

REGULAR COUNCIL MEETING  
Council Chambers, City Hall  
December 6, 2021

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

Members Excused: None

In Attendance: Tracy Jamieson, City Manager  
Brian Spaid, Esq., City Solicitor  
James Wetzel, Fire Chief  
Kevin Anundson, Police Chief (Via Teleconference)  
Michael Gorman, Resources Assistant (Via Teleconference)  
T.J. Parks, Recording Secretary  
Deb Eckelberger, FICDA  
Jake and Ashley Smith, 1346 Elk Street  
Jodi Baker-Lewis, Franklin Area Chamber of Commerce  
Jim Williams, Franklin Area Chamber of Commerce

Mayor Baker called the meeting to order at 7:01 P.M.

**ADOPTION OF AGENDA – Resolution No. 153**

Mrs. Fletcher moved to adopt the agenda. Mr. Lyons seconded the motion, which passed unanimously.

**PRESENTATION BY FRANKLIN AREA CHAMBER OF COMMERCE**

Mr. Jim Williams from the Franklin Area Chamber of Commerce wanted to extend his gratitude to the City crews for their assistance with Applefest. He presented a \$25,000 check to help defray the costs that the City incurred. The Council thanked Mr. Williams for the check and voiced their support for Applefest and the good it does for the community.

**APPROVAL OF MINUTES – Resolution No. 154**

Mr. Johnson motioned and Mr. Marshall seconded the motion to approve the regular meeting minutes of November 8, 2021. The motion passed unanimously.

**PAY THE BILLS - Resolution No. 155**

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

**CITIZENS' INQUIRIES** – None

**CERTIFICATES OF APPROPRIATENESS** – None

**FINAL READING – BILL NO. 7 – BUDGET 2022** – Resolution No. 156

Mr. Spaid read Bill No. 7, "Budget 2022" into the record.

Mrs. Fletcher moved and Mr. Marshall seconded the motion to pass, on Final Reading, Bill No. 7. Motion passed 5-2 with Mr. Rudegear and Mr. Mays in opposition.

**FINAL READING – BILL NO. 8 – REAL ESTATE TAX 2022** – Resolution No. 157

Mr. Spaid read Bill No. 8, "Real Estate Tax 2022" into the record.

Mr. Lyons moved and Mrs. Fletcher seconded the motion to pass, on Final Reading, Bill No. 8. Motion passed 5-2 with Mr. Rudegear and Mr. Mays in opposition.

**FINAL READING – BILL NO. 9 – EARNED INCOME TAX 2022** – Resolution No. 158

Mr. Spaid read Bill No. 9, "Earned Income Tax 2022" into the record.

Mrs. Fletcher moved and Mr. Rudegear seconded the motion to pass, on Final Reading, Bill No. 9. Motion passed unanimously.

**FINAL READING – BILL NO. 10 – HANDICAPPED PARKING ON 11<sup>TH</sup> STREET** – Resolution No. 159

Mr. Spaid read Bill No. 10, "Additional Handicapped Parking on 11<sup>th</sup> Street" into the record.

Mr. Rudegear moved and Mr. Johnson seconded the motion to pass, on Final Reading, Bill No. 10. Motion passed 6-1 with Mr. Mays in opposition.

**SIDEWALK CAFÉ ORDINANCE DISCUSSION**

Mrs. Jamieson presented a framework proposal for the Sidewalk Café Ordinance to Council which outlines the conditions and requirements for restaurants that want to put tables on the sidewalks outside of their establishments to serve their patrons. She then requested discussion and comments from Council members.

In regards to permit fees, Mr. Marshall asked about having the option for three year permit at a reduced cost. Mr. Rudegear suggested creating a tiered payment system, charging based on the amount of square footage used. Mr. Spaid thought both would be difficult to administer. Mrs. Jamieson recommended an annual fee of \$100, which Council found to be reasonable. It was also decided that the season for a sidewalk café would run from April 1 to Nov. 1

It was also noted that an acceptable disciplinary action for anyone violating the terms of the ordinance would be to have their permits be revoked, though there would have to be some sort of fine for an unpermitted café. The Code Enforcement Office should be in charge of enforcing the ordinance with assistance from the police department for disorderly conduct and during non-business hours. No permits will be refundable or prorated. Each applicant would submit a plan with the amount of tables, amount of space they will occupy, size of tables, etc. They would also be allowed to expand to adjoining properties, with the permission of that property owner.

Another topic of discussion included what material the tables and chairs would be made out of, and whether they could be left outside or brought in at night. It was generally agreed that only substantially heavy furniture could be left out overnight. The concern is having them taken or moved during the night, or having tables not substantial enough to withstand strong winds and adverse weather. Otherwise, they must be removed nightly. Mr. Spaid will work on putting the guidelines into an ordinance format for first and second readings, which would need to happen by early March for the Spring season.

