

**FRANKLIN CITY COUNCIL  
MARCH 4, 2013**

Members of the Franklin City Council met in regular session on Monday, March 4, 2013, 6:00 p.m. at the Franklin City Building, Mayor Scott Lipps presiding.

Roll call showed:

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

There was one member of the press present and 13 visitors. Also present: Mr. Jonathan Westendorf, Fire Chief; Mr. Russ Whitman, Police Chief; Ms. Donnette Fisher, Law Director; Mr. Sonny Lewis, City Manager and Mrs. Jane McGee, Clerk of Council.

The Pledge of Allegiance was led by Lisa Ault.

Mr. Faulkner made the motion to approve the Clerk's Journal and accept the tapes as the Official Minutes of the February 4, 2013 regular meeting; seconded by Mr. Wilcher. The vote:

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

Motion passed.

Mr. Aldridge stated, in reference to the February 11, 2013 minutes, the motion he made doesn't include having a sign saying "u-turn for Cazadores" as we had discussed and asked if that has been checked. Ms. Fisher stated that would not be allowed to have an individual business name on the ODOT sign, but additional signage could be installed in the area saying that. Mr. Lewis stated we have discussed this, can't put that on the ODOT sign, but we can put up our own sign indicating a u-turn for Cazadores.

Mr. Aldridge made the motion to approve, the Clerk's Journal and accept the tapes as the Official Minutes of the February 11, 2013 special meeting, with noted correction adding "with a separate sign for the individual business (Cazadores) installed"; seconded by Mr. Centers. The vote:

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

Motion passed.

PRESENTATION GOOD NEIGHBOR AWARD - LISA AULT

Mayor Lipps and members of Council presented a “Good Neighbor Award” to Lisa Ault, along with a City of Franklin pin. Mayor Lipps noted how she helped residents in need during the holidays.

Ms. Ault thanked everyone and staff.

PRESENTATION DR. GEBHART - FRANKLIN FIRE & EMS DIVISION

Mayor Lipps stated that Dr. Gebhart is unable to be here tonight.

RECEPTION OF VISITORS

None tonight.

RESOLUTION 2013-07 AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION FOR THE OHIO DEPARTMENT OF TRANSPORTATION SRTS SCHOOL TRAVEL PLAN DEVELOPMENT PROJECT

Mr. Lewis stated that this will allow us to submit an application for Safe Routes for School Travel Plan, an ODOT program. We started this last year when there was money for the program; funds were frozen and in January, the money was available again. We talked with the school; is 100% funded; will define areas to improve/correct walking or bicycling to school. The program will pay 100% of infrastructure costs for now; costs may be split 80/20 in the future. We hope to get these areas identified this year. This is the first step.

Mr. Aldridge asked if this is the opportunity to look at getting kids/people from the Junior High School/Hampton Bennett to the Park as they have to cross the highway (Sixth Street, SR 123) – possibility of tunnel, etc.

Mr. Lewis stated that everything should be looked at especially with that being a State Route that has to be crossed.

Mr. Centers questioned the 20% funding or more of the project cost. Mr. Lewis stated don’t know at this time, is 100% funding now, but splitting the cost may be considered sometime in the future. Mayor Lipps asked if this binds us to any future bids. Mr. Lewis stated no, this tonight is just for the study.

Mr. Hall made the motion to adopt Resolution 2013-07; seconded by Mr. Aldridge. The vote:

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

Motion passed.

RESOLUTION 2013-08 APPROVING A GRANT OF \$500 TO THE BIG BROTHERS BIG SISTERS OF WARREN & CLINTON COUNTIES

Mr. Lewis stated that this was presented to the Finance Committee at their last meeting. Mr. Jim Wahlrab, Board member of Big Brothers Big Sisters, asked for assistance to help fund an Appreciation Dinner. The Finance Committee approved the request as they thought it was a good idea. The program does help Franklin students/residents. They will also be contacting other cities to help with funding.

Mayor Lipps noted that he spoke with him also and they do serve Franklin residents.

Mr. Centers made the motion to approve Resolution 2012-08; seconded by Mr. Wilcher. The vote:

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

Motion passed.

