

FRANKLIN CITY COUNCIL  
MAY 15, 2017

Members of the Franklin City Council met in regular session on Monday, May 15, 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

There were two members of the press (Franklin Chronicle & Middletown Journal) and 5 visitors at tonight's meeting. Also present: Mr. Steve Inman, Public Works Director; Mr. Barry Conway, City Engineer; Mr. Ross Coulton, Assistant Safety Director; Mr. Russ Whitman, Police Chief; 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.

The Pledge of Allegiance was led by Mr. Ed Richter.

Mr. Bray made the motion to approve the Clerk's Journal and accept the tapes as the Official Minutes of the May 1, 2017 meeting; seconded by Mr. Hall. The vote:

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

Motion passed.

#### RECEPTION OF VISITORS

Mr. Mathew Hinkle, 450 Sandy Lane, stated he just recently became the Pastor at the Faith Baptist Church on Manchester Road. He wanted to introduce himself to Council and part of the Church's philosophy is to be a servant of the Community. If there's anything that they can do, please let him know.

#### PUBLIC HEARING ORDINANCE 2017-05 AMENDING CHAPTER 529 OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO

Ms. Fisher stated this Ordinance was introduced at the last meeting. Also, at the last meeting, this was passed as an emergency - Ordinance 2017-04. This amends Chapter 529, Liquor Control to match State Law. Also included are misdemeanor offenses and added a section that prohibits bottle clubs.

Mayor Centers opened the Public Hearing and asked for any comments. There being none, he closed the Public Hearing. There were no Council comments.

Mr. Hall made the motion to adopt Ordinance 2017-05; seconded by Mr. Aldridge. 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.

#### ORDINANCE 2017-06 LEVYING ASSESSMENTS FOR SIDEWALKS, CURBS AND GUTTERS FOR THE ANNUAL SIDEWALK REPAIR PROGRAM, PHASE 1

Mr. Lewis stated that this is the final step in the sidewalk repair program, phase 1. Notices will be sent to the property owners and they will have until August 1, 2017 to pay the assessment in full. Assessments not paid will be certified to the County Auditor for collection over a five year period.

Mayor Centers opened the Public Hearing and asked for any comments. There being none, he closed the Public Hearing.

Mr. Ruppert made the motion to adopt Ordinance 2017-06; seconded by Mr. Bray. The vote:

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

Motion passed.

#### ORDINANCE 2017-07 ENACTING SECTION 935.06 OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO

Mr. Lewis stated that this relates only to the Hazel Woods Park. This Park is owned by the City of Springboro but lies within the City of Franklin. Springboro has asked that we enact some exceptions to our rules and regulations for Hazel Woods Park to match the rules and regulations that they enforce. This ordinance allows for pets and sets the hours of operation for Hazel Woods Park.

Mayor Centers asked if any of the other ordinances apply. Mr. Lewis stated that these are in addition to our current ordinance.

Mayor Centers asked if our police officers will patrol the Park. Mr. Lewis stated they can. Also, Springboro can make arrests, that will come to our City Court and they are responsible for the paperwork.

Mr. B. Centers asked if an animal tears up the Park, are we responsible. Ms. Fisher stated no, Springboro owns the property, we have jurisdiction as it's in the City, and Springboro is responsible.

Mayor Centers opened the Public Hearing and asked for any comments. There being none, he closed the Public Hearing.

Mr. Hall made the motion to adopt Ordinance 2017-7; 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 2017-29 APPROVING THE FILING OF PETITION FOR FORFEITURE OF THE PROPERTY LOCATED AT 529 S. RIVER STREET AND AUTHORIZING THE EXPENDITURE OF FUNDS TO ACQUIRE SAID PROPERTY

Ms. Fisher stated that the map on the podium shows the location of this property. The property is a vacant lot at 529 S. River Street. The structure on the property burned and we demolished it. The outstanding tax bill is \$56,694.30; \$55,068.30 of that amount is owed to the City. We are owed for the demolition costs (\$52,164.10), along with delinquent utility assessments (\$2,848.53) and unpaid street lighting assessments (\$55.67). We can acquire this property for \$3,199.44 - \$1,626 in taxes and \$1,573.44 in court costs, after removing the City's liens. Ms. Fisher added that the County Prosecutor's Office has filed notice with the Court that this property remains unsold, and we have ten days to file a petition with the Court asking that the property be forfeited to the City.

Mayor Centers asked if any of the fees can be waived. Mr. Lewis stated he didn't think so. Ms. Fisher added, no they can't and she explained the process.

Mr. Bray made the motion to adopt Resolution 2017-29; seconded by Mr. B. Centers. 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.

INTRODUCTION OF NEW LEGISLATION

Mayor Centers introduced the following legislation:

Ordinance 2017-08 Amending the Official Zoning Map of the City of Franklin, Ohio, to Rezone the Properties located at 530 E. Second Street from R-2, Metropolitan Residential District, to C-2, Community Commercial District

Public Hearing will be held at the June 5, 2017 Council meeting.

DISCUSSION: CHARTER AMENDMENTS

Ms. Fisher stated that the Charter Review Commission's report was passed out at the last Council meeting with their recommendations. She needs to know which amendments you want to put on the ballot as we need to introduce the ordinances in June.

