

REGULAR COUNCIL MEETING
October 7, 2019

Members Present: Douglas Baker, Mayor
Michael Dulaney
Donna Fletcher, Deputy Mayor
James Johnson
Samuel Lyons
Fred Mays
Ryan Rudegeair

Members Excused: None.

In Attendance: Tracy Jamieson, City Manager
Brian Spaid, Esq., City Solicitor
James Wetzel, Deputy City Manager
Kevin Anundson, Chief of Police
Charles Gibbons, Code Enforcement/Zoning Officer
Deb Eckelberger, Franklin Development Director
Harmony Motter, Finance Director
Darla Hawke, Recording Secretary
Joy S Strain, CPA, CSEP, McGill, Power, Bell & Associates, LLP
Jim Marshall, 1517 Elk Street
Skip Gravatt, 211 Miller Road
Ally-Karen D Miller, Franklin YMCA
James M Ellison, 901 Elk Street
Patrick Owoc, Venango County representative
Zak & Andrea Clifford, 1102 Elk Street
Bev Hart, 1333 Elk Street
Mike Deligiannis, 1340 Elk Street
Marie Plumer, 1 Dale Avenue, Venango County HS
Robert E Heller, Elk Street
Matt Boston, Bostons Buy Sell, 1217 Liberty Street
Matt Beith, 324 - 16th Street
Terri Clarahan, 920 Elk Street
Sarah Titley, Venango Newspapers, Inc.
Curtis Rossetti, Explore Venango

Mayor Baker called the meeting to order at 7 PM.

ADOPTION OF AGENDA - Resolution No. 129

Mrs. Fletcher moved to approve the agenda, as presented. Mr. Dulaney seconded the motion, which passed unanimously.

APPROVAL OF MINUTES - Resolution No. 130

Mr. Johnson moved to approve the minutes of the public hearing of September 9, 2019, and the regular meeting of September 9, 2019, as presented. Mr. Lyons seconded the motion, which passed unanimously.

PAY THE BILLS - Resolution No. 131

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

CITIZENS' INQUIRIES

Garbage Containers - Mr. Deligiannis reported that many more garbage and recycling containers are being left at the curb prior to and after the allotted times. He suggested the ordinance addressing the rules and regulations be mailed to residents along with their next invoice.

Washington Crossing & Liberty Street - Mrs. Hart reported that she, too, has seen more containers being left at the curb in violation of the ordinance. She also asked the status of the Washington Crossing and Liberty Street crosswalk. Mrs. Jamieson advised that an engineer to do a traffic study of this location needs to be hired, which she plans to add to next year's budget.

Home Rule Charter - Mr. Marshall noted that the Home Rule Charter does not address the number of signatures needed to run for Mayor or City Council, and suggested this should be added. He was advised that any additions or changes to the Home Rule Charter would need to be placed on the ballot and voted on by the residents.

Proposed Stop Sign Ordinances

- Referencing an article he had read recently concerning Title 67 of the Pennsylvania Code, Mr. Marshall reported it was unlawful to place stop signs at an intersection for the purposes of slowing down vehicles. Mr. Marshall suggested other ways to slow down traffic, such as lowering the speed limit, if possible; adding "slow" speed signs, which would be permitted; or installing speed humps. Mr. Spaid advised that, it was his understanding that the code would only apply to First and Second Class Cities, but he would need to research it further to determine if it is applicable to Franklin, which is a Home Rule Charter City and also classified as a Third Class City in some instances.
- Mr. Heller reported that he has lived at 834 Elk Street for many years and cannot recall any accidents at this location. He noted that during his many walks he sees very few speeders and asked if a traffic study had been done for this block. He felt that with the number of vehicles traveling this road, it would become extremely congested and would cause more accidents. He suggested placing a "bike crossing" at mid-block, adding that speeding is a police problem.
- Mr. Ellison, who lives on the corner of 9th & Elk Streets, indicated he favors a stop sign at this location, not because there are speeders, but because vehicles, including large

trucks, use this road for a cut-through, a way to bypass the main road.” He hoped the placement of a stop sign at this location would stop this practice. He also noted there are a lot of children that have to peek around parked cars to cross at this location to go to Riverfront Park. Cars go through there and drivers are not always paying attention. He feels it is incredibly dangerous. Mr. Spaid indicated he would research the City’s options with regard to traffic.

CERTIFICATES OF APPROPRIATENESS

Resolution No. 132 - Mr. Rudegear moved and Mr. Johnson seconded a motion to issue Certificates of Appropriateness to the following: for paint colors at 920 Elk Street, as presented; for paint colors at 1212 Elk Street, as presented; for a sign at 1217 Liberty Street, as presented; to replace the roof at 1102 Elk Street, as presented and for an awning at 305 Thirteenth Street, as presented. Motion passed unanimously.

