

REGULAR COUNCIL MEETING
Council Chambers, City Hall
April 3, 2023

Members Present: Douglas Baker, Mayor
Donna Fletcher, Deputy Mayor
James Johnson
Christian Marshall
Todd Zahner
Ryan Rudegeair

Members Excused: Samuel Lyons

In Attendance: Tracy Jamieson, City Manager
Harmony Motter, Finance Director
James Wetzel, Fire Chief
T.J. Parks, Recording Secretary
Charles Gibbons, Code Enforcement Officer
Brian Spaid, Solicitor
Deb Eckelberger, FICDA
Helen Fielding, The Derrick
Bev Hart, 1333 Elk Street
Ashley Smith, 1346 Elk Street
Alex Spaid, Dale, Woodard, Gent, McFate
Sharon Dorogy, 634 Adelaide Avenue
John Lightner, 1310 Liberty Street
Rod and Cinda Richards, 618 Sibley Avenue
Chip Abramovich, Venango County
Ally-Karen Miller, Franklin YMCA
Wendy Thompson, Franklin YMCA
Bernie Nerlich, Trails to Ales
Dave Ballard, Trails to Ales
Melissa Ditzenberger, 233 Overlook Drive
Ken Bryant, Utica, PA
Jessica LaVerde, 1135 Elk Street

Mayor Baker called the meeting to order at 7:00 P.M.

ADOPTION OF AGENDA – Resolution No. 37

Mrs. Fletcher moved to adopt the agenda as presented, seconded by Mr. Rudegeair. The motion passed unanimously.

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APPROVAL OF MINUTES – Resolution No. 38

Mr. Johnson motioned and Mr. Marshall seconded the motion to approve the regular meeting minutes of March 6, 2023. The motion passed unanimously.

PAY THE BILLS – Resolution No. 39

Mr. Rudegear moved to pay the bills as presented. Mrs. Fletcher seconded the motion, which passed unanimously.

CITIZENS' INQUIRIES –

- Bev Hart, a resident at 1333 Elk Street, read in the newspaper that the Route 62 Multimodal Project is scheduled to begin but did not see anything about pedestrian safety improvements to the Washington Crossing and Route 62 and Liberty Street intersections being incorporated into the project. She requested that rumble strips be installed on the Sugarcreek Borough side of the bridge before the Washington Crossing intersection. Mrs. Jamieson interjected that such improvements would be handled by PennDOT, since that is a State highway, and added that the County is the facilitator for the multimodal project, not the City. Mrs. Power included that the City is looking to apply for Safe Streets for All Action Plan funds. This process, however, can take up to two years to apply for funds, be awarded the grant, and carry out the action plan development. After that, the City can apply for funds to implement the safety project, as described in the action plan.
- Ms. Hart would also like to see better litter clean up after parades.
- Rod and Cinda Richards, of 618 Sibley Avenue, are concerned with the property located at 642 Adelaide Avenue. It seems there have been interior renovations at the property for the past three (3) years, but since then, the yard has become littered with sinks, interior doors, storage cabinets, forklifts, and other salvage materials, and a flatbed truck that is consistently loaded with materials that had been parked on Plumer Avenue, making the narrow street difficult to navigate. They shared photos of the property with City Council. Mayor Baker asked the City Manager to have Code Enforcement look into the situation.

CERTIFICATES OF APPROPRIATENESS – Resolution No. 40

The following requests came before HARB at its March 28, 2023 meeting:

- 1310 Liberty Street – Signs
- 1135 Elk Street – Porch, Railings

Mr. Johnson motioned to approve the request as presented. Mr. Rudegear seconded the motion, which passed unanimously.

COMMUNITY GARDEN PROPOSAL FOR 14TH STREET PLAYGROUND

Mrs. Jamieson said that the presenters were not able to make it this evening but intend to be present at the May meeting to discuss their proposal.

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MILLER-SIBLEY POOL UPDATE

Ally-Karen Miller was present to discuss the upcoming pool season. She announced that seasonal passes will go on sale May 1, 2023 and anticipates opening the pool from June 9 until August 19, providing the same amenities as previous years, but is concerned that she will not be able to find enough staff. Ms. Miller hopes that adding an extra lifeguard training session will encourage more people to apply for the position.

Mrs. Jamieson informed of the City's intent to assess the crack in the bottom of the pool this spring when the remaining water is drained and the pool is preparing to be filled for the season.

YMCA PRESENTATION – Resolution No. 41

Wendy Thompson was present to discuss the Franklin YMCA's Annual Community Support Campaign to raise funds that help youth and adults develop healthy lifestyles, and provide a safe and welcoming social environment. With a 2023 campaign goal of \$90,000, Ms. Thompson asked the City to donate \$1,200 to meet that goal.

