

FRANKLIN CITY COUNCIL  
MARCH 6, 2017

Members of the Franklin City Council met in regular session on Monday, March 6, 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 and Middletown Journal) and 6 visitors at tonight's meeting. Also, present: Ms. Donnette Fisher, Law Director; Mrs. Karen Ervin, Finance Director; Mr. Steve Inman, Public Works Director; Mr. Ross Coulton, Assistant Safety Director; Mr. Barry Conway, City Engineer; Mrs. Myra Haney, Administrative Assistant; Mr. Jonathan Westendorf, Fire Chief; Mr. Russ Coulton, Police Chief; Mr. Sonny Lewis, City Manager and Mrs. Jane McGee, Clerk of Council.

The Pledge of Allegiance was led by Linda Oda.

Mr. Bray made the motion to approve the Clerk's Journal and accept the tapes as the Official Minutes of the February 6, 2017 regular 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.

PRESENTATION: LINDA ODA, WARREN COUNTY RECORDER

Mrs. Oda handed out the year-end report for her office. Mrs. Oda noted that land records are recorded in her office and all records are accessible online; recordings are increasing; property values are increasing; has cut expenses in her office; and her office works closely with the Warren County Veteran's Service Commission. Revenues in 2016 were \$2,435,018; \$1,180,615 sent to Ohio Housing Trust Fund and \$1,254,403 stayed in Warren County.

RECEPTION OF VISITORS

There were no visitor comments tonight.

RESOLUTION 2017-12 NOTICE OF INTENT TO WAIVE COMPETITIVE BIDDING OF  
SALE OF REAL PROPERTY LOCATED ALONG SHAKER ROAD (EICHHOLZ PARK)

Mr. Lewis explained in 1986, approximately 45 acres was donated to the City for a Park, to be known as Eichholz Park, located off of Shaker Road. In 1994, the City sold 10 acres to Warren County for a water tower. Now the County wants to buy the remaining 35 acres for a water treatment plant. The Parks & Recreation Committee has met and recommends selling the land to Warren County. The selling price is \$283,150 and the money will go in the Park Fund (Community Park expansion project).

Mr. Ruppert asked if this property would be better for a Park than developing the land across the street from Community Park (on Sixth Street). Mr. Bray stated he doesn't think the residents would go there – people don't want to walk across street to the Community Park now. Mr. Ruppert stated we need to consider it as Springboro has several Parks at different locations. Mayor Centers added once we get rid of the land it's hard to get it back. Mr. Lewis stated there is some elevation on that property, lots of trees and we have done some tree removal. We've discussed this before, nothing has been done, and it's been there for 31 years.

Mayor Centers stated he'd like to know more of their plans (Warren County) and if we sell it to them, to add the condition if they don't need the property, it comes back to the City.

Comments continued: rather invest money in the land across from Community Park; questioned possibility of this property for a school; questioned annexation options if we keep the land; and need land to build houses. Discussion continued on pros and cons of selling this property and when was the City contacted by Warren County (Mr. Lewis was contacted by the County 11/2016). Mr. Lewis stated staff feels it's advantageous to sell the property and use the money for the Community Park Development.

Mayor Centers stated he'd like to table this until the next meeting. Mr. Lewis stated he'd let Warren County know of Council's concerns. Mayor Centers added he will also contact Chris for information. Ms. Fisher added even if this is passed, Council doesn't have to sell the property, as an ordinance to sell the property would also have to be passed.

Mrs. Fouts made the motion to table Resolution 2017 12; 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 2017-13                      AUTHORIZING THE FINANCE DIRECTOR TO SEEK APPLICATIONS FOR THE DEPOSIT OF PUBLIC FUNDS

Mrs. Ervin stated we are required to do this every five years under State law. The current public depository contracts expire on May 1, 2017. We will advertise for applications for two weeks. A Resolution to award will be on the April 17, 2017 Council agenda.

Mr. Hall made the motion to adopt Resolution 2017-13; seconded by Mr. Aldridge. 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.

