

REGULAR COUNCIL MEETING  
Council Chambers, City Hall  
June 6, 2022

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

Members Excused: Ryan Rudegeair

In Attendance: Tracy Jamieson, City Manager  
Brian Spaid, Esq., City Solicitor  
James Wetzel, Fire Chief  
Harmony Motter, Finance Director  
T.J. Parks, Recording Secretary  
Zoe Oakes, Franklin Public Library  
Todd and Chasety Zahner, 219 Grant Street  
Lydia and Allen Hipple, 722 Wiley Avenue  
Brian Reagle, 9B Monroe Street  
T.S. Miller and Patricia Bell Miller, 1347 Otter Street  
Ralph Reed, 1051 Elk Street  
Helen Fielding, The Derrick  
Bev Hart, 1333 Elk Street  
Allison Hartle, 1339 Liberty Street  
Deb Eckelberger, FICDA

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

**ADOPTION OF AGENDA – Resolution No. 81**

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

**APPOINTMENT OF NEW COUNCIL MEMBER AND OATH OF OFFICE – Resolution No. 82**

Mayor Baker invited each of the two candidates present to the podium to introduce themselves and answer the following questions that were asked by Council members:

1. Give us a brief summary of what skills, strengths, and interests that you would bring to this Council.
2. Do you have any issues you would like to see City Council tackling in the future?
3. Do you have a big-picture vision for the City in the next 5 to 10 years?
4. If you are named to this seat tonight, is it your intention to invest the time and energy to run again in 2023?
5. What questions do you have for us?

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After both candidates were given the opportunity to answer questions, Mr. Marshall motioned to appoint Mr. Todd Zahner to fill the vacant seat representing the 3<sup>rd</sup> district. Mrs. Fletcher seconded the motion and commented that it was heartening to get two qualified candidates for this position, to which all council members agreed. Motion passed unanimously and Mr. Reagle was thanked for his interest and encouraged to apply for any other City board openings.

**APPROVAL OF MINUTES – Resolution No. 83**

Mr. Johnson motioned and Mrs. Fletcher seconded the motion to approve the regular meeting minutes of May 2, 2022. The motion passed unanimously.

**PAY THE BILLS – Resolution No. 84**

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

**CITIZENS' INQUIRIES –**

- Mrs. Patricia Bell Miller, of 1347 Otter Street, voiced concerns regarding the intersection at 14<sup>th</sup> and Otter Streets. There has been a very large RV parked near the intersection along 14<sup>th</sup> Street since February, making it impossible to see when pulling out of the intersection. She also asked if another speed hump could be placed further down the 1300 block of Otter Street to hinder traffic from speeding up once they pass the speed hump already in place. Mrs. Jamieson stated that she would discuss both issues with the Police Department and the Street Department respectively.
- Mr. Ralph Reed, of 1051 Elk Street, is disabled and has difficulties traversing sidewalks and intersections at various places throughout the City and accessing stores and restaurants, particularly restrooms. He asked if establishments' current conditions are grandfathered from having to be made handicapped accessible. Mrs. Jamieson stated that they are exempt from ADA compliance unless major renovations are to take place, at which time they may be required to meet all or some ADA standards.

**CERTIFICATES OF APPROPRIATENESS – Resolution No. 85**

It was noted HARB recommended approval of all three of the following requests:

- New door on the Buffalo Street side of 421 12<sup>th</sup> Street.
- Sign on front porch at 722 Wiley Avenue.
- Signs at 1339 Liberty Street.

Mrs. Fletcher moved, and Mr. Lyons seconded a motion to issue Certificates of Appropriateness for all three requests. Motion passed unanimously, with Mr. Johnson abstaining due to his involvement on the library board.

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**TRANSPORTATION ALTERNATIVES GRANT RESOLUTION OF ACCEPTANCE – Resolution No. 86**

Mrs. Jamieson requested Council to sign off on a resolution giving her the authority to sign the Grant Agreement and other project-related documents for the Transportation Alternatives project for the 12<sup>th</sup> & Liberty Street Intersection Improvements.

Mr. Lyons motioned to approve the resolution. Mr. Marshall seconded the motion, which passed unanimously.

**RESOLUTION TO ACT AS ADMINISTERING AGENCY FOR GENERAL AUTHORITY – Res. No. 87**

Mrs. Jamieson explained that the General Authority is set for receive \$1,000,000 of grant funding under the American Recovery Plan in order to make repairs to Miller Hill and 15<sup>th</sup> Street waterlines and pump station. She would like Council to approve allowing the City to act as the administering agency and conduit of funding, and be responsible for all reporting requirements.

Mr. Johnson moved and Mrs. Fletcher seconded to approve authorization for the City to act as the administering agency for the General Authority under the above referenced project. The motion passed unanimously.

**McELHATTEN FOUNDATION GRANT – SIDEWALK IMPROVEMENT PROGRAM**

Mrs. Power announced that the City of Franklin had been awarded \$100,000 to be used toward a Sidewalk Improvement Program. She explained that letters will go out to residents of the affected Phase 1 areas within the month to gauge their interest in receiving partial financial assistance to make sidewalk repairs to their property. Once the level of interest from residents is determined, the project will be put out for proposals from qualified area contractors to do the work. Mrs. Power stated that the funds must be expended by July 31, 2023.

