

**FRANKLIN CITY COUNCIL  
JUNE 17, 2013**

Members of the Franklin City Council met in regular session on Monday, June 17, 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	present
Michael Aldridge	present
Todd Hall	absent

There was one member of the press and 4 visitors at tonight's meeting. Also Present: Mr. Jonathan Westendorf, Fire Chief; Mr. Russ Whiteman, Police Chief; Mr. Ross Coulton, Assistant Safety Director; Ms. Donnette Fisher, Law Director; Mr. Sonny Lewis, City Manager and Mrs. Jane McGee, Clerk of Council.

The Pledge of Allegiance was led by Ms. Donnette Fisher.

Mr. Faulkner made the motion to approve the Clerk's Journal and accept the tapes as the official minutes of the June 3, 2013 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	absent
Mr. Centers	yes

Motion passed.

**RECEPTION OF VISITORS**

None tonight.

**PUBLIC HEARING    ORDINANCE 2013-09    AMENDING CHAPTER 1103, SECTION 1107.03,  
SECTION 1113.01 AND SECTION 1113.02 OF THE CITY OF FRANKLIN UNIFIED  
DEVELOPMENT ORDINANCE**

Ms. Fisher stated in February a moratorium on the establishment of any new small loan operations (SMOs) was enacted. The issue was sent to the Planning Commission for review. They suggested that small loan operations be a conditional use in C1 & C2 districts and to limit them to 1 per 4,000 residents. We currently have 3 establishments. This also adds definitions for small loan operations and updates sexually oriented businesses to match State law. The current moratorium expires July 31, and if approved, this Ordinance will go into effect before that on July 17, 2013.

Mayor Lipps asked what the three establishments are. Ms. Fisher stated Cash Land, Loan Max (car title loans) and the Advance American Cash Advance Centers (Laynecrest Plaza). Mayor Lipps asked where

swap shops are located in the code. Ms. Fisher stated they are under the second hand dealers section and no more are allowed at this time. Mr. Centers stated that the Planning Commission recommendation for 3 SMOs is to allow competition because of the high interest rates they charge.

Mayor Lipps opened the Public Hearing and asked for any public comments. Mr. Bray stated that the word on the street is that the current swap shops are struggling because of the regulations.

There being no further comments, Mayor Lipps closed the Public Hearing and asked for any Council comments. There were none.

Mr. Bray made the motion to adopt Ordinance 2013-09; seconded by Mr. Wilcher. The vote:

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

Motion passed.

PUBLIC HEARING    ORDINANCE 2013-10    DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2014

Mr. Lewis stated that this is part of the process to provide street lighting.

Mayor Lipps opened the Public Hearing and asked for any public comments. There being no comments, Mayor Lipps closed the Public Hearing and asked for any Council comments. There were none.

Mr. Faulkner made the motion to adopt Ordinance 2013-10.

Mr. Aldridge asked whose responsibility is it to monitor and report outages. Mr. Lewis stated that we do report and check for outages twice a year. Also, citizens can call and report an outage.

Mr. Aldridge asked what the cost for adding a street light is. Mr. Lewis stated it depends on what's needed (\$1,500 - \$8,000) and the cost is assessed.

Mr. Faulkner asked about a street light that is on his property line and being assessed to only him. Mr. Lewis stated that everyone has a street light assessment, regardless of where the light is located, and to let us know if you see a street light that is out.

Mr. Faulkner made the motion to adopt; seconded by Mr. Aldridge. The vote:

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

Motion passed.

PUBLIC HEARING    ORDINANCE 2013-11    EXTENDING THE MORATORIUM ON THE ESTABLISHMENT OR COMMENCEMENT OF OPERATION OF “INTERNET/SWEEPSTAKES” CAFES OR SIMILAR USES UNTIL JUNE 30, 2014

Ms. Fisher stated that this was passed as an emergency at the last Council meeting to extend the moratorium to match the State’s. This Ordinance is required to continue the moratorium.

Mayor Lipps asked when the first legislation was done. Mr. Fisher stated the first legislation was passed August 1, 2011 and matched the State’s moratorium.

Mayor Lipps opened the Public Hearing and asked for any public comments. There being no comments, Mayor Lipps closed the Public Hearing and asked for any Council comments. There were none.

Mr. Faulkner made the motion to adopt Ordinance 2013-11; seconded by Mr. Wilcher. The vote:

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

Motion passed.

PUBLIC HEARING    ORDINANCE 2013-13    AMENDING CERTAIN SECTIONS OF THE CITY OF FRANKLIN TRAFFIC CODE TO BE CONCURRENT WITH STATE LAW THROUGH JULY 1, 2013

Ms. Fisher stated that last October a new traffic code was enacted. This updates the traffic code to make it current with State law thru July 1, 2013. The changes are outlined in the memo.