**RESOLUTION 2017-14    PRELIMINARY PARTICIPATORY LEGISLATION AND LPA-  
FEDERAL-ODOT LET-PROJECT AGREEMENT FOR THE SAFE ROUTES TO SCHOOL PROJECT**

Mr. Conway stated that this is preliminary legislation for the Safe Routes to School Project, which we began in 2013. The project includes installing a rectangular, rapid-flashing beacon at Fourth Street and Sherman Drive; adding crosswalks (pavement markings and signs) at Sherman and Fourth, Sherman and Apache, Farm and S. River/S. Main and Stadia and Arlington. Also included is the installation of new handicap ramps. The project is scheduled for the first quarter of 2019. The total project cost is estimated at \$154,558.26 – City share is \$14,558.26 and will be paid from the ODOT Program Fund.

There was some discussion.

Mr. Bray made the motion to adopt Resolution 2017-14; seconded by Mr. B. Centers. 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 2017-15                    FINAL LEGISLATION FOR THE ODOT RILEY BOULEVARD  
RESURFACING PROJECT**

Mr. Conway stated that this is the final legislation for the Riley Boulevard Resurfacing project, South Main Street to Second Street. The estimated project cost is \$616,698 with the City's share estimated at \$175,395. The project is scheduled to be bid in April 2017 and the work should be completed in the summer of 2017. The actual cost is lower than when we first started the process.

Mr. Lewis explained why ODOT estimates the costs high – they want to make sure the City has the money and is committed to do the project.

Mayor Centers voiced concerns when we have completed a resurfacing project and then the utility companies tear up the road. Mr. Lewis explained the process and that we work with the utility companies. We do coordinate with them but there are emergencies.

Mr. Ruppert made the motion to adopt Resolution 2017-15; seconded by Mr. Hall. 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.

RESOLUTION 2017-16                      STRONGLY OPPOSING THE OHIO GOVERNOR'S PROPOSED  
2017-2019 BUDGET, WHICH PROPOSES CENTRALIZED COLLECTION OF MUNICIPAL NET  
PROFIT TAX RETURNS AND OTHER PROVISIONS RELATED TO MUNICIPAL INCOME  
TAXES THAT WILL CAUSE A SUBSTANTIAL LOSS TO MUNICIPAL REVENUES NEEDED TO  
SUPPORT THE HEALTH, SAFETY, WELFARE AND ECONOMIC DEVELOPMENT EFFORTS OF  
OHIO MUNICIPALITIES

Mayor Centers stated that he, along with Mr. Lewis, recently attended a Warren County Municipal League meeting where the proposed changes were explained. There doesn't seem to be any benefits to the Cities and no guarantees.

The 2017-2019 budget mandates the centralized collection of the municipal income tax on net profit business filings, removing all local control of the administration and auditing and authorizing a quarterly redistribution of funds after levying a 1% administration fee.

Mr. Lewis stated local government is pure government where people come in for help. With this, City staff can't assist them, we'll lose control; supposed to get money quarterly-this will hurt some Cities; and there's no guarantee they (the State) won't keep more of the money.

Mayor Centers stated we don't see anything in this that will help the City.

Mr. Ruppert stated there's no guarantee on what we will receive. Mayor Centers added this is not right. Mr. B. Centers asked if we're opposing the budget. Mr. Lewis, stated yes, because this is included in the budget. Mr. B. Centers added he thinks we'll lose validity if we oppose the budget.

Ms. Fisher added that the 'throwback' rule is also being eliminated.

Mr. Lewis stated we have estimated that the City will lose approximately \$120,000 year.

Discussion continued; need to contact local representatives to let them know how we feel and have them attend a Council meeting.

Mr. B. Centers made the motion to adopt Resolution 2017-16; seconded by Mr. Ruppert. The vote:

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

Motion passed.

