

**FRANKLIN CITY COUNCIL  
DECEMBER 5, 2011**

Members of the Franklin City Council met in regular session on Monday, December 5, 2011, 6:00 p.m. at the Franklin City Building, Mayor Denny Centers presiding.

Roll call showed:

Scott Lipps	present
Jason Faulkner	present
Bob Knipper	absent
Denny Centers	present
Carl Bray	present
Michael Aldridge	present
Todd Hall	present

There was one member of the press and 16 visitors at tonight's meeting. Also present: Mr. Russ Whitman, Police Chief; Ms. Donnette Fisher, Law Director; Mr. Jonathan Westendorf, Fire Chief; Ms. Sandra Morgan, Finance Director; Mr. Ross Coulton, Police Captain; Mr. Matt Wilcher, newly elected Council member; Mr. Sonny Lewis, City Manager; and Mrs. Jane McGee, Clerk of Council.

The Pledge of Allegiance was led by Mr. Whitman.

Mr. Bray made the motion to approve the Clerk's Journal and accept the tapes as the official minutes of the November 21, 2011 regular meeting with noted correction; seconded by Mr. Aldridge. The vote:

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

Motion passed.

**RECEPTION OF VISITORS**

Mr. Joe Harris, 425 Mission Lane, stated he had several questions for Council.

Mayor Centers asked if he has talked to Mr. Lewis about these. Mr. Harris stated he has talked with Mr. Lewis about some of them and some not.

Mr. Harris referred to the web site which shows the location of sexual offenders. He asked if there are any City laws as it appears some of the sexual offenders are located too close to schools, etc. Ms. Fisher responded that they are controlled by State Law and the Sheriff's office is responsible for monitoring them.

Mr. Harris asked about the street striping being done in the City; noted he has talked with Mr. Lewis; that Fifth Street hill needs to be striped. Mr. Lewis stated that the striping has been completed and that Mr. Harris needs to contact him about these kinds of issues.

Mr. Harris asked about a sidewalk & curb replacement program –when was the last one done. It has been over 10 years since the last program. He asked if there are any plans to do a replacement program – sidewalks and curbs are bad throughout the City.

Mr. Bray stated that now is not the time to make residents pay for these repairs during these difficult economic times.

Mr. Harris asked when David Blvd. was paved, why the first part of Mission Lane wasn't included.

Mr. Hall stated when the decision was made to do the 13 streets, they were the worst streets to be done per the City Manager at that time. Mr. Hall added we just reviewed the budget, putting money in next year's budget for paving and, also, a capital overlay plan for streets will be addressed.

Mr. Harris asked about building codes & enforcement – if anything has been done. Mayor Centers stated that NIC does that. Mr. Harris added that the property on Sunnybrook Drive needs checked – been 6-7 months and it is still there. Mayor Centers added that the company is doing a good job, but if he sees something that has been missed, to call Mr. Lewis.

Mr. Harris commented, in regards to the 13 streets selected to be paved, if favoritism was used in including David Boulevard.

**PRESENTATION: FIRE DIVISION AWARD**

Chief Westendorf asked Captain Abston, Lieutenant Lovelace and Firefighter Hudnall to join him at the podium. Chief Westendorf stated that during Fall Fest, there was a choking child on Third Street. Firefighter Hudnall saved the life of the child. Chief Westendorf presented him with the Meritorious Service Award, the department's fourth highest award.

Council and members of the audience congratulated Firefighter Hudnall. Mayor Centers stated he is proud of him, representing the City and the department, and thanked him.

**PUBLIC HEARING ORDINANCE 2011-22 ENACTING SECTION 1109.07 OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE, TITLED "HIGHWAY SIGN OVERLAY DISTRICT"**

Ms. Fisher stated this comes from the Planning Commission to establish a 'highway sign overlay district' along I-75. A map is attached to the ordinance. This will allow those businesses additional signage, based on the size of the building. Buildings under 10,000 square feet can have one additional monument sign or one additional wall sign. Buildings over 10,000 square feet, can have one additional wall sign and either one additional monument sign or one pole sign. The new district includes requirements for pole signs; will allow electronic signs and include requirements for the base and maintenance requirements for monument signs. The Planning Commission voted unanimously to recommend to Council.

Mayor Centers stated that the Planning Commission had a lot of discussion on this and feel this is a great start.

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

Mr. Faulkner made the motion to adopt Ordinance 2011-22; seconded by Mr. Hall. The vote:

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

Motion passed.

**PUBLIC HEARING                      ORDINANCE 2011-23                      EXTENDING THE MORATORIUM ON  
THE ESTABLISHMENT OR COMMENCEMENT OF OPERATIONS OF “INTERNET/SWEEPSTAKES  
CAFES” OR SIMILAR USES FOR AN ADDITIONAL SIX-MONTH PERIOD**

Ms. Fisher stated in August a moratorium was placed on internet /sweepstakes cafes as HB 195 was pending. Planning Commission discussed this at their last meeting as Council only has one meeting in January and February. Planning Commission is recommending to extend the moratorium, which expires February 29, 2012, another 6 months to see what happens with HB 195. Planning Commission voted unanimously to recommend this to Council – extending the moratorium to August 31, 2012.

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

Mr. Hall made the motion to adopt Ordinance 2011-23; seconded by Mr. Aldridge. The vote:

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

Motion passed.

