

REGULAR COUNCIL MEETING  
September 11, 2017

Members Present: Douglas Baker, Mayor  
Michael Dulaney  
Donna Fletcher, Deputy Mayor  
James Johnson  
Samuel Lyons  
James Marshall  
Fred Mays (upon Oath of Office)

Members Excused: None.

In Attendance: Tracy Jamieson, City Manager  
Brian Spaid, Esq., City Solicitor  
James Wetzel, Deputy City Manager  
Harmony Motter, Finance Director  
Sheila Boughner, Community Development Director  
Charles Gibbons, Code Enforcement/Zoning Officer  
Kevin Anundson, Police Chief  
Darla Hawke, Recording Secretary  
Paul Myers, Meter Enforcement  
John R Phillips, Oil Region Alliance  
James Paulson, Trails to Ales  
Jeff Brunton, OARS  
Chris J Simms  
Jodi Baker-Lewis, Franklin Area Chamber of Commerce  
Jim Williams, Stifel  
Craig Smith, Trails to Ales  
Fred Mays, 429 Grant Street  
Lorin DeGroat, Trails to Ales  
Thomas Evans, 719 - 13<sup>th</sup> Street  
Brian Pratt, 103 - 14<sup>th</sup> Street  
David Ballard, Trails to Ales  
Bernie Nerlich, 1828 Kelly Road  
Dale Wilson  
Harold Best  
Bridget Wood, 1403 Otter Street  
Wendy Knight, 1332 Otter Street  
Janet Wible, 1328 Otter Street  
Renee & Tom Parker, 1346 Franklin Avenue  
Marissa Dechant, Venango Newspapers, Inc.

Mayor Baker called the meeting to order at 7 PM.

**CONSIDERATION OF THIRD DISTRICT COUNCILPERSON - Resolution No. 117**

Mayor Baker noted that only one letter had been received to fill the unexpired term of Mrs. Jane Dlugos for the Third District; that being from Fred Mays, 429 Grant Street, who is running unopposed for this seat in the Fall election. Mayor Baker moved and Mr. Lyons seconded a motion to appoint Mr. Mays to the unexpired term of the Third Councilmanic District previously held by Mrs. Dlugos. Motion passed unanimously.

**OATH OF OFFICE**

Mr. Spaid administered the Oath of Office to Mr. Mays, who was then seated.

**ADOPTION OF AGENDA - Resolution No. 118**

Mrs. Fletcher asked that Agenda Item #9, "Resolution - Transfer of Liquor License to Trails to Ales," be moved to #6A. Mrs. Fletcher then moved to approve the agenda, as amended. Mr. Dulaney seconded the motion, which passed unanimously.

**APPROVAL OF MINUTES - Resolution No. 119**

Mr. Johnson moved to approve the minutes of the Conditional Use Hearing of August 7, 2017, as presented; the Regular Meeting of August 7, 2017, as presented; and the Appeals Board Hearing of August 22, 2017, as presented. Mrs. Fletcher seconded the motion, which passed unanimously.

**PAY THE BILLS - Resolution No. 120**

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

**TRANSFER OF LIQUOR LICENSE TO TRAILS TO ALES - Resolution No. 121**

Mr. Marshall moved and Mrs. Fletcher seconded a motion to approve the transfer of the Liquor License #R-19286, to Trails to Ales Brewery, Inc. Motion passed unanimously.

**CITIZENS' INQUIRIES**

Mrs. Wood and Mrs. Knight addressed the Council concerning the amount of vehicles that are now using and speeding on Otter Street since Franklin Avenue was made one-way. They explained that there are presently 11 children living in that block and the traffic, which had already been extremely high, now makes it dangerous to even enter and exit their vehicles, especially with the street being so narrow. Mr. Marshall explained that when the change was made to Franklin Avenue it was with the understanding that it would be re-visited in one year (July 2018) to see if it was working. Mayor Baker informed the women that, in the meantime, the City would explore utilizing different traffic calming measures to help address the situation.

Mr. and Mrs. Parker, residents of Franklin Avenue, who were in attendance to thank the council for its response to their concerns, said they, too, are seeing continued speeding on

their street and suggested the possibility of speed humps being placed in both neighborhoods in an effort to slow traffic.

