

REGULAR COUNCIL MEETING
May 4, 2015

Members Present: Douglas Baker, Mayor
Donna Fletcher, Deputy Mayor
Samuel Lyons
James Marshall
Jennifer Morris
Ryan Rudegeair
Garnet Wood

Members Excused: None.

In Attendance: Tracy Jamieson, City Manager
Brian Spaid, Esq., City Solicitor
Chuck Gibbons, Code Enforcement/Zoning Officer
Darla Hawke, Recording Secretary
Ally-Karen Miller, Aquatics Director - Franklin YMCA
Wendy Thompson, Franklin YMCA Annual Support Campaign
Herb Bigley, Men's Softball League
Russ Campbell, Chestnut Street
Sheila Boughner, Venango Newspapers, Inc.

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

ADOPTION OF AGENDA - Resolution No. 74

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

APPROVAL OF MINUTES

_____ Resolution No. 75 - Mr. Lyons moved to approve the minutes of the special meeting of April 1, 2015, as presented, and the minutes of the regular meeting of April 6, 2015, as presented. Mrs. Fletcher seconded the motion, which passed unanimously.

PAY THE BILLS - Resolution No. 76

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

CITIZENS' INQUIRIES

Mr. Bigley, President of the Men's Softball League, explained that years ago a set of steps between the Little League and softball fields had been removed as a result of an accident and the City being sued. He was in attendance this evening to ask permission for the ball leagues to remove a piece of the guardrail that had been placed in that location and construct a new set of steps with a railing. He noted that people are presently climbing over the guardrail, rather than walking the 100 or so feet to go around it, and he is concerned that an

older individual may fall and be seriously injured. He noted that the ball leagues would pay for all construction costs. Mrs. Jamieson will meet with the City Engineer, the Code Enforcement Officer and the Street Department Supervisor to discuss this request.

CERTIFICATE OF APPROPRIATENESS - none.

Mrs. Fletcher ascertained that Bella Cucina had received its permit to construct the deck, which had been approved at the March meeting.

YMCA PRESENTATIONS

_____ Miller-Sibley Pool - Aquatics Director Ally-Karen Miller reported that, this summer, she planned to focus on family events and has scheduled Saturdays with activities to engage families to enjoy and interact with each other in the pool. She advised that rates will stay the same; however, in checking past years attendance records, she has made some minor changes to the times. Sunday through Friday the pool will be open 1-6 PM and on Saturday Noon-6 PM. She also reported that, this year, she will have the ability to input information into a database, which will make it possible to track pool usage figures and the residence locations of those persons utilizing it. She added that work is underway on the bath house roof, the pool is cleaned and they are starting to fill it. Mr. Marshall asked whether they planned to offer bus service again this year. Ms. Miller advised that, even though they offered to send the bus to outlying areas, the only children that used it were those who attended the YMCA. Mr. Marshall also ascertained that using the database would enable the City to track usage for possible block grants.

Resolution No. 77 - At Ms. Miller's request, Mayor Baker moved to grant permission for her to paint the pool rules on the large wall between the two locker rooms facing the pool area. Mr. Marshall seconded the motion, which passed unanimously.

Resolution No. 78 - Mayor Baker moved and Mr. Lyons seconded a motion to approve the execution of the Pool Management Agreement by the appropriate City officials after approval has been given by the YMCA. Motion passed unanimously.

Resolution No. 79 - Mrs. Thompson was in attendance to thank the Council for their past contributions to the YMCA annual fund raising campaigns and to report on the 2014 campaign. She reported that over \$82,000 had been received last year which provided 575 individuals of all ages with membership scholarships and program fee subsidies. She explained that the applications are evaluated utilizing the same criteria that the school districts use for the Federal School Lunch Program and that all applicants pay a portion of the fees. In addition, funds were used to subsidize registration fees in 13 YMCA health and wellness programs for adults and senior citizens. Mr. Marshall ascertained that all applications are reviewed on a regular basis and updated accordingly.

Mrs. Thompson then requested the City contribute \$1,500 to the 2015 campaign. Mr. Lyons so moved and Mr. Marshall seconded the motion, which passed unanimously. Mrs. Fletcher questioned, as a Christian organization, why the YMCA held competitions on Sunday mornings. Ms. Miller advised that the only swim meet held on a Sunday is the Masters Swim Meet in February for ages 18+, of which she has no control. Mrs. Thompson will convey Mrs. Fletcher's concerns to Deb Krizon, the YMCA Gymnastics Coach.

AMERICAN TOWER LEASE AGREEMENT - Resolution No. 80

Mrs. Jamieson explained that this would be an extension of the current agreement for a communications tower located off Sassafras Street through 2056. The lease will be renewed every five years at which time the lease amount will increase an additional 17.5 percent. Mr. Marshall moved and Mr. Lyons seconded a motion to renew the lease for another 5 years, with an increase in the monthly lease payment from \$998.75 to \$1,173.53, beginning October 2016, and with a \$5,000 signing bonus to be received now. Motion passed unanimously.

FINAL READING - BILL NO. 4 - ADOPTION OF NEW FEE SCHEDULE - Resolution No. 81

Mr. Spaid read the title of Bill No. 4, "Adoption of New Fee Schedule," into the record. He noted the only change was to the "Back Door Water Fill Up Fee." The General Authority changed its fee to \$.01/gallon, of which \$.0075 will go to the General Authority for water sales and \$.0025 will go to the City of Franklin to cover costs. Mr. Lyons moved and Mrs. Fletcher seconded a motion to approve on Final Reading, Bill No. 4, "Adoption of New Fee Schedule." Motion passed unanimously.

