



# CITY COUNCIL REGULAR MEETING

Monday, May 16, 2022 at 6:00 PM

1 Benjamin Franklin Way Franklin, Ohio 45005

[www.FranklinOhio.org](http://www.FranklinOhio.org)

## CLERK'S JOURNAL

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### 1. CALL TO ORDER

Mayor Centers called the regularly scheduled meeting of the Franklin City Council on Monday, May 16, 2022 to order at 6:03 PM

### 2. ROLL CALL

Ms. Dunn called roll which showed:

#### PRESENT

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

#### ABSENT

Paul Ruppert

Mr. Ruppert was absent for a family commitment.

Mr. Westendorf, Chief Riddiough, Chief Colon, Mr. Inman, Mr. Conway, Ms. Chibis, Ms. Steed and Ms. Dunn were present. There were also four guests and one member of the press in attendance.

### 3. PLEDGE OF ALLEGIANCE

The pledge of allegiance was led by Mayor Centers.

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

#### A. May 2, 2022

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

Motion made by Vice Mayor Hall, Seconded by Wilcher.

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

Motion passed.

## 5. PRESENTATIONS

### A. Council Committee Reports

Mr. Wilcher gave an update from the May 12, 2022 Public Works & Utilities Committee Meeting.

#### **Lateral Sewer Repair Insurance Program**

- a. The committee has recommended that Franklin partner with the National League of Cities to market who will market voluntary insurance protection for interested residents who would like to protect their homes from costly repairs that often fall outside private homeowner's policies. External sewer line coverage is \$7.75 per month, while external water line coverage is \$5.75/month. The main purpose is to offer a verified solution for residents of older homes to replace the lateral sewer lines (often clay tile) when they fail. Repairs can be costly as there is often a need to cut into the public roadway. The NLC program works with the city to identify contractors whom we have vetted and are familiar with our system. Payment is made directly to the vendor when a claim is filed. At no time is the city directly involved with any of these activities. NLC will market directly to our residents twice a year over a three-year period. The city will add this information to our website and promote the service on social media.

#### **Proposed Water Softening Study**

- b. Warren County recently began offering softened water to their water customers. Springboro is exploring this possibility and approached city staff to seek interest in joining a cooperative effort. Overall, the committee felt that focus needs to remain on downtown development efforts, the beautification effort with Springboro, the Clear Creek Bike Trail, expansion of William C. Good, bridge repairs, water service upgrades, and many other capital improvement projects that are already underway. Further, we couldn't ignore the upward price pressures that we are facing on all these existing projects as well. Finally, our small but mighty staff are already facing a great deal of pressure as we work through all of this, so we just didn't feel the time is right for another major project like this.

#### **Storm Water Management**

- c. Staff updated the Committee on two pressing stormwater issues facing the community:
  - i. The first on Gorsuch Road will require some clearing and reconstruction that will likely require the closure & repair of Gorsuch Road itself. Additionally, some improvements will be needed along the roadway to properly address the situation, which will impact several residents along Gorsuch Road to varying degrees. It is fair to say there are several additional steps needed before the project can begin. Staff are working to initiate an areawide civil engineering study to determine the scope of the problem, and will then evaluate the best alternatives to address the issue. Once a solution is determined, staff will work to communicate those plans to area residents.
  - ii. There is also an issue with a retention pond located at A&S Playzone on Conover Drive. That retention pond is servicing all business properties north of that

facility, as well as those along Commerce Center Drive, north of SR 73. Erosion has impacted the headwall at A&S Playzone, but another retention pond adjoining Commerce Center Drive needs to be cleaned out and maintained. A civil engineer will need to recalculate the needs at the pond on Conover before repairs can be made. Further, the retention facility on Commerce needs to be repaired so that it is functioning properly before those calculations are determined.

#### **Dial Park Update**

- d. The rough grading at Dial Park was completed last year, but a site assessment shows that the winter weather and lack of established ground cover indicates additional work will be needed to remove roots, rocks and other imperfections before a safe playable surface can be realized. Additionally, a topographical assessment is to be performed to ensure fields are level, draining properly, and so that space is maximized giving us the greatest versatility and use of the site moving forward. Staff is moving forward with that assessment with the intention of making necessary changes to allow a finish grade to occur this fall- where we will hydroseed the fields. An overseed in the spring should allow field utilization to begin by the fall sports season in 2023.

