

REGULAR COUNCIL MEETING
Council Chambers, City Hall
July 10, 2023

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

Members Excused: None

In Attendance: Tracy Jamieson, City Manager
Brian Spaid, Esq., City Solicitor
James Wetzel, Fire Chief
Harmony Motter, Finance Director
T.J. Parks, Recording Secretary
Cindi Power, City of Franklin
Helen Fielding, The Derrick
Bev Hart, 1333 Elk Street
James and Ashley Smith, 1346 Elk Street
Alex Spaid, Dale, Woodard, Gent, McFate
Terry Schultz, 620 Sibley Avenue
Stephanie Felmlee, Amy's Closet/Sassy's Gifts
Gayle Porterfield, 1327 Elk Street
Tisha Miller, 1347 Otter Street
David Fox, 1346 Otter Street
Anthony and Jennifer Coppola, 1281 Liberty Street
Dave Ballard and Melissa Ditzenberger, 233 Overlook Drive
Matt Beith, 324 16th Street
Cory Masterson, 1283 Liberty Street
Jenny Taylor, 1576 Buffalo Street
Jodi Lewis, Franklin Area Chamber

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

ADOPTION OF AGENDA – Resolution No. 85

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

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APPROVAL OF MINUTES – Resolution No. 86

Mr. Rudegear motioned and Mr. Lyons seconded the motion to approve the CDBG Preliminary Public Hearing meeting minutes of June 5, 2023, and the regular meeting minutes of June 5, 2023. The motion passed unanimously.

PAY THE BILLS – Resolution No. 87

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

CITIZENS' INQUIRIES –

- Tisha Miller, Otter Street resident, asked for a follow-up regarding last month's discussion of the speed hump on Otter Street. Mrs. Jamieson said she will discuss that further in the Manager's Reports.
- Dave Ballard, owner of Trails to Ales, asked if there have been any issues reported with the Sip n' Shop Program, particularly relating to disorderly conduct. So far, the City's Police Department had not received any complaints. He reported that about forty (40) cups have been sold since the program's inception and is running smoothly on his end.
- Stephanie Felmlee, owner of Amy's Closet/Sassy's Gifts, and speaking on behalf of the Franklin Retail Association, has received numerous complaints about the parking kiosks in the City lots, stating that they are difficult to use. She also asked if the app to pay for parking remotely could be reinstated and if monthly passes could be offered for those who do not need a full quarterly pass. Mrs. Motter interjected that the app is currently being reprogrammed due to outdated software.

CERTIFICATES OF APPROPRIATENESS

The following requests came before HARB at its June 27, 2023 meeting:

1. 1327 Elk Street – Paint, Porch Repairs
2. 1283 Liberty Street - Signs
3. 1281 Liberty Street – Window Applique
4. 421 12th Street – Demo Window Wells, Remove Windows

Mrs. Jamieson noted that the request from the Franklin Public Library, 421 12th Street, came to Council without a recommendation from HARB because the application lacked pertinent information and nobody was present at the meeting to answer questions. The library requested to demolish the window wells to remove the windows in the basement level of the building, but they did not specify how the exterior of the building would look and what materials would be used.

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Resolution No. 88 – Mr. Rudegear motioned to approve requests 1-3 as presented. Mr. Lyons seconded the motion. The motion passed unanimously.

Mr. Rudegear asked if the library is exempt from following the HARB process since it is a City-owned building. Mr. Spaid was unsure of the legal answer but stated that the library has followed HARB procedures in the past. Mr. Beith stated that HARB did not want to slow down the library's project, but was not provided enough information to illustrate the appearance of the finished product.

Resolution No. 89 – Mr. Rudegear motioned to approve the request from 421 12th Street, upon the condition that the material used to fill the demolished window wells matches the existing foundation materials to the satisfaction of City staff. Mr. Lyons seconded the motion which passed unanimously.

Mr. Beith then discussed concerns brought to HARB's attention regarding the exterior lighting recently installed at a commercial property located in the downtown historic district. He explained that the fixtures installed on this particular building have not been reviewed by HARB and discussed previous applications that have included lighting fixtures for review, which instigated discussion with Council on the types of items HARB should be reviewing. In the end, Council collectively decided to continue the discussion at the August meeting. Mr. Rudegear suggested that HARB draft their own recommendations and present them to Council in August.

FINAL READING – BILL NO. 5 – AMENDMENT TO LIMITED EXCEPTION TO OPEN CONTAINER ACT – Resolution No. 90

Mr. Spaid read Bill No. 5, "Amendment to Limited Exception to Open Container Act," into the record.

Mr. Rudegear motioned to pass on Final Reading of Bill No. 5. Mr. Marshall seconded the motion, which passed unanimously.

