

**FRANKLIN CITY COUNCIL
APRIL 17, 2017**

Members of the Franklin City Council met in regular session on Monday, April 17, 2017, 6:00 p.m. at the Franklin City Building, Mayor Denny Centers presiding.

Roll call showed:

Brent Centers	present
Paul Ruppert	present
Carl Bray	present
Denny Centers	present
Michael Aldridge	present
Debbie Fouts	present
Todd Hall	present

The Pledge of Allegiance was led by Mayor Centers.

There were 2 members of the press (Middletown Journal and Franklin Chronicle) and 10 visitors at tonight's meeting. Also present: Mr. Jonathan Westendorf, Fire & EMS Chief; Mr. Russ Whitman, Police Chief; Mr. Ross Coulton, Assistant Safety Director; Mr. Barry Conway, City Engineer; Mr. Steve Inman, Public Works Director; Mrs. Myra Haney, Administrative Assistant; Mrs. Karen Ervin, Finance Director; Ms. Donnette Fisher, Law Director; Mr. Sonny Lewis, City Manager and Mrs. Jane McGee, Clerk of Council.

Mr. Bray made the motion to approve the Clerk's Journal and accept the tapes as the Official Minutes of the April 3, 2017 regular meeting; seconded by Mr. Hall. The vote:

Mr. Ruppert	yes
Mr. Bray	yes
Mayor Centers	yes
Mr. Aldridge	abstain
Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes

Motion passed.

RECEPTION OF VISITORS

Sherry Walsh, 712 South Main Street (she owns this property and lives on South Dixie Highway) thanked Council and Mr. Lewis for getting the property cleaned up across the street. She then gave Council & staff a book as a token of her appreciation.

Mr. Bray thanked her for bringing the issue to our attention.

RECEIVING THE REPORT OF THE CHARTER REVIEW COMMISSION ON PROPOSED CHARTER AMENDMENTS

Ms. Fisher stated that included in the packet is the Commission's report on the proposed Charter Amendments. There are 8 recommendations. Ms. Fisher explained that Council will vote on this at the June 19, 2017 meeting. At the May 15, 2017 meeting, Ms. Fisher would like Council to recommend which amendments it wants to submit to the voters. This is just for you to accept their recommendations.

Mr. Bray added we do this every five years, asked how many proposed amendments were on the last ballot and how many amendments can be on the ballot. Ms. Fisher stated in 2007, 8 amendments were on the ballot; 5 or 6 amendments at the next election and 4 amendments were on the last ballot. There is no limit on how many can be on the ballot.

Mayor Centers and Mr. Hall thanked the Commission for their work.

ORDINANCE 2017-03 PUBLIC HEARING AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRANKLIN, OHIO, TO REZONE LOT 5 OF THE FRANKLIN INTERSTATE PARK, LOCATED ALONG WATKINS GLEN ROAD, FROM O-S, OFFICE-SERVICE DISTRICT, TO C-1, GENERAL COMMERCIAL DISTRICT

Mr. Lewis stated that Lawrence Schumacher (Schumacher Dugan), the property owner of Lot 5, is asking to rezone approximately 35.7415 acres from O-S, Office Service District, to C-1, General Commercial District. The intent is to sell approximately 18 acres to Camping World, who will apply for a Conditional Use Permit if the rezoning is approved. The rezoning request was approved at the March 13, 2017 Planning Commission meeting (5-0, with 1 abstention) to make a recommendation to Council to approve this rezoning. Staff also recommends the rezoning. Mr. Chris Wunnenberg, Schumacher Dugan, is here to answer any questions.

Mr. Hall stated on his recent trip south, he passed a couple of Camping World stores along the highway – they were very nice and he’s excited about their plans to build here.

Mayor Centers opened the Public Hearing.

Mr. Wunnenberg, Director of Development for Schumacher Dugan, stated years ago they developed the Interstate Park. Camping World contacted them and they showed us what they’ve done recently in Toledo. This is one of the nicest ones that they have done to date (new model that they’re doing) and they are the largest seller of campers, trailers, and camper equipment.

Mayor Centers closed the Public Hearing.

