

REGULAR COUNCIL MEETING
March 7, 2016

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

Members Excused: None.

In Attendance: Tracy Jamieson, City Manager
Brian Spaid, Esq., City Solicitor
Harmony Motter, Finance Director
Chuck Gibbons, Code Enforcement/Zoning Officer
Darla Hawke, Recording Secretary
Mike Fornof, Vice President of Clarion County Community Bank
Rick Beith, Beith Associates
Rina Irwin, Child Development Centers, Inc.
Robert Heller, 834 Elk Street
Fred Lepley, 49 Lincoln Street
Amber & Justin Crisman, 107 W. 4th Street, Oil City
Debbie & Dennis Oaks, Franklin Public Library
Daniel Weiland, 1 Park Way
Sara Sherretts, 1213 Chestnut Street
Russ Campbell, 1235 Chestnut Street
David R. Lord, 407 Forest Lane
Herb Bigley, Men's Softball League
Sheila Boughner, Venango Newspapers, Inc.

Mayor Baker called the meeting to order at 7 PM and asked for a moment of silence in memory of longtime Council member Garnet Wood, who passed away on February 23, 2016.

ADOPTION OF AGENDA – Resolution No. 29

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

APPROVAL OF MINUTES – Resolution No. 30

Mr. Lyons moved to approve the minutes of the Joint Meeting of January 27, 2016, the Regular Meeting of February 1, 2016, and the Special Meeting of February 15, 2016, as presented. Mrs. Fletcher seconded the motion, which passed unanimously.

PAY THE BILLS – Resolution No. 31

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

CITIZENS' INQUIRIES – Resolution No. 32

Mr. Heller stated, in his opinion, there were still unanswered questions concerning the settlement between the General Authority and the City of Franklin.

Ms. Sherretts and Mr. Campbell were once again in attendance to complain about the parking problems in the 1200 block of Chestnut Street. Mayor Baker reiterated his stance that Council will continue to seek out and consider any solutions that will work, but does not feel that any discussed so far meet that criteria.

FRANKLIN PUBLIC LIBRARY REPORT: Mrs. Oakes expressed how grateful the library was for Mr. Woods' many years of service on its Board. She explained that he took a very active role in helping the library and he will be missed. She also asked that City Council appoint his replacement as soon as possible, and advised that the Library Board meets the first Tuesday of each month at 4 PM.

Mrs. Oakes reported that, as part of an ongoing effort to better serve the people of Venango County, the Cooperstown, Franklin and Oil City public libraries, aided by a Library Services and Technology Act (LSTA) Grant and with additional funding from the Venango County Commissioners, were able to join their circulation systems, online catalog, and patron databases. The new system went into effect on September 15, 2015, and residents of the free service areas now have one card to access a variety of services. They are continuing to re-register new and existing users into the new system.

She noted that, due to several unexpected expenses, the library was forced to dip into its reserved funds in order to keep the doors open in 2015.

She also reported on several of the library's thirty (30) programs and services for both children and adults, and on the addition of an Observation Beehive. The hive has proven to be a big hit with both children and adults, as they safely observe the bees coming and going from the hive to the outdoors, look for the queen and watch the bees' communication dances.

CHILD DEVELOPMENT CENTER PROPOSAL

Mrs. Irwin was in attendance to ask the City if it would consider constructing a pavilion and/or providing electric service at the 11th Street and Atlantic Avenue playgrounds to assist them in their meal delivery. She reported that over 4,530 meals had been served to children through their Free Lunch Program at various locations in Franklin last summer. Mr. Marshall explained that the City had no funds available at this time; however, both he and Mayor Baker suggested she contact local service

organizations for donations and to consult with Mr. Ruditis and Mrs. Jamieson on the particular structure/services they need.