2018 DRAFT AUDIT PRESENTATION - MCGILL, POWER, BELL & ASSOCIATES

Mrs. Strain, of McGill, Power, Bell & Associates, presented an overview of the firm’s independent audit of the City’s 2018 finances. She reported the financial statements for the 2018 General Fund include total revenues of \$5,496,384 (up from 2017 @ 92,321) and total expenditures of \$5,151,717 (down from 2017 @ 85,973). The fund balance began the year with \$2,048,464 and ended the year with \$2,302,284. She reported the audit resulted in a clean opinion, indicating the City’s financial statements present fairly, in all material respects, the City’s financial position for the year and there were no significant deficiencies.

MILLER-SIBLEY POOL YEAR-END REPORT

Ms. Miller reported that since they have started keeping track of the attendance 14 years ago, this year ranks 6th with over 200 people in attendance on one day; 100+ people in attendance on ten days; and 50+ people in attendance for 50 days for an average of 62 people/day. The total was 4,213 for the summer. Ninety children, ages 1-18, took advantage of the free swim lessons and forty-five people participated in the free exercise classes. She noted that a request had been made to keep the pool open past 6 PM so that families that work would be able to come to the pool; she indicated she may try this 1-2 days a week next year to see the response.

Ms. Miller then requested the floors in the bathhouse, on both the girls and boys side, be redone prior to next season and that the center set of changing stalls on the girls’ side be removed, noting that some of the legs were rusted through and no longer attached to the floor. Mr. Lyons asked Mrs. Jamieson if this could be fixed for next year. Mrs. Jamieson will discuss fixing the floor with City staff as she believes it will be cheaper to do the work in-house.

FINAL READING - BILL NO. 6 - ZONING MAP AMENDMENT (8TH & ELK) - Resolution No. 133

Mr. Spaid read the title of Bill No. 6, “Zoning Map Amendment (8th & Elk), into the record. *“An Ordinance of the Council of the City of Franklin, Venango County, Pennsylvania, amending the Zoning Map of the City of Franklin to amend the designation of In-lot Nos. 379,*

382 and 383, located at the southwest corner of the intersection of Eighth Street and Elk Street from an R-2 Residential District to a TRC Transitional Residential Commercial District.” Mayor Baker moved and Mr. Johnson seconded a motion to approve on Final Reading Bill No. 6, “Zoning Map Amendment (8th & Elk).”

Mr. Rudegeair felt the Harrington property, which the County had previously requested be re-zoned and which Council had subsequently done, was much better suited to what the County had planned. He reported that he has heard from several constituents who have expressed concerns with their property values being decreased should this rezoning happen. Mr. Dulaney and Mr. Mays reported that they, too, have been approached by owners of properties in this location with the same concerns. Mrs. Fletcher indicated she is not satisfied with the County’s level of supervision of the tenants that reside in a home in her block and worries the same could happen at this location. Mayor Baker and Mr. Lyons both noted that if the County purchases the building it would at least be maintained rather than sit empty. Mayor Baker, noted that only one constituent had come to Council complaining when the Public Hearing was held at the last meeting. Mr. Heller added that once the zoning is changed, there is nothing to stop the County from selling the property in the future, which could then be used for many other uses rather than the one proposed.

A vote was then taken on the motion, which failed 3-4, with Mr. Mays, Mrs. Fletcher, Mr. Rudegeair and Mr. Dulaney voting “no.”

FIRST READINGS - Resolution No. 134

Mr. Rudegeair moved to table the First Reading of the following bills until the December meeting in order to give Mr. Spaid an opportunity to research Title 67 of the Pennsylvania Code, referenced earlier, and to determine if the City is required to do a traffic study:

- **Bill No. 7** - Traffic Code Stop Sign Southbound (9th & Elk)
- **Bill No. 8** - Traffic Code Stop Sign Southbound (11th & Elk)
- **Bill No. 9** - Traffic Code Stop Sign Either Direction (14th & Elk)
- **Bill No. 10** - Traffic Code Stop Sign Southbound (14th & Elk)

Mr. Dulaney seconded the motion, which passed unanimously.

SERVICE LINE WARRANTY PROGRAM AGREEMENT Resolution No. 135

Mr. Johnson moved and Mr. Lyons seconded a motion to enter into an agreement with Utility Service Partners Private Label, Inc. d/b/a Service Line Warranties of America. (The Program, presented at the September Council meeting, educates homeowners about their service line responsibilities and offers affordable protection from unanticipated service line and in-home plumbing repair costs.) Motion passed unanimously.

