

**FRANKLIN CITY COUNCIL  
JULY 2, 2012**

Members of the Franklin City Council met in regular session on Monday, July 2, 2012, 6:00 p.m. at the Franklin Municipal Building, Vice Mayor Jason Faulkner presiding.

Roll call showed:

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

There were 9 visitors and no one from the press at tonight's meeting. Also present: Mr. Jonathan Westendorf, Fire Chief; Ms. Sandra Morgan, Finance Director; Ms. Donnette Fisher, Law Director; Mr. Russ Whitman, Police Chief; Mr. Sonny Lewis, City Manager and Mrs. Jane McGee, Clerk of Council.

The Pledge of Allegiance was led by Scout Corey Sieber.

Mr. Bray made the motion to approve the Clerk's Journal and accept the tapes as the official minutes of the June 18, 2012 regular meeting; seconded by Mr. Wilcher. The vote:

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

Motion passed.

**RECEPTION OF VISITORS**

None tonight.

**PUBLIC HEARING    ORDINANCE 2012-12    PROVIDING FOR THE ELECTION ON  
AMENDMENT TO SECTION 8.04(A) OF THE CHARTER OF THE CITY OF FRANKLIN,  
OHIO**

Ms. Fisher stated, per the Charter, the Charter Review Commission meets every 5 years. The next 3 ordinances are recommended by the 2011 Charter Review Commission to be placed on the November 6, 2012 ballot.

This ordinance changes Section 8.04(a) of the Charter – appointing members to the Civil Service Commission. We have had problems staffing this committee due to the political party restrictions. This will remove that not more than three members of the Civil Service Commission can belong to the same political party. This will allow anyone to serve regardless of their party affiliation.

Vice Mayor Faulkner opened the Public Hearing and asked for any public comments. There being none, he closed the Public Hearing and asked for any Council comments. There were none.

Mr. Hall made the motion to adopt Ordinance 2012-12; seconded by Mr. Bray. The vote:

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

Motion passed.

#### PUBLIC HEARING ORDINANCE 2012-13 PROVIDING FOR THE ELECTION ON AMENDMENT TO SECTION 4.10 OF THE CHARTER OF THE CITY OF FRANKLIN, OHIO

Ms. Fisher stated that Section 4.10 of the Charter allows Council to adopt technical codes by reference, requires three copies to be kept on hand and that copies are available for sale. Most codes are accessible online and at the library. This ordinance reduces the number of codes that the Clerk must keep on hand from three to one and removes the requirement of copies for sale.

Vice Mayor Faulkner opened the Public Hearing and asked for any public comments. There being none, he closed the Public Hearing and asked for any Council comments.

Vice Mayor Faulkner asked if we are doing any kind of public education. Ms. Fisher stated we are required to send out notices. The September newsletter will have information explaining the amendments.

Mr. Hall made the motion to adopt Ordinance 2012-13; seconded by Mr. Aldridge. The vote:

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

Motion passed.

PUBLIC HEARING ORDINANCE 2012-14 PROVIDING FOR THE ELECTION ON AMENDMENT TO SECTION 3.12 AND SECTION 4.09 OF THE CHARTER OF THE CITY OF FRANKLIN, OHIO

Ms. Fisher stated that Section 3.12 and 4.09 are housekeeping items. Section 3.12 changes 'Journal' to 'Clerk's Journal' and Section 4.09 clarifies that the 'Book' is the 'Clerks Journal'.

Vice Mayor Faulkner opened the Public Hearing and asked for any public comments. There being none, he closed the Public Hearing and asked for any Council comments. There were none.

Mr. Centers made the motion to adopt Ordinance 2012-14; 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	absent

Motion passed.

PUBLIC HEARING ORDINANCE 2012-15 EXTENDING THE MORATORIUM ON THE ESTABLISHMENT OR COMMENCEMENT OF OPERATIONS OF INTERNET/SWEEPSTAKES CAFES" OR SIMILAR USES UNTIL JUNE 30, 2013

Ms. Fisher stated in 2011, Council placed a moratorium on the establishment of internet/sweepstake cafes. In December 2011, the moratorium was extended until August 31, 2012 while HB 195 was pending. There has been no action on HB 195, but HB 386 was passed placing a statewide moratorium on these uses until June 30, 2013. This ordinance matches what the State has passed.

Vice Mayor Faulkner opened the Public Hearing and asked for any public comments. There being none, he closed the Public Hearing and asked for any Council comments. There were none.

Mr. Bray made the motion to adopt Ordinance 2012-15; seconded by Mr. Hall. The vote:

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

Motion passed.