PARADE & PARK REQUESTS - Resolution No. 82

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

- July 17, 2015 • Parking Lot A • Tour of Franklin • Allegheny Chapter of the BMW Car Club of America.
- July 25, 2015 • Bandstand Park • Christmas in July: "Music in the Park" • Remember to Breathe Productions

Motion passed unanimously.

REPORTS

Manager

- Informed the Council that the City had been notified of a \$100,000 award for the funding request made last June through the PennDOT Multimodal Transportation Fund. This project will address the corners of 13th & Liberty Streets and the mid-1200 block crossing of Liberty Street, including replacement of handicapped-accessible curb cuts,

new pedestrian push buttons at the crossings, energy-efficient ballasts for the decorative lights at those crosswalks, and shared-lane pavement markings on the roadway providing for bicyclists. She reminded the Council they had agreed last June to match this grant with \$45,801 from the Downtown Development Fund. She noted that when the contract is received, Council will need to authorize its execution.

- Resolution No. 83 - Mrs. Fletcher moved and Mr. Marshall seconded a motion to appoint Mayor Baker as the City's voting member for the Pennsylvania Municipal League of Cities and Mr. Rudegear as alternate. Motion passed unanimously.
- Resolution No. 84 - Mrs. Jamieson explained that, on behalf of the Oil Region Enterprise Zone (OREZ) and FICDA, the City had, years ago, been asked to administer the funds OREZ has received from the Commonwealth of Pennsylvania for purposes of promoting economic development in the industrial areas of Franklin, Oil City, Sugarcreek & Rouseville Boroughs, and Cranberry, Cornplanter & Sandycreek Townships, by arranging loans to help industries make improvements to their operations. The City would act as its agent, without charge, for purposes of concluding the loan transactions with the businesses identified by OREZ. This arrangement, for auditing purposes, needs to be more formalized with an agreement. Mr. Lyons moved to approve the Agreement between the Oil Region Enterprise Zone and the City of Franklin, as presented. Mr. Wood seconded the motion, which passed unanimously.
- Advised the Council that she has been attending the Franklin Industrial & Commercial Development Authority (FICDA) meetings. The Board has invited the Council to attend any of its meetings. Its next meeting is on May 11 at Noon.
- Will need an executive session to discuss litigation and negotiations.

Solicitor

- Resolution No. 85 - Concerning the Oak Hill Apartments Appeal regarding a property maintenance violation served on the complex after it downsized a resident's apartment from a 3-bedroom to a 1-bedroom, a hearing will need to be scheduled. Mr. Rudegear moved and Mr. Lyons seconded a motion to schedule a Property Maintenance Appeal Hearing for Thursday, May 21, at 7 PM, for Oak Hill Apartments. Motion passed 6-1, with Mr. Wood voting "no," noting he had a previously scheduled meeting and would be unable to attend on this date.
- Regarding the parking issues in the 1200 block of Chestnut Street, Mr. Spaid advised the Council that he has talked with the City of Butler's Mayor. Butler has instituted an ordinance calling for "resident only" parking in certain areas. Butler's Mayor informed Mr. Spaid that *homeowners are instructed to call the Police Department if they see a vehicle they believe is parked illegally. The Police, if they have the time, will then ticket or tow any vehicle unlawfully parked. Business proprietors are permitted to purchase three permits for their customers' use.* Mr. Spaid felt this solution could be problematic and, although he will continue searching for other solutions, he suggested the matter be discussed with the owners of the Franklin Towers and Colonial Manor to see if they

could offer any suggestions. Council made several suggestions, including eliminating the no parking on the North side of the street, installing parking meters in this block, and also discussing the matter with the Franklin Housing Authority. They will continue to investigate the matter.

- Will need an executive session for possible litigation.

Mayor • Appointments

Resolution No. 86 - Mayor Baker moved and Mr. Wood seconded a motion to re-appoint Hope Bittner, Cliff Minnick and Armand Sabolcik to the Shade Tree Commission. Motion passed unanimously.

Resolution No. 87 - Mayor Baker moved and Mr. Lyons seconded a motion to re-appoint James Szymecki to the Planning & Zoning Commission. Motion passed unanimously.

COUNCIL REPORTS

Mr. Wood

- Reported on May Garden Mart Weekend.

EXECUTIVE SESSION - Resolution No. 88

Mr. Wood moved to enter into executive session at 8:18 PM to discuss litigation, possible litigation and negotiations. Mr. Rudegear seconded the motion, which passed unanimously. The executive session ended at 8:50 PM.

ANY OTHER BUSINESS - Resolution No. 89

Mr. Rudegear moved and Ms. Morris seconded a motion to place a \$25 bid with the County on a duplex at the corner of 13th & Eagles Streets, which is vacant, has been condemned and is up for tax sale. Motion passed unanimously. If the purchase is successful, the plans are to demolish the structure by using Community Development Block Grant monies.

ADJOURNMENT

There being no further business to come before the Council at this time the meeting was adjourned at 8:50 PM.

Respectfully submitted,

Darla Hawke, Recording Secretary