### **6. RECEPTION OF VISITORS**

Mayor Centers opened the reception of visitors at 6:11 PM.

Mr. Don Watkins of Bryant Ave asked to be heard. He asked Council to reconsider removing the No Parking signs in front of his residence. Mr. Westendorf explained the results of the traffic engineer's study as to why the no parking sign is necessary. Mr. Westendorf and other staff will revisit Mr. Watkin's property to explore additional parking options.

The Mayor closed the reception of visitors at 6:26 PM

### **7. PUBLIC HEARING**

#### **A. ORDINANCE 2022-15 DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2023 (Khristi Dunn)**

This is the second of three steps Council must act upon to implement the annual street lighting assessments for 2023. \$170,000 is the total projected cost for lighting of the streets, lanes and public ways for 2023. The City funds 2% of the total (\$3,400) and assessed residents' shares total \$166,600.

The Mayor opened and closed the Public Hearing at 6:26 PM as none asked to be heard.

Motion made by Vice Mayor Hall, Seconded by Wilcher.

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

Motion passed.

### **8. NEW BUSINESS**

#### **A. Liquor License Applications (Chief Adam Colon)**

A. Franklin Party Supply Location Transfer

B. Franklin Party Supply Liquor Agency Contract

Chief Colon had no objections. Mr. Westendorf added that there is no objection once the applicant owns the property on the application.

Vice Mayor Hall made a motion to not request a hearing on both applications from Snowden Family Holdings, LCC, DBA Franklin Party Supply, on the condition that they own the property listed on the application: 551 Commerce Center Drive.

Motion made by Vice Mayor Hall, Seconded by Fouts.

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

Motion passed.

**B. RESOLUTION 2022-42 AUTHORIZING THE PURCHASE OF DE-ICING SALT FROM THE CARGIL INC. DEICING TECHNOLOGY BUSINESS UNIT THROUGH THE WARREN COUNTY JOINT SALT PURCHASING PROGRAM (Steve Inman)**

a. Exhibit A: Warren County Bid Opening

b. Exhibit B: Warren County Resolution 2022-0573 Awarding the Bid

The Warren County Engineer closed the reverse online bidding for ice control salt on April 6th, 2022. The lowest bids for dumped road salt were from the Cargil Inc. Deicing Technology Business Unit. (we use dumped). The County Commissioners awarded the bid to the Cargil Inc. Deicing Technology Business Unit on April 19, 2022. This year, under the County's Program, our price per ton is \$89.05. Last year our bid price was \$72,29 per ton through the County's Joint Program. This represents a savings of \$8.06 per ton

The bids were as follows:

Cargill Deicing Tech \$89.05 per ton

American Rock Salt Co. \$89.10 per ton

Compass Minerals America \$93.31 per ton

Morton Salt \$96.78 per ton

The City estimated our need for bidding purposes at 3,000 tons. Salt is a line item budget and is purchased on an "as needed" basis.

Motion made by D. Centers, Seconded by Fouts.

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

Motion passed.

**C. RESOLUTION 2022-43 AWARDING THE BID AND AUTHORIZING EXECUTION OF THE CONTRACT WITH KT SUPPLY LTD FOR THE 2022 WILLIAM GOOD BLVD. ROADWAY EXTENSION PROJECT. (Barry Conway)**

On May 11, 2022, the City opened bids for this project, which were as follows:

Bidder	Total Bid
KT Supply LTD	\$912,808.05
Kelchner Inc.	\$944,209.48
RB Jergens Contractors, Inc.	\$963,601.24
Rack and Ballauer Excavating Co., Inc.	\$995,467.55
Barrett Paving Materials Inc.	\$1,091,090.00
WG Stang LLC	\$1,144,799.15
Sunesis Construction Co.	\$1,211,650.00
Major Enterprises, Inc.	\$1,229,288.50

The Engineer's estimated cost for this Project was \$1,250,000. The City budgeted the cost of this Project in the County Vehicle Tax Fund. Staff recommends that we accept the bid in the amount of \$912,808.05. from KT Supply LTD as the lowest and best bid.

Mr. D. Centers asked if the City had used KT Supply LTD for previous projects. Mr. Conway said that the City has not used them before, but they had performed work for Lebanon and they were happy with their work.

Motion made by Wilcher, Seconded by Aldridge.