**PARK AND PARADE ASSEMBLY REQUESTS – Resolution Nos. 88 and 89**

1. June 14, 2022 • Bandstand Park • Flag Day Ceremony • Franklin Elks
2. July 1, 2022 and August 5, 2022 • Bandstand Park • Movies in the Park • FFAC
3. July 10, 2022 and August 14, 2022 • Bandstand Park • Outdoor Worship Services  
• Redeemer Anglican Church
4. August 2, 2022 • Franklin Heights Playground • United Way National Night Out •  
Linda Lusher

Mr. Johnson motioned to approve all requests. Mr. Marshall seconded the motion, which passed unanimously.

Mr. Wetzel requested a motion to approve having a fire in Bandstand Park for the flag retirement ceremony, as part of the Flag Day Ceremony. Mr. Johnson moved to approve the fire in Bandstand Park for the flag retirement ceremony. Mrs. Fletcher seconded the motion, which passed unanimously.

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## REPORTS

### Manager –

- Mrs. Jamieson gave the following project updates:
  - Miller-Sibley Recreational Improvements – Final inspection with DCNR scheduled for June 16<sup>th</sup>. Mrs. Jamieson will also be looking into funding to have the playground apparatus updated and moved closer to the Little League field so parents can see their children from the bleachers.
  - Downtown Pedestrian Safety Project – Almost all of the old concrete has been removed and new has been poured. Contractors are waiting for red antique sealant before they can pour more of the brick stamped concrete. On June 20<sup>th</sup>, the contractor will start removing some light poles and start drilling and installing new anchor bolts with the hope that they will not hit electrical conduit. This will be done in preparation for the new light poles, which are scheduled for August delivery. The project is scheduled to be fully complete by September 28<sup>th</sup>.
- Mentioned that the CDBG funds for FY-2022 are \$306,969. It is the intention of the Community Development Dept. to hold the first public hearing prior to City Council's August meeting.
- Items of potential litigation and negotiations for Executive Session

### Solicitor –

- Has items of potential litigation and on-going litigation involving Randy Spencer to discuss in Executive Session
- Announced that transferring the liquor license for Jami DeGroat, as requested at the last meeting, should be a fairly simple procedure, but was waiting on a call from Mr. Ewing or Ms. DeGroat on the contact information for the LCB representative that they had talked to. Mrs. Jamieson informed Council that she received a call from Mr. Ewing, indicating that the deal had fallen through.
- Responded to a request for information from Mr. Marshall with regard to dog leash requirements in city parks. Apparently, an incident occurred at Riverfront Park where a woman was chased by two dogs that were not on leashes. Per an ordinance established in 2005, dogs are only required to be on leashes in the immediate downtown area, as defined by the ordinance. The ordinance also granted permission for pets to be allowed in the parks as long as they are under control of their owner(s), stating that voice commands in lieu of a leash are acceptable. He added that if the ordinance is to be regulated, then people need to be willing to be witnesses in the event that a dog is not on a leash or under control of their owner.

### Mayor Appointments – None

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**COUNCIL REPORTS**

**Mayor Baker – None**

**Mrs. Fletcher –**

- Congratulated Franklin baseball team for making it to the playoffs
- Reminded everyone that Taste of Talent is coming up on June 29<sup>th</sup> with ten contestants
- Said Jeff Corbett is concerned about live music at Benjamin's competing with live music at Trails to Ales II. He suggested changing times for music at Benjamin's if it is going to be an issue.

**Mr. Johnson –** Enjoyed the Memorial Day parade and the ceremony in the park

**Mr. Marshall –**

- Stated that a sign at 14<sup>th</sup> and Elk Streets that reads, "No Parking Here to Corner" is covered by a tree and cannot be seen. He asked if the sign could be moved. Mr. Spaid said if the sign is moved, then the traffic ordinance for Elk Street would need revised to reflect the new location of the sign. Staff will look at the problem.
- Noise levels from live bands performing at the outdoor stage at Trails to Ales II are interfering with performances at the Barrow Theater. It was noted that complaints should be made to the Police Department.
- Expressed concerns about the Police Department being down two dispatchers and having to require police officers to take extra shifts to cover dispatch responsibilities.

**Mr. Lyons –** Congratulated the 2022 graduates. Misses seeing graduation ceremony at the park.

**Mr. Rudegeair – None**

**Mr. Zahner – None**

**EXECUTIVE SESSION - Resolution No. 89**

Mrs. Fletcher motioned to enter into executive session at 7:56 P.M. for the purposes of negotiation and litigation. Mr. Marshall seconded. The motion passed unanimously.

**ANY OTHER BUSINESS – Resolution No. 90**

Mrs. Fletcher motioned to acquire, by quit claim deed, properties located at 708-14<sup>th</sup> St. and 632 Hillside Ave., upon a satisfactory lien check, for the purposes of demolition. Mr. Lyons seconded the motion, which passed unanimously.

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**ADJOURNMENT**

There being no further business to come before the Council, the meeting was adjourned at 8:31 PM.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "T.J. Parks". The signature is written in a cursive, flowing style.

T.J. Parks, Recording Secretary