PUBLIC HEARING RESOLUTION 2012-33 ADOPTING THE TAX BUDGET OF THE CITY OF FRANKLIN, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2013 AND SUBMITTING IT TO THE WARREN COUNTY AUDITOR

Ms. Morgan stated that State law requires the City to adopt a tax budget by July 15<sup>th</sup> and file it with the County Auditor by July 20<sup>th</sup> of each year. From the tax budget, the City receives a certification on the amount of property tax revenues that we will receive in 2013. This is not the actual budget but most of the general and enterprise funds will be amended when we start on the 2013 budget.

Vice Mayor Faulkner stated that this is boiler plate item that is done every year.

Vice Mayor Faulkner opened the Public Hearing and asked for any public comments. There being none, he closed the Public Hearing and asked for any Council comments.

Mr. Centers asked if this has been to the Finance Committee. Mr. Bray stated yes, we discussed this at our meeting tonight and recommend approval as we do this every year.

Mr. Hall made the motion to adopt Resolution 2012-33; seconded by Mr. Aldridge. The vote:

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

Motion passed.

RESOLUTION 2012-34 AMENDING RESOLUTION 2012-13, ESTABLISHING ORGANIZATIONAL LISTINGS AND PAY RATES FOR THE CITY OF FRANKLIN OFFICIALS AND EMPLOYEES FOR 2012

Mr. Lewis stated that at the last meeting, Council approved the part-time Assistant Safety Director position. The Safety Committee has discussed this. The salary is established at \$25.00 per hour.

Mr. Wilcher made the motion to adopt Resolution 2012-34; seconded by Mr. Bray. The vote:

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

Motion passed.

RESOLUTION 2012-35 AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION FOR A 2012 ASSISTANCE TO FIREFIGHTERS GRANT ON BEHALF OF THE CITY OF FRANKLIN DIVISION OF FIRE

Mr. Westendorf stated at the Finance Committee meeting tonight, a proposed Assistance to Firefighters grant was presented. We have done these for a number of years, been successful, and this one is related to our upcoming expansion into the EMS field. We are going to pursue every possible source of funding as we move forward with EMS in the future. This authorizes us to submit a grant for the purchase of a heart monitor, portable suction, advance life support airway kit, oxygen equipment, backboard, splints and various items for EMS.

Total purchase cost is:	\$44,325.00
Grant funding (95%)	42,108.75
City share (5%)	2,216.22

Mr. Aldridge asked when we will know if the grant has been approved. Mr. Westendorf stated the evaluation process happens in late August; award notifications are announced until they run out of money. Mr. Centers asked about the evaluation process and Mr. Westendorf explained the process.

Vice Mayor Faulkner asked if this depends upon the outcome of the August election. Mr. Westendorf stated if the levy passes, we will proceed with the grant; if it fails, we won't accept it.

Mr. Wilcher made the motion to adopt Resolution 2012-35; seconded by Mr. Centers. The vote:

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

Motion passed.

RESOLUTION 2012-36 AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION FOR A 2012 ASSISTANCE TO FIREFIGHTERS GRANT ON BEHALF OF THE FRANKLIN DIVISION OF FIRE, THE CARLISLE FIRE DEPARTMENT AND THE FRANKLIN TOWNSHIP FIRE DEPARTMENT

Mr. Westendorf stated Franklin Township Fire Department, Carlisle Fire Department and the City are partnering for a grant for turn-out gear – pants, coats, gloves, helmets, hoods, boots, etc. Total grant request is for 50 sets of gear: 13 sets for the City of Franklin, 22 sets for the Village of Carlisle, and 15 sets for Franklin Township.

Total purchase cost	\$126,450.00
Grant funding (90%)	113,805.00

Local share (10%) 12,645.00

Each entity is responsible for their 10% share of their cost.

Vice Mayor Faulkner stated the gear has a shelf life and we can only ask for what needs to be replaced. Mr. Westendorf stated correct. In order to qualify, the gear has to be condemned – damaged beyond repair or has expired its 10 year shelf life.

Discussion followed on how many sets of gear the Fire Department has; gear inspected annually, is required; and the need for smaller size gear.

Vice Mayor Faulkner complimented Mr. Westendorf and his department for their success in obtaining grants.

Mr. Bray made the motion to adopt Resolution 2012-26; seconded by Mr. Centers. The vote:

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

Motion passed.

#### CITY MANAGER'S REPORT

Mr. Lewis reported on the following:

- We have 2 Scouts that need a project as they are working on their Eagle Badge – let me know if you know of any projects (possible projects mentioned: painting at football field; paint train depot building, paint house numbers on curbs).
- Update on demolition grant. We have 9 houses; grant money is from the State and is being administered by Warren County; Warren County received \$1.5 million; first \$500,000 at 100% reimbursement; pay upfront & reimbursed by Warren County; over \$500,000 to \$1 million, \$1.00 for \$1.00 reimbursement. Estimated cost for demolition per house is \$10,000 - \$15,000; 2 weeks before we can proceed, there is a notification process to follow; trying to fast track; City has \$65,000 budgeted for demolition.

