

REGULAR COUNCIL MEETING  
Council Chambers, City Hall  
August 7, 2023

Members Present: Douglas Baker, Mayor  
Donna Fletcher, Deputy Mayor  
James Johnson  
Christian Marshall  
Todd Zahner  
Ryan Rudegear  
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  
Allison Myers, 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  
Daniel Weiland, HARB  
Deb Eckelberger, FICDA  
Matt Beith, HARB  
Stephanie Felmlee, Amy's Closet/Sassy's Gifts  
Jake and Ashley Smith, 1346 Elk Street  
Jennifer Taylor, Buffalo Street  
Barbara Matthews, 1239 Liberty Street  
Dana Shawgo, 1328 Liberty Street  
Bev Hart, 1333 Elk Street  
Jodi Lewis, Franklin Area Chamber

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

**ADOPTION OF AGENDA – Resolution No. 99**

Mrs. Jamieson requested to add the following items to the agenda, under City Manager's Reports, as they will require action from City Council:

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- 1) PennDOT Agility Agreement Approval
- 2) Consideration of Sidewalk Work at 15<sup>th</sup> Street Playground
- 3) Set Two Conditional Use Hearings
- 4) Community Heart and Soul Program Presentation

Mayor Baker moved to adopt the agenda as amended, seconded by Mr. Rudegear. The motion passed unanimously.

## **APPROVAL OF MINUTES – Resolution No. 100**

Mr. Johnson motioned and Mr. Rudegear seconded the motion to approve the regular meeting minutes of July 10, 2023. The motion passed unanimously.

## **PAY THE BILLS – Resolution No. 101**

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

## **CITIZENS' INQUIRIES –**

- Mr. Matt Beith thanked Council for their majority approval of the 3-way stop at the intersection of Elk and 14<sup>th</sup> Streets and noted that no traffic back-ups have been observed. Ms. Bev Hart echoed Mr. Beith's gratitude.
- Mr. Dana Shawgo expressed concerns over traffic backing up at the intersection of Liberty and 13<sup>th</sup> Streets, suggesting that a traffic signal with left-turn arrows would be beneficial to prevent the congestion. He continued to state that the congestion is causing aggravated drivers to turn abruptly into PNC Bank parking as a cut-through to Elk Street. Mrs. Jamieson reported that PennDOT's consultant is currently studying that intersection as part of the Route 62 Betterment Project and that she will report further on that during the City Manager's Reports.

## **CERTIFICATES OF APPROPRIATENESS – Resolution No. 102**

The following requests came before HARB at its July 25, 2023 meeting:

1. 1328 Liberty Street – Signs
2. 1409 Elk Street – Roof over side porch
3. 415 12<sup>th</sup> Street – Window awnings

Mr. Rudegear motioned to approve all requests as presented. Mr. Marshall seconded the motion. The motion passed unanimously.

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**FIRST READING – BILL NO. 7 – AMENDMENT TO DOG ORDINANCE – Resolution No. 103**

Mr. Spaid read Bill No. 7, "Amendment to Dog Ordinance," in its entirety into the record.

Mr. Marshall motioned to pass on First Reading of Bill No. 7. Mr. Rudegear seconded the motion, which passed unanimously.

**PARKING AND TRAFFIC – FRANKLIN AVE., CHESTNUT, LIBERTY AND BUFFALO STREETS**

Mrs. Jamieson discussed several parking issues that have been brought to her attention by residents in certain areas that do not have driveways. The first area is on Franklin Avenue, where the resident is frustrated that she cannot find parking because her neighbors that do have driveways are parking on the street instead. Another area of concern is the 1200 block of Chestnut Street where resident, Russ Campbell, claims that the parking in front of his residence is often taken by nurses and others who are visiting residents of the Franklin Towers. She reported that Chief Anundson said he felt that both streets are wide enough, at least in parts, to accommodate two-sided parking along the street. The last area is in the 300 block of Liberty Street, where on-street parking is currently not permitted. Neither staff nor PennDOT can see any issues with allowing parallel parking in this block.

Lastly, Mrs. Jamieson mentioned that she has observed speeding on Buffalo Street between 4<sup>th</sup> and 7<sup>th</sup> Streets where there are no stop signs. She feels adding a stop sign in this area would help to calm traffic. Mr. Marshall stated that he feels speed humps would be more effective.

Along the lines of parking, Mayor Baker mentioned he feels that more parking spaces could be added around the courthouse. Mr. Marshall asked if the parking app is back in service. Mrs. Motter said that FNB is working on some of the technical aspects to process credit card transactions, which she hopes will be completed this week. Mr. Marshall also inquired about adding the option of a 30-day parking pass to the current 90-day pass. Mrs. Jamieson replied that doing so would require an ordinance change. Mrs. Motter added that there would be a \$300 fee to make the change in the accounting system, and would still not be able to be prorated if someone were to purchase a parking pass in the middle of the month. Staff will update City Council on these issues.

