



CITY COUNCIL REGULAR MEETING

Monday, September 19, 2022 at 6:00 PM

1 Benjamin Franklin Way Franklin, Ohio 45005

www.FranklinOhio.org

CLERK'S JOURNAL

1. CALL TO ORDER

The Mayor called the meeting to order at 6:01 PM

2. ROLL CALL

PRESENT

Denny Centers

Paul Ruppert

Vice Mayor Todd Hall

Mayor Brent Centers

Michael Aldridge

Debbie Fouts

Matt Wilcher

Mr. Westendorf, Ms. Meyer of Bricker & Eckler, LCC., Chief Colon, Ms. Steed, Mr. Inman, Chief Riddiough, Mr. Conway, Ms. Chibis, and Ms. Dunn were present. There was one guest in attendance.

3. PLEDGE OF ALLEGIANCE.

The pledge was led by Mayor Centers.

4. APPROVE THE CLERK'S JOURNAL AND ACCEPT THE TAPES AS THE OFFICIAL MINUTES

A. August 15, 2022

Motion made by Vice Mayor Hall, Seconded by Wilcher.

Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher

Motion passed.

5. RECEPTION OF VISITORS

The Mayor opened and closed the Reception of visitors at 6:03PM as none asked to be heard.

6. PUBLIC HEARING

A. **ORDINANCE 2022-22** AMENDING CITY OF FRANKLIN CODIFIED ORDINANCE 351.03 (PARKING PROHIBITIONS ON STREETS AND RIGHT-OF-WAYS) TO PROHIBITED MAILBOX BLOCKING

This Ordinance amends the City's streets and right-of-ways parking regulations to prohibit parking within ten (10) feet of another property owner's mailbox. The Mayor opened and closed the Public Hearing at 6:06PM as none asked to be heard.

Motion made by Aldridge, Seconded by Vice Mayor Hall.

Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher

Motion passed.

B. **ORDINANCE 2022-23** AUTHORIZING THE ESTABLISHMENT OF THE "ONE OHIO OPIOID SETTLEMENT FUND" FOR THE PURPOSE OF TRACKING RECEIPTS AND LAWFUL EXPENDITURES IN COMPLIANCE WITH THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO (Jonathan Westendorf)

This governmental fund is necessary to track monies received from One Ohio Settlement proceeds and track the lawful expenditures according to the One Ohio Memorandum of Understanding. The Mayor opened and closed the Public Hearing at 6:07PM as none asked to be heard.

Ms. Fouts asked the Mayor for an update on his research into the Region 14 Governance Structure Under The OneOhio Memorandum of Understanding. Mayor Centers emailed the Warren County Commissioners with questions about the representatives for Region 14. Commissioner Jones returned his email and called the Mayor to explain the process of selecting representation for this board. She explained that there was back and forth on how to comprise the board and that the chosen method applies to the entire state. Commissioner Jones felt that the chosen option was the option that best represented Warren County.

Motion made by Vice Mayor Hall, Seconded by Ruppert.

Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher

Motion passed.

C. **ORDINANCE 2022-24** AMENDING PART NINE, TITLE FIVE, CHAPTER 935 OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO AND CREATING CHAPTER 935.07 (RULES APPLICABLE TO FOOD TRUCK PARK)

This Ordinance amends Part 9 (Streets, Utilities and Public Services Code), Title 5 (Other Public Services), Chapter 935 (Other Public Services) to include a new Section 935.07 entitled "Rules Applicable to Food Truck Park." The City's Food Truck Park opened on August 5, 2022. These rules are necessary due to the unique nature of the Food Truck Park.

Vice Mayor Hall asked how the tobacco ban would be enforced. Mr. Westendorf said that it will be used as a way to discourage smoking and vaping in a dining area. Mrs. Fouts asked about the liquor license that was used when alcohol was being sold at the Park. A specific vendor has taken care of the permit and insurance necessary when they are set up at the Food Truck Park.

The Mayor opened and closed the Public Hearing at 6:14PM as none asked to be heard.

Motion made by Wilcher, Seconded by Aldridge.

Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher

Motion passed.

7. NEW BUSINESS

A. **RESOLUTION 2022-64** ACCEPTING THE AMOUNTS AND TAX RATES AS CERTIFIED BY THE WARREN COUNTY BUDGET COMMISSION FOR 2023 AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THE TAX LEVIES TO THE WARREN COUNTY AUDITOR

This Resolution is the final step in the Tax Budget process. The County Budget Commission receives the tax budget from each jurisdiction within the County and then certifies back to each jurisdiction the amounts and rates for inside (un-voted) and outside (voted) property tax levies. This Resolution is a legal requirement and is done on an annual basis.

Property tax revenue projections for the General Fund for Year 2023 is \$563,000. Levy proceeds for the Fire & EMS Fund is \$1,415,000. For cities, the tax budget is mostly to certify the money we will receive from property tax. Property tax revenues only account for 7% of total budget for 2023

Motion made by Vice Mayor Hall, Seconded by Aldridge.

Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher

Motion passed.