RESOLUTION 2013-09 APPROVING A GRANT OF \$500 TO THE FRANKLIN AREA HISTORICAL SOCIETY

Mr. Lewis stated that this was also presented to the Finance Committee at their last meeting. The Historical Society is promoting the 1913 flood with presentations and a publication. The Finance Committee approved as this is a way to preserve our history. Mr. Bowman and Mr. Darragh from the Historical Society are present tonight.

Mr. Faulkner asked if there has been any progress about the building. Mr. Bowman, stated they are in the process, got the last signature and the deed has been sent to Warren County to be recorded. Mr. Faulkner then asked about the status of the publication. Mr. Bowman stated he has the approved proof copy and showed it to Council. It is ready to go to print – will have hard bound and coil bound copies for sale. Mr. Bowman added they are having a special opening on March 30<sup>th</sup>, 2 p.m. – 5 p.m.; April 8<sup>th</sup> at 6:30 p.m. will be speaking at the Library on the flood events and will be at Rotary Club March 28<sup>th</sup> for a presentation on the 1913 flood.

Mr. Faulkner made the motion to adopt Resolution 2013-09; 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	absent

Motion passed.

RESOLUTION 2013-10 AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH DUKE ENERGY OF OHIO FOR THE INSTALLATION OF STREET LIGHTING ALONG SECOND STREET

Mr. Lewis stated that this was also presented to the Finance Committee at their last meeting. This will provide needed lighting on Second Street. TIF monies are being used, \$78,000 estimated cost; will install as much underground as we can; should eliminate the dark spots; and hope to have completed by mid-summer.

Mr. Faulkner asked if the addition of the third lane has been considered. Mr. Lewis stated yes, the pole there will have to be moved back, no problem.

Mr. Centers thanked Mr. Lee Dunlap, Planning Commission member, as he has pushed for this project.

Mr. Faulkner made the motion to adopt Resolution 2013-10; seconded by Mr. Wilcher. The vote:

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

Motion passed.

RESOLUTION 2013-11 AUTHORIZING THE CITY MANAGER TO EXECUTE A CONTRACT WITH THE NEPTUNE EQUIPMENT COMPANY FOR THE PURCHASE OF WATER METER RADIO REMOTES

Mr. Lewis stated that we started this about five years ago installing remotes and we hope to be done in the next couple of years. It has reduced meter reading time and has been a savings as we have done the installing of the meters. By not installing the meters all at one time, they won't all go dead at the same time, spacing out the replacement of the batteries.

Mr. Hall made the motion to adopt Resolution 2013-11; seconded by Mr. Aldridge. The vote:

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

Motion passed.

INTRODUCTION OF NEW LEGISLATION

Mr. Wilcher introduced the following legislation:

Ordinance 2013-05 Amending the Official Zoning Map of the City Of Franklin, Ohio, to Rezone the Property Located at 602 S. River Street from C-3, "Central Commercial District," To C-2, "Community Commercial.

Ordinance 2013-06 Amending the Official Zoning Map of the City of Franklin, Ohio, to Rezone the Property Located at 1124, 1226 and 1128 S. Main Street from R-3, "Central Residential District," to C-2, "Community Commercial District".

Ordinance 2013-07 Enacting Section 751.12(d) of the City of Franklin Income Taxation Code.

Mayor Lipps asked about Ordinance 2013-06 – the agenda title (says 1124, 1126 & 1128 S. Main Street) is different from the Ordinance memo (says 1124 & 1126 S. Main Street) included in the packet. Ms. Fisher stated that the agenda is wrong (1128 is not part of the address); the Ordinance & cover memo are correct.

Public Hearing on these Ordinances will be held at the March 18, 2013 Council meeting.