HISTORIC FRANKLIN PRESERVATION REQUEST – Resolution No. 32

Mr. Weiland requested permission to install a sign and fencing to the interior circle of the Civil War Monument, which is scheduled for a “facelift” in April. The reinforced fiberglass sign would be 3’ x 4’ and the post would match the existing decorative light and traffic posts in Franklin. The description of the monument would be on the front of the sign and the names on the monument would be listed on the back. Mayor Baker moved to approve the request for the sign and a low maintenance fence, as presented. Mr. Rudegear seconded the motion, which passed unanimously.

BALL LEAGUE AGREEMENTS – Resolution No. 33

Mr. Bigley advised that the Men’s Softball League plans to partner with the Franklin YMCA to apply for grants to help renovate the fields. He explained that Mrs. Irwin has offered to write the grants and the leagues have earned over \$10,000 for matching funds. Mrs. Jamieson asked that the leagues hold off on making any plans for renovations until a Master Plan for Miller-Sibley has been finalized. Mr. Spaid reminded Mr. Bigley that the Street Department Supervisor and the Code Enforcement Officer would need to review any renovations or construction plans. Mr. Rudegear then moved and Mr. Lyons seconded a motion to approve both the Franklin Area Men’s Softball League and Franklin Little League Association Agreements for another year conditioned upon receipt of acceptable insurance certificates. Motion passed unanimously.

CERTIFICATE OF APPROPRIATENESS

Resolution No. 34 – Mr. Marshall moved and Ms. Dlugos seconded a motion to issue a Certificate of Appropriateness for signs at 307 Thirteenth Street, as presented. Motion passed unanimously.

Resolution No. 35 – Mr. Rudegear moved and Mr. Lyons seconded a motion to issue a Certificate of Appropriateness for two window graphics at 414 Twelfth Street, as presented. Motion passed unanimously.

Resolution No. 36 – Mr. Rudegear moved and Mr. Lyons seconded a motion to issue a Certificate of Appropriateness for the demolition of structures located at 1272 and 1262 Elk Street, as presented. Motion passed unanimously. Mr. Fornof reported that demolition of the structures would not begin, at the earliest, until the end of April; and any construction would be suspended over Applefest®. It was noted that both the Historic Architectural Review Board and City Council will take an active interest in how the new building is placed upon the lot.

FINAL READING – BILL NO. 1 – PARKING METER CODE – Resolution No. 37

Mr. Spaid read the title of Bill No. 1, “Parking Meter Code,” into the record. Mr. Marshall moved and Mr. Rudegear seconded a motion to pass on Final Reading Bill No. 1, “Parking Meter Code.” Motion passed unanimously.

PARADE & PARK REQUEST – Resolution No. 38

Mr. Rudegeair moved and Mr. Lyons seconded a motion to approve the following requests:

- March 19, 2016•Fountain Park•City of Franklin•Egg Hunt
- March 25, 2016•Various Streets•Franklin Ministerium•Cross Walk
- April 13-16, 2016•SPIFIY Alley•Edible Arrangements•1 Year Anniversary
- April 30-June 4, 2016•12th Street Island•Wooley Wonders Knitting Guild, Diane's Linen & Yarn Shoppe•Yarn Bomb/Street Art Display
- May 30, 2016•Downtown Streets & Bandstand Park•V.E.T.S. Honor Guard Memorial Day Parade [Mrs. Fletcher asked that the sponsors fill in the holes in the park after the flags are removed.]
- May 31-August 26, 2016•11th Street & Atlantic Avenue Playgrounds•Child Development Center•Summer Food Program
- Thursdays, June 2-August 25•Bandstand Park•City of Franklin & Franklin Fine Arts Council•Evening Concerts
- June 5, 2016•Bandstand Park•Franklin Area School District•Commencement
- June 27-July 4•Various Locations•City of Franklin & Franklin Fine Arts Council•4th of July Week Festivities
- Wednesday, June 29-July 27•Bandstand Park•City of Franklin & Franklin Fine Arts Council•Taste of Talent
- July 9, 2016•Fountain Park•McMillin/Hilderbrand Wedding

Motion passed unanimously.

