

REGULAR COUNCIL MEETING  
March 4, 2019

Members Present: Douglas Baker, Mayor  
Michael Dulaney  
Donna Fletcher, Deputy Mayor via Skype  
James Johnson  
Samuel Lyons  
James Marshall  
Fred Mays

Members Excused: None.

In Attendance: Tracy Jamieson, City Manager  
Brian Spaid, Esq., City Solicitor  
James Wetzel, Deputy City Manager  
Charles Gibbons, Code Enforcement/Zoning Officer via Skype  
Kevin Anundson, Chief of Police  
Deb Eckelberger, Franklin Development Director  
Sheila Boughner, Community Development Coordinator  
Harmony Motter, Finance Director  
Darla Hawke, Recording Secretary  
Tim Dunkle, General Authority Chairman  
Mark Baughman, 140 Oakland Village Dr, O.C.-FOP #50, Blues & BBQ  
Christian Marshall, 1417 Elk Street  
Herb Bigley, 124 Tingley Lane, Men's Softball League  
Zachary Lyons, 112 Laurel Drive  
Sheila Shuffstall, Franklin  
Ashley Smith, 1346 Elk Street  
Travis Hicks, 415 Sixth Street  
Sarah Titley, Venango Newspapers, Inc.  
Chris Rossetti, Explore Venango

Mayor Baker called the meeting to order at 7:11 PM.

**ADOPTION OF AGENDA - Resolution No. 17**

Mr. Johnson moved to approve the agenda, as presented. Mr. Mr. Lyons seconded the motion, which passed unanimously.

**APPROVAL OF MINUTES - Resolution No. 18**

Mr. Lyons moved to approve the minutes of the regular meeting of February 4, 2019, as presented. Mr. Dulaney seconded the motion, which passed unanimously.

**PAY THE BILLS - Resolution No. 19**

Mr. Dulaney moved to pay the bills as presented. Mr. Mays seconded the motion, which passed unanimously.

**CITIZENS' INQUIRIES**

**Resolution No. 20** - Mr. Baughman, representing Fraternal Order of Police #50, was in attendance to request permission to apply for the special liquor license through the PA Liquor Control Board for beer sales at the 2019 Blues & Barbecue Festival. He explained everything will be the same as last year and they will police the areas to enforce the "No Smoking" Ordinance. Mrs. Jamieson reminded Mr. Baughman that the City would need copies of the different groups' insurance policies showing the City as an additional insured. Mr. Johnson then moved and Mr. Dulaney seconded a motion to approve the request for beer to be served in the corralled area of South Park during the 2019 Blues & Barbecue Festival, which will be held on June 15 & 16. Motion passed unanimously.

**CERTIFICATE OF APPROPRIATENESS**

**Resolution No. 21** - Mr. Dulaney moved and Mr. Mays seconded a motion to issue a Certificate of Appropriateness for signs at 309 Thirteenth Street, as presented. Motion passed unanimously.

**BALL LEAGUE AGREEMENTS - Resolution No. 22**

Mr. Bigley reported that there is 500 feet of new fencing waiting to be installed at the Men's Softball field. However, the contractor has gotten backed up which, in turn, has held up their project. He said the Men's Softball League is working with the Little League by combining resources and their hope is to have the new fence up before the start of the season. Mr. Lyons expressed his appreciation for the hard work of both leagues and for Bridget Wood's grant writing efforts. Mrs. Jamieson reported that the architect has finished the plans for the restrooms and the Little League will be getting bids back for that project soon.

Mr. Lyons moved and Mr. Johnson seconded a motion to approve both the Franklin Area Men's Softball League and Franklin Little League Association Agreements for another year. Motion passed unanimously.

**AWARD BID - ACCESSIBILITY IMPROVEMENTS CITY HALL - Resolution No. 23**

Ms. Boughner reported that two bids were received for the Accessibility Improvements to City Hall Project 19-A, which includes improvements to the two public restrooms, the drinking fountain and two doorways on the first floor of City Hall to remove barriers to accessibility. Bids were received from Reck Construction of Oil City, in the amount of \$39,430; and Whalen Contracting, Inc. of Franklin, in the amount of \$41,687. Ms. Boughner advised the Council, after evaluating the bids, it was her recommendation to award the bid to Reck Construction, in the amount of \$39,430. Mrs. Fletcher so moved. Mr. Dulaney seconded the motion, which passed unanimously.

**FINAL READING - BILL NO. 1 - ZONING MAP AMENDMENT ORDINANCE - Resolution No.24**

Mr. Spaid read the title of Bill No. 1, "Zoning Map Amendment Ordinance," into the record. Mr. Lyons moved and Mr. Johnson seconded a motion to pass on Final Reading Bill No. 1, "Zoning Map Amendment Ordinance," as amended, to reflect that the Venango County Planning Commission had not responded to the City's request for a recommendation on the ordinance. Motion passed unanimously.

**PARADE & PARK REQUESTS - Resolution No. 25**

Mr. Johnson moved and Mr. Dulaney seconded a motion to approve the following requests:

- April 15, 2019 • Courthouse sidewalks • Rally • Tea Party
- April 19, 2019 • Downtown sidewalks • Good Friday Crosswalk • Franklin Ministerium
- April 28, 2019 • Downtown streets & Fountain Park • Walk a Mile in Her Shoes • PPC Violence-Free Network
- May 4-5, 2019 • Fountain Park • May Garden Mart • Franklin Gardeners Association

Motion passed unanimously.