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

Motion passed.

**D. RESOLUTION 2022-44 AMENDING POSITION DESCRIPTIONS FOR THE CIVIL/DEPUTY BAILIFF, ASSISTANT CITY MANAGER, AND CLERK OF COUNCIL**

a. Exhibit A: Civil/Deputy Bailiff Job Description

b. Exhibit B: Assistant City Manager Job Description

c. Exhibit C: Clerk of Council Job Description

Judge Ruppert has reviewed and suggested updates to the Civil/Deputy Bailiff job description. These changes were reviewed and approved by Mr. Westendorf and the labor attorney at Bricker & Eckler. Ms. Chibis, Ms. Steed and Mr. Westendorf have reviewed and updated the position description for the Assistant City Manager to encompass the duties being performed Ms. Chibis, Ms. Dunn and Mr. Westendorf have reviewed and updated the Clerk of Council position to more accurately reflect the duties being performed.

Motion made by Vice Mayor Hall, Seconded by Fouts.

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

Motion passed.

**E. RESOLUTION 2022-45 AMENDING RESOLUTION 2022-37 AND AUTHORIZING POSITION TITLES AND THE NUMBER OF POSITIONS FOR EACH TITLE FOR CITY OF FRANKLIN AND FRANKLIN MUNICIPAL COURT PERSONNEL FOR THE YEAR 2022**

a. Exhibit A: Position Titles and Number of Positions

This Resolution provides for the creation of a full-time Assistant City Manager Position.

Motion made by Vice Mayor Hall, Seconded by Aldridge.

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

Motion passed.

**F. RESOLUTION 2022-46 AMENDING RESOLUTION 2022-38 AND ESTABLISHING THE ORGANIZATIONAL LISTINGS AND PAY RATES FOR CITY OF FRANKLIN AND FRANKLIN MUNICIPAL COURT OFFICIALS AND EMPLOYEES FOR THE YEAR 2022**

**a. Exhibit A: 2022 Payroll Rates**

Resolution 2022-38 is being amended to set the rates of pay for 2022.

The Civil/Deputy Bailiff position is being filled by a probation officer. The Assistant City Manager pay range is being set at \$89,039 - \$109,507. The Clerk of Council pay range is being increased to \$67,216 - \$82,667.

Motion made by D. Centers, Seconded by Wilcher.

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

Motion passed.

**G. Swearing In Karisa Steed as Assistant City Manager (Mayor Brent Centers)**

Mayor Brent Centers swore in Karisa Steed as the Assistant City Manager for the City of Franklin.

**H. RESOLUTION 2022-47 RECOMMENDING THE CITY MANAGER ENTER INTO A JOINT PROFESSIONAL SERVICES AGREEMENT WITH FRANKLIN CITY SCHOOLS FOR A PARK FACILITIES MASTER PLAN**

**a. Exhibit A: Human Nature Professional Services Agreement**

City Staff and members of the Council Parks and Recreation Committee have met with Franklin City Schools staff and members of the Board of Education to discuss optimizing use of the Parks system. Human Nature and McBride Dale Clarion have been asked to create a Joint City-School Park Facilities Master Plan. The goal is to coordinate a mutually beneficial strategy for the city and school district's parks and recreation facilities. The project is estimated not to exceed \$40,000 with the City covering 50% of the costs.

The last parks master plan was updated in 2015, prior to the relocation of the high school.

Motion made by Wilcher, Seconded by Fouts.

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

Motion passed.

**10. CITY MANAGER'S REPORT**

Mr. Westendorf thanked Council for the personnel updates that were made that evening.

He reported that repairs for Rescue 16 are estimated at \$110,000. The City will pay the \$1,000 insurance deductible. The repairs are expected to be completed in two to three months.

As a spring clean-up project, there are trees and other overgrowth being removed on City owned lots. The City is also clearing out the south side of SR-123 west of the bridge.

The Downtown Revitalization Plan Open House is on May 25 at 6:30 PM at Franklin High School. During this meeting, staff will ask for resident feedback and ideas for Downtown Revitalization Plan. There is an Economic Development & Planning committee meeting on June 2. The Committee will review results of the townhall meeting as well as text amendments for downtown zoning. The current development moratorium will need to be extended due to meeting schedules between Planning Commission and Council and to ensure all feedback is incorporated into the plan. Council will reconvene to explore the plan. Staff will propose a handful of dates during the work week.