**PARK AND PARADE ASSEMBLY REQUESTS – Resolution No. 104**

Mrs. Jamieson introduced the following public assembly requests:

- August 25, 2023 • Fountain Park • Peanut Sales • Kiwanis Club
- September 10, 2023 • Bandstand Park • Worship Service • Atlantic Avenue United Brethren Church
- October 4-8, 2023 • Downtown Parks, Liberty, W. Park, S. Park and 12<sup>th</sup> Streets • Applefest • Franklin Area Chamber of Commerce
- October 7, 2023 • Liberty Street, from 13<sup>th</sup> to 3<sup>rd</sup> Streets • Applefest 5K • Franklin YMCA

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Mr. Johnson motioned and Mr. Rudegear seconded to approve all requests. The motion passed unanimously. Mrs. Fletcher wanted to note that the application for Applefest does not request the closure of West Park Street between Elk and Otter Streets on Saturday, October 7. She stated that doing so creates traffic congestion.

### **REPORTS**

**Manager** –

#### **PENNDOT AGILITY AGREEMENT APPROVAL – Resolution No. 105**

Mrs. Fletcher motioned and Mr. Rudegear seconded to approve the five (5) year extension of the PennDOT Agility Agreement. The motion passed unanimously.

#### **CONSIDERATION OF SIDEWALK WORK AT 15<sup>th</sup> STREET PLAYGROUND – Resolution No. 106**

Mrs. Jamieson stated that since M & B Services was currently in town performing work on the Franklin Sidewalk Improvement program, she requested a quote from M & B Services to replace 255 feet of sidewalk along Elk Street at the 15<sup>th</sup> Street Playground. She had hoped that the Street Department would be able to carry this out, but they were stretched pretty thin in their current duties. The quote came in at \$19,703. She indicated that the project could be paid for out of the Professional Building Account, if Council chose to carry out the work.

Mr. Johnson moved to approve the proposal as presented. Mr. Marshall seconded. The motion passed unanimously.

#### **SET 2 CONDITIONAL USE HEARINGS – Resolution No. 107**

Mrs. Jamieson stated that Code Enforcement received two (2) Conditional Use applications, one for a Bed and Breakfast and one for a Boarding House. Conditional Use Hearings must be scheduled within sixty (60) days of receiving an application. Mr. Spaid advised that the earliest he could prepare the paperwork would be for the October 2, 2023 meeting, which would still be within the 60-day window.

Mr. Rudegear motioned and Mr. Marshall seconded to schedule the Conditional Use Hearings on October 2, 2023 to occur consecutively at 6 P.M. and 6:30 P.M. preceding the regular City Council meeting. The motion passed unanimously.

#### **COMMUNITY HEART AND SOUL PROGRAM PRESENTATION – Resolution No. 108**

Ashley Smith, from the Venango County Chamber, would like to apply for a grant that provides \$10,000 to carry out a four (4) phase process over the course of two (2) years with the assistance of a coach to encourage citizens to be involved in their communities. Ms. Smith intends to include Franklin, Oil City and Cranberry Township in her application. The application is due August 25<sup>th</sup> and requires the councils of each community to adopt a resolution to be included in the program.

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Mrs. Jamieson read from the presented resolution that states that the City will provide support from staff and elected officials, provide meeting space, and assist with disseminating information about the program via the City website, social media and other means of communication. Mrs. Power expressed concern about having enough staff time to assist with the program. Ms. Smith replied that staff involvement will be minimal with the majority of the “heavy lifting” will be done by her department at the Venango Chamber. She continued that if the program becomes too arduous after Phase 1, then the City could withdraw from the program.

Mr. Johnson motioned and Mr. Rudegear seconded to adopt the resolution for the first phase of the Community Heart and Soul Program as presented. The motion passed unanimously.

- Mrs. Jamieson announced that the speed humps on Otter Street have been installed.
- Construction for Phase 1 of the Franklin Neighborhood Sidewalk Program is underway and about thirteen (13) applications for Phase 2 have been received.
- Mrs. Jamieson spoke to PennDOT after the last Council meeting and it was determined that a speed study would need to be conducted at Washington Crossing which could likely result in raising the speed limit in that area instead of lowering it, which would be counterproductive for safety purposes.
- Mrs. Power stated that the City is working with Michael Baker International to conduct a city-wide analysis of where safety improvements can be made, particularly for pedestrians and bicyclists. The Community Development Department is working on putting together a Steering Committee that will meet three (3) times over a six (6) month period, and will hold other public engagement meetings throughout the city.
- PennDOT’s consultant (WRA) is currently performing an analysis on the necessity of the traffic signal at 9<sup>th</sup> and Liberty and adding left turn arrows to the signal at 13<sup>th</sup> and Liberty as part of the Betterment Project.
- Mrs. Jamieson reminded Council of their agreement to fund stormwater improvements and roadway paving in cooperation with the General Authority’s water and sanitary sewer work occurring in Miller Park and along Old Mercer Road. She advised that Sandycreek and Frenchcreek Townships will be submitting a joint application for County Liquid Fuels funds to repave the portions of Old Mercer Road that fall within their municipalities and offered the City of Franklin an opportunity to be included in that application to complete the paving of Old Mercer Road that falls within the City’s boundaries. Mrs. Jamieson will prepare a resolution to be voted on at the September meeting.