Mayor Baker explained that the City had passed a Complete Streets Policy that includes residents of affected areas as part of the planning process for such changes. Mrs. Jamieson will discuss the matter with City staff and email both Mrs. Wood and Mrs. Knight with updates.

#### **CERTIFICATE OF APPROPRIATENESS**

**Resolution No. 122** - Mrs. Fletcher moved and Mr. Johnson seconded a motion to issue a Certificate of Appropriateness for additions and exterior renovations at 308 & 312 West Park Street, as presented. Motion passed unanimously.

[Mrs. Jamieson noted that the Historic Architectural Review Board had recommended the issuance of a Certificate of Appropriateness by a 3-0 vote, with Mr. Wilson abstaining from the vote for the following requests as he owns the properties. Because four votes are required for a board recommendation, the two requests were sent to Council without an official recommendation.]

**Resolution No. 123** - Mr. Dulaney moved and Mr. Lyons seconded a motion to issue a Certificate of Appropriateness for exterior renovations at 317-319 (rear) Thirteenth Street, as presented. Motion passed unanimously.

**Resolution No. 124** - Mrs. Fletcher moved and Mr. Marshall seconded a motion to issue a Certificate of Appropriateness for exterior renovations at 1242 Elk Street, as presented. Motion passed unanimously.

#### **FAIR HOUSING RESOLUTION - Resolution No. 125**

Mrs. Fletcher moved and Mr. Johnson seconded a motion to adopt the Fair Housing Resolution for compliance with Community Development Block Grant requirements. Motion passed unanimously.

#### **TENTATIVE APPROVAL FY-2017 CDBG PROJECTS - Resolution No. 126**

Ms. Boughner recommended the following projects be approved for the 2017 CDBG Program application submission:

Street Improvements:

- Milling & Paving of Elm Street - \$41,000
- Milling & Paving of the 1400 block of New Street - \$10,000
- Paving of Railroad Street (if eligible) - \$31,000
- Milling & Paving of the 1400 block of Chestnut Street OR the 1400 block of Otter Street (OR both should Railroad Street be deemed ineligible) - \$35,300

- Replacement of poor sidewalks in the 1300 block of Franklin Avenue - \$61,600
- Replacement of poor sections of sidewalk along the eastern side of 14<sup>th</sup> Street (connecting Franklin Avenue and Otter Street) and curb cuts at 14<sup>th</sup> & Otter Streets - \$15,000
- Engineering for sidewalks - \$10,000

This will leave \$17,185 for sidewalks, as needed, in the 1300 block of Otter Street for a total of \$221,085.

Ms. Boughner explained that these recommendations are still fluid and contingent upon project eligibility as determined by the Department of Community & Economic Development and the income surveys now underway for the service areas of Elm, New and Railroad Streets and the 1400 block of Chestnut & Otter Streets.

Mrs. Fletcher moved to tentatively approve the projects, as presented, for the City's FY-2017 CDBG Program. Mr. Johnson seconded the motion, which passed unanimously.

#### **SCHEDULE SECOND CDBG PUBLIC HEARING - Resolution No. 127**

Mr. Johnson moved to schedule the second CDBG Public Hearing at 7 PM on Monday, October 2, prior to the next regular Council meeting. Mr. Lyons seconded the motion, which passed unanimously.

#### **THIRD WARD PAVING PROJECT UPDATE**

Ms. Boughner advised the Council that Shields Asphalt Paving is planning to begin work later this week at the following locations:

- 100 block of Orchard Street (milling & paving)
- 100 & 200 blocks of Center Street (milling & paving)
- 500 block of Pacific Street (paving)
- Norman Street, from Grant to Pacific Street (paving)
- Bleakley Avenue (paving & curbing)
- Dubbs Street (paving)

#### **APPOINTMENT OF VOTING DELEGATE TO PA MUNICIPAL LEAGUE - Resolution No. 128**

Mrs. Fletcher moved and Mr. Marshall seconded a motion to appoint Doug Baker as voting delegate to the Pennsylvania Municipal League. Motion passed unanimously.

