

**FRANKLIN CITY COUNCIL
SPECIAL MEETING
FEBRUARY 11, 2013**

Members of the Franklin City Council met in special session on Monday, February 11, 2013, with the Franklin Planning Commission, at the Franklin City Building.

Vice Mayor Hall called the Special Council meeting to order at 5:55 p.m. and roll call showed:

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

Planning Commission members present:

- Mr. Denny Centers
- Mr. Mears
- Mr. Robinson
- Mr. Dunlap
- Mr. Hopper
- Mr. Shane Centers
- Mr. Lipps – absent
- Ms. Rachel Runge, Secretary

There were 2 members of the press and 10 visitors present. Also present: Mr. Ross Coulton, Assistant Safety Director; Mr. Jonathan Westendorf, Fire Chief; Mr. Russ Whitman, Police Chief; Mr. Don Woods, Zoning Official; Mr. Tim Casto, City Engineer, Kleingers & Associates; Ms. Donnette Fisher, Law Director; Mr. Sonny Lewis, City Manager and Mrs. Jane McGee, Clerk of Council.

Chairman Hopper stated that this has been discussed several times by the Planning Commission and that this joint meeting is unprecedented.

Vice Mayor Hall explained that this meeting is being held at the request of Mayor Lipps. He apologized for the absence of the Mayor as his daughter is in the hospital.

Vice Mayor Hall stated we have been asked to remove the island for access to the Cazadores property. He noted the following: the project has been in process since 2003; the occupant has been before both the Planning Commission and Council recently; need to resolve this; have diagram of Second Street, showing how it was in the past and how it is today. Vice Mayor Hall then turned over the discussion to the City Engineer, Tim Casto, Kleingers & Associates. Mr. Casto presented a slide presentation on how Second Street looked before the construction in 2012; how Second Street looks after the 2012 construction; how it will look if the turn lane is extended to make a u-turn. He also showed if a left turn lane into Cazadores (remove the median) is done, the left turn lane onto Commerce Drive will be reduced. Mr. Castro expressed safety concerns with this plan as it will only allow for one vehicle storage – inadequate deceleration zone. Also reduces the left turn lane onto Commerce Drive for vehicle storage, okay for today, but doesn't allow for future growth; potential for traffic backup issues for the thru lane traffic during peak times; concern of t-bone issues; future planning, okay today, but had to show a 20 year life

project, need 370' turn lane; doesn't confirm to funding issues or future growth; 300 acres is available for future growth, need to build for that future growth.

Vice Mayor Hall asked if his recommendation is not to change it. Mr. Castro stated yes, that is his recommendation.

Mr. Sergio Flores, 1341 Emily Beth Drive, Miamisburg, Ohio, owner of Cazadores Restaurant, asked several questions of the City Engineer:

- Questioned the length of the lane for one car stacking (left turn into Cazadores)
- Adding a third lane for a u-turn, is this safer than a left turn
- Statistics show that's where most accidents happen (u-turn); it needs to be as it was before, there have been no accidents since we've been there; and the proposed left turn lane, don't think a u-turn will work for us.

Vice Mayor Hall stated the money for the project is for a 20 year projected program, projected it will handle traffic for 20 years; putting in a left turn is a problem; State money used for improvements and the State could ask for the money back; already planned to put in a third lane in the future and we are looking at doing this now since you are having issues and we will fund the project. We are trying to help you out. I understand you may not like that, but we have to have some kind of compromise.

Mr. Flores stated he is trying to survive and stay in Franklin; thanks for looking at this; it is affecting his business; understand the safety issue; think it will work to remove the median; if it doesn't work, he will have to move his business; have put faith in the City; concerned about the u-turn working and would like to see a plan.

Mr. Centers stated if we do a third lane – hadn't planned to do now – but will if it will help. What do you think about the third lane? Mr. Flores stated he doesn't know how it will work and has safety concerns.

Mr. Centers stated he thinks it is a great option. Vice Mayor Hall gave an example in Middletown, across from the high school where traffic has to make a u-turn, don't know how it will impact your business, we are growing and expect more growth. The median is there for safety reasons.

Ms. Fisher stated that State traffic laws have changed, u-turns are allowed at any green light; new signs are available for u- turns; and the third lane will improve radius for a u-turn.

Mr. Flores stated his entrances were reduced; there were no restaurants in the City when he moved here; thought it would be good for the City and he serves 30 minute lunches so access is important.

