

REGULAR COUNCIL MEETING
July 6, 2015

Members Present: Douglas Baker, Mayor
Donna Fletcher, Deputy Mayor
James Marshall
Jennifer Morris
Ryan Rudegear

Members Excused: Samuel Lyons
Garnet Wood

In Attendance: Tracy Jamieson, City Manager
Brian Spaid, Esq., City Solicitor
Mary Ann Benton, Recording Secretary
Tim Brooks, Venango County Commissioner
Abe Hobson, Fibre Optic Consultant
Ken Barker
Ally-Karen Miller, Aquatics Director – Franklin YMCA
Sheila Boughner, Venango Newspapers, Inc.

Mayor Baker called the meeting to order at 7:54 PM.

ADOPTION OF AGENDA – Resolution No. 108

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

APPROVAL OF MINUTES – Resolution No. 109

Mrs. Fletcher moved to approve the minutes of the regular meeting of June 1, 2015, as presented. Ms. Morris seconded the motion, which passed unanimously.

PAY THE BILLS – Resolution No. 110

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

CITIZENS' INQUIRIES – Resolution No. 111

Ms. Miller, Aquatics Director of the Franklin YMCA, presented an update of the attendance at Miller-Sibley Pool since opening day. During the month of May, the pool was closed 4 out of the 5 days due to weather. During June, weather was again the factor in not opening 5 out of the 25 days it was open. Additionally, the pool closed early 12 of the 20 days opened in June. Despite the closures, June 2015 was one of the higher months in attendance numbers since 2006. Residence locations of pool patrons tracked by her database during May shows that 18 people who paid daily fees were within walking distance of the pools. During June,

893 of the total 960 people paying daily fees were within walking distance of the pool. The remaining 67 people were from other Franklin, Oil City, and Reno areas. She will continue trying to get actual addresses to add to the database; however, the majority of the patrons are reluctant to give their home addresses even after Ms. Miller explains the reason for attempting to obtain their addresses. A complaint she has been receiving since opening day is the need to update the information on the website regarding fees and the pool open times. In talking with the Franklin Area Chamber of Commerce, it was suggested that a "Google Plus" page be created for the pool. Once completed, this page would be the first result listed in any Google search for information on the Miller-Sibley Pool. Mr. Rudegear moved and Mrs. Fletcher seconded a motion to approve the Franklin YMCA creating a Google Plus Internet search tool for the Miller-Sibley Pool and giving the City Manager the opportunity to review it before publishing it live. Motion passed unanimously. Ms. Miller invited all City Council members to visit the pool and experience the fun being had.

Ms. Plyler addressed City Council regarding deteriorating conditions at the Miller-Sibley Pool and also invited City Council members to visit the pool to see those conditions. She suggested that she and others have expressed the desire to hold fundraisers to address needed repairs to the pool. Mr. Marshall advised that City Council will discuss the fundraising offer with the City Manager and will direct her to contact Ms. Plyler.

Ms. Haylett addressed City Council regarding her son having been recently struck by a vehicle while walking in the crosswalk at Washington Crossing and Elk Street. Police Chief London informed those in attendance that he was aware of the accident and advised that the driver had been cited and adding that there is not a lot that the City can do if drivers are not paying attention while travelling through town. He also advised that he had checked the Walk/Don't Walk lights and the traffic lights, which all appeared to be working correctly. He will contact PennDOT to request all lines at Washington Crossing be painted.

CERTIFICATES OF APPROPRIATENESS

Resolution No. 112 – Mrs. Fletcher moved and Ms. Morris seconded a motion to issue a Certificate of Appropriateness for the awning and deck stain colors at **1234 Liberty Street**, as presented. Motion passed 4-0 with Mr. Rudegear abstaining for employment reasons.

Resolution No. 113 – Mr. Rudegear moved and Mrs. Fletcher seconded a motion to issue a Certificate of Appropriateness for the paint colors as presented at **1441 Liberty Street**. Motion passed unanimously.

EXECUTIVE SESSION – Resolution No. 114

Mr. Rudegear moved and Mr. Marshall seconded a motion to enter executive session at 8:22 PM to discuss contract negotiations with Mr. Hobson and Mr. Brooks, which passed unanimously. The executive session ended at 8:56 PM.

Resolution No. 115

Mrs. Fletcher moved and Mr. Rudegear seconded a motion for the City of Franklin to join with the Franklin Industrial and Commercial Development Authority and Venango County in entering into a contract with KINBER, subject to final review of the City Solicitor and City Manager. Motion passed unanimously.

MILLER-SIBLEY BATHHOUSE ROOF A/E AWARD – Resolution No. 116

Ms. Jamieson advised City Council that another leak had occurred on the roof causing water to pour into the Ladies Dressing Room. She recently requested proposals from architects and engineers to develop a plan for the Miller-Sibley Bathhouse Roof Project. Proposals were opened early today from:

- Amos E. Rudolph, Architect, Seneca, PA, in the amount of \$8,700, which includes the services of an electrical engineer. If not needed, cost will be credited back off the total price.
- Hugh E. McGranaghan, Jr., Architect, Grand Valley, PA, in the amount of \$11,000.

Ms. Jamieson advised she had no concerns with either proposal and would recommend the lower proposal, being Amos Rudolph. Mr. Marshall questioned if the roof would hold through the summer. Ms. Jamieson advised that the roof would hold, adding that it just hasn't had any attention for years. Mr. Marshall moved and Mr. Rudegear seconded a motion approving the \$8,700 proposal submitted by Mr. Rudolph. Motion passed unanimously.