REPORTS**Manager**

- **Resolution No. 39** – Reported she and Mr. Ruditis, Street Department Supervisor, had met with representatives from the Men's Softball & Little League Associations, the Franklin YMCA, and the Oil Region Soccer Association to learn their schedules for the different fields at Miller-Sibley. She reported an interest, from all the groups, to possibly reconfigure the area to best fit with all the recreational needs. She also reported that she has been approached by an agency showing interest in purchasing some of the property next to the Professional Building. She advised that the need to have a base map and conceptual plan done of the entire area is extremely important, and requested permission to hire architect Amos E. Rudolph to provide a Master Site Plan, in an amount not to exceed \$5,750. She advised that this price will be lower if the City can obtain the AutoCAD files from a past surveyor of Miller-Sibley. Once the plan is produced, Mr. Rudolph will work with the City to determine the best use of the site and provide a conceptual schematic plan for the complex. The plan will determine what can fit in the space and the best, most reasonable, use of the facility. Mr. Marshall then moved to hire Amos E. Rudolph to provide a Master Site Plan, in an amount not to exceed \$5,750, as presented. Mr. Lyons

seconded the motion, which passed unanimously. The monies will come from the Professional Building Fund.

- **Resolution No. 40** – Reported that the Professional Building roof needs to be replaced this summer. She requested permission to hire Amos Rudolph for drawing up the specifications and drawings and to help get the project out to bid, at a cost of \$4,100, to be taken from the Professional Building Fund. Mr. Rudegear so moved. Ms. Dlugos seconded the motion, which passed unanimously.
- **Resolution No. 41** – Reported the General Authority has approved the City entering into an Electric Power Purchasing proposal with Svetz Energy Services, since it 48 electric accounts are in the City's name. Currently, all the electric accounts are contracted with Constellation New Energy until December 2017. In this instance, the League of Cities was the third party, which gets a portion of the KWH cost. Mrs. Jamieson requested permission to contract with Svetz Energy Services, who is not a broker, and as such, there will be no additional cost to the electric. The proposed contract would be a 4-year contract, with an annual cost of \$7,325, except in 2017, when we would not be charged since we will be in our existing contract. Thirty percent of the cost would be allocated to the City for a yearly fee of \$2,197.50 and the 70% remainder would be charged to the Authority, based on the accounts and usage. She explained, the reason to sign onto this now is the assumption that electric will be rising due to several nuclear power plants set to go offline and with the conversion from coal-powered to other sources. This will allow Svetz Energy Services to begin set-up, watch the market, and give him authorization to negotiate on the City's behalf for the best pricing. Mr. Rudegear moved and Mr. Lyons seconded a motion to enter into a 4-year contract with Svetz Energy Services, as described above. Motion passed unanimously.
- Reported the City of Franklin and the General Authority have made all the required payments that were called for in the approved Settlement Agreement.
- Reported that the City now owns 1424 Otter Street and has received a check from Wells Fargo in the amount of \$13,576, which has been set aside to demolish the structure. However, she noted, the City does have permission to sell the property rather than demolish it, which would need to be a decision made by Council.
- Reminded the Council that the City had contracted with Phil Fraga of the Cohen Law Group to negotiate, on its behalf, the transfer of the Time Warner Cable franchise to Charter communications. Part of the City's approval of the franchise transfer was to be partially reimbursed for its legal fees, which amounted to \$1,835.42, even though the merger process has not yet closed. The City has now received that reimbursement.
- Mrs. Motter reported she has been in talks with representatives from First National Bank that will allow customers to pay their bills using credit and debit cards or by electronic check at the Finance Department. This will add, approximately, a \$3 fee to those customers using this service. There will be no cost to the City.

