



CITY COUNCIL REGULAR MEETING

Monday, April 18, 2022 at 6:00 PM

1 Benjamin Franklin Way Franklin, Ohio 45005

www.FranklinOhio.org

CLERK'S JOURNAL

1. CALL TO ORDER

Vice Mayor Hall called the regularly scheduled meeting of the Franklin City Council on Monday, April 18, 2022 to order at 6:01 PM

2. ROLL CALL

Ms. Dunn called roll which showed:

PRESENT

D. Denny Centers
Paul Ruppert
Vice Mayor Todd Hall
Michael Aldridge
Debbie Fouts
Matt Wilcher

ABSENT

Mayor Brent Centers

Mayor Centers was absent due to a planned vacation.

Ms. Chibis, Chief Colon, Mr. Conway, Ms. Dunn, Mr. Inman, Chief Riddiough, Ms. Ryan, Ms. Steed, Mr. Westendorf, and two guests were in attendance.

3. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Karisa Steed.

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

A. April 4, 2022 Meeting

Vice Mayor Hall asked if there were any amendments to the Clerk's Journal. Hearing none, he called for a motion.

Motion made by Aldridge, Seconded by Wilcher.
Voting Yea: Ruppert, Vice Mayor Hall, Aldridge, Wilcher
Voting Abstaining: D. Centers, Fouts

Motion passed.

5. RECEPTION OF VISITORS

Vice Mayor Hall opened the reception of visitors at 6:03 PM

Mr. Doug Greathouse of 41 W. 6th Street asked to be heard.

Mr. Greathouse addressed Council regarding the noxious weeds Ordinance. He voiced specific concerns regarding a property located at the corner of 6th Street and Riley. He suggested the property be rezoned to attract new development. Vice Mayor Hall said he would have staff look into Mr. Greathouse's concerns.

The Vice Mayor closed the reception of visitors at 6:10 PM

6. PUBLIC HEARING

A. **ORDINANCE 2022-11** ORDINANCE LEVYING A \$5.00 MOTOR VEHICLE LICENSE TAX AS AUTHORIZED BY SECTION 4504.173 OF THE OHIO REVISED CODE (Jonathan Westendorf)

This Ordinance will authorize the collection of a \$5.00 motor vehicle tax, which the City may elect to impose pursuant to R.C. 4504.1.

Mr. Westendorf would like to ensure that these dollars are benefiting Franklin residents. If the City does not enact this tax, another overlapping jurisdiction could claim the fee and tax Franklin residents without the funds being used in Franklin. If enacted, the fee would generate \$55,000 per year and be used for City of Franklin street improvements. The Finance Committee was in favor of moving forward with legislation to implement this tax.

Mr. D. Centers and Mr. Ruppert expressed concern in adding an additional tax. Mr. Wilcher agreed, but doesn't want to allow another entity to claim these funds.

Vice Mayor Hall opened and closed the Public Hearing for ORDINANCE 2022-11 at 6:16 PM as none asked to be heard.

Motion made by Aldridge, Seconded by Fouts.
Voting Yea: Vice Mayor Hall, Aldridge, Fouts, Wilcher
Voting Abstaining: D. Centers, Ruppert

Motion passed.

7. NEW BUSINESS

A. RESOLUTION 2022-30 DESIGNATING ELIGIBLE FINANCIAL INSTITUTIONS AS PUBLIC DEPOSITORIES FOR A FIVE-YEAR PERIOD, BEGINNING MAY 1, 2022, AND AUTHORIZING THE CITY MANAGER TO EXECUTE DEPOSITORY AGREEMENTS WITH THE SAME (Cindy Ryan)

This Resolution designates the local banks the City may use as public depositories for the next five years. The named banks will be required to execute a Public Depository Agreement with the City before any public monies are deposited with them. This Resolution also authorizes the City Manager to execute these Agreements, which will cover the time period of the designation (May 1, 2022 through May 1, 2027) These Agreements require that the banks pledge securities to the City for any amount we deposit with them that exceeds the amount covered by federal deposit insurance.

Mr. D. Centers asked if the rates offered were part of the consideration in choosing the banks. Ms. Ryan responded that close proximity of branches was the major deciding factor. The majority of the City's investments are with other institutions.

