

**FRANKLIN CITY COUNCIL
MARCH 5, 2012**

Members of the Franklin City Council met in regular session on Monday, March 5, 2012, 6:00 p.m. at the Franklin Municipal Building, Mayor Scott Lipps presiding.

Roll call showed:

Denny Centers	present
Matt Wilcher	present
Jason Faulkner	present
Scott Lipps	present
Carl Bray	present
Michael Aldridge	present
Todd Hall	present

There was one member of the press and 27 visitors at tonight's meeting. Also present: Mr. Jonathan Westendorf, Fire Chief; Mr. Russ Whiteman, Police Chief; Ms. Sandra Morgan, Finance Director; Ms. Donnette Fisher, Law Director; Mr. Ross Coulton, Police Captain; Mr. Sonny Lewis, City Manager and Mrs. Jane McGee, Clerk of Council.

The Pledge of Allegiance was lead by Warren County Sheriff Larry Sims.

Mr. Faulkner made the motion to approve the Clerk's Journal and accept the tapes as the official minutes of the February 6, 2012 work session and regular meeting; seconded by Mr. Aldridge. The vote:

Mr. Wilcher	yes
Mr. Faulkner	yes
Mr. Lipps	yes
Mr. Bray	yes
Mr. Aldridge	yes
Mr. Hall	yes
Mr. Centers	abstain

Motion passed.

Mr. Wilcher made the motion to approve the Clerk's Journal and accept the tapes as the official minutes of the February 11, 2012 special meeting; seconded by Mr. Bray. The vote:

Mr. Faulkner	yes
Mr. Lipps	yes
Mr. Bray	yes
Mr. Aldridge	yes
Mr. Hall	yes
Mr. Centers	yes
Mr. Wilcher	yes

Motion passed.

RECEPTION OF VISITORS

Mr. Joe Harris, 425 Mission Lane, stated he was here tonight on behalf of the Food Pantry, asking for a donation from the City for the Food Pantry. He added that Franklin Township is also considering making a donation to them.

Mayor Lipps referred this request to the Finance Committee.

Mr. Rick Nunamaker, Franklin resident, stated he is a volunteer for the Police Department. He noted that many citizens don't get involved and that they should. He asked for Council to find a way to get information out to the citizens to volunteer.

Mayor Lipps stated that information will be put in a future City newsletter stating that the City is seeking volunteers.

PRESENTATION: SHERIFF LARRY SIMS - ANNUAL REPORT

Warren County Sheriff Larry Simms presented the following 2011 statistics from his department.

- +68,4000 calls county wide in 2011
- 343 home break-ins – 76 cleared; 2 females from this area arrested for burglary
- Appreciate everyone's help in the death of Sergeant Dulle this past year
- In August, a person shot his girl friend and himself
- A girl was murdered at Caesar's Creek – arrested the person
- Established a Citizens Academy in Deerfield
- Foreclosures lower in 2011
- Provided Court Security – 28,000 hours in the Court Room; 7,000 subpoenas, 7,000 arrest warrants; moved inmates
- Initiated double bunking – no transport to Butler County which has saved money
- Bid out the contract for food (jail inmates) – saving money in 2011
- 3 canines
- Drug Task Force has had a successful year

Sheriff Sims then introduced Major Brain Tinch. Major Tinch, Operations Division Commander, stated they have a great working relationship with our Police Department and is available if needed.

PRESENTATION: STATE REPRESENTATIVE RON MAAG

Mayor Lipps welcomed and introduced State Representative Ron Maag.

Representative Maag stated he is in his second term and with the recent re-districting, is now our Representative. He replaces Pete Beck. Representative Maag added that he met with Council before the meeting and his door is always open. Also, whatever he can do to help with jobs, to let him know.

