

REGULAR COUNCIL MEETING

January 4, 2016

Members Present: Douglas Baker, Mayor  
Donna Fletcher, Deputy Mayor via FACETIME video conference  
Samuel Lyons  
James Marshall  
Ryan Rudegeair

Members Excused: Garnet Wood

In Attendance: Tracy Jamieson, City Manager  
Brian Spaid, Esq., City Solicitor  
Darla Hawke, Recording Secretary  
Russ Campbell, 1235 Chestnut Street  
Sara Sherretts, 1213 Chestnut Street  
David R Lord, 407 Forest Lane  
Sheila Boughner, Venango Newspapers, Inc.

Mr. Spaid advised Council that Craig Westover, who had won the open seat in November, has opted not to claim the seat after questions were raised about whether he could continue to serve as both a constable and a member of Council. Mr. Spaid explained that a State statute from 1874 prohibits members of a city council from holding another elected office. In 1992, the State Supreme Court used that law, in combination with another law and the Home Rule Charter of the City of Coatesville, in a ruling disallowing a constable from serving on city council in the same municipality. The State's Constable Law was subsequently re-written, however, in such a way as to make the matter unclear. He advised that a judicial determination would be needed to clarify the matter but could only happen after Mr. Westover was seated. He and Mr. Westover's attorney met with District Attorney White, who was prepared to move forward with quo warranto, *the ability to inquire by what authority a person is allowed to exercise a certain power*. On December 30, 2015, Mr. Spaid received a letter from Mr. Westover indicating he would return his Certificate of Election and not accept the elected position. He advised he did not want to create controversy over the issue, or for the City and the District Attorney's Office to use its resources to settle the matter.

Mr. Spaid will discuss the procedure for filling this position under his reports.

OATHS OF OFFICE

Mr. Spaid administered the Oath of Office to James Marshall and Ryan Rudegeair.

Mayor Baker called the meeting to order at 7:05 PM.

DEPUTY MAYOR ELECTION - Resolution No. 1

Mayor Baker nominated Mrs. Fletcher for Deputy Mayor. Mr. Marshall seconded the motion, which passed unanimously.

ADOPTION OF AGENDA - Resolution No. 2

Mr. Marshall moved to approve the agenda, as presented. Mr. Rudegear seconded the motion, which passed unanimously.

APPROVAL OF MINUTES - Resolution No. 3

Mr. Lyons moved to approve the minutes of the public hearing held on December 7, 2015 and the minutes of the regular meeting of December 7, 2015, as presented. Mr. Rudegear seconded the motion, which passed unanimously.

PAY THE BILLS - Resolution No. 4

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

CITIZENS' INQUIRIES

Mr. Campbell was once again in attendance to address the continuing parking problems in the 1200 block of Chestnut Street. Reminding Mr. Marshall that, at the last meeting, he had mentioned the possibility of installing parking meters in this block, Mr. Campbell stated that he was not sure it would solve the problem after 5 PM.

Ms. Sherretts, also a resident of this block, requested the City post signs in the 1200 block of Chestnut Street asking high rise visitors and visiting nurses to park in the parking lot instead of on the street. She also asked to have the police discuss the parking problems with high rise staff.

Mr. Campbell also requested consideration be given to the addition of a left-turn only lane on 8<sup>th</sup> Street, between Buffalo and Liberty Streets, entering onto Liberty Street. Mrs. Jamieson will discuss this matter with Mr. Ruditis, Street Department Supervisor, and Police Chief London.

CERTIFICATE OF APPROPRIATENESS

Resolution No. 5 - Mr. Marshall moved and Mr. Lyons seconded a motion to issue a Certificate of Appropriateness for signs at 1266 Liberty Street, as presented. Motion passed unanimously.

FINAL READING - BILL NO. 9 - PARKING METER FINES & VIOLATIONS - Resolution No. 6

Mr. Spaid read the title of Bill No. 9, "Parking Meter Fines & Violations," into the record. Mr. Marshall moved and Mr. Lyons seconded a motion to pass on Final Reading, Bill No. 9, "Parking Meter Fines & Violations. Motion passed unanimously.

PARADE & PARK REQUESTS - Resolution No. 7

Mrs. Fletcher moved and Mr. Rudegear seconded a motion to approve the following requests:

- February 6, 2016 • Fountain Park & West Park Street • Franklin Fine Arts Council and the City of Franklin • Franklin On Ice

Motion passed unanimously.

## REPORTS

Manager

- Resolution No. 8 - At the recommendation of Fire Chief Wetzel, Mayor Baker moved to adopt the Venango County 2015 Hazard Mitigation Plan. Mr. Rudegear seconded the motion, which passed unanimously.
- Will need an executive session to discuss negotiations.

Solicitor

- Resolution No. 9 - To proceed with the Tax Anticipation Note with First National Bank, Mr. Spaid requested Council adopt the Note Resolution and the Certificate as to Collections and Expenditures, as presented. Mr. Rudegear so moved. Mr. Lyons seconded the motion, which passed unanimously.
- Advised that the settlement with the General Authority and Sugarcreek Borough is essentially done. He hopes to have it approved during a special meeting by the end of January. According to the Charter, the Mayor is permitted to call a special meeting.
- Resolution No. 10 - Explained that Council has until February 18, 2016 to fill the open Council seat. To be eligible, applicants must be U.S. citizens, registered voters and have resided in the Third Ward for at least one year at the time of the appointment. He advised that, should Council wish to interview any applicants, they must do so in a public meeting. Mr. Marshall questioned what would happen if no one submits an application. Mr. Spaid reported that the seat will remain vacant until there is a petition by Council or by five citizens, at which time the Court of Common Pleas will fill the vacancy. Mayor Baker moved to have letters of interest accepted at the City Manager's Office until 4:30 PM on Tuesday, January 19, 2016. Mr. Rudegear seconded the motion, which passed unanimously.

Mayor • Appointments

Resolution No. 11 - Mayor Baker moved to reappoint James Ashbaugh to the Historic and Architectural Review Board. Mr. Marshall seconded the motion, which passed unanimously.

COUNCIL REPORTS

Mr. Marshall

- Looking forward to starting his 26<sup>th</sup> year on City Council.
- Requested Mrs. Jamieson discuss the costs and feasibility of placing parking meters in the 1200 block of Chestnut Street with City staff. Mr. Rudegear asked that she also check on the amount of expected revenue that would off-set the cost. Mr. Campbell asked that they also determine the number of parking spaces that would be provided.

Mrs. Fletcher

- Advised she would like to discuss personnel in the executive session.

EXECUTIVE SESSION - Resolution No. 12

Mr. Rudegear moved to enter into executive session at 7:34 PM to discuss personnel and negotiations. Mr. Lyons seconded the motion, which passed unanimously. The executive session ended at 7:50 PM.

ANY OTHER BUSINESS - none.

ADJOURNMENT

There being no further business to come before the Council at this time, the meeting was adjourned at 7:50 PM.

Respectfully submitted,

Darla Hawke, Recording Secretary