ESTABLISH 2020 MEETING DATES - Resolution No. 136

Mr. Rudegeair moved and Mr. Dulaney seconded a motion to approve the first Monday of each month @ 7 PM as the 2020 City Council meeting dates, with the following exceptions:

September and November, when the meetings will be held the second Monday. Motion passed unanimously.

PARADE & PARK REQUESTS - none.

REPORTS

Manager

- **Resolution No. 137** - Reported that Council must designate a Section 504 officer annually for the City. She explained that person is responsible for dealing with grievances of anyone feeling that they have been discriminated against on the basis of having a disability. This is a requirement of the CDBG Program. Mrs. Fletcher moved and Mr. Lyons seconded a motion to designate Tracy Jamieson as the City's Section 504 officer. Motion passed unanimously.
- Reported that the License Agreement for Fiber Optic Lines has been agreed upon and the City will enter into an agreement with Lumos Networks of West Virginia, d/b/a Segra, to share one inner-duct within the conduit that runs beneath the 13th Street Bridge.
- Reported that the City's new website went live last week and asked Mrs. Motter to discuss some of the specifics. Mrs. Motter noted that utility bills, parking permits, and parking tickets can now be paid online. She also highlighted features including a city map with multiple layers for zoning, the historic district, bike trail, downtown restaurants, shops, etc.; a municipal calendar that will show meeting dates, holidays, leaf pickup; a search engine and much more.
- Will need an executive session to discuss litigation.

Solicitor

- Noted that, according to the ordinance, (Article 923, "Garbage Service," Section 923.04, subsection I.) the cans cannot be placed at the curb earlier than 7 PM on the day prior to scheduled pickup and must be removed from the curb by 7 PM on the day of pickup. He has discussed the garbage issue with Mr. Gibbons, and they feel the problem has been created by the large size of the new recycling containers and that people are just finding it easier to leave them out front.
- Reported that Mr. Gibbons is currently working on property maintenance issues throughout the City, but reminded the Council that it can be a long slow process.

Mayor • Appointments - none.

COUNCIL REPORTS

Mayor Baker

- Congratulated City staff on the new website.

- Reported that all those members who had attended the PA Municipal League of Cities summit were in support of the use of radar by local municipalities.
- Reported that as Emergency Management Coordinator for the City of Franklin, he has completed a required course and received a certificate for said training.

Mr. Johnson

- Reported that the Oil Region Alliance (ORA) is fighting hard to keep the local airport open.

Mr. Dulaney

- Suggested the City throw its support behind the airport to keep it open by providing letters of support.
- Thanked City staff for their help with Applefest®.

Mr. Rudegeair

- Ascertained that the Code Enforcement Officer is working on the property maintenance issue at the property located at 15th & Buffalo Streets.
- Asked for an update on the local Public Access Channel. Mrs. Jamieson reported that she had requested Mr. Chris Thomas, with Charter Communications, to cooperate fully with any requests regarding signal strength and access to view their equipment.
- Asked whether businesses were permitted to use the City's garbage service. He was advised that the City's garbage contract was for residential properties only, and any commercial or industrial businesses must contract the service out.

Mrs. Fletcher

- Was happy to see the mid-block traffic light in the 1200 block of Liberty Street working prior to Applefest®.
- Reported that the street lights on the north side of Liberty Street in the 1200 block were not working. Mrs. Jamieson will check on the problem with City staff.
- Reported that a large camper had been parked in front of Central Elementary School all weekend with a loud generator running 24-7. She asked if there was a way to prohibit campers from being parked downtown, specifically in this area, during festivals. Mr. Spaid will research the matter.

Mr. Lyons

- Reported that the water pressure in Greentree Manor has become low over the past two months. Mrs. Jamieson will check with City staff regarding this matter.

Mr. Mays

- Reported receiving complaints of excessive chlorine in the water. Mrs. Jamieson reported that there should be less with the Barretts Flats Plant no longer in use, and suggested they leave the water run longer.

EXECUTIVE SESSION - Resolution No. 138

Mr. Rudegeair moved to enter into executive session at 8:38 PM to discuss litigation. Mr. Mays seconded the motion, which passed unanimously. The executive session ended at 9:18 PM.

ANY OTHER BUSINESS - none.

ADJOURNMENT

There being no further business to come before the Council at this time, the meeting was adjourned at 9:18 PM.

Respectfully submitted,

Darla Hawke, Recording Secretary