Mayor Centers asked when we need to do this. Ms. Fisher stated she'd like to know tonight but we can go one more meeting (June). Mayor Centers stated he'd like to do that - put it on the June agenda. Mr. Bray stated five years ago we had seven amendments. Mr. B. Centers added that those amendments were staggered over several election ballots. Ms. Fisher stated in 2007, the Commission came up with 20 amendments. Eight of the amendments were done the first election and 5 or 6 the next election. In 2012, they had 4 or 5 amendments and those came from the 2007 review. The Charter Review Commission's

report that was given to you, also has their minutes so you can see what was discussed and why they're making the recommendations. Mr. B. Centers asked why the CAFR under the City Manager, wasn't one of their recommendations. Ms. Fisher stated they left it that the City Manager is responsible for the presentation of the CAFR to Council and the public but did add a section "that the Finance Director is responsible for preparing and presenting it to the City Manager".

Mayor Centers asked if anyone had any objections to discussing this at the next meeting. No objections were voiced. Ms. Fisher stated this will be on the June 5<sup>th</sup> agenda. Mayor Centers asked Mr. B. Centers if he has any concerns as he won't be at the next meeting. Mr. B. Centers stated he has no concerns with any of the recommendations.

## CITY MANAGER'S REPORT

Mr. Lewis reported on the following:

- The Farmer's Market starts the 1<sup>st</sup> Saturday in June
- The River Ride has been cancelled and will be rescheduled. The Community Days will also be rescheduled to the same day as the River Ride
- The Memorial Day Parade is May 29<sup>th</sup> @ 10:00 a.m. and we have flags to hand out. Mr. Ruppert stated he would not be able to attend. Mr. Lewis stated to let him know if anything is needed – some members will walk/ride. Mr. Lewis added he will have a vehicle available.
- We applied for a \$10,000 grant for a 'Safety Town,' for grades K-6<sup>th</sup> Grade, thru the Safe Routes to Schools, it's 100% funded, reimbursable.
- In Council's mailboxes, there is a letter of support for the railroads. Please read, sign and return to him. He'll then forward them to the Transportation Board and to the appropriate Senators/Committees. The letter is in opposition to the proposed changes for the railroads. Mr. Lewis explained the proposed changes. Mayor Centers asked if we want to support this. Mr. Lewis stated yes, the proposed changes are expected to drastically hurt the transportation of and increase the cost of commodities shipped by rail if this is passed. The letter says we want the regulations to remain the same as they are now. Mr. Lewis stated this was discussed at the recent Transportation meeting he attended when he was in Washington DC
- Walmart presented Dennis Shannon, with 'Officer of the Year', during Law Enforcement Memorial Week – a program they recently started

Mrs. Ervin stated that the tax budget will be done next month because of the how the 4<sup>th</sup> of July falls. Also, she will be on maternity leave in August. The supplemental will also be done before she leaves.

Ms. Fisher had no comments tonight.

## COUNCIL COMMENTS

Mr. Hall stated that the pool is looking great. Also, he appreciates Hemlock being fixed (will be resurfaced in July). Mr. Hall questioned the curb work on David Boulevard – asphalt over curb. Mr. Conway stated that not all of the curb is being replaced – replacing it as it was originally and the street will be paved.

Mrs. Fouts stated that the Anthony Wayne 5<sup>th</sup> grade lunch was awesome. It made her more aware of underprivileged children and makes her more passionate to do something for them. The students at the lunch had a good time. She hosted the May Chamber of Commerce meeting today – good to hear all the good comments – good time.

Mr. Aldridge welcomed & thanked Pastor Hinkle for coming to the meeting tonight – you'll find churches are involved in the community. We appreciate your willingness to help serve the Community.

Mr. B. Centers welcomed Pastor Hinkle to the meeting. The pool is looking wonderful – hearing a lot of good things. Also hearing a lot about tax season – how easy it was to get in and out and know you were busy – thanks for what you do. Mr. B. Centers stated his military unit is being activated again and he may be absent the next couple of meetings.

Mr. Ruppert stated that the Anthony Wayne lunch was very enlightening – makes you aware of how lucky you are. His student talked about being bullied at their previous school; seemed like a very happy kid and that this was the best school he had been at – no bullying here. Also at the luncheon, heard many comments about how well the City is looking.

Mr. Bray stated the Memorial Day Parade – we need to meet at 9:30 a.m. and we have flags to hand out; motorcycles are welcome; and meet at the Public Works building if you want to ride. Also, Churches are welcome to participate. Recently had a Monte Carlo night for the Jake Blevins Memorial Scholarship – raised \$3,500.00. The Anthony Wayne lunch was good. Also, good luck to Mr. B. Centers. He’s also working on the USO show at JD Legends on July 8<sup>th</sup>; the weekend warrior project will be the next week at Smith Park; and he is the new commander at the American Legion.

Mayor Centers thanked Pastor Hinkle for coming tonight. Also, the lunch with the Anthony Wayne students is one of the best events. Mr. Lewis stated that Mrs. Gail Reed is in charge of the luncheon. Mayor Centers stated he would like to send a letter to her.

Mayor Centers asked who owns the property on the left at 4<sup>th</sup> St. /I-75. Mr. Lewis stated that Johnson still owns it. Also, when we use narcan for an overdose (ems), do we pay for it or does the person have to pay for it and how much does it cost. Mr. Lewis stated we don’t know. We are in with a Miami Valley group (other cities) & have a medic bag. If anything is used from it, it’s returned to Miami Valley and they restock it for a very small fee. So, we don’t know the exact cost. They figured 1 ½ gallons of narcan was used last year; thru April this year, 1 gallon of narcan has been used. So, we don’t know the exact cost. Mr. B. Centers added that this was discussed at a recent Safety Council Committee meeting and Chief Westendorf explained that we have to follow protocol. Mayor Centers stated there’s been comments about the cost and how much of narcan is used. Discussion continued on the use of narcan, the cost and repeated offenders.

Mayor Centers wished the best of luck to Brent on his deployment.

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 7:47 p.m.

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Mayor

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Clerk of Council