

**FRANKLIN CITY COUNCIL
MAY 6, 2013**

Members of the Franklin City Council met in regular session on Monday, May 6, 2013, 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 was one member of the press and 26 visitors at tonight's meeting. Also present: Mr. Russ Whitman, Police Chief; Mr. Jonathan Westendorf, Fire Chief; Mr. Don Woods, Zoning Official; Ms. Sandra Morgan, Finance Director; Mr. Ross Coulton, Assistant Safety Director; Mr. Sonny Lewis, City Manager and Mrs. Jane McGee, Clerk of Council.

The Pledge of Allegiance was led by Ms. Puddy Turner.

Mr. Faulkner made the motion to approve the Clerk's Journal and accept the tapes as the official minutes of the April 15, 2013 regular meeting; seconded by Mr. Bray. 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.

PRESENTATION INTRODUCTION OF K-9 HANDLER OFFICER HOLLAND AND K-9 OFFICER COLT

Chief Whitman introduced K-9 Handler Officer Holland and K-9 Officer Colt, our new police dog. Chief Whitman stated Officer Colt came from Germany and is one year old. He is trained in fighting narcotics, building search, officer protection and tracking. Officer Holland has been with the City 2+ years. Officer Holland & Officer Colt had their first track last week and were successful. Officer Holland stated he was happy to provide the training for the City and invited Council to attend a training session.

GOOD NEIGHBOR AWARD

Mayor Lipps added a "Good Neighbor Award" presentation to the agenda.

Mayor Lipps and Council stated they wanted to honor citizens who make a good City great. Mayor Lipps asked Chuck & Liz Wolfinbarger to help present 'Good Neighbor Awards' to Mark & Evan Wolfinbarger (their son & grandson). Mayor Lipps stated this is a very busy time of the year for the City & sometimes

we get behind and help comes in an unexpected manner. Harmon Park needed attention and Mark & Evan in talking about the Park, Evan told his dad that they needed to clean it up. They took the initiative and cleaned-up the Park. Chuck added that Evan said, "We are Christians, so we should clean the Park". Mayor Lipps & Council thanked them.

RECEPTION OF VISITORS

Mr. Fred Abbott, 401 Sunnybrook Drive, said the City sign says "Welcome to the City of Franklin except Fred Abbott". Mr. Abbot stated he bought a repo house and fixed it up. He stated he received a notice for parking on the grass; then started parking on the road; then signs were put up saying no parking this side and he was told to park on 4th Street & then people couldn't see the stop sign; then he was asked to fix his driveway (is gravel), it was to be paved within one year, haven't done, because his wife has been sick with cancer, can't work as he has to stay with her and he couldn't afford it. He received a notice of being fined for parking in the driveway and has to go to Court. He has drove around the City and found other people parking on gravel & grass (showed pictures). His citation is for "parking in the front yard on an unpaved surface".

Mr. Faulkner asked about the issue of the parking inconsistency. Mr. Lewis stated that several letters for people parking on grass or gravel have been sent out.

Mr. Abbott noted several places between Sunnybrook and the High School where people are parking either in the yard or on gravel. He added that he doesn't have the money to do at this time.

Mr. Hall stated we agreed for a one year extension when you came to us before; asked why he hadn't notified us during this time about his circumstance; that he is the one who brought this up as there are many around the City parking on grass or gravel.

Mr. Centers stated we all have situations, there are laws to follow and we need to consider giving him an extension.

Mayor Lipps stated that he needs to let us know what's going on – will give a six month extension and you are to let us know what's going on.

Mr. Lewis stated we can give an extension and feel bad for Mr. Abbott. Mr. Woods acted on my direction; problem is you were given more than 1 extension; will try and work with you; and not fair to say "Welcome to the City of Franklin all except Fred Abbott". Disagree with you as we have worked with you.

Mayor Lipps stated we can do a six month extension, it is not permanent, want to work with you and that you have cleaned up that corner.

Mr. Abbott stated that he can't go to work until his wife gets better as he can't leave her now.

Mr. Lewis stated we can have the case dismissed but you will be responsible for the Court costs.

Mr. Joe Harris, formerly 425 Mission Lane, stated that he is leaving the City due to the deplorable conditions at Harding House; have enjoyed the last 7 years in Franklin and the City did a fantastic job with Mission lane.