#### **MINIMUM MUNICIPAL OBLIGATION**

Mrs. Jamieson informed the Council of the Minimum Municipal Obligation figures for 2018. They are as follows: Police - \$160,653 • Firemen - \$168,102 • Non-Uniformed - \$152,914 for a total of \$481,669.

**CONSIDERATION OF PARKING CHANGES AND KIOSKS - LOT C - Resolution No. 129**

Mr. Myers explained, in detail, a proposal to install three parking kiosks in Lot C in the 1200 block of Elk Street. Repairs to the current meters, City-wide, will require at least \$26,140, in addition to constant maintenance costs. He also pointed to costs associated with the upcoming state certification of the meters. He noted that because so many of the parking meters are not working, meter collections have been extremely low (\$78,000/2016 • \$39,500/end of August 2017). With the kiosks, drivers would be able to pay with change, a debit or credit card, or by using a mobile application on their phones. Those using the kiosks would be permitted to park in any downtown location during their allotted time. Should Council approve this change, there would be a one-time capital cost of \$22,056 for the three kiosks, approximately \$5,000 for clear roof cover/s, and \$40,252 for two handheld devices for use by the Parking Enforcement Officer that would sync with the software, for a total of \$67,308. In addition, there would be a recurring cost of \$8,220/year for software support for the handheld devices and for the Finance Department computers.

Mr. Myers also suggested Lot E be changed to City Hall employee parking and permit parking only. He explained this action will save \$3,280.50 in repairs and free up parking spots on Buffalo Street. He pointed out that only \$161 in parking fines was collected last year, due to the number of residents taking advantage of the broken meters. He also recommended 2-hour parking, with the same regulations and enforcement as the 1200 block of Liberty Street, for two other stretches of Liberty; from South Park to 11<sup>th</sup> Street and from Garnet Wood Way to Fourteenth Street.

Concerns were raised on how the 2-hour parking limit in the 1200 block of Liberty Street would be enforced. Mr. Spaid suggested talking with the Retail Association regarding this matter. If that does not solve the issue, Mr. Spaid indicated other measures could be taken.

Mrs. Fletcher then moved to approve the plan for the installation of the kiosks at a cost of \$75,528, which includes the cost for one year software support; the changes to Lot E and the recommended changes for the 1200 and 1300 block of Liberty Street, as presented. Mr. Johnson seconded the motion, which passed unanimously.

Mr. Spaid will have the First Reading of the proposed changes to the Parking Ordinance ready for the October Meeting.

**APPROVAL TO ADVERTISE - 1424 OTTER STREET SALE - Resolution No. 130**

Mrs. Jamieson reminded the Council that about a year ago, Wells Fargo transferred the property located at 1424 Otter Street to the City, along with funds to cover the demolition of the structure. She is requesting approval to put the property at 1424 Otter Street up for sale, through a sealed bid process, with the minimum bid price of \$1,000. This price is based on what other communities are using as minimum bids in similar situations. Mr. Johnson so moved. Mr. Dulaney seconded that motion, which passed unanimously.

**ESTABLISH HALLOWEEN HOURS - Resolution No. 131**

Mr. Lyons moved to establish 6-8 PM, on October 31, 2016, as the Trick-or-Treat hours for the City of Franklin. Mr. Johnson seconded the motion, which passed unanimously.

**PARADE & PARK REQUESTS - Resolution No. 132**

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

- September 18, 2017 • Sidewalks from 13<sup>th</sup> & Buffalo to Liberty to Bandstand Park • Oil Region Rising • Charlottesville Solidarity March
- October 8, 2017 • Fountain Park • Easter Seals • Annual Duck Race

Motion passed unanimously.

