



CITY COUNCIL MEETING

Monday, June 17, 2024 at 6:00 PM

1 Benjamin Franklin Way Franklin, Ohio 45005

www.FranklinOhio.org

CLERK'S JOURNAL

1. CALL TO ORDER

Mayor Centers called the meeting to order at 6:00pm.

2. ROLL CALL

PRESENT

D. Denny Centers

Paul Ruppert

Vice Mayor Todd Hall

Mayor Brent Centers

Michael Aldridge

Debbie Fouts

Matt Wilcher

STAFF: Mr. Westendorf, Ms. Trice, Ms. Dunn, Chief Stitzel, Captain Pacifico, Ms. Chibis, Mr. Conway, and Mr. Miller

There were six guests in attendance.

3. PLEDGE OF ALLEGIANCE

Mayor Centers led the pledge of allegiance.

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

A. June 3, 2024

Motion made by Vice Mayor Hall, Seconded by Ruppert.

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

Motion passed.

5. PRESENTATIONS

A. Warren County Auditor, Matt Nolan

Warren County Auditor Matt Nolan presented on the upcoming Warren County Property Tax Re-Evaluation. Franklin is seeing the largest growth in property values in the county at 33%, which will result in an average tax increase of 18-20%. State law requires revaluation of property value every three years.

Property Taxes are distributed to the following entities:

70% Franklin City School District

10% Warren County

10% City of Franklin General Fund & Pension Funds for Police and Fire

7% Warren County Career Center
3% Franklin Township

No money from property taxes are allocated to police or fire operating costs.

Notices will be issued from Mr. Nolan's office in September. If a resident thinks their property is over-valued, he asked them to bring the concern to the Auditor's office. The appeal deadline is March 31, 2025.

Mayor Centers asked about the auditor's plan for educating the residents on this issue and invited Mr. Nolan to attend town halls hosted by the City to help homeowners understand the process.

Vice Mayor Hall asked how much more money the school will receive from these increases. Mr. Nolan did not have an exact number but will report back.

6. RECEPTION OF VISITORS

Mayor Centers opened and closed the Reception of Visitors at 6:48PM as none asked to be heard.

7. PUBLIC HEARING

A. ORDINANCE 2024-14 PROHIBITING ADULT USE CANNABIS CULTIVATORS, PROCESSORS, AND RETAIL DISPENSARIES WITHIN THE CITY OF FRANKLIN, OHIO (Jonathan Westendorf)

This Ordinance prohibits all adult use cannabis operators within the City of Franklin.

Mayor Centers opened and closed the public hearing at 6:49PM as none asked to be heard.

Motion made by Vice Mayor Hall, Seconded by Aldridge.

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

8. NEW BUSINESS

A. RESOLUTION 2024-37 OBJECTING TO A LIQUOR RETAIL PERMIT APPLICATION ON BEHALF OF THE CITY OF FRANKLIN, OHIO

The City of Franklin received notice from the Ohio Division of Liquor Control (the "DOLC") that a new Class D liquor permit application had been with filed with the DOLC by Prince Petroleum, Inc. ("Prince"). The application seeks permission for Prince to sell certain liquor products on property located at 1111 William C. Good Blvd (Marathon gas station) (the "Property"). City staff recommends that Council object to Prince's permit application by filing this Resolution with the DOLC.

By way of background, the Property is owned by Pap Oil Company, LLC ("Pap"). Prince manages and operates the premises pursuant to a lease with Pap. Until early 2023, Pap possessed an active liquor permit for the Property. When Pap applied to the DOLC to renew the prior permit for the 2023 year, City Council objected to the renewal application based on a history of unlawful behavior occurring on the premises. Specifically, there had been multiple instances of underage liquor sales, zoning violations, and serious Fire Code violations on the Property. As a result of Council's objection to Pap's permit renewal application, Pap withdrew the application and allowed the permit to lapse. Alcohol has not been allowed to be sold on the Property since March 15, 2023.

Prince continues to operate the Property/Marathon business in violation of numerous laws and regulations. City staff believes that granting Prince the ability to sell alcohol on the premises will only exacerbate these ongoing issues. Staff, therefore, recommends that Council pass this Resolution objecting to Prince's liquor permit application.

Motion made by Ruppert, Seconded by D. Centers.

