

**FRANKLIN CITY COUNCIL
JULY 16, 2012**

Members of the Franklin City Council met in regular session on Monday, July 16, 2012, 6:00 p.m. at the Franklin Municipal Building, Mayor Scott Lipps presiding.

Roll call showed:

Denny Centers	present
Matt Wilcher	present
Jason Faulkner	present
Scott Lipps	present
Carl Bray	present
Michael Aldridge	present
Todd Hall	present

There were 7 visitors and no one from the press at tonight's meeting. Also present: Mr. Russ Whitman, Police Chief; Mr. Jonathan Westendorf, Fire Chief; Ms. Donnette Fisher, Law Director; Mr. Sonny Lewis, City Manager and Mrs. Jane McGee, Clerk of Council.

The Pledge of Allegiance was led by Mayor Lipps.

Mr. Bray made the motion to approve the Clerk's Journal and accept the tapes as the official minutes of the July 2, 2012 regular meeting; seconded by Mr. Aldridge. The vote:

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

Motion passed.

RECEPTION OF VISITORS

There were none tonight.

RESOLUTION 2012-37 AWARDING THE BID AND AUTHORIZING THE PURCHASE OF DE-ICING SALT FROM NORTH AMERICAN SALT COMPANY THROUGH THE SWOP4G PROGRAM

Mr. Lewis stated that we have purchased de-icing salt through the SWOP4G program the last 6-7 years. We received a bid of \$64.73 from North American Salt Company. This is \$1.67 less than last year's bid from Cargill and recommend passage.

There was discussion on the different bid prices for the surrounding communities, current city supplies and pre-treating of roadways.

Mr. Faulkner made the motion to adopt Resolution 2012-37; seconded by Mr. Wilcher. The vote:

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

Motion passed.

RESOLUTION 2012-38 AWARDING THE BID AND AUTHORIZING THE EXECUTION OF THE CONTRACT WITH NORMAC COMPANY, LLC FOR THE 2012 MUNICIPAL PAVING PROJECT

Mr. Lewis stated that this is the City's paving program which we started last year and this is doing as we promised with the passage of the levy. The bid is being awarded to Normac Company.

Mr. Centers referred to the City Engineer's letter & asked what "as corrected" by Barrett's bid means. Mr. Lewis stated that this notes that there was a math correction.

Mr. Faulkner asked why, in two of the projects bid, the actual bid was lower than the City Engineer's estimate. Mr. Lewis stated he didn't know but thinks it is a hard climate to estimate jobs in now. Normac had the street paving job last year and did a great job.

Mr. Bray asked if all of Mission Lane is being paved. Mr. Lewis stated yes – 4th Street to the Nursing Home.

Mr. Bray asked if the turn lane was related to the park (softball) issues. Mr. Lewis stated no, that's another issue. Mr. Bray asked since the pool parking lot is included, and also the turn lane, if it is possible that Franklin Township could pay half of. Mr. Lewis stated that they could and that Franklin Township and the Franklin City Schools could pay 1/3 of the cost. Mr. Lewis stated it is too late now for the turn lane project as we've already applied for the funds. Mr. Lewis added that he did speak with Franklin Township and they said they didn't have the funds. Mr. Wilcher asked if the School was helping with the cost of the turn lane. Mr. Lewis stated they are not paying anything; it is coming out of City funds.

Mr. Bray made the motion to adopt Resolution 2012-38; seconded by Mr. Hall. The vote:

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

Motion passed.

RESOLUTION 2012-39 AWARDING THE BID AND AUTHORIZING THE EXECUTION OF THE CONTRACT WITH INSITUFORM TECHNOLOGIES, LLC FOR THE MACKINAW SUBDIVISION SANITARY SEWER IMPROVEMENTS PROJECT

Mr. Lewis stated that this is the relining of the sanitary sewer on the West side and should finish the project that was started with the CDBG grant a couple of years ago. The Engineer's estimate was \$234,300 and the low bid was from Insituform at \$127,085.85. \$150,000 has been budgeted from the Sewer Fund.