ORDINANCE 2012-02 EMERGENCY PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$625,000 SECOND STREET EMERGENCY IMPROVEMENT LIMITED TAX GENERAL OBLIGATION REFUNDING BONDS AND DECLARING AN EMERGENCY

Ms. Morgan stated that the City has four outstanding GO debt issues. The purpose of these ordinances is to refund or refinance these issues which will save \$845,010 over the life of the loan. Fifth Third Bank will be the underwriter for the refunding issue. The next four ordinances are for each issue and the last ordinance consolidates the four issues into a single issue. At their February 13, 2012 meeting, the Finance Committee reviewed and approved.

Mr. Bray stated the Finance Committee has reviewed. This will reduce the debt and the interest rate – will be paid off in 2027 and save the City \$52,813 annually.

Mayor Lipps stated the 2001 interest rate was 5% and the new rate will be 2.03%. Ms. Morgan stated that municipal rates have just dropped.

Mr. Bray added the Finance Committee's recommendation was unanimous.

Mr. Hall made the motion to adopt Ordinance 2012-02; seconded by Mr. Faulkner. The vote:

Mr. Lipps	yes
Mr. Bray	yes
Mr. Aldridge	yes
Mr. Hall	yes
Mr. Centers	yes
Mr. Wilcher	yes
Mr. Faulkner	yes

Motion passed.

ORDINANCE 2012-03 EMERGENCY PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$3,730,000 MUNICIPAL FACILITIES IMPROVEMENT LIMITED TAX GENERAL OBLIGATION REFUNDING BONDS AND DECLARING AN EMERGENCY

Mrs. Morgan stated that this is part of the process explained in Ordinance 2012-02.

Mr. Faulkner made the motion to adopt Ordinance 2012-03; seconded by Mr. Wilcher. The vote:

Mr. Bray	yes
Mr. Aldridge	yes
Mr. Hall	yes
Mr. Centers	yes
Mr. Wilcher	yes
Mr. Faulkner	yes
Mr. Lipps	yes

Motion passed.

ORDINANCE 2012-04 EMERGENCY PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$790,000 ADMINISTRATION/COURTS BUILDING IMPROVEMENT LIMITED TAX GENERAL OBLIGATION REFUNDING BONDS AND DECLARING AN EMERGENCY

Mr. Bray made the motion to adopt Ordinance 2012-04; seconded by Mr. Hall. The vote:

Mr. Aldridge	yes
Mr. Hall	yes
Mr. Centers	yes
Mr. Wilcher	yes
Mr. Faulkner	yes
Mr. Lipps	yes
Mr. Bray	yes

Motion passed.

ORDINANCE 2012-05 EMERGENCY PROVIDING FOR THE ISSUANCE OF NOT TO EXCEED \$645,000 VARIOUS PURPOSE IMPROVEMENT LIMITED TAX GENERAL OBLIGATION REFUNDING BONDS AND DECLARING AN EMERGENCY

Mr. Bray made the motion to adopt Ordinance 2012-05; seconded by Mr. Faulkner. The vote:

Mr. Hall	yes
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Mr. Centers	yes
Mr. Wilcher	yes
Mr. Faulkner	yes
Mr. Lipps	yes
Mr. Bray	yes
Mr. Aldridge	yes

Motion passed.

ORDINANCE 2012-06 EMERGENCY PROVIDING FOR THE CONSOLIDATION OF FOUR BOND ISSUES OF THE CITY OF FRANKLIN, OHIO, AND DECLARING AN EMERGENCY

Ms. Morgan stated that this ordinance combines the previous four bond issues into one bond issue.

Mr. Bray made the motion to adopt Ordinance 2012-06; seconded by Mr. Faulkner. The vote:

Mr. Centers	yes
Mr. Wilcher	yes
Mr. Faulkner	yes
Mr. Lipps	yes
Mr. Bray	yes
Mr. Aldridge	yes
Mr. Hall	yes

Motion passed.