**REPORTS****Manager**

- **Resolution No. 26 - APC Tower's Lease Amendment:** Mrs. Jamieson reminded the Council that in January of 2017, the City had entered into a Lease Agreement with APC Towers to erect a cell tower for Verizon on a Bully Hill tract that the City owns. Part of that agreement gave an extended lease option period of two additional years, which extended to 2020. However, Verizon has not yet given the authorization to APC Towers to build the tower, so APC Towers has requested an additional two-year lease option extension until January 11, 2022. APC Towers offered to pay a fee of \$2,000 for that additional option period. Mrs. Jamieson recommended that the City agree to enter into the First Amendment to Option and Ground Lease Agreement with APC Towers as described. Mayor Baker so moved. Mr. Johnson seconded the motion, which passed unanimously.
- **Mid-block Pedestrian Crossing Project on Liberty Street Update:** Reported that last week the City held a pre-construction conference with M & B Services, the contractor for the project. Review of shop drawings is underway and the contractor will let the City know when they are ready to begin the first part of the project, which will include all the concrete demolition, curb ramp construction, drilling of the new traffic signal pole foundations and trenching across Liberty Street for the new electrical conduit to service each pole. Work will likely begin as soon as the weather breaks and should take 3-4 weeks. The second part of the project will be the delivery and setting of the poles, which will not happen for probably 4 months due to the time it takes to have the poles fabricated. The contractor still plans to meet the September 23 deadline.
- **Shared Outer Loop Project:** Reported the City's Multimodal grant application to PennDOT for funding was unsuccessful for the paving and pavement marking for a shared lane that would have helped to bring bicyclists safely up to town and back from the Franklin Trailhead.
- **HOME Grant Update:** Ms. Boughner explained that Venango County, in partnership with the City of Franklin, has been awarded a \$300,000 federally-funded HOME Investments Partnership Program grant for housing rehabilitation projects with the City. The grant will provide funding to rehabilitate approximately 11 houses owned and occupied by income-eligible residents within the City of Franklin.

- CDBG Income Statistics Update: Ms. Boughner reported that on Friday the PA Dept. of Community & Economic Development released the new low and moderate-income (LMI) summary data to demonstrate compliance with the CDBG National Objective of providing benefits to persons on an area basis. Under the new LMI percentages, the entire City, at 53.26% LMI, will now be eligible for area-wide projects.
- Ms. Jamieson reported that she would be attending this year's PELRAS (PA Employee Labor Relations Advisory Service) Conference from March 20-22.
- Will need an executive session to discuss personnel, negotiations, and potential litigation.

### **Solicitor**

- **Resolution No. 27 - First Reading, Bill No. 2, Noise Ordinance**: Mr. Spaid read Bill #2, "Noise Ordinance," into the record, in its entirety. The ordinance will exempt downtown venues offering outdoor entertainment from PA Liquor Control Board noise regulations. After a short discussion, Mr. Johnson moved and Mr. Lyons seconded a motion to approve on First Reading, Bill No. 2, "Noise Ordinance," as amended, to include a provision under exceptions, that it is not applicable in the industrial district. Motion passed unanimously. Mr. Spaid may also add a penalties section, unless, after speaking with Chief Anundson and the District Magistrate, violations can fall under 'disorderly conduct.'

### **Mayor • Appointments**

- **Resolution No. 28** - Mayor Baker moved to appoint Travis Hicks to the Redevelopment Authority. Mr. Dulaney seconded the motion, which passed unanimously.
- **Resolution No. 29** - Mayor Baker moved to appoint Brad Lena to the Planning & Zoning Commission, term expiring January 31, 2023; and to the Historic & Architectural Review Board. Mr. Johnson seconded the motion, which passed unanimously.

### **COUNCIL REPORTS**

**Mayor Baker** - none.

#### **Mr. Johnson**

- As a member of the Heritage Advisory Committee, he was asked to have the City Manager become more involved with the Pennsylvania Environmental Water Trails.
- Reported the Bridge House Project for Oil City had been approved.

**Mr. Dulaney** - none.

#### **Mrs. Fletcher**

- The Franklin Fine Arts Council is now accepting applicants for this year's Taste of Talent Vocal Competition.

**Mr. Lyons**

- Asked when the lights will be installed on Atlantic Avenue. Mr. Wetzel advised they should be installed in the Spring.

**Mr. Mays** - none.

**EXECUTIVE SESSION - Resolution No. 30**

Mayor Baker moved to enter into Executive Session at 7:54 PM to discuss personnel, litigation and negotiations. Mr. Dulaney seconded the motion, which passed unanimously. The executive session ended at 8:59 PM.

**ANY OTHER BUSINESS**

**Resolution No. 31** - Mr. Johnson moved to approve the new job description of Public Utilities Director and to designate it as "Competitive." Mrs. Fletcher seconded the motion, which was unanimously approved.

**ADJOURNMENT**

There being no further business to come before the Council at this time, the meeting was adjourned at 9 PM.

Respectfully submitted,

Darla Hawke, Recording Secretary