant lot of Buddy's Carpet. Mr. Lewis said that all would be smoothed over, but are waiting on a map of the waterlines.

Mr. Bray thanked the Special Events Committee for the 4<sup>th</sup> of July. Mr. Bray addressed Chief Whitman about the police staff, and Chief Whitman said that they are getting back to full staff, with the new swear-ins next week. Mr. Bray also said that Franklin Boxboard closure will be a blow to the City. Mr. Lewis stated that the displaced workers will be receiving help to find new employment.

Mayor Centers stated that he enjoyed the parade. Mayor Centers asked Mr. Lewis to contact NIC regarding some high grass areas. Mayor Centers informed Council that Water Source Drive would be changing to Sonny Lewis and Ms. Fisher said that she was getting the ball rolling on this.

At 6:51 p.m., Mr. Faulkner made the motion to adjourn; 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.

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Mayor

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Clerk of Council