Mr. Hopper asked if we do the third lane, will it eventually go all the way to I-75 and questioned the cost and would there be any sharing of the cost? Mr. Castro stated it could be included in the program that was used for the current construction, and those funds will be available in 2015.

Mr. Lewis stated, if we proceed, the project would be paid with city funds and the cost is unknown.

Discussion continued on the cost of constructing the third lane and to do the project this year; Cazadores has no lunch business; cost unknown at this time if we proceed with the third lane; installing a sign saying "u-turn sign to Cazadores" which should help directing the people to his restaurant; ODOT requirements have to be met for u-turn sign; turn signal at East Lawn doesn't always work (it is based on number of cars there); safety concerns of turning across 3 lanes of traffic.

Mr. Faulkner stated he understands his concerns, have to look after the City, and asked if the u-turn will help. Mr. Flores stated that is not what he wants, prefers a left turn lane and questions how the third lane will work.

Vice Mayor Hall stated that the u-turn will stop people turning into Walgreens and we'll try and get signage for you.

Mr. Wilcher asked, you stated your concern is timing (to provide a 30 minute lunch), if the third lane is put in, people will still have to make a u-turn, will be easier for them to do - will that help? Mr. Flores stated they won't have to turn into Walgreens then. Discussion continued on his concern of customers who have a 30 minute lunch.

Mr. Hopper stated he thinks this is a signage issue, not a timing issue. In actual time, it should be only a minute. If I was going to make the left turn, in peak traffic time and saw cars stacked, I would be less inclined to go to your restaurant than if I went to the light to make a u-turn. Currently, the u-turn is a pain to do as the radius is tight; the third lane changes that, add signage and it's what people become accustomed to do. The time delay now is caused by confusion of what to do – don't see a time delay if they know what they are going to do.

Mr. Centers added, now, if there is heavy traffic; you have to wait on the light to change to turn. When the road is widened there should be plenty room to make a u-turn. Mr. Flores stated there have been no problems before making a left turn into the business when there was no median.

Mr. Ken Johnson, property owner, stated the design made by Gary Heitkamp was approved; his plan had room for more than one car; can have 3 cars stacking; Springboro has all kinds of left turn lanes, and have had no safety problems; he will pay to remove the median; you are running these people out of town; is illegal to do a turnaround in a business; all accidents happen at intersections, not at turn lanes, and this is not ODOT's concern.

Mr. Wilcher questioned how many Planning Commission meetings he has attended when there discussion on the 20 year plan. You're looking for immediate relief – not future growth. Mr. Johnson stated you are running these people off – they said they need a turn lane. Vice Mayor Hall stated this has been in the works since 2003 and you are saying you never received any information about the project. Mr. Johnson stated he hasn't received anything.

Mr. Centers stated at the Planning Commission meeting, when we asked Mr. Heitkamp for an alternative plan, he showed the left turn lane and he said he didn't recommend it, when we asked for his recommendation.

Mr. Faulkner asked who will pay to remove the median and who will pay to put the median back in the future, when needed. Mr. Johnson said he would & disagreed on what it would cost.

Vice Mayor Hall stated if the restaurant owner is willing to work with us, we will proceed with the third lane. Mr. Johnson added it can be solved by removing the median and he will pay for it.

Vice Mayor Hall asked Mr. Flores, if he is willing to work with the City on this proposed third lane for u-turn? Mr. Flores stated he is willing to work with the City to do whatever to improve restaurant sales. Mr. Johnson, again stated, he will pay to remove the median and put it back in when needed in the future.

Vice Mayor Hall stated we will proceed with the third lane on Second Street and to keep the restaurant owner apprised of what is happening.

Mr. Aldridge made the motion to pursue the third lane on Second Street, from E. Lawn to Conover Drive and to install signage per ODOT, *with a separate sign for the individual business (Cazadores) installed*; seconded by Mr. Wilcher. The vote:

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

Motion passed.

Vice Mayor Hall thanked Mr. Hopper.

Mr. Flores thanked everybody for what they are trying to do. Mr. Johnson is the property owner, I respect him, had no clue the construction was happening until they showed up, need a time table and want to keep business in Franklin.

Mr. Faulkner made the motion to adjourn; seconded by Mr. Wilcher. The vote:

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

Motion passed.

Vice Mayor Hall adjourned the meeting at 6:48 p.m.

Mayor

Clerk of Council

*amended by March 4, 2013 motion to approve