RESOLUTION 2013-16 DECLARING THE NECESSITY OF IMPROVING CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2014

Mr. Lewis stated that this process is done every year to provide street lights.

Mr. Bray made the motion to adopt Resolution 2013-16; seconded by Mr. Hall. The vote:

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

Motion passed.

RESOLUTION 2013-17 AMENDING RESOLUTION 2012-66, ESTABLISHING THE ORGANIZATIONAL LISTINGS AND PAY RATES FOR THE CITY OF FRANKLIN OFFICIALS AND EMPLOYEES FOR 2013

Mr. Lewis stated that Mr. Woods will be retiring in June and will be replaced with a City Engineer. We feel the position will pay for itself & his duties will include doing stormwater. This resolution establishes the salary, starting at \$70,000, and a car allowance for the position. Also included is an increase for the lifeguards.

Mr. Centers asked if there are any applicants for the City Engineer position. Mr. Lewis stated he has talked to several applicants.

Mr. Faulkner questioned the section with the public works language. Mr. Lewis stated there is a stipend for the Water & Sewer Superintendent who acts as Assistant Public Works Director. Also, we have re-established the salary steps for the Public Works Director so it will be there when we are ready to fill the position.

Mr. Hall made the motion to adopt Resolution 2013-17; seconded by Mr. Aldridge. 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 2013-18 AWARDING THE BID AND AUTHORIZING EXECUTION OF THE CONTRACT WITH JTF CONSTRUCTION, INC. FOR THE MOVING OHIO FORWARD PROGRAM - DEMOLITION OF SPECIFIC STRUCTURES IN THE CITY OF FRANKLIN PROJECT

Mr. Lewis stated this awards the bid for the Moving Ohio Forward Program; have 10 buildings to be demolished; the cost will come out of the trash/demolition fund. The low bidder was JTF Construction, Inc. at \$70,620.00. The first \$45,000 is paid by the program, and then remainder of the cost is split 50/50. There is asbestos at 4 sites to be removed at a cost of approximately \$24,000.00.

The demo sites are:

420 Anderson Street	1205 Church Lane
830 Lake Avenue	405/407 S. Main Street
411-419 S. Main Street	534 S. Main Street
821 Park Avenue	17 Rooks Lane
115 E. Sixth Street	434 Spring Avenue

Representatives from JTF Construction are in attendance.

Mr. Faulkner made the motion to adopt Resolution 2013-18; 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.

Mr. Bray asked about the status of the trash at the pink house. Mr. Lewis stated he is working on it.

Mr. Bray introduced Mr. Turner and his daughter who are here tonight and that he has been a tenant in one of the buildings being demolished for 53 years. Ms. Turner stated they are moving to the Parker Dry Cleaners building at 6th & Main and are hoping to receive some grant money from the City. Mayor Lipps added we are trying to keep the business in Franklin and saving the murals on the building.

Mr. Centers asked if the sites being demolished will be seeded. Mr. Lewis stated that the lots will be seeded.

RESOLUTION 2013-19 APPOINTING DAVID HOPPER AND BETSY WESTENDORF TO THE CITY OF FRANKLIN PARKS & RECREATION COMMISSION

Mr. Lewis stated that there are two positions that need filled – the Franklin Township and Franklin School Board appointments. He has been in contact with both, and they have said for the City to proceed with filling the positions. Per the Charter, if Franklin Township or the School Board hasn't made their appointments within 60 days after a vacancy occurs, the appointments shall be made by the Council. Mr. Hopper will be appointed to the School's appointment and Mrs. Westendorf to the Township's appointment.

Mr. Bray made the motion to adopt Resolution 2013-19; 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 2013-20 ACCEPTING THE RESIGNATION OF SHANE CENTERS FROM THE CITY OF FRANKLIN CIVIL SERVICE COMMISSION AND APPOINTING DONALD ALBERTINI TO FILL THE VACANCY

Mr. Lewis stated Mr. Centers has moved out of the City. This appoints Mr. Albertini to the vacancy and he is present tonight. We have received a letter of interest from him, which is included in the packet.

Mr. Bray made the motion to adopt Resolution 2013-20; seconded by Mr. Faulkner. The vote:

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

Motion passed.