Mr. Bray asked if this is the last of the sanitary sewer to do on the West side. Mr. Lewis stated it should be but there may be a small amount yet to do.

Mayor Lipps asked if we will be adding to the project. Mr. Lewis stated since this is grant monies we will try and stay within the scope of the project.

Mr. Faulkner made the motion to adopt Resolution 2012-39; seconded by Mr. Wilcher. The vote:

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

Motion passed.

RESOLUTION 2012-40 AWARDING THE BID AND AUTHORIZING THE EXECUTION OF THE CONTRACT WITH JOHN R. JURGENSEN COMPANY FOR THE STATE ROUTE 123 – PARK TURN LANE PROJECT

Mr. Lewis stated that the bids for this project came in over the City Engineer’s estimate and we don’t know why. John R. Jurgensen is the low bid of \$135,732.04. They have also done work in the City before. This is an Issue II grant with a 50/50 fund sharing – OPWC share \$63,569 and City Share \$63,569 + \$8,594 amount over the estimate.

Mayor Lipps stated that it was discussed about rebidding the project but it doesn’t exceed the original estimate by 10% and with the time involved to rebid, it was decided to proceed with the award tonight.

Mr. Aldridge asked when will it be completed. Mr. Lewis stated we hope by the end of August.

Mr. Bray stated it seems to be very expensive to just put in a turn lane. Mr. Lewis stated it’s needed when you come out of the Park on a Friday night or you try to get into the Park during the Fall and for safety reasons.

Mr. Bray made the motion to adopt; seconded by Mr. Faulkner. The vote:

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

Motion passed.

RESOLUTION 2012-41 APPROVING WARREN COUNTY AS THE LEAD ENTITY UNDER THE MOVING OHIO FORWARD DEMOLITION PROGRAM AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A SUB-RECIPIENT AGREEMENT WITH WARREN COUNTY

Mr. Lewis stated that Warren County wants this Resolution stating they are the lead agency for the Moving Ohio Forward Demolition program, that a sub-recipient agreement is authorized, that we may be

responsible for up to 50% of the demolition costs and that Warren County has no obligation to fund the program. We just found out last Thursday that this is needed.

Mr. Hall made the motion to adopt Resolution 2012-41; seconded by Mr. Wilcher. The vote:

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

Motion passed.

INTRODUCTION OF NEW LEGISLATION

Mayor Lipps introduced: Ordinance 2012-16 Levying Assessments for Improvements of City Streets and Public Ways by the Lighting Thereof for the Year 2013

Mr. Lewis stated that this is the final step in the street lighting process.

CITY MANAGER'S REPORT

Mr. Lewis reported on the following:

- Car Show is August 11, 2012
- A mortgage company has leased the former Clark's Pharmacy building

Mr. Bray asked if he had an update on the motorcycle company that wanted to locate downtown. Mr. Lewis stated they are still working on getting funding for the building.

LAW DIRECTOR'S REPORT

Ms. Fisher stated that an executive session is needed to discuss pending litigation.

COUNCIL COMMENTS

Mr. Bray stated that he received a complaint that the Town Clock chimes aren't working; received a call from Mr. Mears that a Downtown Merchant Committee is starting up and will be meeting Thursday at 5:30 p.m. at Franklin Tavern & that they have concerns of several broken windows in the downtown that have not been repaired (Mr. Lewis stated that the Chamber has formed this committee, no conclusions yet, and that the merchants need to be more involved); asked about the status of the 4 buildings on Main Street - what are we going to do with them; asked if the area at the truck stop has been blocked yet (Mr. Lewis stated he called the realtor and was told he would take care of it, if he doesn't, we will put the bumper blocks back) and asked for a list of the houses that are to be demolished.

Mr. Hall stated he has had comments about people just hanging out downtown and watching people getting out of cars, fear people will be afraid to go downtown; newsletter in the water bills was excellent; and would like to present a "Good Neighbor Award" to Holly Daniels for running the recreation program this summer, at the next meeting.

Mr. Aldridge thanked everyone for coming; Special Events did a good job with the 4th of July parade & thanks to Carl for getting the golf carts for us; and need to pursue the downtown issues.