#### CITY MANAGER'S REPORT

Mr. Lewis reported on the following:

- We will have markers installed on the west side showing the water level during the 1913 Flood – should be up soon
- Will have id cards with staff information at the next Council meeting
- Cited several examples where neighbors help each other – only in a small town do these things happen where neighbors come to the aid of others – making it great to live in a small town

#### LAW DIRECTOR'S REPORT

Ms. Fisher reported on the following:

- Updated Council: been fighting with the State Unemployment Compensation thru the Ohio Department of Job & Family Services since 2007; filed lawsuit on 1 claim which took about 7 years to get through the Courts; Ms. Morgan and I meet with them couple of weeks ago; our bill has been reduced from \$49,000 to \$8,000, waived all penalties & interest, claims will be taken care of, and 4 cases of appeal were won.

#### COUNCIL COMMENTS

Mr. Hall asked if a second driveway of gravel is allowed as there are several in the city and it looks bad. Mr. Lewis stated he will have them checked out.

Mr. Aldridge thanked everyone for coming tonight; congrats to Lisa Ault; and thanks for the work done by Mr. Bowman and Mr. Darragh.

Mr. Faulkner thanked everyone for coming; congrats to Lisa Ault & well deserved; and asked for an update on E-911. Mr. Lewis stated that he sent an email about the first meeting, which didn't happen as there was not a quorum. The next meeting is March 19, 2013. His opinion is the same as the City of Lebanon's - we are a PSAP, same as Warren County and we should all be treated & funded equally. We both feel we can do it better & more efficient than Warren County. Mayor Lipps stated that's why we voted to keep it in-house and he has spoke with Lebanon's Mayor and they agree with us. Mr. Lewis added, he has also been in contact with Mr. Clemens, Lebanon's City Manager, also representing the City, and he will do a good job representing both of us. Discussion continued on how the appointments were made; questioned if Deerfield Township is bigger than Franklin Township; if we have a plan & need to meet with the Commissioners (Mr. Lewis stated we have to go thru the process first, the city can attend the meetings, but can't vote; then can go to the Commissioners); wanting to take approximately \$50,000 from the funds the City receives and why is this happening. Mr. Lewis stated the only argument he heard

is they need money to operate their system; we need the money to operate our system also; also stated is needed for the next generation 911; we are all compliant and working towards the next generation 911; we can see no reason why they are doing this except to take the money; and the 2007 Commission voted to divide the money as it is done now and feel there is no reason to change it.

Mr. Lipps stated he heard they needed to upgrade the radios and they don't charge their municipalities for them. So by taking Lebanon's and the City's money, they can provide free radios to the municipalities they work for. That's not right; we should be able to use the money to upgrade our radios. Chief Whitman stated the radios are a different issue than the next generation 911. The next generation 911 funds come from the cell and home phone bills, divided up by county for the PSAPs (public safety answering point) – have 3 PSAPs in Warren County. The next generation radio system is a separate funding issue, has nothing to with 911 funds.

Mr. Faulkner continued with congratulations to Officer Dunham; and congrats to Grandfather Lipps.

Mr. Wilcher thanked everyone for coming tonight; congrats to Lisa Ault; to Ms. Fisher, thanks for your work and saving money; and thanks to Mr. Lewis for getting the NY NY statute taken care of.

Mr. Centers stated that he has heard good things and some negative things about the online tax form and asked if we can fix it (Ms. Fisher stated the new web site information was finished today and given to Chief Westendorf, will be able to fix it) need to let Ms. Loxley know of the problems; congrats to the boys basketball team; congrats to Lisa Ault, well deserved; talked to Mr. Wahlrab, Big Brothers Big Sisters, and told him about some money that might be available for the organization from the Warren County Children's Home trust lawsuit.

Mayor Lipps stated he, along with Mr. Lewis, meet with Dr. Odell Owens, President of Cincinnati State Middletown and their consultant. They talked about the community and the student needs, toured the City and the City Building. The Consultant said they are going to reach out and besides helping the students & education opportunities in Franklin, need to have discussions about Middletown's transit system expanding to Franklin; started the Warren County Leadership class and will be including Franklin personnel or Council each year; Warren County Health District meeting tomorrow night, Mr. Lewis will be attending; and congrats to Lisa Ault.

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

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

Motion passed.

Mayor Lipps adjourned the meeting at 7:00 p.m.

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Vice Mayor

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Clerk of Council