Mr. Aldridge asked if the Fire Department can demolish the houses for training. Mr. Lewis stated he didn't think so, as we need certification from the contractor doing the work.

Vice Mayor Faulkner asked if we will get an answer by the end of July. Mr. Lewis stated we hope to have houses down by the end of July.

Mr. Centers stated it sounds a little risky – but have to do. Mr. Lewis stated we had thought all the grant money was going to be \$1 for \$1 – which is still a bargain.

- 4<sup>th</sup> of July is Wednesday and asked Mr. Bray if anything is needed. Mr. Bray stated be at the Golf Course at 9:15 a.m. to pick-up the golf carts. Mr. Faulkner also noted that they can walk with the levy float in the parade.

Vice Mayor Faulkner asked for an update on the past weekend's weather. Mr. Lewis stated he doesn't have a count on the total number of houses that were without electric – have 4 now. The water treatment plant also lost power. Mr. Centers asked what the status of a back-up generator for the water plant is. Mr. Lewis stated he is considering adding it to next year's budget if funds stay healthy. Mr. Centers stated he feels it is important and need to do. Mr. Lewis added he will explore and bring back.

#### LAW DIRECTOR'S REPORT

None tonight.

#### COUNCIL COMMENTS

Mr. Hall stated on 4<sup>th</sup> Street hill, going towards Sunnybrook, there is a plate in the roadway that has sunk in – needs fixed.

Mr. Centers had nothing tonight.

Mr. Aldridge thanked everyone for coming tonight.

Mr. Wilcher stated he emailed the Library Board about the name change. Mr. Runge answered him and it sounds like they are pushing for it. I would like for them to keep 'Franklin Library' on the building, part of our identity; if agree, need to let them know; he said the name change represents the communities it serves. Also, like to clear up that no one on Council is a 'liberal democrat communist'. Also, watched a recent Carlisle meeting, comments made we were funding EMS out of the General Fund if the levy fails – we need to address this rumor before we get to election day. Mr. Lewis stated there are going to be lots of rumors; I stand behind our numbers and what we can do with that money & what we can provide; the other communities have to decide what is best for them; for the City, a 3.5 mil levy, we can do what we say we are going to do – provide 2 ambulances, 24/7, for 365 days a year (Vice Mayor Faulkner noted that the current JEMS levy will be gone if this passes); we are giving the community an opportunity to decide what they want; Franklin Township, Carlisle and the City of Franklin all agree that JEMS needs more money, a levy is needed, no one has disputed that; and think it is the right thing to do.

Mr. Tim Humphries asked what Franklin will do if the levy doesn't pass. Mr. Lewis stated we wouldn't be having this conversation if Carlisle's levy hadn't failed by 6 votes several years ago to put EMS in the Fire Department; Council has the prerogative to do whatever they want to do; without a levy, the City can't do EMS in-house; being positive that this levy will pass, we are going to tell the truth and educate the public on what we can do, not what JEMS can't do; JEMS has done a superior job, but it's not 1982 & feel in 2012, there is a better way to do things; said

there might be a little start up money from the General Fund, but that it will be paid back; heard rumor we are doing this to sneak it thru in August, if passes, our goal is January 1 to be up and running, don't know if we will be - we are doing a lot preliminary paperwork now; as City Manager, feel it is a onetime shot, but Council has the final decision.

Mr. Humphries asked a consensus of Council of what they will do if the levy fails.

Mr. Centers stated he is for putting the levy back on the ballot if it fails by a small majority; if it fails big, will need to look at it.

Mr. Wilcher agreed.

Vice Mayor Faulkner stated, as his response was at the JEMS meeting, Council, as a group, hasn't discussed what will happen afterwards. He also agrees with Mr. Centers.

Mr. Bray sated he wouldn't be running it again if it fails.

Mr. Bray thanked everyone for coming.

Vice Mayor Faulkner thanked everyone for coming; Boy Scouts come back and see us; thanks to Chief Riddiough for attending; remember the 4<sup>th</sup> of July parade; and like to extend my appreciation to all departments during the recent weather this past weekend.

Mr. Centers made the motion to adjourn; seconded by Mr. Hall. The vote:

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

Motion passed.

Vice Mayor Faulkner adjourned the meeting at 7:00 p.m.

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Mayor

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Clerk of Council