

REGULAR COUNCIL MEETING
July 10, 2017

Members Present: Douglas Baker, Mayor
Jane Dlugos
Donna Fletcher, Deputy Mayor
James Johnson
Samuel Lyons
James Marshall

Members Excused: None.

In Attendance: Tracy Jamieson, City Manager
Jim Greenfield, Esq., Acting City Solicitor
Harmony Motter, Finance Director
Sheila Boughner, Community Development Director
Charles Gibbons, Code Enforcement/Zoning Officer
Eric Fenske, Utility Coordinator
Darla Hawke, Recording Secretary
Kevin Anundson, Police Chief
Lt. Melissa Edwards, Franklin Police Department
Patrolman Sean Floor, Franklin Police Department
Herb Bigley, Venango County Mens Softball Assn.
Bodie Riddle, Venango County Mens Softball Assn.
Zoe Oakes, Franklin Public Library Branch Manager
Dan Flaherty, Oil Region Library Assn.
Ann Rudegear, General Authority Chairperson
Marty Rudegear, General Authority Treasurer
Ryan Rudegear
Ally-Karen Miller, Franklin YMCA
Marissa Dechant, Venango Newspapers, Inc.

Mayor Baker called the meeting to order at 7:09 PM.

ADOPTION OF AGENDA - Resolution No. 81

Mayor Baker added 7A, "General Authority Presentation," to the agenda. Mayor Baker then moved to adopt the agenda, as amended. Mr. Marshall seconded the motion, which passed unanimously.

COUNCIL INTRODUCTIONS

Mayor Baker introduced the City's new Chief of Police Kevin Anundson, who in turn introduced their newest hire Patrolman Sean Floor and newly promoted Lt. Melissa Edwards. Mrs. Jamieson introduced the City's new Utility Coordinator Eric Fenske and Zoe Oakes, the new Library Branch Manager and the Oil Region Library Association's Director Dan Flaherty.

APPROVAL OF MINUTES - Resolution No. 82

Mr. Johnson moved to approve the minutes of the regular meeting of June 5, 2017, as presented. Mr. Lyons seconded the motion, which passed unanimously.

PAY THE BILLS - Resolution No. 83

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

CITIZENS' INQUIRIES

Resolution No. 84 - Softball League Request - Mr. Bigley was in attendance to ask Council's permission to add extensions and netting to the present fence surrounding the Men's Softball League outfield, noting it would significantly aid in expanding the field. He reported the cost would be approximately \$15,000, which the team has raised. Mr. Lyons moved to approve the request. Mr. Johnson seconded the motion, which passed unanimously. Mr. Bigley noted he would contact Terry Ruditis, Street Department Supervisor, before moving ahead.

Mr. Bigley advised the Council the League hopes to have the steps finished by the end of summer, noting he would do so, in coordination with Terry Ruditis and Chuck Gibbons, Code Enforcement Officer.

Miller-Sibley Pool Report - Ms. Miller reported that, to date, 63 season passes have been sold; 207 children have participated in the free community swim lessons (up 32 from last year); and 140 people are participating in the free exercise classes. They are averaging approximately 42 people a day, in spite of the weather, and noted this number is only 3 less than last year at this time. She did report that several parents have asked to have the parking spaces re-lined in the parking lot because people are parking haphazardly, which makes it extremely difficult to navigate. She added that she has spoken with Mr. Ruditis, Street Department Supervisor, concerning this matter. Mrs. Jamieson will follow-up with him.

GENERAL AUTHORITY PRESENTATION

Mrs. Rudegeair, General Authority Chairperson, updated the Council on the Available Funds Report for both the Water and Wastewater Departments. In addition to showing the checking/savings accounts balance, it now includes the funds that have been committed for the Action List projects, as well as the Capital Reserves amounts. She also presented each member with a copy of the Authority's 2017 Goals, which was approved on June 13, 2017. The goals detail the following fields: Finance, Administration, Programs, Plans and Sustainability.

Mr. Rudegeair, General Authority Treasurer, noted this is the third year in a row that the Authority has had its own audit. The audit includes an unmodified opinion and no material deficiencies. He presented those members, who wanted them, with hard copies and noted it was also available digitally. Council members thanked the Authority for all their work.

CERTIFICATE OF APPROPRIATENESS

Resolution No. 85 - Mrs. Fletcher moved and Mr. Johnson seconded a motion to issue a Certificate of Appropriateness for a sign at 1272 Elk Street, as presented. Motion passed unanimously.