**REPORTS****Manager**

- **Resolution No. 133** - Noting that the City was dealing with time constraints and had to schedule the following work in August in order for it to be done in September, she requested Council ratify the decision (made by phone or email) which gave her permission to schedule the following streets to be done using reclaimed millings: the remainder of Wendy Way; Evergreen, from 15<sup>th</sup> to Edgewood; South Edgewood, from Evergreen to the Arbors; and Forest Lane. This work would be done by Suit Kote out of Meadville, in the amount of \$18,180. Mr. Marshall so moved. Mrs. Fletcher seconded the motion, which passed unanimously.
- **Resolution No. 134** - Advised that the Water Department feels they would be able to use the fines leftover from the grinding of millings and asked if Council would approve the purchase by the General Authority, in the amount of \$11/ton. Mr. Dulaney moved to approve the intergovernmental sale of fines to the General Authority at a rate of \$11/ton. Mr. Johnson seconded the motion, which passed unanimously.
- After a short discussion the Council decided to table the matter of creating parking on both sides of Franklin Avenue.
- Explained the City is in the process of preparing an application for a Transportation Alternatives Grant in order to help out with replacement of decorative light poles, mast arm poles at the mid-block crossing (if the ARLE grant is unsuccessful), and replacing the deteriorating concrete pavers in the 1200 block. If successful, the City will need to pay for the cost of project design. She noted this would go hand-in-hand with Penn DOT's betterment project, due to come through town in 2019-2010. Mrs. Jamieson was given permission to continue with the application preparation.
- **Resolution No. 135** - Requested permission to enter into an Engineering Retainer Agreement with The EADS Group on a time and material basis to aid with the process of applying for funding, and other needs for engineering costs to do some budget planning. She noted this would not lock the City into anything long-term, nor does it

require a retainer fee. It will just give her the ability to get some figures and engineering information on an as-needed basis. Mayor Baker so moved. Mr. Johnson seconded the motion, which passed unanimously.

- Advised the Council that the City's current garbage contract runs out at the end of October; however, Tri-County has agreed to extend it another month or so to allow time to put together a contract with all the options that were discussed (i.e. trash carts, recycling carts).
- Reported she has been working closely with Roger McCauley, Franklin Industrial & Commercial Development Authority (FICDA), and is moving ahead with an agreement with them, like the City has with the General Authority.
- Will need an executive session to discuss negotiations and litigation.

#### **Solicitor**

- Mr. Spaid advised that he would be making changes to Article 911 of the Parades & Public Assembly Ordinance and the permit application.
- Will need an executive session to discuss litigation.

**Mayor • Appointments** - none.

#### **COUNCIL REPORTS**

##### **Mayor Baker**

- Advised that he and Mr. Johnson had attended the last Council of Governments (COG) meeting. The next one will be held in Franklin and he invited any members who were interested to attend. It is set for September 21, 2017 at 7 PM in Council Chambers.

##### **Mr. Johnson**

- Thanked the Fire Department for their response to a recent fire at his residence.
- Advised that, as a member of the Oil Region Alliance (ORA) Board of Directors he was invited to tour the Tarbell House in Titusville by the Heritage Preservation Society. He was very impressed with the home and encouraged other members to tour it should the opportunity arise.

##### **Mr. Dulaney**

- Expressed his and the Franklin Area Chamber's gratitude for all the help and support they receive every year from the City during Applefest®.

##### **Mr. Marshall**

- Reported that the City only receives \$12 for each citation issued when a vehicle is cited for going the wrong way on a one-way street.
- Asked Mrs. Jamieson to discuss the matter of police responding to emergency calls with the Chief.

**Mrs. Fletcher**

- Asked the status of the Professional Building. Mrs. Jamieson advised that three suites are available at the present time.
- Ascertained that parents of children attending daycare at the Presbyterian Church on the Friday of Applefest® would be given placards to enable them to park in order to drop off and pick up their children without being ticketed.

**Mr. Lyons - none**

**Mr. Mays**

- Thanked the members for the opportunity to serve.

**OTHER BUSINESS**

Mrs. Jamieson was asked to have Mr. Ruditis request the Penn DOT "One Way" sign (or the City's large sign should that one not be available) be placed at 13<sup>th</sup> Street and Franklin Avenue and that the sign be left at that location until it interferes with snow plowing.

**EXECUTIVE SESSION - Resolution No. 136**

Mrs. Fletcher moved to enter into executive session at 9:16 PM to discuss litigation and negotiations. Mr. Lyons seconded the motion, which passed unanimously. The executive session ended at 9:30 PM.

**ANY OTHER BUSINESS - none.**

**ADJOURNMENT**

There being no further business to come before the Council at this time, the meeting was adjourned at 9:31 PM.

Respectfully submitted,

Darla Hawke, Recording Secretary