Mr. Ruppert made the motion to adopt Ordinance 2017-03; seconded by Mr. Bray. The vote:

Mr. Bray yes
Mayor Centers yes
Mr. Aldridge yes
Mrs. Fouts yes
Mr. Hall yes
Mr. B. Centers yes
Mr. Ruppert yes

Motion passed.

RESOLUTION 2017-22 NOTICE OF INTENT TO WAIVE COMPETITIVE BIDDING OF SALE OF REAL PROPERTY LOCATED ALONG SHAKER ROAD (EICHHOLZ PARK)

Mr. Lewis stated that at the last meeting, this passed at a vote of 4 yes, 2 no and 1 absent. Per the Charter, this requires five (5) yes votes to waive competitive bidding. We apologize for not catching this. We are bringing this back to you to consider. Mr. Lewis continued that Warren County’s intent is to build a water softening plant and to provide soft water for all Warren County customers in five to ten years. Mayor Centers and I have met with Chris Brausch, County Engineer. Our proposal is to sell all of the land; a minimum of 14-15 acres is needed for the plant. This Resolution waives competitive bidding so that we can sell all of the land directly to Warren County.

Mayor Centers asked if an appraisal has been done. Mr. Lewis stated an appraisal has been done. Mayor Centers stated he wasn't sure he was for this in the beginning, but after looking at what's going to happen, where the land is located, and the additional money that we can use for the Park, he's for it.

Mr. Ruppert asked how much does Warren County own. Mr. Lewis stated they currently own 5+ acres – need at least a total of 20 acres. Mr. B. Centers stated he's been against this and has talked with Mr. Lewis and gotten more information. The reason why he was against it is if the City, in the future, ever wanted to annex and develop it, it would be advantageous to have more land. They need a minimum of 14 acres, shouldn't chop it up – if we are going to do it, we should sell all of it. Also, we can't run water/sewer out there, so annexation wouldn't be an option. That was his argument to keep the land, so he's changing his vote on this. Also, he doesn't like that we voted on this at the last meeting and everyone was okay with it and then when they realized it didn't go a certain way, we are re-voting on it tonight. He doesn't think that seems right.

Mayor Centers stated he doesn't think that is the reason why we are doing this tonight. We didn't understand that we needed more votes. If he had known, it would have been tabled at the last meeting. He understands his concern, but felt this is an unusual situation. We didn't realize we needed a certain amount of 'yes' votes and that's why it was put back on the agenda. Mayor Centers added, even though we have no obligation to the County, this is City property, and we do want to work with them. After talking with Mr. Brausch, this is perfectly located for what they want to do.

Mr. Aldridge stated the property is landlocked and is in the Township. I don't like getting rid of land, but we have plans for our Parks, etc., – earmarking that money for that is in our best interest.

Mrs. Fouts stated the money should be designated for all our needs in the Park.

Mr. Hall made the motion to adopt Resolution 2017-22; seconded by Mrs. Fouts. The vote:

Mayor Centers	yes
Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes
Mr. Ruppert	no
Mr. Bray	yes

Motion passed.

RESOLUTION 2017-24 AUTHORIZING REIMBURSEMENT OF UP TO \$3,000 TO WARREN COUNTY KUSTOMS FOR THE 2017 FRANKLIN DOWNTOWN SATURDAY NIGHT CAR SHOW

Mr. Lewis stated there's a letter in the packet from Mr. Gary Bates asking for support from the City, as he's done in the past. This is one of the largest car shows in the area. He's asking for up to \$3,000 and Staff is in favor of this.

Mayor Centers added that this is one of our best events.

Mr. Bray made the motion to adopt Resolution 2017-24; seconded by Mr. Aldridge. The vote:

Mr. Aldridge	yes
Mrs. Fouts	yes
Mr. Hall	yes
Mr. B. Centers	yes
Mr. Ruppert	yes

Mr. Bray yes
Mayor Centers yes

Motion passed.