FINAL READING - BILL NO. 4 - TRAFFIC CODE - FRANKLIN AVENUE - Resolution No. 86

Mr. Greenfield read the title of Bill No. 4, "Traffic Code - Franklin Avenue," into the record. He advised one change had been made from First Reading, "*This Ordinance shall become effective July 24, 2017.*" Mrs. Jamieson explained this would allow time to educate the public with an electronic signboard to help lessen the possibility of accidents. Mr. Marshall then moved and Mrs. Dlugos seconded a motion to pass on Final Reading Bill No. 4, "Traffic Code - Franklin Avenue." Motion passed 5-1, with Mr. Lyons voting "no," voicing his concerns with the added congestion it would cause at the intersection of 13th & Liberty Streets.

FIRST READING - BILL NO. 5 - TRAFFIC CODE - FOURTEENTH STREET

Resolution No. 87 - Mr. Johnson moved to remove Bill No. 5 from the table. Mr. Lyons seconded the motion, which passed unanimously.

Resolution No. 88 - Mr. Greenfield then read Bill No. 5, "Traffic Code - Fourteenth Street," in its entirety into the record. Mr. Lyons moved and Mrs. Dlugos seconded a motion to pass on First Reading Bill No. 5, "Traffic Code - Fourteenth Street." After hearing Chief Anundson's report on the recent Traffic Study conducted in this area, it was the consensus of Council to wait to see how traffic will be affected with the change of Franklin Avenue to one-way. Motion failed 0-6.

FINAL READING - BILL NO. 6 - TRAFFIC CODE - SOUTH PARK STREET - Resolution No. 89

Mr. Greenfield read the title of Bill No. 6, "Traffic Code - South Park Street," into the record. Mrs. Dlugos moved and Mr. Marshall seconded a motion to pass on Final Reading Bill No. 6, "Traffic Code - South Park Street." Motion passed unanimously.

FINAL READING - BILL NO. 7 - PARKING METER CODE - Resolution No. 90

Mr. Greenfield read the title of Bill No. 7, "Parking Meter Code," into the record. Mrs. Fletcher moved and Mrs. Dlugos seconded a motion to pass on Final Reading Bill No. 7, "Parking Meter Code." Motion passed unanimously.

APPROVAL OF INSPECTION SERVICES - SASSAFRAS STREET PROJECT - Resolution No. 91

Ms. Boughner reported that the EADS Group of Clarion has submitted a proposal for providing up to 240 hours of resident inspection services, at a cost not to exceed \$14,400, for the SassafRAS Street Improvement Project which was approved in January. The project will involve the replacement of water and sewer lines, the construction of a retaining wall and street paving. The street is very narrow and on-street parking will not be possible during the day when work is underway. It is her belief that a resident inspector would help to ensure the work is being done properly and would be on-hand to assist residents with questions and concerns as they arise. Mrs. Jamieson advised the Council that the funds are available within

the CDBG budget for the project. Therefore, she recommended that Council approve the addition to the city's existing contract with EADS Group of up to 240 hours of resident inspection services in an amount not to exceed \$14,400. Mrs. Fletcher so moved. Mr. Johnson seconded the motion, which passed 5-0, with Mr. Marshall absent for the vote.

ADOPTION OF SECTION 504 GRIEVANCE PROCEDURES - Resolution No. 92

Mrs. Jamieson reported that these procedures are required by HUD under the CDBG Program. She explained this procedure would allow any person who believes he or she has been subjected to discrimination by the City on the basis of disability to file a grievance. She added that it is against the law for the City to retaliate against anyone who files a grievance or cooperates in the investigation of such. Mrs. Dlugos then moved to adopt Section 504, "Grievance Procedures." Mrs. Fletcher seconded the motion, which passed unanimously. Motion passed unanimously.

CONSIDERATION OF FIRST WARD COUNCILPERSON

Mrs. Jamieson reported that, recently, there has been some question between the City and the County on the voting district corresponding to Mr. Rudegeair's new address. He has expressed interest in the council seat if his residence is located within his district. Though the City's records show that Mr. Rudegeair's new address is not within the First District, Mayor Baker suggested this matter be tabled until a definitive decision is made. Mrs. Jamieson reminded the Council they have only 45 days from Mr. Rudegeair's resignation to make a decision before the Court steps in to fill the position. The Mayor scheduled a Special Meeting on Wednesday, July 26, at 4 PM for this purpose.

PARADE & PARK REQUEST - Resolution No. 93

Mrs. Dlugos moved and Mr. Lyons seconded a motion to approve the following request: September 15, 2017 • Bandstand Park • Recovery Celebration • Venango Co Human Services. Motion passed unanimously.