FINAL READING – BILL NO. 6 – STOP SIGNS AT ELK & 14TH STREETS – Resolution No. 91

Mr. Spaid read Bill No. 6, "Stop Signs at Elk & 14th Streets" into the record.

Mr. Marshall motioned to pass on Final Reading of Bill No. 6. Mr. Johnson seconded the motion. Messrs. Lyons and Zahner voted in opposition. Motion to approve passed 5-2.

CONSIDERATION OF SPEED LIMIT CHANGE AT WASHINGTON CROSSING

Mrs. Fletcher requested to discuss the posted speed limit starting at the bridge at Washington Crossing going towards Liberty Street. Per the traffic ordinance, the speed limit is 40 mph starting at the bridge, and then changes to 25 mph at the Liberty Street intersection. Mrs. Jamieson will reach out to PennDOT to see if the City has authority to change the speed limit of a State road within the City's boundaries.

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EXTENSION OF SVETZ ENERGY SERVICES CONTRACTS – Resolution No. 92

Mrs. Jamieson presented a request from Gary Svetz of Svetz Energy Services to extend the City's current procurement services contracts for natural gas and electric an additional two (2) years in order to lock in lower pricing, as he projects the cost of each to continue to climb. The cost of services for the natural gas contract would be \$2,515, which would be shared with the General Authority based on actual usage (24% City, 76% Authority), and the electric services contract would cost the City \$2,353.50.

Mr. Rudegeair moved and Mr. Johnson seconded to approve both of the two (2) year contract extensions with Svetz Energy Services. The motion passed unanimously.

APPROVAL OF CONTRIBUTION AGREEMENT WITH PENNDOT – 12TH & LIBERTY – Resolution No. 93

Mrs. Jamieson reminded Council of PennDOT's commitment to carry out the engineering and grant administration associated with the 12th and Liberty intersection safety improvements project, for which the City was awarded TASA funding. This would be carried out in conjunction with PennDOT's Route 8 Betterment Project which is expected to start early in 2025. As a result, PennDOT requested the execution of a Contribution Agreement that states the City's match is \$0, and authorizes PennDOT to incorporate the TASA funds and the 12th and Liberty intersection improvements scope of work into the Betterment Project. Entering into this agreement will require a resolution from Council to authorize Mrs. Jamieson to sign the Contribution Agreement on behalf of the City.

Mr. Johnson motioned to enter into the Contribution Agreement and authorize Mrs. Jamieson to sign on the City's behalf. Mrs. Fletcher seconded the motion, which passed unanimously.

ADJUSTMENT TO COMPREHENSIVE SAFETY ACTION PLAN MATCH – Resolution No. 94

On behalf of Mrs. Power, who was absent from the meeting, Mrs. Jamieson reminded Council of their approval at the June 2023 Council meeting to work through the Northwest Rural Planning & Development Commission, to develop a certified Action Plan that meets the eligibility requirements outlined in the Bipartisan Infrastructure Law's Safe Streets and Roads for All (SS4A) program. When the Community Development Department initially met with the consultant that will perform the study, Michael Baker International, it was suggested that the price to complete the Action Plan would be \$50,000. However, after the draft scope of work was finalized and mutually agreed upon, the cost to complete the Action Plan is \$65,000. Since there is a 10% match requirement, the cost to the City would be \$6,500, \$1,500 more than originally anticipated.

Mr. Rudegeair motioned and Mr. Marshall seconded to approve the increased match cost for Michael Baker International to carry out the Action Plan. The motion passed unanimously.

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PARK AND PARADE ASSEMBLY REQUESTS – Resolution No. 95

Mrs. Jamieson introduced the following public assembly requests:

- July 10-13, 2023 • Riverfront Park/Miller-Sibley Park • Summer Program Series • Venango County Substance Use Prevention
- July 21, August 4, August 18, 2023 • Miller-Sibley Park • Morning Outdoor Fitness Class • Franklin YMCA
- July 18, August 1, August 15, 2023 • Riverfront Park • Evening Outdoor Fitness Class • Franklin YMCA
- August 1, 2023 • Franklin Heights Playground • United Way National Night Out • Linda Lusher
- August 19, 2023 • Riverfront Park • Rock in River Fest • FFAC
- August 31, 2023 • City Parking Lot D • Vigil of Hope/Overdose Awareness Day • Women’s Recovery Center/Family Services and Children’s Aid

