

REGULAR COUNCIL MEETING  
Council Chambers, City Hall  
September 11, 2023

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

Members Excused: None

In Attendance: Tracy Jamieson, City Manager  
Brian Spaid, Esq., City Solicitor  
James Wetzel, Deputy Manager  
T.J. Parks, Recording Secretary  
Amanda Power, Community Development  
Cindi Power, City of Franklin  
Charles Gibbons, Code Enforcement Officer  
Alex Spaid, Dale, Woodard, Gent, McFate  
Helen Fielding, The Derrick  
Linda Foster, Chestnut Street  
Sharon Dorogy, 634 Adelaide Avenue  
Terry L. Schultz, 620 Sibley Avenue  
Chip Abramovic, Venango Co. Commissioner  
Danielle and Levi Benson, 1256 Liberty Street  
Deb Eckelberger, FICDA  
Ashley and Jake Smith, 1346 Elk Street  
Bev Hart, 1333 Elk Street  
Jennifer Taylor, 1526 Buffalo Street  
Barbara Matthews, 1239 Liberty Street  
Jodi Lewis, 1255 Liberty Street

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

**ADOPTION OF AGENDA – Resolution No. 123**

Mayor Baker requested to add agenda item 5(A) – Code Enforcement Appeal Hearing Decision. Mr. Johnson moved to adopt the agenda as amended, seconded by Mr. Rudegeair. The motion passed unanimously.

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**APPROVAL OF MINUTES – Resolution No. 124**

Mr. Lyons motioned to approve the minutes of the regular meeting of August 7, 2023, the Special Meeting of August 21, 2023, and the Special Meeting of August 28, 2023, as presented. Mr. Marshall seconded the motion which passed unanimously.

**PAY THE BILLS – Resolution No. 125**

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

**CODE ENFORCEMENT APPEAL HEARING DECISION – Resolution No. 126**

Mr. Rudegear motioned to grant the code enforcement appeal as requested by the owner of 1347 Otter Street, as discussed in the hearing. Mr. Johnson seconded the motion. The motion passed unanimously.

**CITIZENS' INQUIRIES**

- Linda Foster, a resident of Chestnut Street, requested speed humps in 1100 block of Chestnut Street, citing excessive speeding on the street, disregard for the stop signs and traveling in the wrong direction through the one-way areas. She added that it may be prudent to add blinker lights to the one-way signs. Mr. Johnson agreed that speeding is an issue on other areas of Chestnut Street, having lived there himself. Mayor Baker said the Street Department will look into it.
- Terry Schultz, of Sibley Avenue, brought the following issues to Council's attention:
  - He requested funding assistance for residents in the Miller Park neighborhood to replace sidewalks, similar to the Franklin Neighborhood Sidewalk Program occurring in the downtown areas, and maintenance to sidewalks that have become overgrown and unusable.
  - When Plumer Avenue was closed to vehicular traffic, it was intended to be used as a walking trail; however, it is now badly overgrown and cannot be used. Additionally, the 700 block of Sibley Avenue was cleared out for the waterline replacement project, but was seeded instead of graveled when the contractor was performing site restoration. Mr. Schultz feels that this road could be used as an alternative route to the homes on Wiley Avenue if Wiley Avenue is not able to be used.
  - An area on the north side of the Wiley Avenue bridge was torn out during the stormwater replacement project, which is causing erosion around the bridge.
  - He added that the scheduled paving does not include Fountain Lane, which is badly deteriorated. Mrs. Jamieson responded that Fountain Lane is not included because no waterline replacement has occurred there in this phase of the project and will be taken care of in a later phase. She offered to have the Street Department examine it to see if they can make repairs that will allow the road to be traversable during winter months.

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**REQUEST TO TRANSFER LIQUOR LICENSE – 1256 LIBERTY STREET – Resolution No. 127**

Danielle and Levi Benson, owners of the new restaurant, Smoke Cantina, located at 1256 Liberty Street, requested permission to transfer a liquor license from another municipality into Franklin. Mr. Spaid advised that a public hearing will need to be held with a resolution from Council to allow the transfer to occur. He added that the City Manager will need to be notified of the liquor license number and discuss reimbursement for the cost of advertising the public hearing.

Mr. Rudegeair motioned and Mr. Zahner seconded to schedule the public hearing for Monday, October 2, 2023 at 7:00 P.M. preceding the regular City Council meeting. The motion passed unanimously.

**CERTIFICATES OF APPROPRIATENESS – Resolution No. 128**

The following requests came before HARB at is August 22, 2023 meeting:

1. 918 Elk Street – Windows, door, paint, porch, roof
2. 215 West Park Street – Garage roof and door

Mr. Rudegeair motioned to approve all requests as presented. Mr. Johnson seconded the motion. The motion passed unanimously.