Mr. Westendorf asked if Council would like to move forward with Charter amendments for November elections or wait until the following election cycle. Council opted to move forward with the remaining amendments at the November 2022 election.

There is a Duke Energy Foundation grant available for small businesses in the 45005 zip code. Applications are due June 1, 2022. Staff is also pursuing grants. Ms. Dunn has agreed to assist department heads with grant applications.

Staff has been using Civic Ready to communicate with residents. Mr. Westendorf would like to see more residents sign up for the service. In addition to Emergency alerts, residents can opt to receive notifications about Community News & Events, Public Notices, and Utilities.

The park concession stand did \$460 in sales during a 3 hour period the previous Saturday. Mr. Westendorf is excited for the upcoming pool season and shared merchandise that will be available to purchase at the pool concession stand. Lounge chairs will also be available to rent.

## **11. COUNCIL COMMENTS**

Mr. Wilcher thanked Mr. Watkins for coming. He reassured him he is not a nuisance. Mr. Wilcher had an issue 17 years ago and showed up to Council to address the issue. He hopes there is a mutual solution for his issue. He congratulated Karisa and Khristi. He is glad to have them on the team and he appreciates the work they do. The Community Outreach luncheon on Friday was a neat event and he was happy to attend. He's received lots of compliments about progress in Franklin.

Mrs. Fouts missed the luncheon, her favorite event, to attend her granddaughter's induction into the Junior National Honor Society. She is happy to have her personal business donate to the lunch. She congratulated Karisa and Khristi. She is excited to have both ladies on the team. Mrs. Fouts thanked Chief Colon and the police department for the quick response to her business over the weekend. She is appreciative of all staff and their efforts.

Mr. Aldridge thanked Mr. Watkins for coming. He has handled his self very well and Council is listening. He is excited about the May 25th meeting and sharing the plan. He congratulated and thanked Khristi. He is proud of Karisa and said the City is luck to have her. He recently ran into Liz from McBride Dale Clarion who shared how happy she is to work with staff.

Mr. D. Centers congratulated Karisa and Khristi. He appreciates Mr. Watkins coming and being respectful as he tries to resolve his problem. Council and staff are going to do what they can to help. He asked when construction will start on the roundabout. Mr. Westendorf and Mr. Conway responded that it would begin summer of 2024. He has heard that there are new federal police grants available. Staff is meeting on Thursday to discuss these grant opportunities.

Vice Mayor Hall is glad to have Ms. Dunn and Ms. Steed. He congratulated Ms. Steed and said this promotion is long overdue. He thanked Mr. Watkins for coming to the meeting. He asked if kids would have to pay for water at the pool this summer. Ms. Dunn reported that cups of water would be free and bottles would be available for purchase.

The Mayor thanked Mr. Watkins for coming to the meeting. He appreciates the way he has approached the issue and would like to figure out a solution. He thanked Khristi and Karisa and said their work is appreciated. Movies in the Park return on May 28th with the Sandlot. The Memorial Day parade will be on May 30 at 10:00 AM. A resident called him about emergency situation that had occurred and expressed appreciation on how professional the responders were. The Mayor had a personal bonfire recently. He called it in to the fire department and shortly after a firefighter came to inspect the fire. He appreciated the visit and has noticed that every department is taking things to the next level. It mentioned it was good to see Ed and thanked him for covering the meeting.

## 12. EXECUTIVE SESSION

- A. To consider confidential information related to the specific business strategy of an applicant for economic development assistance that involves public infrastructure improvements that are directly related to an economic development project pursuant to ORC 121.22(G)(8).

ORC 121.22(G)(8)(b): 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.

- B. 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).

Mayor Centers called for a motion to enter into executive session.

Motion made by Aldridge, Seconded by Fouts.

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

Motion passed. Council entered into executive session at 7:08 PM with no planned action to follow.

The Mayor asked for a motion to come out of executive session.

Motion made by Vice Mayor Hall, Seconded by Fouts.

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

Council exited out of executive session at 8:09 PM



### 13. ADJOURNMENT

Mayor Centers called for a motion to adjourn the meeting.

Motion made by Vice Mayor Hall, Seconded by Fouts.

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

Motion passed. Meeting adjourned at 8:09 PM

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Brent Centers, Mayor

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Khristi Dunn, Clerk of Council