RESOLUTION 2012-17 AUTHORIZING THE ACTING FINANCE DIRECTOR TO SEEK APPLICATIONS FOR THE DEPOSIT OF PUBLIC FUNDS

Ms. Morgan stated we are required by the ORC to make estimates of the active, interim and inactive deposits for a 5 year period. This authorizes us to seek applications from financial institutions to accept the deposits. The current depository contracts expire April 30, 2012.

Mayor Lipps asked who will apply. Ms. Morgan stated all the banks will receive an application.

Mr. Bray made the motion to adopt resolution 2012-17; seconded by Mr. Wilcher. The vote:

Mr. Wilcher	yes
Mr. Faulkner	yes
Mr. Lipps	yes
Mr. Bray	yes
Mr. Aldridge	yes
Mr. Hall	yes
Mr. Centers	yes

Motion passed.

Ms. Fisher stated that this will be back to Council on April 2, 2012 with legislation to designate the eligible finance institutions as public depositories.

RESOLUTION 2012-18 AUTHORIZING THE PURCHASE OF A FIRE PUMPER TRUCK FROM THE CITY OF BLUE ASH, OHIO FOR THE DIVISION OF FIRE

Chief Westendorf stated he is recommending the purchase of a 1998 Pierce Lance Fire Pumper Truck, with a 65" Aerial TeleSquirt ladder from the City of Blue Ash. This will serve our needs for a number of

years. The purchase cost is \$100,000 - \$50,000 to be paid this year and \$50,000 paid next year and we have money in the budget to fund the purchase.

Mr. Hall asked what the new cost of this equipment would be. Chief Westendorf stated new - estimated cost of \$650,000.

Mayor Lipps asked if it replaces a current truck. Chief Westendorf stated that the Township owns the truck that we use for Township runs. It will be returned but we would like to keep the SCBA's and some other equipment.

Mr. Bray stated that the Finance Committee has talked about this and approve.

Mr. Centers questioned replacing the Township truck with this truck & why we would want to do that. Chief Westendorf stated yes, that is what he is proposing – that will give us the freedom to use the truck whenever and for whatever our needs are; current truck not being maintained as we would like and feel this will better serve our residents.

Mr. Faulkner made the motion to adopt Resolution 2012-18; seconded by Mr. Bray. The vote:

Mr. Faulkner	yes
Mr. Lipps	yes
Mr. Bray	yes
Mr. Aldridge	yes
Mr. Hall	yes
Mr. Centers	yes
Mr. Wilcher	yes

Motion passed.

RESOLUTION 2012-19 DECLARING THE NECESSITY OF LEVYING A PROPERTY TAX IN EXCESS OF THE TEN MILL LIMITATION FOR FIRE AND EMS PURPOSES AND REQUESTING CERTIFICATION FROM THE WARREN COUNTY AUDITOR

Mr. Lewis stated that at Council's Retreat, this was forwarded to the Finance Committee. This is the first step of the process to take a 3.5 mil levy to the residents. This will get from the Auditor our total tax evaluation and how much revenue 3.5 mils will generate.

Mr. Bray questioned that this is just to receive how much money we will receive. Mr. Lewis stated that legislation will be on the March 19th agenda to put the levy on the ballot.

Ms. Fisher added that the Auditor will tell us how much money will be produced by a 3.5 mil levy. The Auditor has 10 days to respond (4/16/12) and then an ordinance to put the levy on the ballot has to be passed by May 9th. Mr. Lewis stated he wants to do this at the next meeting.

Mr. Bray stated this was talked about at the Finance Committee but a date was not decided yet. We looked at the 3.5 mil levy and still don't know what the numbers are – he is not comfortable with the numbers yet. It will take \$500,000 out of the General Fund to start with and \$300,000 out of the Fire Department – still have questions.

Mr. Faulkner stated he has no problems with this.

Mr. Lipps & Mr. Hall both stated they have no problems with this.

Mayor Lipps stated we will let the Auditor tell us what the 3.5 mil levy will produce and then see what is going to be needed from the City to operate EMS. This will allow the citizens to decide what they want.