**FINAL READING – BILL NO. 7 – AMENDMENT TO DOG ORDINANCE – Resolution No. 129**

Mr. Spaid read Bill No. 7, “Amendment to Dog Ordinance,” into the record.

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

**APPROVAL OF PROPOSED 2023 CDBG PROJECTS – Resolution Nos. 130 and 131**

Mrs. Power presented the following projects for Council’s consideration for the City’s FY-2023 CDBG allocation:

- \$118,755 for the milling and paving of South Edgewood Drive that serves as the only roadway into Evergreen Arbors
- \$114,005 for the replacement of five (5) light poles and luminaries on 13<sup>th</sup> Street between Liberty and Buffalo Streets, and upgrading with new LED ballasts and bulbs.
- \$19,020 for the demolition and site clearance of blighted structures

She advised Council of the second public hearing for the City’s CDBG FY-2023 allocation will be held on October 2, 2023 at 7:00 P.M. prior to the regular City Council meeting. There will need to be a special meeting in October for Council’s approval to submit the application no earlier than ten (10) days following the second public hearing. The application is due on October 27, 2023.

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Mr. Rudegear motioned to approve the projects and their corresponding allocation amounts as presented. Mrs. Fletcher seconded the motion. The motion passed unanimously.

Mr. Rudegear motioned to schedule the Special City Council Meeting to approve submission of the FY-2023 CDBG application on Monday, October 23, 2023 at 5:00 P.M. Mr. Johnson seconded the motion which passed unanimously.

### **APPROVAL TO SUBMIT TASA APPLICATION – Resolution No. 132**

Mr. Parks requested Council's approval to submit a Transportation Alternatives Set-Aside grant application that will lay out a bike loop starting at the 9<sup>th</sup> Street Riverfront Park parking lot and continuing on 9<sup>th</sup> Street to Buffalo Street, along Buffalo to 14<sup>th</sup> Street, down 14<sup>th</sup> to Elk Street and along Elk Street back to 9<sup>th</sup> Street. The scope of work consists of milling and paving the parking lot and several street segments, applying share-the-road markings to the road surface, installing wayfinding signage and installing multiple ADA curb ramps. The total estimated cost for the project is \$1,181,324.50. TASA will only cover construction costs, so Mr. Parks said he will continue to seek additional funding to cover the engineering and inspection costs.

Mrs. Fletcher motioned and Mr. Rudegear seconded to approve submitting the Transportation Alternatives Set-Aside application for the project as presented. The motion passed unanimously.

### **PARKING PERMITS DISCUSSION**

Mrs. Jamieson presented the costs involved and discussed the pros and cons of offering a 30-day parking pass option, in addition to the already existing quarterly parking pass, as explained by the Finance Department. The cost to change the software is a one-time fee of \$350, in addition to advertising the second readings of the Parking Meters and General Fee Schedule ordinances that will need to be amended.

In her memo to City Council, Mrs. Motter suggested that, if a monthly pass is offered, that customers apply for it and pay directly at the kiosk or through the app to reduce the risk of staff erroneously entering the vehicle information into the spreadsheet that is shared with the Parking Enforcement Officer. While the monthly permits would be more cost effective for those who don't need or can't afford quarterly permits, employers would not be able to purchase multiple passes for employees in one transaction, nor could spouses purchase a shared pass for vehicles, as is done now as a courtesy. Many of the current customers are accustomed to paying for the quarterly passes with a check, which cannot be done if purchasing through the app or kiosk. There is also a likelihood of confusing the 30 day option with the 30 minute option, as many people find the kiosks to be confusing to begin with. Ms. Motter feels it would be best to leave the parking permit system as is.

Mr. Rudegear asked whether the quarterly passes could still be sold at City Hall, while requiring the 30 day passes to be purchased at the kiosk. Mrs. Jamieson indicated she thought that would be an option, but that she would want to confirm with Mrs. Motter and bring the information back to the October meeting for a final decision.

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**RESOLUTION TO REQUEST FUNDS FROM COUNTY LIQUID FUELS – Resolution No. 133**

Because of the General Authority's waterline replacement and the City's stormwater replacement projects on Old Mercer Road, Sandycreek and Frenchcreek Townships approached Mrs. Jamieson about jointly applying for County Liquid Fuels funds for road restoration of the remainder of Old Mercer Road, as those townships will also be replacing stormwater lines in their jurisdictions within the area. Road restoration work would begin at Uniontown Heights at Route 62 down to 15<sup>th</sup> Street, including Bell Avenue. The PennDOT representative recommended that no entities request more than 33% of what each one's cost is expected to be. The amount Franklin would apply for would be \$24,008.

Mr. Johnson motioned to approve the submission of Franklin's request for \$24,008, in the joint County Liquid Fuels application. Mr. Rudegeair seconded the motion which passed unanimously.