REPORTS

Manager

- **Update on 1424 Otter Street Demolition** - complete.
- **Request for Conditional Use Hearing** - A date and time will need to be established for a Conditional Use Hearing applied for by Nick & Michelle Hingl to allow their rental at 442 Elk Street to be considered as a Boarding House under the Zoning Ordinance. A Boarding House is a conditional use in this district, however, they are further asking that the definition of a "Boarding House" be modified to allow for overnight stays of less than 1 week. (Currently, the definition is 1 week or more.) The hearing was scheduled for Monday, August 7, depending upon Mr. Spaid's availability. Mr. Gibbons added that this hearing would be added to the City's Planning Commission agenda, for its July 18 meeting. With the coming of home rentals through a process like an Air B&B, Mrs. Jamieson suggested now would be a good time to determine how the City will address these requests considering any parking issues, how they would interface between the

Zoning Ordinance and the Building Codes, and safety compliance. She also suggested the City may want to re-visit the B&B regulations as it currently specifies they may only be located in the City's Historic District. She noted anyone near the river may also want to create a B&B or boarding house.

- **Resolution No. 94 - Bully Hill Tree Timbering** - Mrs. Fletcher moved to approve the City Manager contracting with Arnold Forestry & Surveying, LLC, utilizing the normal commission of 10% to begin the process of timbering Bully Hill, conditioned upon it not conflicting with any cell tower construction. Mr. Lyons seconded the motion, which passed unanimously.
- **Downtown Light Pole Status** - Mrs. Jamieson advised the Council that she has applied for funding from PennDOT to assist the City with the cost of replacing the mast arm traffic light pole in the 1200 block of Liberty Street.
- **Garbage Collection Services** - Mrs. Jamieson reported that the City's third year of garbage collection with Tri-County is up the end of October and she will be putting it out for bid in August or September. She asked if Council would like to stay with the same set-up, or include additional items, such as residents using trash and/or recycling carts supplied by either the garbage hauler or the City and/or bid out as basic fee for basic garbage and use a sticker system for large household items. The Council asked that she investigate the alternatives and include those that seem worth pursuing.
- Reported that an Executive Session was held on Tuesday, June 27, for the purposes of litigation, real estate, and privileged matters that concerned the solicitor's advice.
- Will need an executive session to discuss personnel, contract negotiations and potential litigation.

Solicitor - none.

Mayor • Appointments

Resolution No. 95 - Mayor Baker moved to re-appoint Sharon Thornton to the Commission to Remember Our Heroes (CROH). Mrs. Fletcher seconded the motion, which passed unanimously. Mayor Baker advised that Bob Bowen, CROH Chairman, has asked Council to consider expanding the Commission from 5 to 7 members.

Resolution No. 96 - Mayor Baker moved to re-appoint Jerri Gent to the Redevelopment Authority. Mr. Johnson seconded the motion, which passed unanimously.

COUNCIL REPORTS

Mayor Baker

- None.

Mr. Johnson

- Reminded the Council that he had discussed a water run-off problem coming from Eagle Street onto New Street at the last meeting. He noted that Mr. Ruditis had inspected this area last month and now residents of the 1400 block of New Street are

asking what the City plans to do to correct the situation. Mr. Marshall noted the curbing in this area of Eagle Street is non-existent. Mrs. Jamieson will follow-up with Mr. Ruditis concerning this matter.

Mr. Marshall

- Reported he had stopped at the Franklin Heights Playground and that it looks great!
- Ascertained that City Police will be following Pennsylvania's state law, since the Governor has now signed a bill enacting stricter penalties for animal abusers.

Mrs. Fletcher

- Advised that the storm sewer in front of 835 Elk Street is causing problems. Mrs. Jamieson will address this matter with staff.

Mr. Lyons

- Was glad to hear the State is re-considering its proposal to change Route 8 from 4 lanes to 2.

Mrs. Dlugos

- Asked if parking would now be permitted on both sides of Franklin Avenue. Mayor Baker advised her parking has not yet been addressed.

EXECUTIVE SESSION - Resolution No. 97

Mrs. Fletcher moved to enter into executive session at 8:52 PM to discuss real estate, litigation, and privileged matters that concern the Solicitor's advice.. Mr. Johnson seconded the motion, which passed unanimously. The executive session ended at 9:14 PM.

ANY OTHER BUSINESS

Resolution No. 98 - A motion was made by Mrs. Fletcher and seconded by Mr. Lyons to remove James Szymeccki for cause from the City Planning Commission. Motion passed unanimously.

Mayor Baker and Mr. Johnson agreed to serve on a planning committee to strategize on how the City and Franklin Industrial & Commercial Development Authority (F.I.C.D.A.) can work more closely on City economic issue.

ADJOURNMENT

There being no further business to come before the Council at this time, the meeting was adjourned at 9:23 PM.

Respectfully submitted,

Darla Hawke, Recording Secretary