

REGULAR COUNCIL MEETING  
June 8, 2020

Members Present: Douglas Baker, Mayor  
Donna Fletcher, Deputy Mayor  
James Johnson  
Samuel Lyons  
Christian Marshall  
Fred Mays  
Ryan Rudegeair

Members Excused: None.

In Attendance: Tracy Jamieson, City Manager  
Brian Spaid, Esq., City Solicitor  
Jim Wetzel, Fire Chief  
Kevin Anundson, Police Chief  
Charles Gibbons, Code Enforcement Officer  
Harmony Motter, Finance Director  
Sheila Boughner, Recording Secretary & Community Development  
Sarah Titley, Venango Newspapers, Inc.  
Aly Delp, Explore Venango

In keeping with social distancing measures relating to the COVID-19 public health emergency, the meeting was held via tele/video conference.

Mayor Baker called the meeting to order at 7:16 p.m.

**ADOPTION OF AGENDA - Resolution No. 59**

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

**EXECUTIVE SESSION**

Mr. Spaid announced that the Council held an executive session to discuss matters of potential litigation at 6:30 p.m. June 8, 2020.

**APPROVAL OF MINUTES - Resolution No. 60**

Mr. Johnson moved to approve the minutes of the regular meeting of May 4, 2020, as presented. Mr. Marshall seconded the motion, which passed unanimously.

**PAY THE BILLS - Resolution No. 61**

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

**CITIZENS' INQUIRIES** – Ms. Jamieson indicated she had received one inquiry that she would address later in the meeting.

**CERTIFICATES OF APPROPRIATENESS – Resolution No. 62**

Ms. Jamieson presented requests for certificates of appropriateness for an awning and two signs at 1243 Liberty Street. She said HARB received the requests at the last minute and did not have a chance to meet, although some HARB members did e-mail comments on the requests. Observing that the requests are not of an urgent nature, Mayor Baker suggested the matter be sent back to HARB for further consideration. Mr. Spaid advised that rather than tabling the requests, the Council should vote to deny the requests as presented, without prejudice to the applicants reapplying to HARB. Mayor Baker so moved, and Ms. Fletcher seconded the motion, which passed unanimously.

**DESIGNATION OF SECTION 504 OFFICER – Resolution No. 63**

Ms. Fletcher moved to re-designate Ms. Jamieson as the City's Section 504 officer. The re-designation is required each year for the Community Development Block Grant program. Mr. Rudegear seconded the motion, which passed unanimously.

**SET DATE FOR CDBG-CV FINAL PUBLIC HEARING – July 6, 2020 -- Resolution No. 64**

Mr. Rudegear moved to schedule the second and final public hearing for the City's FY-2020 CDBG-CV program for 7 p.m. July 6, 2020, prior to Council's regular meeting. Mr. Johnson seconded the motion, which passed unanimously.

**PEG ACCESS CHANNEL AGREEMENT – LIGHTNING STRIKE PRODUCTIONS/STREAM MEDIA – Resolution No. 65**

Mr. Johnson moved to authorize the City Manager and City Solicitor to negotiate an agreement with Lightning Strike Productions/Stream Media for the management of PEG Access Channel broadcasting and programming for the community, and to authorize the Mayor and City Clerk to execute the agreement. Mr. Rudegear seconded the motion, which passed unanimously.

**COVID-RELATED ITEMS**

Ms. Jamieson presented information and asked for Council members' thoughts on a number of COVID-related topics:

- **City's Financial Status and Outlook** – She indicated that as of the end of May, total revenues for the General Fund were down about \$11,000 compared to the same time in 2019 and down about \$109,374 from the 2018 mark. While real property tax revenues have been relatively stable thus far, the revenue from the enabling taxes is down about \$49,000 from 2019 at this time and down by nearly \$60,000 from 2018. With staff lay-offs and other cost-saving measures, the City bought itself a little breathing room, and strong revenues in the second quarter could permit consideration of a return to more normal staffing levels.
- **Temporary Use of Sidewalks/Alleys to Help Restaurants Restricted to 50%**

**Occupancy – Resolution No. 66** -- Because restaurants and bars are limited to 50% occupancy during the state’s “Green Phase” of re-opening, customers waiting to be seated may not wait inside these establishments. As a result, many leave, creating additional economic hardship for these businesses. One such business, Trails to Ales, asked the City to consider permitting it to use part of an adjacent alleyway for a stand-up café for customers waiting to be seated inside. Ms. Jamieson said she would not be surprised if other entities made similar requests to place tables on sidewalks. She advised that should the Council wish to consider such use of public outdoor spaces on a temporary basis, conditions placed should include: listing the City of Franklin as an additional insured; maintaining an acceptable pedestrian walkway at the location; maintaining LCB approval and controlled access points, if serving liquor; providing daily clean-up and trash removal; shutting down at dark or providing adequate lighting. She noted that the fee for non-exclusive use of alleyways is \$25 per day. Mr. Rudegear asked whether the City’s open container law would be a factor, and Mr. Spaid advised that the City Manager can grant a waiver of that prohibition in the event of any City-approved community gathering, entertainment or meeting upon written application. He also advised that Council should consider such requests for the use of public outdoor spaces on an individual basis and adhere to the existing fee schedule or modify that ordinance. Following additional discussion, Mr. Johnson moved to approve use of the alleyway by Trails to Ales for 30 days, at a rate of \$25 per day and with the condition that it be shut down by 10 p.m. Mr. Marshall seconded the motion, which passed unanimously. Council intends to revisit the request at its July 6 meeting.