Mrs. Fletcher motioned and Mr. Johnson seconded to donate \$1,200 to the Franklin YMCA. Mr. Rudegeair voted in opposition. The motion passed 5-1.

LIQUID FUELS PAVING BID AWARD – Resolution No. 42

Mrs. Jamieson announced the results of the March 16, 2023 bid opening to pave the 200 and 900 blocks of Elk Street, Brown Avenue from Atlantic to Grant and Evergreen from Alder Lane to Gurney Road. Bids also included optional paving of two street segments in the Oak Hill area: Madison Street from Washing to Adams, and Monroe Street from Washington to the end. The low bidder (total base bid plus optional bid cost) was IA Construction Corp. at \$209,798.23, followed by Protech Asphalt Maintenance, Inc. at \$230,518.45 and Glenn O. Hawbaker, Inc. at \$294,977.50. Mrs. Jamieson recommended awarding to the low bidder and include the optional paving.

Mr. Rudegeair motioned to award the street paving project to IA Construction in the amount of \$209,798.23. Mrs. Fletcher seconded the motion, which passed unanimously.

ENGINEERING AWARD FOR LOCAL FEDERAL AID ROUTES PROJECT – Resolution No. 43

Mrs. Jamieson stated that she only received one engineering proposal to develop the plans for paving street segments outlined in the Federal Aid Routes Grant. The proposal came from WRA Engineering in the amount of \$34,975.

Mr. Johnson motioned and Mr. Rudegeair seconded to enter into contract with WRA Engineering for \$34,975. The motion passed unanimously.

CDBG STREET IMPROVEMENTS BID AWARD – Resolution No. 44

Mrs. Power introduced the following three (3) bids that were opened on March 20, 2023 to pave a large number of downtown street segments (see memo filed with minutes) utilizing CDBG funds allocated from FY-2019 and FY-2020:

- IA Construction Corp – \$446,482.85

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- Glenn O. Hawbaker Inc. – \$464,500.21
- Protech Asphalt Maintenance – \$503,016.04

Mrs. Fletcher motioned and Mr. Marshall seconded to award the paving contract to IA Construction Corp. in the amount of \$446,482.85. The motion passed unanimously.

DEMOLITION CONTRACT CHANGE ORDER – Resolution No. 45

Mrs. Jamieson asked Council to conditionally approve an increase Change Order to Earthmovers Inc.'s contract to demolish the three (3) additional properties that Council allowed the City to acquire at the March meeting. The total increase in the contract would be \$36,500 and is itemized as follows:

- 817 Old Mercer Road - \$10,500
- 845 Old Mercer Road - \$15,500
- 1313 Pearl Street - \$10,500

While DCED has not provided formal approval to add these structures to the grant's scope of work, it would be time-effective to approve the modification to our contract with Earthmovers Inc. sooner rather than later.

Mr. Johnson motioned to approve the increase Change Order to Earthmovers Inc.'s contract in the amount of \$36,500 to demolish the three (3) additional structures as described, upon the condition that DCED approves the change in the grant's scope of work. Mr. Rudegear seconded the motion, which passed unanimously.

COUNCIL DISCUSSION ON OPEN CONTAINER EXEMPTION

Mrs. Jamieson presented letters of support from some of the downtown retailers that are in favor of the City issuing a limited exemption from the Open Container Act on Saturdays, from 11 A.M. to 4 P.M., June 10 to September 2. Mr. Marshall stated that would like to see the program take effect this summer and is in favor of the staff recommendations, which Mr. Spaid read as follows:

- Sunset the program after a trial period of one season. If it is deemed to be a workable program, a new ordinance will be drafted next year.
- Run the program on Saturdays, from 11 A.M. to 4 P.M., June 10 through September 2
- Limit boundaries to 1200 block of Liberty Street (both sides) and the 400 block of 12th Street (both sides)
- Do NOT allow during parades
- Do NOT allow in parks and parking lots
- Outdoor café permits would still be required if seating is established on City sidewalks
- Drinking can only be done in recognizable, designated cups provided by participating establishments
- Businesses should provide signage in their windows if they allow open containers in their establishments

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Mr. Spaid concluded by asking if Council would be in favor of permitting the event and, if so, would there just be one permittee or would each establishment that allows alcoholic beverages hold a permit. Mayor Baker said he would prefer a permit because it could be revoked if need be. Mr. Rudegear asked if a permit could take the place of an ordinance, with the City Manager giving approval for a waiver to the Open Container Act. The police department would prefer to have an ordinance, but Mr. Spaid said he would look into issuing permits instead of an ordinance. A draft ordinance will be available at the next meeting, if that is determined to be necessary.