Mr. Centers stated at the Waffle House, where the trucks turn right to come out at SR 123, the concrete is broken up where they come around the corner, concrete needs repaired; a left turn arrow is needed at westbound SR 123 as traffic/trucks stack up; received complaint about high grass repeat offenders, if there is penalty & exactly what the notification letter says; need to revisit fliers for the bike path and/or signs; and he owns one of the buildings downtown that needs repaired, starting on the repairs this Wednesday, had some issues getting started, offered it to the City for \$30,000 and the City declined the offer.

Mr. Wilcher asked if anything can be done about the graffiti at the I-75 overpass at 4th Street (ODOT is to power wash the area); had a good incident with NIC as the inspector found a problem that could have caused a fire at my home; fantastic Open House at the Fire Department last Saturday; feel City is business friendly; attended JEMS meeting, very clear Issue I is what we need to do, feel the 2.61 mill levy JEMS is doing is more a political strategy, asked Mr. Ruppert what is needed and they have no plan. Mr. Bray added he agrees with that, don't know where they came up with that number and have no plan for it.

Mr. Faulkner thanked everyone for coming; JEMS meeting was bad; thanks Chief Riddiough attending and comments tonight are no reflection on you; I was asked to vote on a levy; before the meeting, I watched the Carlisle Council meeting and Mr. Boschert appeared to be reminding them that the number needed to be competitive with what we were doing, with little regards to what JEMS needed or what was presented by Chief Riddiough previously; been talking to residents and there has been a positive response; Open House positive, thanks to staff & Fire Department; thanks to Special Events on 4th of July parade; thanks to Patrick for taking pictures; and thanks for Police Department quarterly report, average response times are lower.

Chief Riddiough stated that JEMS is hosting an Open House on July 28, 2012, Noon to 4:00 p.m.

Mayor Lipps stated that State Representative Ron Maag will be at the August 6, 2012 meeting & he was also at the 4th of July parade; Ms. Morgan has received a perfect audit-first ever; downtown is getting attention; receiving complaints about the train station; spoke with Mark at Clark's Pharmacy and he had no specifics on the plan for their building.

Mayor Lipps asked Chief Westendorf for an update on the recent Open House at the Fire Department. Chief Westendorf stated that the employees did a fantastic job in organizing it. We had the Ohio State Patrol officers; Warren County Sheriff officers; Care Flight, Safe Kids, food, SWAT, DARE officers; identify a kid; demonstrations by fire employees; inflatables for the kids, the K9 dog, and had a constant turnout of people throughout the day.

Mayor Lipps stated that the new downtown organization is being spearheaded by Lisa Ault and Brian Graves. Also, at the JEMS meeting, it was disrespectful, the behavior was unprofessional, and the citizens of Franklin & Council representatives were treated with disrespect.

Mr. Faulkner stated that he was asked to vote on a 2.61 mill levy. When Chief Riddiough did his presentation he had a power point presentation, a spreadsheet and was very clear in what he had and wanted to do. I was asked to vote on something that I had no information on how much it was, what it was going to raise, what it was for, and obviously it is going to for staffing & generic supplies. There was no plan. That is what I was asked to do and I voted no.

Mr. Bray stated that he attended the balloon glow Friday night in Middletown and that they also had a laser show – it was unbelievable, very impressive. Special Events might want to check it out.

Mr. Centers added that he won't be at the next Council meeting.

Mr. Centers made the motion to enter into executive session to discuss pending litigation, with no action afterwards; seconded by Mr. Bray. The vote:

Mr. Centers	yes
Mr. Wilcher	yes
Mr. Faulkner	yes
Mr. Lipps	no
Mr. Bray	yes
Mr. Aldridge	yes
Mr. Hall	no

Motion passed.

At 7:10 p.m., Mayor Lipps and Council entered into executive session to discuss pending litigation, with no action afterwards.

Mayor Lipps & Council exited the executive session; Mayor Lipps reconvened and adjourned the meeting.

Mayor

Clerk of Council