Mr. Faulkner made the motion to adopt Resolution 2012-19; seconded by Mr. Hall. The vote:

Mr. Lipps	yes
Mr. Bray	no
Mr. Aldridge	yes
Mr. Hall	yes
Mr. Centers	yes
Mr. Wilcher	yes
Mr. Faulkner	yes

Motion passed.

CITY MANAGER'S REPORT

Mr. Lewis reported on the following:

- Duke Energy timeframe on Smart Grid System in your packet
- EPA survey for water system – received an excellent
- Calendar with monthly meetings in your packet
- Invite from Franklin Area Historical Society in your packet – have reservations for you if you want to attend the program on the 1913 flood

LAW DIRECTOR'S REPORT

None tonight.

COUNCIL COMMENTS

Mr. Wilcher thanked Mr. Lewis for the cleanup of a property they had discussed; thanks to Chief Westendorf for saving money on the fire equipment purchase; haven't received any complaints on snow removal; and thanks to Mr. Lipps, Mr. Hall and Mr. Faulkner for serving on the JEMS Board.

Mr. Aldridge thanked everyone for coming tonight; thanked Ms. Morgan and the Finance Committee on saving money for the City; the community has been brought together by the basketball team – congrats to them.

Mr. Centers also congratulated the basketball team; trash by the Interstate at the BP station; do we have back-up generators-want to make sure we have what we need and if not, need to plan for (need generator for water treatment plant, have for wells & lift stations).

Mr. Hall thanked the City Manager for emceeding the rally yesterday for the basketball team – did good job and it was a nice event; and concur with Mr. Aldridge comments on basketball team.

Mr. Bray also concurred with Mr. Aldridge's comments on the basketball team; attended recent School Board meeting, Brent Knipper gave a presentation on the grading system – very impressive, they also discussed the TIF program and decided to seek legal counsel, said going on 5 years and nothing has been done.

Mr. Faulkner thanked everyone for coming tonight; congrats to Sloan Henderson as she is doing well in the ARCA racing system; thanks to the Fire Department – will need support if we do EMS.

Mayor Lipps thanked Sheriff Sims & Representative Maag for attending tonight; great crowd tonight; Historical Society program is on the 1913 flood, we are first in State to do, flood exhibit also at Harding Museum; Township work session and meeting is on Saturday (March 10); thanks to Mr. Bray for attending the School Board meeting; Planning Commission meeting next Monday at 5:30 p.m.; Tuesday is Carlisle's meeting; met with employee of VRI – love Franklin; Mom's restaurant doing well; cleaning up downtown; football team went to play-offs & basketball team went 20-0 and in recent article by Rick McCrabb (DDN) about the basketball game at Trent Arena - he said it was the best game he has ever seen.

Mr. Hall made the motion to enter into an executive session for property acquisition and legal issues, with no action afterwards; seconded by Mr. Faulkner. The vote:

Mr. Bray	yes
Mr. Aldridge	yes
Mr. Hall	no
Mr. Centers	yes
Mr. Wilcher	yes
Mr. Faulkner	yes
Mr. Lipps	yes

Motion passed.

At 7:20 p.m., Mayor Lipps and members of Council entered into an executive session to discuss property acquisition and legal issues.

Mr. Faulkner made the motion to exit the executive session; seconded by Mr. Bray. The vote:

Mr. Aldridge	yes
Mr. Hall	yes
Mr. Centers	yes
Mr. Wilcher	yes
Mr. Faulkner	yes
Mr. Lipps	yes
Mr. Bray	yes

Motion passed.

Mayor Lipps reconvened the meeting.

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

Mr. Hall	yes
Mr. Centers	yes
Mr. Wilcher	yes
Mr. Faulkner	yes
Mr. Lipps	yes
Mr. Bray	yes
Mr. Aldridge	yes

Motion passed.

Mayor Lipps adjourned the meeting.

Mayor

Clerk of Council