At this time, Mr. B. Centers gave a brief update on the Community Pool Study Committee. The Committee met, agreed to \$40,000 for repairs to be split 50/50. He has talked with Mr. Morris. The Township Trustees met and voted against funding their share of the cost. It was offered for them to pay \$5,000 over 4 years and they voted no. Some comments made was that the City wasn't proactive getting corporate sponsorship and didn't want to put money into something dilapidated. He asked Mr. Morris what they can do. The Township Trustees are going to discuss this again. Mr. B. Centers stated he'd like to move ahead with this.

Mr. Hall stated we've been meeting and their representative only showed up to one meeting.

Mayor Centers asked if they are going to continue to pay their share of operating costs. Mr. B. Centers stated yes.

Mrs. Fouts added we need to do all the repairs now. Mr. B. Centers added he's also submitting a grant for the pool. Mr. Ruppert stated he doesn't understand, they are going to pay operating costs but not for repairs.

Mr. Lewis added we are also working on two ODNR grants. Mayor Centers asked how the grant works. Mr. B. Centers explained the first project is \$40,000, will apply for grants for the bigger repairs. Mr. Lewis explained the grant – a cap of \$120,000 for Warren County; doing in two phases, to split up the cost.

Mayor Centers asked if we want to move forward with the repairs of \$40,000, without the Township contributing. Mr. B. Centers added that they said they don't have the money.

Consensus of Council is to move forward with the 1<sup>st</sup> phase of the pool improvements -estimated at \$40,000.

#### CITY MANAGER'S REPORT

Mr. Lewis had no report tonight.

#### COUNCIL COMMENTS

Mr. Hall had no comments.

Mrs. Fouts asked what is going on with the Matera building on Second Street. Mayor Centers stated it is going to be a veterinarian office. This has been to the Planning Commission and we're excited about this. Mrs. Fouts stated a new plumbing business is going in across the street from her business (Millard Drive). Mr. Lewis stated, yes, is zoned for it.

Mr. Aldridge thanked everyone for coming tonight. Tonya Adkins recently passed away, condolences to her family and she was a supporter of our community.

Mr. B. Centers stated the City entrance signs look good; can we use TIF money for City signs on Second Street and what area is included. Mr. Lewis stated yes, can use on City signs and the area included is from Deardoff Road to the Interstate. Mr. B. Centers asked if it can be used for improvements at the Interstate. Mr. Lewis stated we have other projects to use those funds for. Mr. Lewis stated we have a draft of a new proposed City entrance sign and he asked Council which one they liked. Majority liked the white "Franklin"; two liked the red "Franklin" – consensus is the "white Franklin" sign. Mr. B. Centers continued: Ohio Heritage meeting, need to advertise on social media; need a Governmental Affairs Committee meeting; at Safety Committee meeting, concerns of drug activity at Library was discussed. He checked with Martha and she's very pleased with the police officers' presence (Mr. Lewis added the Police have been helping her out); and awesome job on the budget, Mrs. Ervin.

Mr. Ruppert had no comments.

Mr. Bray stated the cheerleaders were 2<sup>nd</sup> in State competition; two wrestlers going to State from our area; and there's a fish fry Friday at the American Legion. At the Finance Committee tonight, the budget was

reviewed: City doing well with income tax collections; paying for projects, paving, and sidewalk program; the City is looking nice; should be in good financial shape next several years; and things are going well as are the finances.

Mayor Centers stated that the Finance Council Committee watches the finances closely, and asked if the agreement with Springboro, for the Park, has been passed. Mr. Lewis stated yes, it has.

#### EXECUTIVE SESSION TO CONFER WITH LEGAL COUNSEL

Mr. Bray made the motion to enter into executive session to confer with legal counsel, with no action afterwards; seconded by Mr. Aldridge. The vote:

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

Motion passed.

Mayor Centers and members of Council entered into executive session to confer with Legal Counsel at 7:15 p.m.

Mr. B. Centers made the motion to exit the executive session; seconded by Mr. Ruppert. 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.

Mayor Centers and Council exited the executive session.

Mr. Bray made the motion to adjourn; 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.

Mayor Centers adjourned the meeting.

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Vice Mayor

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Clerk of Council