

**FRANKLIN CITY COUNCIL
MAY 17, 2010**

Members of the Franklin City Council met in regular session on Monday, May 17, 2010, 6:00 p.m. at the Franklin Municipal Building, Mayor Carl Bray presiding.

Roll call showed:

Scott Lipps	absent
Jason Faulkner	present – left at 6:48 p.m.
Bob Knipper	present – left at 6:47 p.m.
Carl Bray	present
Denny Centers	present
Michael Aldridge	present
Todd Hall	present

There 12 visitors and no one from the press at tonight’s meeting. Also present: Ms. Donnette Fisher, Law Director; Ms. Sandra Morgan, Acting Finance Director; Mr. Bob Rockwood, Safety Director; Mr. Sonny Lewis, Public Works Director; Mr. Jonathan Westendorf, Fire Chief; Mr. Jim Lukas, City Manager and Mrs. Jane McGee, Clerk of Council

The Pledge of Allegiance was led by Mr. Lee Dunlap.

Mr. Knipper made the motion to approve the Clerk’s Journal and accepting the tapes as the official minutes of the April 19, 2010 meeting; seconded by Mr. Aldridge. The vote:

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

RECEPTION OF VISITORS

Mr. Joe Harris, 425 Mission Lane, Apt. 403, addressed Council about Mission Lane being in need of repairs. He apologized for the recent Letter to the Editor in the Franklin Chronicle. He lives at the Harding House and the road condition has been a problem the last several years. The residents’ cars are being damaged from the potholes. He stated that he knows ownership of the road has been an issue; knows the City owns part of the road; part of the road has been repaired; City has done some patch work on their part, it is now falling apart; don’t understand why the road can’t be repaired. Mr. Lewis stated that the City owns about 100’ to 120’ back from Second Street; did do some patch work; will fix our patches. Mr. Harris added that he has been to Warren County to get maps, info, on who owns Mission Lane. He shared these maps with Council.

Mr. Centers asked Mr. Harris if he knows what the city owns. Mr. Harris added that who owns Mission Lane is not the issue, wanted to know why not enforce that the road be taken care of. Also, he noted that he knows the City has tried to work with the Church.

Mr. Centers stated that the City has tried to address this issue in the past.

Ms. Fisher stated that the City owns 125' of Mission Lane, back from Second Street. Above that to the Nursing Home is a private street driveway. The City can't spend money on private property and we can't make them. For Mission Lane to be a street, it has to meet City specifications. In 2006, there were conversations with the Nursing Home, the Church and others to dedicate the roadway and assess the cost to the property owners to bring it up to City specifications. The property owners didn't want to do it at that time. Ms. Fisher also noted that the Nursing Home as purchased property for access to Second Street (as they are doing an addition) and that is a private drive.

Discussion continued on how Harding House obtained an access to Mission Lane so it could be built; why this is a private drive; how other properties were developed if private drive; developers of property responsible for utilities being put in; Church won't take any responsibility for the street & there has been changes at the Church (Pastor); Mission Lane in front of the Church has been taken care; and Mission Lane in front of Harding House has not been taken care, don't understand why.

Mr. Hall stated that when he was first on Council, we tried to work with the Church – to dedicate Mission Lane as a public street so we could fix it.

Mr. Lukas stated that he has talked with the current Pastor – he wasn't aware the Church owned the road – wants to talk with others about helping with funding.

Mayor Bray stated that the City needs to get with the Church and other property owners and let them know that it needs to be brought up to City standards.

Ms. Fisher stated that beyond the 125', Mission Lane is a private driveway. The Church is the owner and responsible; probably an easement for Harding House was granted to use the driveway, but need to review the deeds to confirm. Harding House owner needs to contact the Church – is a private matter – to fix the driveway.

Mr. Harris asked if the City part is up to code as it all looks the same (road). The Church has maintained up to the Nursing Home – Warren County is also confused on what the City owns.

Mr. Faulkner thanked the residents for coming tonight. If the road gets up to code, the City would accept it. Mr. Harris asked for a letter stating this. Mr. Centers added if it is up to code thru the assessment process, the City would accept and send a letter.

Ms. Fisher stated that she will send a letter on what the options are to the property owners – will also research the deeds and see what the situation is.

Ms. Sharon Branch, 425 Mission Lane, Apt. 201, stated that within the City's 125' there are bad pot holes – asphalt keeps coming out – would appreciate if these could be repaired.

Mr. Harris asked what is the difference between the City part of the roadway and the rest of the roadway – looks the same.

Mr. Lewis explained the road is in bad condition - City standards include curb & gutter and the width of the street - that is the main difference.

Mr. Lukas stated that we had a cost five years ago to bring the road up to City standards and that can be updated.

Sherry Nicely, 425 Mission Lane, Apartment 512, asked what happens if the fire and ambulance vehicles can't get in. Chief Westendorf stated that they just do what they can.

RESOLUTION 2010-16 AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION FOR THE 2010 ASSISTANCE TO FIREFIGHTERS GRANT (SCBA FILL STATION, PORTA-COUNT & GEAR RACK)

Mr. Westendorf noted the following:

- Have meet with the Finance Committee
- Have had good success with the program
- 2 applications this year – regional & local
- Current air compressor system is mounted on the 1991 heavy rescue truck which is nearing its service life
- Application is for a porta count machine, SCBA fill station and gear rack
- Previous grant received was for the SCBA cylinders

Total project cost is \$57,700.00; Federal Share (95%) is \$54,815.00; City Share (5%) is \$2,885.00.

Mr. Centers asked if we receive the grant, what will be done with the current system. Mr. Westendorf stated no plans to do anything with it at this time – the new system would be mounted on the new fire truck.