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

REPORTS

Manager –

- The concrete pad for the picnic tables in Fountain Park is finished and looks wonderful.
- Following up on the speed humps on Otter Street, Mrs. Jamieson reported that the Street Department could install two (2) permanent speed humps for the price of one temporary. The permanent speed humps would not be constructed curb to curb so as to allow water to bypass, should not negatively affect snow removal, and would not impede with residents’ ability to park on the street.
 - **Resolution No. 96** – Mayor Baker motioned and Mrs. Fletcher seconded to approve the installation of two (2) permanent speed humps on Otter Street. The motion passed unanimously.
- Mr. Parks reported that construction for the McElhattan Neighborhood Sidewalk Program is scheduled to begin on August 7, and stated that he will be sending notices out to residents in the Phases II and III areas to gauge their interest in the program.
- Mr. Parks discussed his intent to submit a TASA pre-application for funds to establish the bike loop that was described in the 2017 Pedestrian and Bicycle Connection Master Plan, starting at the Riverfront Parking lot on 9th Street and continuing on 9th Street to Buffalo Street, then along Buffalo to 14th Street, 14th Street from Buffalo to Elk Street, and along Elk Street back to 9th Street. The request will include paving the 9th St. parking lot at Riverfront and certain street segments within the loop, applying share-the-road markings to the streets, curb cuts, and adding wayfinding signage.
- Our three-year garbage contract expires this year. Mrs. Jamieson asked if there are any changes that Council would like to see made to the future contract before she puts it out for bid. Council decided to leave the contractual obligations as they currently are.

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- Mrs. Jamieson reminded Council of the recommendation by the Pedestrian Safety Committee to remove the traffic signal at 9th and Liberty Streets. She suggested that, if Council would like to address this signal, requesting that PennDOT study its removal should happen sooner rather than later to be part of the Betterment Project. Some discussion ensued and it was decided to discuss further at the August meeting.
- Mr. Reed requested a public posting to remind property owners that tree trimming between the sidewalks and the curbs are the responsibilities of the adjoining property owners.
- Brush cutting will be delayed until mid-August due to equipment malfunctions of the City's normal contractor.
- Street paving is scheduled to begin mid-August.
- Has items to discuss in Executive Session for matters of personnel and potential litigation.

Solicitor –

- Mr. Spaid requested a motion to rescind Resolution No. 70 which involves a license agreement that allows Mr. Hess to move the large fountain from a residence in the 900 block of Liberty Street and place it on the property between the PNC drive-thru and his antiques shop on 12th Street, which is City property, and to use the fountain as a planter with no water or other utility connections. Since then, Mr. Hess received a quote for transporting and setting the fountain for the unfeasible cost of \$10,000 and will not be able to carry through with his intentions.
 - **Resolution No. 97** – Mr. Johnson motioned to rescind the approval to enter into a license agreement with Mr. Hess as described in Resolution No. 70 in the June 5, 2023 City Council meeting minutes. Mrs. Fletcher seconded the motion. The motion passed unanimously.
- Requested time in Executive Session to discuss personnel and potential litigation.

Mayor Appointments – None

COUNCIL REPORTS

Mayor Baker –

- 4th of July festivities went well despite weather and commented on the large attendance at the Penny Carnival.
- Has personnel matters to discuss in Executive Session.

Mrs. Fletcher –

- Glad to hear that the street paving will be underway soon
- There has been a man and woman sitting on the bench outside of Iron Furnace asking passers-by for money and cigarettes.

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Mr. Johnson – Thanked the Street Department for their prompt response in painting the lines for the parking spaces at the YMCA.

Mr. Marshall –

- Received positive feedback from out-of-town visitors on the Sip n' Shop program.
- Received complaints about the poor condition of the Franklin Club and notified Mr. Gibbons.
- Received complaint about constantly barking dogs from a resident on 12th Street. The resident claims to have contacted the police on several occasions but that has still not resolved the issue. Mr. Marshall suggested raising the fine that is set in the dog ordinance. Mr. Spaid will research what a reasonable fine would be and draft an amendment to the ordinance to reflect the new amount.
- Asked about the status of the notification system to alert residents of water shut-offs, construction, etc. Mrs. Jamieson said that Mr. Gorman is coordinating a meeting with a company to get a system established.

Mr. Lyons –

- Asked when West Park Street will be paved past the YMCA. Mrs. Jamieson said that will happen next year.
- Heard that the YMCA will be charged \$5,000 to hold the 5K race over Applefest. Mrs. Lewis said this is the amount it costs to temporarily close off the portion of Liberty Street for the race. The Chamber offered to split the cost with the YMCA for this year.

Mr. Rudegear – Has items to discuss in Executive Session.

Mr. Zahner – None

EXECUTIVE SESSION – Resolution No. 98

Mr. Rudegear moved and Mr. Johnson seconded to enter into Executive Session for the purposes of personnel and potential litigation at 8:10 P.M. The motion passed unanimously. The Executive Session ended at 9:09 P.M.

ANY OTHER ACTION - None

ADJOURNMENT

There being no further business to come before the Council, the meeting was adjourned at 9:09 P.M.

Respectfully submitted,



T.J. Parks, Recording Secretary