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

B. RESOLUTION 2024-38 ACCEPTING THE MATERIAL TERMS OF THE ONE OHIO POLITICAL SUBDIVISION SETTLEMENT ON BEHALF OF THE CITY OF FRANKLIN AND IN ACCORDANCE WITH THE ONE OHIO MEMORANDUM OF UNDERSTANDING AND THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID SETTLEMENT AGREEMENT, WITH RESPECT TO KROGER, CO.

Corporations involved in the marketing, manufacturing, and distribution of various medications containing opioids (in various forms) have faced a variety of lawsuits across the country. The State of Ohio proposed an equitable manner in which these claims can be settled on behalf of Ohio's political subdivisions, commonly known as the "One Ohio" settlement.

The opioid lawsuit spearheaded by the State of Ohio on behalf of the "One Ohio" local government settlement class is ongoing, and various defendants-distributors have negotiated individual settlements with the State/settlement class. The City of Franklin previously opted into negotiated settlements with AmerisourceBergen, Cardinal Health, McKesson, Janssen/Johnson & Johnson, and Teva, Allergan, CVS, Walgreens, and Walmart through City Council's passage of Resolution 2021-58, Resolution 2021-75, and Resolution 2023-12.

There are now pending settlements with defendant Kroger, Co. This Resolution similarly states the City's agreement with, and desire to opt into, the settlement. As was the case with the previous settlements, the final settlement terms and total settlement amounts will depend on the number of Ohio political subdivisions that ultimately opt into each settlement.

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 2024-39 AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT AND OTHER DOCUMENTS FOR THE CITY OF FRANKLIN'S PURCHASE OF CERTAIN REAL PROPERTY IDENTIFIED AS WARREN COUNTY AUDITOR'S PARCEL ID NUMBER 0431137015

To allow the City Manager to execute a purchase and sale agreement for the City's purchase of 538 S. River Street for \$120,000. The purchase of this real property described in this Resolution is expected to be in the best interests of the general welfare of City of Franklin residents by furthering economic development, growth, and stability in the City's downtown area.

Motion made by D. Centers, Seconded by Ruppert.

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

D. RESOLUTION 2024-40 DETERMINING THE SUFFICIENCY OF THE APPLICATION TO ADD CERTAIN PARCELS OF REAL PROPERTY TO THE FRANKLIN NEW COMMUNITY AUTHORITY DISTRICT; TO AMEND THE PETITION FOR ESTABLISHMENT OF THE FRANKLIN NEW COMMUNITY AUTHORITY AS A NEW COMMUNITY AUTHORITY UNDER CHAPTER 349 OF THE OHIO REVISED CODE; TO SET A DATE FOR A PUBLIC HEARING ON THE APPLICATION AS REQUIRED BY LAW

In April of 2023, City Council approved the establishment of the Franklin New Community Authority (the "NCA"), pursuant to City Ordinance 2023-10. Consistent with the City's approach to direct new development projects through the NCA, this application is being submitted by the property owner for the Sheetz development within the City on the corner of Watkins Glen Drive and North State Route 123. By adding the property to the NCA, the developer will benefit by being able to be reimbursed for a portion of certain costs it is committing to roadway improvements to North State Route 123 that otherwise would have been needed to be committed by the City. Additionally, the Application amends the Petition as previously approved by the City to include the new property and to allow the voluntary imposition of community development charges on the property.

Motion made by Vice Mayor Hall, Seconded by Aldridge.

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

Motion passed.

9. INTRODUCTION OF NEW LEGISLATION

- A. ORDINANCE 2024-15** AN ORDINANCE TO CONSIDER THE REQUEST OF THE FRANKLIN CITY BOARD OF EDUCATION TO REZONE 6 LOTS ON ANDERSON STREET, SIXTH STREET AND SEVENTH STREET FROM MU-1 MIXED USE DISTRICT TO CV-1 CIVIC DISTRICT

10. CITY MANAGER'S REPORT

On May 14, the Warren County Commissioners office notified staff that we would be receiving \$168,000 from CBDG funds. These will be used for stormwater and paving on Bryant. There will be repaving and base repair on Elaine as well. Council will be presented with a bid packet for Elaine. The County will be handling the bid packet for Bryant.

The second edition of the Franklin post has been completed and sent to the printer. Residents should receive the new edition towards the end of June.

Rumpke will collect trash earlier this week due to excessive heat. Kelchner crews will be starting at 6:00am as well due to excessive heat. Noisy work will happen after 7:00am.

The modified 4th of July parade route was finalized, and an official map shared. This will not be endorsed as the wettest parade and semis will be prohibited as they will not be able to make the turn onto River Street.