Motion made by Wilcher, Seconded by Aldridge.

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

Motion passed.

B. RESOLUTION 2022-31 AUTHORIZING THE PURCHASE OF A CHEVROLET MEDIUM DUTY TRUCK FROM WHITE ALLEN CHEVROLET FOR THE PUBLIC WORKS DEPARTMENT (Steve Inman)

a. Exhibit A: Purchase Agreement

RESOLUTION 2022-31 AUTHORIZING THE PURCHASE OF A CHEVROLET MEDIUM DUTY TRUCK FROM WHITE ALLEN CHEVROLET FOR THE PUBLIC WORKS DEPARTMENT (Steve Inman)

This Resolution authorizes the purchase of a 2021 Chevrolet Medium Duty truck from White Allen Chevrolet for a total cost of \$70,658.00. The purchase price for the truck would come out of the Water Fund.

Mr. Inman reported that the state bid came in at \$101,000. He did not plan on purchasing this vehicle this year, but White Allen approached him with a discounted rate. The was ordered and not picked up by another customer. They offered the vehicle to Mr. Inman at a discount, and Mr. Inman has this amounted budgeted.

Motion made by Ruppert, Seconded by Aldridge.

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

Motion passed.

C. RESOLUTION 2022-32 AMENDING POSITION DESCRIPTION FOR PATROL OFFICER (Cindi Chibis & Chief Colon)

As staff prepares to recruit and hire new Officers, they updated the position description to reflect the duties of the position more accurately. This position had not been updated since it's adoption in 2003.

Mrs. Fouts appreciate all the work being put into job descriptions, continuing education and reviews.

Motion made by Ruppert, Seconded by Fouts.

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

Motion passed.

D. RESOLUTION 2022-33 DECLARING THE NECESSITY OF IMPROVING CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2023 (Jonathan Westendorf)

This is “Resolution of Necessity” is the first step in the street light assessment process for 2023. The street lighting assessment program is used for lighting public rights of way, and can also be used to purchase new street lights. This process is used for all assessment projects normally done for road improvements, as required by the Revised Code.

The City pays for 2% of the total lighting improvement cost to cover the City’s share of the improvement, as required by the R.C., and the cost of lighting intersections. The remaining 98% of the improvement cost is to be paid by special assessment levied on all properties within the City which are benefitted by the public lighting improvement. The assessments are levied based on a percentage of the tax value of each assessed property and are paid in two semi-annual installments.

Motion made by Aldridge, Seconded by Fouts.

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

Motion passed.

E. Liquor License Renewals: All Class C & D Permits (Chief Colon)

The City received notice from the Division of Liquor Control that all Class C and D permits to sell alcoholic beverages at retail in the City were set to expire on June 1, 2022. In order to maintain permit privileges, every permit holder must file a renewal application with the division. ORC Section 4304.27 1(B) provides the legislative authority the right to object to the renewal of a permit and request a hearing. The Police Division is recommending Council object to the permits for Marathon at 1111 William C Good Blvd and Sunoco at 931 E. Second Street.

Council decided to move forward with the objections. Vice Mayor Hall introduced Resolution 2022-34 and Resolution 2022-35.

F. RESOLUTION 2022-34 OBJECTING TO A LIQUOR RETAIL PERMIT APPLICATION ON BEHALF OF THE CITY OF FRANKLIN, OHIO (Marathon)

The City of Franklin, Ohio received written notice from the Division of Liquor Control, attached as “Exhibit A” to this Resolution, that an application to acquire, or renew an existing, liquor permit was received by the Division of Liquor Control with respect to premises within the City located at 1111 William C Good Blvd, Franklin, Ohio 45005. The Chief of Police presented evidence to the City of Franklin City Council, at a public Council meeting held on April 18, 2022,

of various complaints, charges and activities occurring at the Premises, or perpetrated by the permit applicant or a partner, member, officer, director or manager of the applicant, in violation of applicable laws and regulations.

Motion made by Wilcher, Seconded by D. Centers.

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

Motion passed.