- **Downtown Parking Meter Enforcement – Resolution No. 67** – Ms. Jamieson recommended the resumption of parking meter enforcement now that businesses are re-opening. Ms. Fletcher moved to resume downtown parking in one week. Mr. Lyons seconded the motion, which passed unanimously.
- **City Hall** – Ms. Jamieson indicated City Hall staff is working on a summer schedule of 7 a.m. to 3:30 p.m. She said she had considered a soft re-opening of City Hall to the public but reconsidered after three people popped in within three minutes while the door was temporarily unlocked to admit members of the Shade Tree Commission. Current staffing levels are not sufficient to handle the onslaught of full public access, she said. She indicated that members of the public may call for appointments if they need to meet with City Hall staff.
- **July Council Meeting – Resolution No. 68** -- Ms. Jamieson indicated efforts have been underway to locate a suitable site so the Council may resume in-person meetings. The site must be large enough to accommodate members of the Council, staff and public, while allowing for social distancing. Possible sites include the FICDA training room and Suite 204 of the Franklin Professional Building. Ms. Fletcher moved to hold the meetings in the FICDA training room if necessary through the end of the year. Mr. Mays seconded the motion, which passed unanimously.

## **PARADE AND PARK REQUESTS – Resolutions No. 69 and No. 70**

Mr. Rudegear moved and Mr. Marshall seconded a motion to approve the following request:

- June 13, 2020 • Bandstand Park • Venango County – Black Lives Matter • **Venango County Unity Rally from 11 a.m. to 1 p.m.**

Motion passed unanimously.

The Council considered two versions of a request from the Franklin Retail & Business Association for this year's Taste of Franklin event – one to hold the event in Fountain Park, which would be fenced off to allow only 250 people to be present at one time, the limit for public gatherings in the "Green Phase," and another option with the vendors on the sidewalks in the downtown business district.

Following discussion of the options, Ms. Fletcher moved and Mr. Johnson seconded a motion to approve the second option as listed:

- Aug. 2, 2020 • Liberty Street Business District • Franklin Retail & Business Association • **Taste of Franklin from 11 a.m. to 4 p.m.**

Ms. Fletcher, Mr. Lyons, Mr. Johnson and Mayor Baker voted to approve the motion. Mr. Rudegear, Mr. Mays and Mr. Marshall were opposed. Motion passed 4 to 3.

## **REPORTS**

### **Manager**

- **Resolution No. 71** -- Ms. Jamieson indicated she had received a request from Fred Weaver of Venango County Veterans Affairs seeking permission for a Flag Day event in Bandstand Park for the reading of the names of military veterans who passed away during the past year. Ms. Jamieson reminded the Council of a previous permit request for another Flag Day ceremony that had been put off as a result of the pandemic. Mr. Rudegear moved to re-instate the previous request by the Gardinier Funeral Home, the Elks Club, the VETS Honor Guard and the Boy Scouts for a Flag Day/Flag retirement Ceremony at Bandstand Park on June 14 and allow Mr. Weaver to coordinate with them. Mr. Lyons seconded the motion, which passed unanimously.
- Ms. Jamieson reported the Franklin Little League and Men's Softball League plan to begin using the fields at Miller-Sibley Recreational Complex on June 29.
- Ms. Jamieson noted that the General Authority is planning another combined sewer outlet (CSO) project, which will affect the storm and waste collection systems throughout the downtown and cost millions of dollars. She said it is vital that City Council be aware of the project and its effect on water and sewer rates and – by extension -- on the City's ability to raise/collect taxes. A presentation of the project will be made jointly to Franklin City Council and the Franklin General Authority in the coming

months.

- She extended her gratitude to all City staff for their hard work during these trying times.

### **Solicitor**

- Reported the Pennsylvania Liquor Control Board is ready to hold the required public hearing on the City's petition for an extension of permission to substitute and enforce its own noise ordinance for Section 493(34) of the Liquor Code for licensees in the Central Business District. The decision on the petition must be made by July 31. The hearing must be held within the Central Business District in a venue large enough to allow for social distancing. Mr. Spaid indicated he would look into the possibilities and move forward with scheduling the hearing.

### **Mayor • Appointments – Resolution No. 72**

Moved to appoint Mr. Johnson to the Franklin Library Committee of the Oil Region Library Association Board of Trustees. Ms. Fletcher seconded the motion, which passed unanimously.

### **COUNCIL REPORTS**

#### **Mayor Baker**

- Also commended City staff for its work under extreme circumstances and thanked the Council and the public for their patience.

#### **Mr. Marshall**

- Noted that while public disappointment over the decision to not open the Miller-Sibley Pool this year is understandable, financial considerations (including the staff lay-offs) informed that decision.

#### **Mr. Rudegeair**

- Asked if there is a plan in case the public turns out in large numbers for a Council meeting at the FICDA training center. Ms. Jamieson said the room is large and could be configured to accommodate quite a few people and allow for social distancing or, if need be, attendance could be limited with admission permitted on a first-come, first-served basis.

#### **Mrs. Fletcher**

- Said she would be willing to talk with the County about possibly providing a bus running once a day to and from Franklin to Two Mile Run County Park for swimming at Crosby Beach.
- Asked about the permitting requirements for recreational fires.

**Mr. Lyons**

- Said he is glad things are loosening up a little and he appreciates Council's decision on the Taste of Franklin event.

**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 8:49 p.m.

Respectfully submitted,

Sheila Boughner, Recording Secretary