The Beal Road traffic signal signage would be installed that week, the signals begin flashing on Friday, June 28, and go active on Tuesday, July 2.

Mr. Westendorf gave an overview of routine Property Maintenance timelines. Inspectors are averaging 220-250 cases per month. The improvement is significant. Personal service from the Bailiff on court referred cases is improving resolutions. Staff will be bringing legislation to Council regarding commercial beautification maintenance.

The RAISE grant application was submitted at the end of February. Mr. Westendorf followed up with Congressman Landsman, Senator Vance, and advisor Homer Carlisle and asked for them to reach out to Secretary Buttigieg in favor of our application. Staff has been told that they have done everything possible to receive funding on this project. A decision should be shared at the end of the month.

Mr. Westendorf provided an update on the Streetscape project. He is appreciative of Duke for their assistance with gas main issues at Second & Main. Their attention and speed to the issue allowed the project to continue on schedule.

Safety and Finance committee meetings needed regarding the need for a Fire Levy. Mr. Westendorf reviewed timelines for legislation and submission to the Board of Elections. Council decided to target placing the levy on the ballot at the May 2025 election.

11. COUNCIL COMMENTS

Mr. Wilcher said it's pretty exciting what's happening downtown. He gave a recommendation for Fizzy's Sips & Sweets and encouraged everyone to support local.

Mrs. Fouts said that we really do work hard for our citizens, in regard to safety with police and fire, with supporting the schools, it is very important. We have to be responsible. It is hard to hear about Franklin getting the most property value increase in the county. She does not like it and is frustrated that we cannot do anything about it. It's disappointing that bills are stalled in the state government that would provide some relief. She thinks a phone call to Scott Lipps and other representatives would be helpful and thinks they should come talk to citizens about what is going on. She appreciates all the information being shared and all the work being done. Using Council Committees like we do works well.

Mr. Aldridge asked about the AltaFiber situation in Harpland. Yards are being torn up and they may not even choose to become AltaFiber customers. Mr. Westendorf said that there is a long-term demand for consumer choice. Spectrum was the only provider for many years. AltaFiber was granted a contract with Warren County to bring fiber to every home that is feasible to do so. Public Works receives permits for all work being done. AltaFiber will eventually reinstall topsoil and seed. All improvements are being done underground. This should create a competitive environment to help maintain costs.

Mr. Aldridge also asked about solicitor permits. He said that there are solicitors not wearing the required permits. Unpermitted solicitors should be reported to the police.

Mr. D. Centers asked staff to please stay on the Property Maintenance issues. Property values have increase significantly in Franklin. He appreciates Mr. Nolan's presentation.

Mr. Ruppert said that a tree on the front of the Speedway on Second Street property blocking view. Staff will ask them to trim the tree and have had to address the issue in the past.

Vice Mayor Hall thanked Public Works for taking care of issues on David, it was cleaned up very nicely.

Mayor Centers said he appreciates Mrs. Fouts advocating for everyone, and especially those with financial vulnerabilities. He is glad that Mr. Nolan was there to hear her concerns.

12. EXECUTIVE SESSION

- A. To consider the appointment, employment, and compensation of a public employee or official pursuant to ORC 121.22 (G)(1).
- B. To consider the purchase of property for public purposes pursuant to ORC 121.22 (G)(2).

Motion to enter executive session made by Ruppert, Seconded by Aldridge.

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

Voting Nay: Vice Mayor Hall

Motion passed. Council entered into executive session at 8:03pm.

Motion to exit executive session made by Wilcher, Seconded by Aldridge.

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

Motion passed. Council exited executive session at 9:30pm.

13. NEW BUSINESS

- A. **RESOLUTION 2024-41** AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT AND OTHER DOCUMENTS FOR THE CITY OF FRANKLIN'S PURCHASE OF CERTAIN REAL PROPERTY IDENTIFIED AS WARREN COUNTY AUDITOR'S PARCEL ID NUMBER 0431101011
To allow the City Manager to negotiate and execute a purchase and sale agreement for the City's purchase of 541 S. River Street at a price not to exceed \$181,869.50. The purchase of this real property described in this Resolution is expected to be in the best interests of the general welfare

of City of Franklin residents by furthering economic development, growth, and stability in the City's downtown area.

Motion made by Ruppert, Seconded by Vice Mayor Hall.

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

14. **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. Council adjourned at 9:31pm

Brent Centers, Mayor

Khristi Dunn, Clerk of Council