G. RESOLUTION 2022-35 OBJECTING TO A LIQUOR RETAIL PERMIT APPLICATION ON BEHALF OF THE CITY OF FRANKLIN, OHIO (Sunoco)

The City of Franklin, Ohio received written notice from the Division of Liquor Control, attached as "Exhibit A" to this Resolution, that an application to acquire, or renew an existing, liquor permit was received by the Division of Liquor Control with respect to premises within the City located at 931 E. Second Street, Franklin, Ohio 45005. The Chief of Police presented evidence to the City of Franklin City Council, at a public Council meeting held on April 18, 2022, of various complaints, charges and activities occurring at the Premises, or perpetrated by the permit applicant or a partner, member, officer, director or manager of the applicant, in violation of applicable laws and regulations.

Motion made by Ruppert, Seconded by Fouts.

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

Motion passed.

8. INTRODUCTION OF NEW LEGISLATION

A. ORDINANCE 2022-12 AMENDING CHAPTER 1103 DEFINITIONS, CHAPTER 1105 ADMINISTRATION, CHAPTER 1107 DISTRICTS AND LAND USE STANDARDS, CHAPTER 1109 OVERLAY DISTRICTS, CHAPTER 1113 USE REQUIREMENTS AND STANDARDS AND CHAPTER 1115 PROCESS AND PROCEDURES OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE (Barry Conway)

a. Exhibit A: 1103.01

b. Exhibit B: 1105.03 & 1105.09

c. Exhibit C: 1107.07

d. Exhibit D: 1109.01

e. Exhibit E: 1113

f. Exhibit F: 1115.08 & 1115.11.

B. ORDINANCE 2022-13 AMENDING CERTAIN SECTIONS OF THE CITY OF FRANKLIN TRAFFIC CODE TO BE CONCURRENT WITH STATE LAW (Khristi Dunn)

a. Exhibit A: Part Three – Traffic Code Amendments

C. ORDINANCE 2022-14 AMENDING CERTAIN SECTIONS OF THE CITY OF FRANKLIN GENERAL OFFENSES CODE TO BE CONCURRENT WITH STATE LAW (Khristi Dunn)

a. Exhibit A: Part Three – General Offenses Code Amendments

9. CITY MANAGER'S REPORT

Mr. Westendorf asked Ms. Chibis to give an update on new recruiting materials. Staff ordered table clothes, a banner and pens for upcoming career fairs. This will aid in a professional presentation.

Finance Director, Ms. Cindy Ryan has accepted a new position outside the City. She thanked Council. Vice Mayor Hall and Council thanked Ms. Ryan for her work and wished her well.

10. COUNCIL COMMENTS

Mr. Wilcher had no comments.

Mr. D. Centers thanked Ms. Ryan. She has produced great audits and he appreciates the work done. The current year audit is almost complete. He appreciates her willingness to help with the transition. He wished her the best of luck.

Mrs. Fouts apologized for missing the previous meeting and she is glad to be back.

Mr. Ruppert had no comments.

Mr. Aldridge offered condolences to the family of Gary Myers. Gary was an active member of the community. His prayers go out to the family.

He also asked about the signage at JK Mart on Second Street. When turning from Millard onto Second, it creates a vision obstruction. Mr. Westendorf will look into the concern.

Vice Mayor Hall asked if the flags downtown were new and complemented them. Mr. Inman responded the banners were new last year.

He also reported that there is excessive trash on St. Rt. 73, coming into the City from Middletown. Staff will look into this and ensure it's cleaned up.

Vice Mayor Hall also offered condolences to the Myers family.

11. EXECUTIVE SESSION

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

Vice Mayor Halled called for a motion to enter into executive session to consider the employment of a public employee or official; and to consider the employment and compensation of a public employee pursuant to ORC 121.22 (G)(1) and to consider the purchase of property for public purposes pursuant to ORC 121.22 (G)(2).

Motion made by Wilcher, Seconded by Fouts.

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

Council entered into executive session at 6:46 PM with no planned action to follow.

Motion to adjourn out of executive session made by Fouts, Seconded by D. Centers.

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

Council adjourned out of executive session at approximately 8:12 PM

12. ADJOURNMENT

Vice Mayor Hall called for a motion to adjourn the meeting. D. Centers made the motion, seconded by Wilcher. Vice Mayor Hall called for a voice vote and by voice vote the motion passed, 6-0. The Vice Mayor adjourned the meeting at 8:12 PM.