**LIQUOR PERMIT APPLICATION:      MATERA CAFÉ, 1219 E. SECOND STREET - NEW D3 PERMIT  
(SPIRITUOUS LIQUOR FOR ON PREMISES CONSUMPTION UNTIL 1:00 A.M.)**

Ms. Fisher stated that Matera Café is applying for a D3 permit – mixed drinks on the premise until 1 a.m. There are no D1 or D2 permits available.

Mayor Centers asked how many D3's are available and Mr. Lipps asked for an updated liquor permit list. Ms. Fisher stated there is 1 more D3 available and she will send out an updated list to Council.

There was some discussion on the permits available.

Mayor Centers then asked Chief Whitman if there is any reason not to allow this. Chief Whitman stated no.

There being no motion made requesting a Public Hearing, this will be returned that the City doesn't not request a Public Hearing.

LIQUOR PERMIT APPLICATION: SPEEDWAY, 200 S. MAIN STREET - TRANSFER OF C1 AND C2 PERMIT FROM SPEEDWAY BEVERAGE LLC TO SPEEDWAY LLC

Ms. Fisher stated that this is transfer – Speedway to Speedway.

There being no motion made requesting a Public Hearing, this will be returned that the City does not request a Public Hearing.

At this time, Mayor Centers added to the agenda, a Finance Committee Report from Mr. Lipps.

Mr. Lipps stated that the Finance Committee met this evening before the Council meeting, thanked staff for attending, along with Mr. Bray and Mr. Wilcher. The committee went over the supplemental information; noted that the overtime costs for the entire year were low; police overtime has been running high because of staffing issues and noted that the overtime costs for October were the lowest (for a month) they have been in two years. Mr. Lipps stated that the 2012 temporary budget was also discussed and the Finance Committee voted unanimously to approve and recommend to Council – will show how we are going to reward the citizens for passing the levy.

CITY MANAGER’S REPORT

None tonight.

LAW DIRECTOR’S REPORT

None tonight.

COUNCIL COMMENTS

Mr. Hall welcomed Mr. Wilcher and look forward to the next four years.

Mr. Aldridge congratulated Mr. Wilcher, look forward to the next four years and congratulated Firefighter Hudnall.

Mr. Bray congratulated Mr. Wilcher; received complaint from Steve, A&G Pizza, about an incident a couple of months ago, break-in at China Hut, next door, have video of what happened, called police 4 -5 times, after 5<sup>th</sup> time a meeting was scheduled and no one showed up, Chief needs to check this out (Mr. Lewis asked Mr. Bray to forward these issues to him); and thanks for coming.

Mr. Lipps stated thanks for coming, appreciate the fire department employees coming tonight and thanks to Mr. Harris for coming, we appreciate that you care.

Mr. Faulkner congratulated Mr. Wilcher; thanks for coming this evening; and gave an update on the Special JEMS Board meeting about a possible levy: Carlisle didn’t want the 3.04 mil levy –waiting to see what we did; Township expressed funding concerns with their own department, not sure what they are doing, I didn’t think they were interested in a levy at this time; from our discussion at the last meeting, no one objected to the levy, but had reservations; after thinking about it, didn’t want to put Council in that position & always said that I think there are opportunities to do better by the residents; I challenged Chief Riddiough to reach out to the City and find a way to help each other out; told the City Manager there were 3 things that needed to be known from the meeting: 1) no levy, 2) the two chiefs will be talking about possibilities and 3)

Carlisle wants formal conversation on a joint fire/ems. I asked the City Manager to contact Carlisle and the Township about this.

Mayor Centers stated that we need to start the conversations on that subject with all parties involved.

Mr. Bray asked why he didn't tell them that the City supported the 1.8 mil replacement levy as was discussed at the last meeting. Mr. Faulkner stated with him being the 4<sup>th</sup> person, we said we were okay with it going on the ballot. I knew the other two JEMS Board members weren't necessarily going to do it, I really felt everyone here had reservations, including you because you weren't for it. Mr. Bray agreed, he voted no on the levy. Mr. Faulkner stated he felt like everybody didn't want to be in the position where they had to do it.

Mr. Bray added that at the meeting, everybody voiced their opinion and everyone said to put the levy on the ballot for JEMS.

Mr. Faulkner stated he thought that everybody was okay if it happened, but he didn't see any support for actually doing it. Mr. Hall added he thinks Mr. Faulkner means that we didn't object to it, but once Mr. Faulkner got in the meeting and had thought about it, really no one wanted to go with the levy.

Mr. Bray stated if he felt that Carlisle was going to follow us and if we voted to put on the levy (which I was against) why didn't he say that.

Mr. Faulkner stated they wanted to see the options that are to be provided by our City Manager. I wasn't enthused to do the levy – wanted to see the solutions that are to be provided by the City Manager – been on the board 6 years, no plan where they are going - let's not take to public, let's let these guys come up with a plan –I think that's the responsible thing to do as the representative.

Mayor Centers welcomed Mr. Wilcher; there have been attempted break-ins on Beal Road, would like to see a patrolman talk to the residents in the area to inform them of what is going on, need to be proactive by letting them know what's going on.

Mr. Aldridge added that there have been incidents on his street also and would like to know what's going on.

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

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

Motion passed.

Mayor Centers adjourned the meeting at 6:40 p.m.

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Mayor

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Clerk of Council