Mr. Knipper had a school function to attend and left the meeting at 6:47 p.m.

Mr. Faulkner made the motion to adopt Resolution 2010-16; seconded by Mr. Aldridge. The vote:

Mr. Knipper	absent
Mr. Bray	yes
Mr. Centers	yes
Mr. Aldridge	yes
Mr. Hall	yes
Mr. Lipps	absent

Mr. Faulkner absent
Motion passed.

Mr. Faulkner had a school function to attend and left the meeting at 6:48 p.m.

RESOLUTION 2010-17 AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION FOR THE 2010 ASSISTANCE TO FIREFIGHTERS GRANT (TRAINING CONSORTIUM)

Mr. Westendorf stated that this is the regional application with the entities of Lebanon, Clearcreek Township, Deerfield Township and JEMS participating in a training consortium to share resources & training materials. This is for the computer hardware and software and covers the anticipated user and maintenance fees for a five year period.

Total project cost is \$213,435.00; Federal Share (80%) \$170,748.00; Local Share (20%) \$42,687.00. With 5 entities participating, local share is \$8,537.40 - this number may vary depending on the number of participants.

Mr. Hall asked if we can include more. Mr. Westendorf stated yes, we can add to the application.

Mr. Aldridge asked if all 5 are committed. Mr. Westendorf stated we are in the process of getting them committed.

Mr. Centers asked how are we going to recover our capital – want this contingent upon all 5 involved. Chief Westendorf stated that these 5 may change – and that this is the first step of the process. Council doesn't have to accept the grant. He then added out information on past grants received.

Mr. Hall made the motion to adopt resolution 2010-17; seconded by Mr. Aldridge. The vote:

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

Motion passed.

RESOLUTION 2010-18 ADOPTING AN IDENTITY THEFT POLICY

Ms. Fisher stated that this has been on the radar screen for awhile. The government passed the Fair and Accurate Credit Transactions Act (FACT Act) requiring financial institutions and creditors to establish an Identity Theft Policy. The latest deadline for this policy is June 1, 2010.

Ms. Fisher noted the following: only affects the utility accounts; there is additional information in your packet; Wanda & Sandie have reviewed; this is based on the model from OML; and we already do this – now it is outlined in a policy.

Mr. Bray questioned Section 4.A.3 Electronic Distribution on page 4. Ms. Fisher stated that this only applies if we have online payments – we don't do online payments at this time.

Mr. Hall questioned Section 6.A.2 Responding to Red Flags on page 7 – is Mr. Lukas the designated authority. Ms. Fisher answered yes.

Mr. Centers made the motion to adopt resolution 2010-18; seconded by Mr. Hall. The vote:

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

Motion passed.

RESOLUTION 2010-19 DECLARING NECESSITY OF IMPROVING CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2011

Mr. Lukas stated that this begins the street lighting process for the year 2011.

Mr. Hall made the motion to adopt Resolution 2010-19; seconded by Mr. Aldridge. The vote:

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

Motion passed.

RESOLUTION 2010-20 ESTABLISHING A MAXIMUM AMOUNT FOR BLANKET PURCHASE ORDERS

Ms. Morgan stated that this will bring us into compliance with State Code. It will allow a yearly blanket purchase order to be prepared not to exceed \$100,000.00 for items such as salt, electricity and gasoline. The purchase order cannot exceed the appropriation that has been approved by Council.

Mr. Hall made the motion to adopt Resolution 2010-20; seconded by Mr. Aldridge. The vote:

Mr. Hall	yes
Mr. Lipps	absent

Mr. Faulkner absent
Mr. Knipper absent
Mr. Bray yes
Mr. Centers yes
Mr. Aldridge yes

Motion passed.

RESOLUTION 2010-21 AMENDING RESOLUTION 2010-13 ESTABLISHING ORGANIZATIONAL LISTINGS AND PAY RATES FOR THE CITY OF FRANKLIN OFFICIALS AND EMPLOYEES FOR 2010

Mr. Lukas stated that the retired Chief Ellis received a car allowance of \$150 and a uniform allowance. This provides the same car allowance and uniform allowance for the Safety Director.

Mr. Centers made the motion to adopt Resolution 2010-21; seconded by Mr. Aldridge. The vote:

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

Motion passed.

INTRODUCTION OF NEW LEGISLATION

Mayor Bray introduced the following legislation:

Ordinance 2010-12 Enacting & Adopting the 2009 Supplement to the Codified Ordinances of the City of Franklin, Ohio

CITY MANAGER'S REPORT

Mr. Lukas reported on the following:

- Issue II pre-applications will be on the June 7th agenda. Info on the following projects has been sent to you: Wm. C. Good Blvd. Extension; Mackinaw Subdivision Sewer Relining Project; Stadia/Skokiaan Drive Improvements; Main Street Repaving-2nd to Riley Blvd.
- An Economic Development Committee meeting is needed
- Mr. Mears wanted me to remind you of the Memorial Day Parade – let him know if you are going to be in it

LAW DIRECTOR'S REPORT

None tonight.

COUNCIL COMMENTS

Comments tonight: thanks to the residents from Harding House for coming tonight, understand your frustration; compliant about more cars parked on Arlington Avenue, also need to check 394 Thomas Drive; any complaints about JD Legends from this past weekend; when will we see the plans for the landscape project at the interstate ramp- southbound interstate exit ramp, mound of dirt, will it be removed; SR 123 landscape project has been approved, the SR 73 landscape project has not been approved yet; Mayor Bray stated that he appreciated the time and work that Mr. Harris on done on the Mission Lane problem and thanks for coming.

EXECUTIVE SESSION

None tonight.

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

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

Motion passed.

Mayor Bray adjourned the meeting at 7:18 p.m.

Mayor

Clerk of Council