Mr. Aldridge asked if the speed limit on I-75 will be changed in our area. Ms. Fisher stated we don’t know yet and are waiting to hear.

Mayor Lipps opened the Public Hearing and asked for any public comments. There being no comments, Mayor Lipps closed the Public Hearing and asked for any Council comments. There were none.

Mr. Centers made the motion to adopt Ordinance 2013-13; seconded by Mr. Bray. The vote:

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

Motion passed.

RESOLUTION 2013-29    ACCEPTING THE RESIGNATION OF SHANE CENTERS FROM THE CITY OF FRANKLIN PLANNING COMMISSION AND APPOINTING \_\_\_\_\_ TO FILL THE VACANCY

Mr. Lewis stated that this was discussed at Council's last meeting in executive session. There are three persons interested in the appointment: Melissa DeHart, Billy Estes and Doug Greathouse. Council needs to adopt the Resolution with a name inserted.

Mayor Lipps stated we have three good names to consider & asked how to proceed.

Ms. Fisher stated that this is the appointment of a public official; need to call for nominations and then vote on the nomination; no second is needed.

Mayor Lipps opened the floor for nominations.

Mr. Centers nominated Mr. Billy Estes.

Mr. Wilcher nominated Ms. Melissa DeHart.

There being no further nominations, Mayor Lipps closed the nominations.

Roll call on the nominations:

Mr. Centers	Mr. Estes
Mr. Wilcher	Ms. DeHart
Mr. Faulkner	Ms. DeHart
Mr. Lipps	Ms. Dehart
Mr. Gray	Mr. Estes
Mr. Aldridge	Mr. Estes
Mr. Hall	absent

The vote is a tie.

Discussion continued on the nominees – both are good.

Ms. Fisher stated Council has to make the nomination.

Mayor Lipps opened the floor for nominations for the appointment to Planning Commission.

Mr. Faulkner nominated Ms. DeHart

Mr. Centers nominated Mr. Estes.

Roll call on the nominations:

Mr. Wilcher	Ms. DeHart
Mr. Faulkner	Ms. Dehart
Mr. Lipps	Ms. Dehart
Mr. Bray	Mr. Estes
Mr. Aldridge	Ms. DeHart
Mr. Hall	absent
Mr. Centers	Mr. Estes

Ms. Dehart is nominated to the Planning Commission.

Mr. Faulkner made the motion to adopt Resolution 2013-29 appointing Melissa DeHart to the Franklin Planning Commission; seconded by Mr. Bray. The vote:

Mr. Faulkner	yes
Mr. Lipps	yes
Mr. Bray	yes
Mr. Aldridge	yes

Mr. Hall absent  
Mr. Centers yes  
Mr. Wilcher yes

Motion passed.

#### CITY MANAGER'S REPORT

Mr. Lewis reported on the following:

- Mr. Woods retirement lunch is Wednesday at Noon
- River Ride this past weekend – great event; WesBanco Bank also had Community Days; river was too high for the kayaks to put in the river; trying to market the river and will be having a ribbon cutting ceremony
- Called the State about the SR 123 intersection – they said we couldn't have a vertical sign and there is one there now

#### LAW DIRECTOR'S REPORT

None tonight.

#### COUNCIL COMMENTS

Mr. Centers stated the City sign at SR 73 needs attention; when the weather sirens were tested last week, they weren't very loud and don't think you would be able to hear inside the house (some discussion on the weather sirens, are outdoor warning sirens and will check them next time they are tested).

Mr. Aldridge thanked everyone for coming this evening.

Mr. Wilcher stated that Main Street, where the buildings were demolished, looks good except for the pink house. Mr. Lewis stated that the back yard has been cleaned up and the pink house is the pink house, maybe we can plant trees etc. in the future; and about the tornado warnings, maybe a NOAA radio would be a good thing to have.

Mr. Bray reminded Council about the Purple Heart Ceremony tonight and to park at the AMVETS and walk to the Deardoff Center.

Mr. Faulkner thanked everyone for coming this evening; thanks for the quick response to the complaint about the tennis courts; and thanks to Mr. Greathouse for his interest to serve on the Planning Commission.

Mayor Lipps stated that on June 21 Congressman Steve Chabot will be attending the Rotary Club meeting and to let us know if you want to attend. The Chamber's Annual Meeting, Awards and Election of Officers, is June 24<sup>th</sup>. State Senator Jones & State Representative Maag will be attending. It is at 11:30 a.m. at the Anderson's Life Celebration Center. Also, I've been attending several County meetings and the kayak ramp is being recognized by other cities in the County and thanks for attending tonight.

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

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

Mr. Centers    yes  
Mr. Wilcher    yes  
Mr. Faulkner   yes

Motion passed.

Mayor Lipps adjourned the meeting at 6:42 p.m.

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Vice Mayor

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Clerk of Council