FY-2012 CDBG DEMOLITION PROJECT – Resolution No. 117

Ms. Jamieson advised that, since the June 2015 City Council meeting, she was informed that Venango County was offering the City the property at 702-704 Thirteenth Street for \$50. Mr. Rudegear moved and Ms. Horne seconded a motion to approve and accept the property for purposes of demolition. Motion passed unanimously.

PARADE & PARK REQUESTS – Resolution No. 118

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

- July 27-29, 2015, August 3-5, 2015, and August 10-12, 2015 • Miller-Sibley Pavilion • Summer Adventure Camps • Penn State Extension.
- August 1, 2015 • 12th Street Island • Liberty 500 Outhouse Race • Franklin Fine Arts Council

Motion passed unanimously.

REPORTS

Manager

- **Resolution No. 119** – Informed the Council that the the City has eight vehicles to dispose of either through Municibid or through 422 Auction, which the City of Oil City has used in the past and received \$18,000 more than the scrapping amount. Mr. Marshall moved to authorize the City Manager to move ahead with the disposal of the eight vehicles. Motion was seconded by Mr. Rudegear and passed unanimously.
- **Resolution No. 120** – Advised the Council that the air cylinders, which were placed on Municibid, received no bids. She asked for the authority to dispose of them the best way possible along with the SCBA, which are no longer certified and, therefore, can no longer be used. Kevin Lewis, former City police officer and currently an instructor at Venango County Vo-Tech, has requested we donate a few of the SCBA strictly for the educational purposes of his students. Mr. Marshall moved and Mrs. Fletcher seconded a motion to give several SCBA to Mr. Lewis and anyone else for educational purposes only and to dispose of the remaining cylinders and SCBA. Motion passed unanimously.
- Advised the Council that the City was awarded the home at 1424 Otter Street by Wells Fargo, who will also pay the cost to demolish it along with any other fees incurred. Council had previously given the City Manager permission to do this.
- **Resolution No. 121** – Received another request for a conditional use hearing for 745 Liberty Street. A medical doctor would like to convert the building back into a medical office. Mayor Baker moved and Mr. Rudegear seconded a motion to schedule the hearing for 7:00 PM prior to the regular meeting of August 3, 2015. Motion passed unanimously.

Solicitor

- Has several items for executive session regarding potential litigation and on-going litigation.
- Received Residential Parking Only ordinances from Greensburg, Reading, Allentown, and Butler, which are all fairly similar.

Individuals would purchase permits to be able to park along these streets; and their guests would also have to purchase permits, which would generally be posted on the back bumpers of vehicles. This program depends upon much self-policing in the neighborhood. Mr. Spaid does not recommend Council adopt a residential only permit parking program in the City. The problem could be resolved by requesting from the high-rise apartment managers that their guests utilize their parking lots. Mr. Spaid noted the police department is down in personnel and cannot chase people away over parking. Concern also would be if the permitted parking is done in this block, what will stop the request from another block in town for the same program? He advised he would not recommend this program for our City, which is much smaller than the other cities mentioned. He also would not advocate making this block double-side parking, which would create a problem with winter maintenance. Mr. Marshall advised that he was told five of the vehicles apparently park there in the early morning hours and take a bus to the mines in Boyers, PA, for work. He suggested Chief London call those individuals and request they park instead in the 600 block of Fourteenth Street where more parking is available. In conclusion, Mr. Spaid advised he felt it would be cumbersome to require residents to come to City Hall to purchase parking permits for their guests before they are permitted to park for gatherings.

- An agreement was received from Charter Communications requesting the City sign off on their proposed taking over of Time Warner Cable. He will contact Attorney Phil Fraga, whom the City has used in the past for negotiations with Time Warner, for his opinion.

Mayor • Appointments

No appointments were made.

Mayor Baker announced that the **Welcome Home the Troops** parade previously scheduled for June 27, 2015, as part of the 4th of July celebration, had to be cancelled due to inclement weather and asked for ideas from Council. Mr. Marshall advised City employees were working to put something together in South Park for active-duty personnel and veterans on an upcoming Saturday or Sunday. No specific date has been scheduled at this point.

COUNCIL REPORTS

Mr. Marshall

- Believes Mrs. Plyler's idea of fundraising for the pool is a great idea and questioned if the City should let her manage this. Mr. Spaid

suggested he would like to research the issue prior to a decision being made. Mr. Marshall requested that Mr. Spaid provide his findings at the August 3, 2015, Council meeting.

EXECUTIVE SESSION – Resolution No. 122

Mayor Baker moved to enter into executive session at 9:22 PM to discuss potential litigation, on-going litigation, and personnel. Mr. Marshall seconded the motion, which passed unanimously. The executive session ended at 9:45 PM.

ANY OTHER BUSINESS

Resolution No. 123 - Mr. Marshall moved to name Mayor Doug Baker, Deputy Mayor Donna Fletcher, Councilman Ryan Rudegeair, and City Manager Tracy Jamieson as the City's negotiators to resolve the issues from the litigation with the General Authority and Sugar Creek Borough. Ms. Morris seconded the motion, which passed unanimously.

Resolution No. 124 – Mr. Rudegeair moved to authorize Solicitor Brian Spaid to act as the City's legal representative in the negotiations, thereby waiving the conflict of interest by Attorney Jim Greenfield representing the General Authority and Attorney Spaid representing the City in negotiations to implement the Court order, subject to review by an independent solicitor retained by the City. Mrs. Fletcher 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 9:47 PM.

Respectfully submitted,

Mary Ann Benton, Recording Secretary