#### **ESTABLISH CONDITIONAL USE HEARING – Resolution No. 160**

Cory and Sarah Masterson applied for a Conditional Use in order to construct storage units on a vacant parcel of land located at Atlantic Avenue and Brown Avenue.

Mr. Rudegeair motioned to set the Conditional Use Hearing on January 3, 2022, at 6:30 P.M. The motion was seconded by Mr. Johnson, which passed unanimously.

#### **PARK AND PARADE ASSEMBLY REQUESTS – Resolution No. 161**

- February 5, 2022 • Fountain Park • Franklin on Ice • Franklin Fine Arts Council

Mrs. Fletcher motioned and Mr. Johnson seconded to approve the request. The motion passed unanimously.

#### **REPORTS**

##### **Manager –**

- Reported that the Christmas tree in front of the courthouse fell, as the ground proved too soft to hold it up. Ronnie Beith extended a special thanks to Ed Turner of Paul Bunyan Tree Service and his crew, Pat Dolecki and Dan Weiland who assisted with cleaning up the tree, and to Whalen Contracting for trying to shore up the tree. A better plan will be formulated for next year, in coordination with the County Commissioners.
- Mrs. Jamieson encouraged Council members to attend a joint meeting on Wednesday, January 19th at 7 PM with Oil City Council to discuss issues with emergency services in the County, primarily in the Central Region, where both Franklin and Oil City departments are currently responding. She explained that the joint coordination with

Oil City as each other's back-up has proven successful and now is the time to look at formulating a more formal structure that could include buy-in from outlying municipalities.

- Stated that the Community Development Director will be submitting a Letter of Intent to the McElhattan Foundation to help fund a Sidewalk Improvement Program to help City residents pay for costly sidewalk repairs.
- Received word from the Venango County Planning Commission that they would like to apply for more HOME grant funding to continue Franklin's housing rehabilitation program.
- Requested time in Executive Session for litigation, negotiations and personnel.

**Solicitor** – Reminded Mayor Baker, Mr. Lyons, Mr. Marshall and Mr. Johnson that they will take their Oaths of Office at the next meeting as their current Council terms expire at the end of December. He also stated that they need to complete an Affidavit of Residency, which needs to be notarized prior to getting sworn in.

**Mayor Appointments – Resolution Nos. 162, 163, 164, 165, and 166**

Mayor Baker moved to make the following appointments:

- Jody Freni to the General Authority for a term ending January 1, 2027. The motion was seconded by Mrs. Fletcher.
- Timothy Dunkle to serve on the General Authority for the remainder of a term ending January 1, 2024, seconded by Mr. Johnson.
- James Smith to serve on the Housing Authority for a term ending November 11, 2022, seconded by Mr. Johnson.
- Jason Wible to serve another term on the FICDA Board ending January 1, 2027, seconded by Mrs. Fletcher.
- Sharon Thornton to serve the remainder of a term ending July 12, 2024 on the Commission to Remember Our Heroes. The motion was seconded by Mrs. Fletcher.

All motions passed unanimously.

## **COUNCIL REPORTS**

### **Mayor Baker –**

- Sorry to see the tree fell down.
- Found it remarkable how polite the children were at Light-Up Night and Trick or Treat

### **Mrs. Fletcher –**

- Mrs. Fletcher seconded Mayor Baker's sentiments and was sorry to see the resignation of Jess Carroll from the Retail Association.
- Wasn't aware of fees for using e-checks and credit/debit cards when paying utility bills online or over the phone. She wanted to confirm that there isn't a fee associated with automatic withdrawals.

**Mr. Johnson –** Had fun interacting with children and others at the Light Up Night parade.

**Mr. Lyons –** Pleased with leaf pick-up in the Heights.

**Mr. Mays –** Pleased with turnout for Light Up Night. Praised the Street Dept. for leaf pickup.

### **Mr. Rudegear –**

- Like to keep an eye on revenue for permits.
- Wants to see reasoning as to why PennDOT thinks most accidents are being caused by people coming into town at Washington Crossing.

## **EXECUTIVE SESSION – Resolution No. 167**

Mr. Rudegear moved to enter into Executive session at 8:00 PM to discuss matters of personnel, litigation and negotiations. Mrs. Fletcher seconded the motion, which passed unanimously. The Executive Session ended at 8:28 PM.

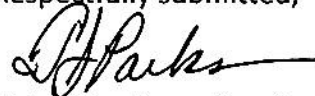
## **ANY OTHER BUSINESS – Resolution No. 168**

Mr. Rudegear moved to establish an appeal hearing for a code enforcement notice beginning at 6 PM, prior to the February 7, 2022 Council meeting. Mr. Johnson seconded the motion, which passed unanimously.

## **ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 8:29 P.M.

Respectfully submitted,



T.J. Parks, Recording Secretary