### Solicitor –

- Mr. Spaid reported on the result of a property maintenance hearing where the property owner was found guilty and was charged \$1,000 for high grass and not caring for vacant property but was offered an opportunity to have the fine reduced by \$500 if the maintenance issues were rectified within fourteen (14) days.

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- Mr. Spaid asked for Council's position regarding HARB's review of light fixtures. The majority of Council agreed that light fixtures should not be reviewed by HARB, so Mr. Spaid said he will prepare an amendment to the ordinance to clarify that.
- The three (3) year extension for the Noise Ordinance has been approved by the Liquor Control Board.
- Requested time in Executive Session for the matters of personnel and potential litigation.

### Mayor Appointments – None

### COUNCIL REPORTS

#### **Mayor Baker –**

- Mayor Baker reminded everyone of Light Up Night on November 18<sup>th</sup> and offered Council members to consider participating.
- Mayor Baker announced that the 2023 Municipal Leadership Summit will take place October 5-8 in Bethlehem, PA. A voting delegate will need to be selected and would prefer it be someone other than him as he will be nominated president of the Municipal League. The League will need to know by Friday, September 1.

#### **Mrs. Fletcher –**

- Reminded everyone of the Rock in River Fest on August 19<sup>th</sup> at Riverfront Park.
- Glad to see successful street paving.
- Congratulated Pat Dolecki for successfully completing Taste of Talent.
- Asked when the cross walks will be painted. Mrs. Jamieson said when the street paving is complete, the Street Dept. hopes to begin painting.
- Announced that there will be a memorial concert for Ronnie Beith on August 31<sup>st</sup> at 7 P.M.
- Concerned about a seemingly abandoned house on Buffalo Street that has high grass and doors left open.

**Mr. Johnson –** Pleased with the turnout at Taste of Talent and thankful to the City for placing the radar speed equipment on Liberty Street.

#### **Mr. Marshall –**

- Asked when Wifi will be installed downtown. Mr. Gorman said it will hopefully be finalized by Applefest.
- Requested a more user-friendly map outlining the Historic District.
- Requested to extend the Sip n' Shop Program geographically to include establishments located on W. Park Street between Liberty and Elk Streets, and both sides of 13<sup>th</sup> Street between Liberty and Otter Streets, and to extend the timeframe to include Fridays from 11 A.M. to 4 P.M. and run it through to December 31<sup>st</sup>. It was advised that amending

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the ordinance would have to occur prior to September 2, which will result in setting two (2) special meeting dates.

- **Resolution No. 109** – Mr. Marshall motioned to schedule Special Council Meetings on Monday, August 21, 2023 and Monday, August 28, 2023, both at 7 P.M. Mr. Johnson seconded the motion, with Mrs. Fletcher voting in opposition. Motion passed 6-1.

**Mr. Lyons –**

- Reported on good pool attendance for the season.
- Requested time in Executive Session for matters of personnel.

**Mr. Rudegeair** – Reported on a letter he received regarding a sewer manhole in the 500 block of Elk Street that a resident felt was dangerous. He handed the letter to Mrs. Jamieson to follow up.

**Mr. Zahner** – Received complaints about electric bikes/scooters on sidewalks in town.

**EXECUTIVE SESSION – Resolution No. 110**

Mr. Rudegeair moved and Mr. Zahner seconded to enter into Executive Session for the purposes of personnel and potential litigation at 8:38 P.M. The motion passed unanimously. The Executive Session ended at 9:29 P.M.

**APPROVE CITY MANAGER EMPLOYMENT AGREEMENT – Resolution No. 111**

Mayor Baker moved and Mr. Rudegeair seconded the motion to appoint James Wetzel as City Manager and to approve his employment contract, effective as of January 1, 2024. The motion passed unanimously.

**ANY OTHER ACTION**

Ashley Smith requested time to further discuss the HARB ordinance and the specific history with the former Vantage Building (13<sup>th</sup> & Liberty). She indicated that her issue was more of a procedural process one, than one of the actual uplighting of the building.

**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 9:36 P.M.

Respectfully submitted,



T.J. Parks, Recording Secretary