- Reported that, after learning of Joy Global's decision to close part of its operations in Franklin, she conferred with a Berkheimer Associates representative. She was informed the City took in, approximately, \$100,000 of EIT and LST taxes from those operations last year. Since some of that figure could include the engineering department and the chain plant, a conservative figure of \$90,000 of lost annual revenue is anticipated. However, the facility has been well-maintained and the Oil Region Alliance is reaching out to Joy corporate personnel so that an action plan can be put together for the future of the facility. She assured the Council that the City will work diligently with them. She asked Council to keep in mind Joy Global is a huge corporation, and there will be a lot of decision-making levels to it, so it will take time.
- Reported the chlorinator and sun shelter roofs are being addressed at Miller-Sibley this week. However, a soda cooler is needed for the concession stand. If a good used one could be donated, the City would not need to purchase one. Mr. Gibbons offered to contact the Barrow-Civic Theatre to see if they might have one.
- Reported she will be away most of next week at the annual PELRAS training; but, hopes to begin scheduling interviews with individuals interested in the Community Development Director position upon her return.
- Will need an executive session to discuss negotiation and possible litigation.

Solicitor

- **Resolution No. 42** – Mr. Rudegear moved to authorize the City to enter into a License Agreement with Zito Media to rent space on the conduit under the 13th Street Bridge; once it is approved by both the City Manager and the City Solicitor. Mr. Lyons seconded the motion, which passed unanimously.
- Advised that, should the City decide to sell 1424 Otter Street, rather than demolish it, it must be put out for bid and cannot be sold by private sale. Therefore, he would recommend the City's Code Enforcement Officer determine the condition of the property prior to any action being taken.
- Reiterated that he cannot support a new ordinance, which would call for residential parking only on a public street. He noted he has found that other such ordinances, in other municipalities, have failed miserably. He also reminded the Council that anyone may park at a blue-banded parking meter; the only difference is that those who have purchased a parking permit may park there for free.

Mayor Appointments

Resolution No. 43 – Mayor Baker moved to appoint Timothy L. Dunkle to the General Authority, to fill the unexpired term of Robert Finch, which will expire on January 1, 2017. Mr. Marshall seconded the motion, which passed unanimously.

Resolution No. 44 – Mayor Baker moved to appoint Mr. Rudegear to the Police Pension Board. Mr. Marshall seconded the motion, which passed unanimously.

Mayor Baker noted that appointments also need to be made to the Library Board and the Council of Governments (COG).

Mayor Baker

- Announced the Municipal League Northwest District Meeting will be held on April 6 in Warren. He will email the details to all the members.
- **Resolution No. 45** – In response to a request by the Pennsylvania State Mayors' Association, and noting that both Mrs. Jamieson and Police Chief London are in favor of it, Mayor Baker moved to support the use of radar for enforcing the speed limit by municipal police officers. Mr. Rudegear seconded the motion, which passed unanimously.

Solicitor

- **Resolution No. 46** – Explained that Council has until April 8, 2016, to fill the open "at large" Council seat. To be eligible, applicants must be at least 21 years old, be a U.S. citizen, a registered voter, and have lived within the City for at least one year. Mr. Rudegear moved to have letters of interest accepted at the City Manager's Office until 4:30 PM on Thursday, March 24, 2016. Mr. Lyons seconded the motion, which passed unanimously. It was decided that applicants will be interviewed during the next regular Council meeting on April 4, 2016.

Mr. Rudegear

- Reiterated the need for someone to be appointed to the Library Board as soon as possible.

EXECUTIVE SESSION – Resolution No. 47

Mayor Baker moved to enter into executive session at 8:57 PM to discuss litigation and negotiations. Mr. Marshall seconded the motion, which passed unanimously. The executive session ended at 9:20 PM.

ANY OTHER BUSINESS

Resolution No. 48 – Mr. Rudegear moved to ratify the new collective bargaining agreement with the Police Union, as described, for the term of 2016-2017. Ms. Dlugos seconded the motion, which passed unanimously.

ADJOURNMENT

There being no further business to come before the Council at this time, the meeting was adjourned at 9:21 PM.

Respectfully submitted,

Darla Hawke, Recording Secretary