RESOLUTION 2017-25 OBJECTING TO THE RENEWAL BY THE OHIO DEPARTMENT OF COMMERCE, DIVISION OF LIQUOR CONTROL, OF PERMIT NO. 6279063, CLASSES D2, D2X, D3 AND D3A, HELD BY NYNY, INC., DBA NEW YORK NEW YORK, 1121 E. SECOND STREET, FRANKLIN, OHIO 45005

Ms. Fisher explained that all liquor licenses in the City are up for renewal June 1 and any objections have to be filed by May 1. The State did an investigation of New York New York and there's an ongoing criminal investigation. Based on these two investigations, we thought it best for the City to object to the renewal. The Resolution states that Council objects to the renewal of Permit No. 6279063, Classes D2, D2X, D3 and D3A, held by NYNY Inc., dba New York New York, 1121 E. Second Street, Franklin, Ohio, for the following reasons:

- The applicant and/or its managers are under investigation for crimes that relate to its/their fitness to operate a liquor establishment;
- The applicant and/or its managers have operated the liquor permit business in a manner that demonstrates a disregard for the laws and regulations of the State and the local ordinances of this City;
- The applicant and/or its managers are in the habit of using alcoholic beverages or dangerous drugs to excess;
- The permit premises is so located with respect to the neighborhood that substantial interference with public decency, sobriety, peace or good order would result from the renewal of the permit and operation under it by the applicant; and
- The permit premises can be declared a nuisance pursuant to Chapter 3767. of the Revised Code.

An opinion as to why we believe there is reasonable grounds from both Chief Whitman and herself will be attached with the Resolution that's sent to the State. We recommend in light of the investigations to object to the renewal.

Mr. Hall made the motion to adopt Resolution 2017-25; seconded by Mr. Bray. The vote:

Mrs. Fouts yes
Mr. Hall yes
Mr. B. Centers yes
Mr. Ruppert yes
Mr. Bray yes
Mayor Centers yes
Mr. Aldridge yes

Motion passed.

CITY MANAGER'S REPORT

Mr. Lewis reported on the following;

- The annual water/sewer survey is in Council's mailbox
- All 4 lions are now lighted on the bridge & they look nice

COUNCIL COMMENTS

Mr. Hall stated that the split rail fence at the well field needs fixed (working on).

Mrs. Fouts asked Chief Whitman to thank the officers who responded to her call. Also, the City is looking nice.

Mr. Aldridge stated he recently attended the Masters Golf Tournament at Augusta and it was unbelievable.

Mr. B. Centers thanked Mrs. Walsh for the gift. Thanks to the Charter Review Commission. Also, thanked Brian for coming tonight – he invited all of the Franklin Chamber of Commerce to the meeting. Also, the Historical Society’s trivia fund raiser is this Sunday, April 23, 2017, 4:30 p.m. at the Hunter Pizzeria.

Mr. Ruppert stated he wished we had more people like Mrs. Walsh, to come in and let us know what’s going on. Also, the City is looking nice.

Mr. Bray thanked Mrs. Walsh for coming back tonight – hope we have more people come in as you did. Also, he saw the pictures of the Easter Egg Hunt, looked like everyone a great time and it’s a nice event. Mr. Bray then thanked everyone for coming tonight.

Mayor Centers thanked Mrs. Walsh for coming to the meeting tonight. Mr. Bray added we are all behind Luke Kennard, awesome that he’s going to the next step, is a down to earth, great kid and he promotes Franklin well. Mrs. Fouts added, also thanks to Coach Bales. Also, Travis Lykins is a pitcher in the minor leagues. Mr. Lewis added that a local girl (Gene Wheeler’s daughter) attends the University of Louisville and they have won a Cheerleader National Title.

Mayor Centers added that Luke is a great kid. How he represents himself, his family and our community is what I’m most proud of. He’s a wonderful ambassador for the City. Mr. Aldridge added, in his statement when he said he was turning pro, he mentioned his community support.

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

- Mr. Hall yes
- Mr. B. Centers yes
- Mr. Ruppert yes
- Mr. Bray yes
- Mayor Centers yes
- Mr. Aldridge yes
- Mrs. Fouts yes

Motion passed.

Mayor Centers adjourned the meeting at 6:35 p.m.

Mayor

Clerk of Council