CITY MANAGER'S REPORT

Mr. Lewis reported on the following:

- We had a couple of items for the next agenda that have been postponed; the only other item for the agenda is the extension of the internet cafes. Unless council wants to meet and/or have a work session, there's no reason to meet. The Purple Heart ceremony will be at the June 17th meeting. Mayor Lipps stated if we cancel the meeting, we will have to have emergency legislation to extend the moratorium on the internet cafes. Mr. Lewis also noted he will not be here for the May 20th meeting as he will be in Washington DC with the Dayton Development Coalition. Mr. Centers stated before we officially cancel the meeting, we need to wait and see if anything needs addressed – as we had cancelled this meeting and then had to have it.
- Mr. Bray asked if he was going to address the bike show. Mr. Lewis stated we just found out about the plans for a bike show for June 8th last Friday and that he talked to Mr. Lamb today. This was discussed at Finance Committee tonight, is only one month away, there are also 3 conflicting events that weekend, Finance Committee voted not to fund and also discussed not to provide any in-kind services (closing roads, etc). Mr. Bray noted he is also planning to have the October event; this is a 2nd event, for an additional \$1,500. Mr. Hall stated, nothing against Mr. Lamb, but you can't come in May to ask for assistance for an event in June, it's not going to go well. Mr. Lewis stated he told him that today – he never gave a definite time for this event, only mentioned it. Mr. Centers stated we should have a 90 day notice. Mr. Faulkner stated the Finance Committee was not for it and he asked Mr. Lewis to bring it to Council. There was some discussion and consensus agreed with the finance committee.

LAW DIRECTOR'S REPORT

None tonight as Ms. Fisher is on vacation.

COUNCIL COMMENTS

Comments tonight:

Mr. Centers stated he hasn't heard anything about the Planning Commission vacancy. Mr. Lewis stated we have received two letters of interest – Mr. Billy Estes and Mrs. Melissa DeHart and it will be going to Planning Commission. Mr. Centers asked if we should consider giving more money to the Service

Department Superintendents and not filling the Director's position – would be a way to save money, split the responsibilities between the two superintendents and have them report directly to the City Manager. Mr. Lewis stated that Mr. Inman gets a stipend for acting as Assistant Public Works Director and this is working well right now as he (Mr. Lewis) is still the Public Works Director and we are saving money.

Mr. Aldridge thanked everyone for coming tonight; thanks to Ms. McGee for handling the 1913 flood books; Jacob & Justin Rossi, want to have an event at the Park in late June, basketball tournament, no money from the City, and thanked Sonny for his help in getting this planned.

Mr. Wilcher thanked everyone for coming tonight; had a call from a resident at Rolling Meadows about dirt being dumped on a lot (Mr. Lewis stated no problem, they are going to be building on this lot); talked to a gentleman about street hockey, haven't heard anything back from him; and thanks to Mr. Albertini for volunteering for the Civil Service Commission vacancy.

Mr. Faulkner thanked everyone for coming tonight; good luck to Mr. Harris; and thanks to Mr. Albertini for volunteering for the Civil Service Commission. He reported the following being discussed at Finance Committee meeting tonight: car show has asked for a donation; Chief Westendorf has asked for additional \$15,000 for Special Events; the Assistance Firefighters grant appears to be approved; the Downtown Improvement program needs to be retooled, it has been to Planning Commission, is only for commercial properties, we have some questions about the funding & some language needs clarified, will be brought back to us in June. Mayor Lipps added that he, along with Mr. Hall, asked that this program be revisited.

Mr. Bray noted the events being planned by the Special Events Committee: River Ride on June 15th, 4th of July Parade at 10 a.m. and Fall Fest October 25 & 26; working on making the City a Purple Heart City, be on the June 17th agenda and thanks for coming this evening.

Mr. Hall thanked everyone for coming tonight; the Downtown Program started 12 years ago & goal was to do good things downtown; and the Turners are Franklin, need to keep them.

Mayor Lipps thanked everyone for coming tonight and we did the Downtown Program 12 years ago, it worked and it didn't work and we are retooling it to try it again.

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

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

Motion passed.

Mayor Lipps adjourned the meeting at 7:20 p.m.

Mayor

Clerk of Council