PARK AND PARADE ASSEMBLY REQUESTS – Resolution No. 46

Mrs. Jamieson introduced the following public assembly requests:

- April 20, 2023 • Bandstand Park • “Relative Race” Filming • LenzWorks Productions
- April 22, 2023 • 12th Street, Area designated between Liberty and Buffalo by the Fly Fishing Film Tour application • Dave Ballard of Trails to Ales II
- May 5-7, 2023 • Fountain Park • May Garden Mart • Franklin Gardener’s Association
- Wednesdays, June 28-July 26, 2023 • Bandstand Park • Taste of Talent Vocal Competition • FFAC
- June 16-18, 2023 • Fountain and Bandstand Parks, 12th Street • Blues & BBQ Festival • Franklin Blues & BBQ
- August 5-6, 2023 • Bandstand Park • Taste of Talent Semi-Finals and Finals • FFAC
- September 7, 2023 • Bandstand Park • Annual Memorial Service • VNA of Venango County
- September 15, 2023 • Bandstand Park • Celebrate Recovery Event • Venango County Celebrate Recovery Committee

Mr. Marshall motioned and Mr. Johnson seconded to approve all requests. The motion passed unanimously.

REPORTS

Manager –

- Reintroduced a memo from 2021 that discussed proposed changes to the Property Maintenance Code that prohibits indoor furniture from being kept outdoors. Council indicated their concurrence and asked Mr. Spaid to prepare an ordinance.
- Decorative light poles are going up. The ten (10) remaining poles will be removed, have their foundations drilled and installed and finished with stamped concrete.
- Traffic controller at Coefields Corners has been installed, but required some timing adjustments.
- Received \$762.02 for items put on Municibid.
- The City was awarded \$200,000 in Local Share Account Grant funds to address the HVAC and ventilation system at City Hall and redo the steps to the Police Department. Mrs. Jamieson anticipates utilizing the American Rescue Funds that the City has already received, in addition to drawing from the Capital Account if needed.

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- Easter Egg Hunt is on schedule for tomorrow.
- Street sweeping schedules will be posted on the City's website and Facebook page.
- Thanked everyone that has helped and continues to help in Ronnie Beith's absence and expressed sorrow for her recent passing.
- Annual Bill Beith Golf Tournament is scheduled for June 12th under the direction of the City, FFAC and the Franklin Retail Associations
- Request time in Executive Session to discuss personnel matters

Solicitor –

- Expressed sorrow for Ronnie's passing
- PLCB Noise Ordinance Exemption will be submitted in early May, followed by a hearing scheduled later in May or early June. The Board will then meet in July to vote on the exemption request.
- Continuing to work with Mr. Gibbons on the sign ordinance changes

Mayor Appointments – None

COUNCIL REPORTS

Mayor Baker –

- Discussed his professional relationship with Ronnie and expressed sorrow on her passing
- Read Arbor Day Proclamation for April 28, 2023.
- Announced that the Memorial Day parade is May 29th and invited Council members to participate

Mrs. Fletcher –

- Offered condolences for Ronnie
- Asked if there are places to dispose of unused medications, aside from the police department which can be difficult to access. Mrs. Motter offered to call a police officer upstairs if Mrs. Fletcher would come to the Finance Counter during business hours

Mr. Johnson –

- Reminded everyone of the Community Conversations being held certain Thursdays at the Library
- Offered his condolences regarding Ronnie's passing

Mr. Marshall –

- Very concerned about being down three (3) police officers
- Would like a call system to alert residents of road closures, temporary water shut-offs and other minor inconveniences.

Mr. Lyons – None

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Mr. Rudegeair – None

Mr. Zahner –

- Also expressed sorrow for Ronnie
- Received a request for a stop sign on Elk Street at the 4th Street intersection. The discussion then shifted for other areas that might benefit from having stop signs placed, including stop signs on Elk Street at 9th Street and on 14th Street, both directions, at the Elk Street intersection. Council directed Mr. Spaid to develop ordinances for all three intersections for first reading at the next Council meeting.

Before entering into Executive Session, Mr. Marshall asked about funding for the playgrounds in town. Mrs. Jamieson said that she agreed many playgrounds in town need improved, especially the Atlantic Avenue playground, which hasn't been eligible for CDBG funds. She noted there is a possibility that other funding sources, such as McElhatten Foundation funds, could be used but sometimes they required a match. Mrs. Fletcher suggested setting up a memorial to Ronnie to help fund playground upgrades.

EXECUTIVE SESSION – Resolution No. 47

Mr. Rudegeair moved and Mrs. Fletcher seconded to enter into Executive Session for the purposes of personnel at 8:33 P.M. The motion passed unanimously. The Executive Session ended at 8:56 P.M.

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 8:56 P.M.

Respectfully submitted,



TJ Parks, Recording Secretary