**2024 MINIMUM MUNICIPAL OBLIGATION**

Mrs. Jamieson presented the 2024 Minimum Municipal Obligation figures for the Police (\$170,775), Fire (\$89,408), and Non-Uniform (\$116,669) Pension accounts.

**SET HALLOWEEN TRICK OR TREAT HOURS – Resolution No. 134**

Mr. Lyons moved to set October 31, 2023, between 6 P.M. and 8 P.M. as the City-wide Trick or Treat date and time. Mr. Zahner seconded the motion, which passed unanimously.

**APPROVE COOPERATION AGREEMENT WITH THEATER FOR WIFI – Resolution No. 135**

Mr. Spaid is drafting a license agreement between the City and the Franklin Civic Operetta Association (FCOA) that will allow the City to install an antenna on the roof of the Barrow Civic Theatre and place electrical equipment inside the building where the general public cannot access it. The antenna will give signal to a receiver at the 12<sup>th</sup> Street Island gazebo and relay that signal to a receiver that will be mounted on a pole in Bandstand Park, which will provide free WIFI to Fountain and Bandstand Parks. The FCOA is willing to allow the antenna and the equipment installation, but ask that they be able to use our internet in the event that they temporarily lose theirs. She advised, since the equipment is scheduled to be in next week with work to begin shortly thereafter, that Council approve the agreement, on the terms and conditions, as described.

Mr. Rudegeair motioned and Mr. Marshall seconded to approve entering into a license agreement with the Franklin Civic Operetta Association in order to allow the provisioning of free WIFI to Fountain and Bandstand Parks. The motion passed unanimously.

**PARK AND PARADE ASSEMBLY REQUESTS – Resolution No. 136**

Mrs. Jamieson introduced the following public assembly requests:

- October 10, 2023 • Fountain Park • Pink Splash for the Cure Committee • Pink Splash for the Cure

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- October 11, 2023 • South Park Street, Elk Street, West Park Street, Otter Street • Samantha Pattison • Franklin High School Homecoming Parade

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

## REPORTS

### Manager –

- Mrs. Jamieson stated that milling and paving on the City's portion of Howard Street is complete. Total cost for the project was \$57,824.87. This cost will be paid for upfront by FICDA and the City will reduce FICDA's General Services fee by \$5,783 for a period of ten (10) years.
- The City's 2024 Liquid Fuels allotment for 2024 is estimated at about \$200,873. Once salt and anti-skid are accounted for, there is not much expected to be left over. The City will be looking at areas that could benefit from tar and chipping, which will allow the funds to go further and conduct more roadwork.
- The contractor for the Miller Park water and sanitary/storm sewer project will begin milling and laying down a base coat of asphalt on Sibley Avenue starting tomorrow. In order to save on funds, the tar and chip application will be held off until next year when it can be bid out jointly with the Councils of Government municipalities, as they can usually provide better pricing. Since this was a joint project between the City and the General Authority, water and sewer funds will also be appropriated towards the road restoration.
- Deputy Manager Wetzel announced that the Fire Department was awarded approximately \$70,000, through the PA Fire Department Capital Grant Program for new overhead doors and operators.
- The Cloudpermit software will go live on Wednesday, which will allow citizens to apply for building permits or request time for building inspections and eventually submit code complaints online. Any residents that do not feel comfortable doing it electronically can come into City Hall where there are employees trained on inputting the data.
- Rave Mobile Safety Alert Program will be ready to be launched soon. Once it is ready to go, members of the public will be invited to sign up for alerts. Mr. Gorman would like to set aside a day or two in Council Chambers to assist people with signing up, if they need assistance.
- Mrs. Jamieson will have garbage and recycling bids and bids for the World War II/Korean War memorial construction to present at the October meeting.

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**Solicitor** –

- Mr. Spaid stated that there is still ongoing discussion regarding modifications to the HARB ordinance, so it will likely still be a couple months before anything is presented to Council.
- The appeal hearing to the Commonwealth Court regarding Randy Spencer is scheduled for October 10, 2023.
- Has items of potential litigation and negotiation for Executive Session.

**Mayor Appointments** – None

**COUNCIL REPORTS**

**Mayor Baker** – None

**Mrs. Fletcher** – None

**Mr. Johnson** – Enjoyed Petfest.

**Mr. Marshall** – None

**Mr. Lyons** – None

**Mr. Rudegeair** – None

**Mr. Zahner** – None

**EXECUTIVE SESSION - Resolution No. 137**

Mr. Rudegeair motioned to enter into executive session at 7:56 P.M. for the purposes of potential litigation and negotiations. Mr. Johnson seconded the motion which passed unanimously.

**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 8:18 PM.

Respectfully submitted,



T.J. Parks, Recording Secretary