B. **RESOLUTION 2022-65** AMENDING THE CITY OF FRANKLIN CIVIL SERVICE COMMISSION RULES AND REGULATIONS

City Staff has worked with Bricker & Eckler LLP to review and revise the Civil Service Rules. Highlights of the changes include:

- **Lateral Original Hiring Process:** Exempt lateral candidates having one year of full-time experience from written testing requirement and use resume/interview process as examination followed by usual psych/background/polygraph tests; separate lateral list
- **Job Posting:** Reduce 30 day job posting requirement, Posting on the City website and inside City offices only
- **Eligibility List:** Expand eligibility list lifespan to one year or until exhausted, Revise rules so that termination or resignation in lieu of termination from prior City employment disqualifies an individual from the eligibility list

- **Secretaries:** Add language to permit the assignment of secretaries to Department and Division heads
- **Civil Service Secretary:** Add language allowing the City's HR Specialist to serve as the Commission Secretary
- **Appeals:** Clarification of matters to be heard by the Commission and exclusion of eligibility list considerations
- **Ethics** Required recusal of member where their family member is before the Commission

The Civil Service Commission approved the changes at their August 22, 2022 meeting.

The Mayor asked about stipend being paid to Civil Service secretary if filled by the HR Specialist. Mr. Westendorf replied that this would be paid under the position's current job duties.

Motion made by Vice Mayor Hall, Seconded by Aldridge.

Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher

Motion passed.

C. RESOLUTION 2022-66 AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH ODOT TO DEVELOP, PLAN, CONSTRUCT, INSTALL AND MAINTAIN THE GATEWAY MONUMENT/LANDSCAPE IMPROVEMENTS AT THE INTERCHANGE OF I-75 AND SR 73

The purpose of the proposed legislation is to authorize the City Manager to execute all appropriate ODOT documents necessary for the completion of the City's gateway monument and landscape improvements along I-75 and SR 73 located within ODOT's limited right-of-way.

Ms. Fouts asked if the gateway monument sign on SR 73 would be replaced. Mr. Westendorf said it would be addressed in the Spring. Mr. D Centers asked if the City would be using the same landscape company as Springboro. Mr. Westendorf confirmed.

Motion made by Ruppert, Seconded by Wilcher.

Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher

Motion passed.

8. CITY MANAGER'S REPORT

Mr. Westendorf informed Council that former City-employee Dave Metcalf had passed away and there may be a procession coming through the City on Thursday. Staff would like to honor him during that procession.

The Auditor of State is going out to bid for next year's audits. Mr. Westendorf will keep Council posted on this process.

SafeBuilt is currently taking care of property maintenance enforcement for the City. Mr. Westendorf has received positive feedback on their work and has noticed visible improvements within the City.

A downtown business owner thanked staff for their cleaning and maintenance efforts in the downtown area.

There was a Food Truck Rally scheduled on September 22. Mr. Westendorf encouraged all to attend.

The William C Goode project will be starting soon. Crews were scheduled to start unloading equipment at the site on that Wednesday. The Beal Road bridge project is scheduled to begin the following year.

Chief Colon gave a presentation to Council as his one-year anniversary was approaching. He highlighted various training programs himself and the officers have and will attend. He showed Council one of the bicycles that will be used for patrol and gave an overview of the bike patrol program. He also showcased improvements made at the police station and shooting range.

9. COUNCIL COMMENTS

Mr. Wilcher had no comments.

Mrs. Fouts is related to Mr. Metcalf and sends prayers to his close family as he passed in an accident. She was contacted by a resident and inquired as to why a shaved ice vendor was allowed to set up at Community Park. The vendor in question was set up inside the school's property at the park.

Mr. Aldridge had no comments.

Mr. D. Centers asked if recruiting from the State Auditor's office is an option for the Finance Direction position, especially if the audit process is going out to bid and there may be some staff that are looking for positions. Mr. Westendorf said that they are short staffed and there is a non-compete agreement in place. Mr. Centers asked if using a headhunter was an option for the Finance Director position. He also asked about a mound of sand on City-owned property from the construction of SR-75. He would like to see about selling the sand.

Mr. Ruppert had no comments.

Vice Mayor Hall thanked the City Manager for dealing with questions from citizens on a social media.

Mayor Centers said that he has received complaints regarding zoning and property maintenance enforcement. He's explained that the City is increasing enforcement efforts across the entire City and he is happy with the progress.

Mr. Westendorf added that GracePoint church is organizing a City-wide clean up effort in October. There have been over 40 residents identified that will receive help during the week. Mr. Aldridge would like to recognize the church after the event for their efforts.

The Mayor was a part of the Warren County Washington D.C. fly-in. He was proud to be a part of the event and said Mr. Westendorf and Ms. Steed worked very hard. It was great seeing Franklin mentioned so often by the representatives.

10. EXECUTIVE SESSION

- A. To consider the employment and compensation of a public employee or official pursuant to ORC 121.22 (G)(1).
- B. To consider confidential information related to the trade secrets of an applicant for economic development assistance pursuant to ORC 121.22 (G)(8).

A unanimous quorum of the public body determines, by a roll call vote, that the executive session is necessary to protect the interests of the applicant or the possible investment or expenditure of public funds to be made in connection with the economic development project.

Motion made by Aldridge, Seconded by Ruppert.

Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher

Motion passed. Council entered into executive session at 7:10 PM with possible action to follow.

Motion to come out of executive session made by Vice Mayor Hall, Seconded by Aldridge.

Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher

Motion passed. Council exited executive session at 8:44 PM.

11. ADJOURNMENT

Motion made by Vice Mayor Hall, Seconded by Aldridge.

Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher

Motion passed. The Mayor adjourned the meeting at 8:44 PM.

Brent Centers, Mayor

Khristi Dunn, Clerk of Council