

REGULAR COUNCIL MEETING
July 11, 2016

Members Present: Douglas Baker, Mayor
Jane Dlugos
Donna Fletcher, Deputy Mayor
James Johnson
James Marshall
Ryan Rudegeair

Members Excused: Sam Lyons

In Attendance: Tracy Jamieson, City Manager
Brian Spaid, Esq., City Solicitor
Chuck Gibbons, Code Enforcement
Sheila Boughner, Community Development and Recording Secretary
Harmony Motter, Finance Director
Kelly Bruckart, 309 Elk St., Franklin
Edie Bruckart, 309 Elk St., Franklin
Linda Lusher, Galaxy Federal Credit Union, 1313 Liberty St., Franklin
Rod Griffin, Specialty Fitness Systems, 1246 Liberty St., Franklin
Michael Dill, State Farm Insurance, 1252 Liberty St., Franklin
Chris Curran, 513 12th St., Franklin
Marissa Dechant, Explore Venango
Jon Haag, Venango Newspapers, Inc.

Mayor Baker called the meeting to order at 7:01 p.m. City solicitor Brian Spaid advised City Council that a computer reading would begin of a lengthy ordinance amending the city's zoning ordinance that would be presented for approval on first reading later in the meeting.

ADOPTION OF AGENDA - Resolution No.102

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

APPROVAL OF MINUTES - Resolution No. 103

Mrs. Fletcher moved to approve the minutes of the June 6, 2016 public hearing on the City's 2016 Community Development Block Grant program and the minutes of City Council's regular meeting of June 6, 2016, as presented. Mr. Rudegeair seconded the motion, which passed unanimously.

PAY THE BILLS - Resolution No. 104

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

CITIZENS' INQUIRIES -- None

CERTIFICATES OF APPROPRIATENESS

Resolution No. 105 - Mr. Rudegear moved and Mrs. Fletcher seconded a motion to issue a Certificate of Appropriateness for new paint colors to be used on the front facade of the building at 1252 Liberty Street as requested by Michael Dill of State Farm Insurance. HARB recommended approval of the request. Motion passed unanimously.

Resolution No. 106 –Mr. Rudegear moved for approval of the five remaining requests for Certificates of Appropriateness that were recommended with no changes by HARB. Mr. Johnson seconded the motion.

Those requests were for:

- Two signs at St. John's Episcopal Church at 1145 Buffalo Street. The first sign is for the Grace Evangelical Lutheran Church, to be placed in the right-of-way on the Twelfth Street Side of the Church. The second is for a directional sign to be placed to the right of the door on the Twelfth Street side of the Church.
- The use of vinyl siding in the requested colors on the Galaxy Federal Credit Union building, located at 1313 Liberty Street.
- A railing around the roof of the first-floor sun room and dining room bay window at 416 15th Street.
- A new sign at The Franklin, located at 1340 Liberty Street.

Motion passed unanimously.

Resolution No. 107 – Mr. Rudegear moved and Mr. Johnson seconded the motion to issue a Certificate of Appropriateness for new signs for Specialty Fitness Systems above the entrance at 1246 Liberty Street, as recommended by HARB. Mr. Gibbons explained that the version of the signage recommended by HARB is smaller than that presented by the owner and has a three-dimensional effect. Motion passed unanimously.

Resolution No. 108 – Mr. Rudegear moved and Mr. Marshall seconded a motion to approve a Certificate of Appropriateness for an addition to the building located at 1344 Liberty Street as presented to HARB by Tom Hasson. Hasson proposed an extension of the current roof, while three HARB members favored a gabled roof for the addition. HARB's vote on the request ended in a tie, so the panel made no recommendation to Council on the matter.

At the suggestion of Mr. Spaid, Rudegear amended his motion to specify that his motion was for approval of the addition with a flat roof, not a gabled roof. Motion passed unanimously.

BID AWARD FY-2013 STREET IMPROVEMENTS – **Resolution No. 109**

City staff proposed awarding the bid for the Street Improvements on Fourteenth Street (from Franklin Avenue to Elk Street) and Twelfth Street (from Buffalo Street to Chestnut Street) to Shields Asphalt Paving Inc. of Valencia, Pa., in the amount of \$49,058.44. The project will be paid for with 2013 Community Development Block Grant funds. Shields submitted the lowest of the five bids received.

Mr. Marshall so moved and Mrs. Dlugos seconded the motion, which passed unanimously.

702/704 THIRTEENTH ST. PROPERTY SALE

Mrs. Jamieson reported that no bids were received for the purchase of the property at 702/704 Thirteenth Street from the City. Potential buyers had expressed interest in purchasing the property and meeting the minimum bid amount equating to the total amount of Community Development Block Grant funds used to demolish the structure previously located on the now-vacant lot. The bid did not materialize, however.

FINAL READING OF BILL NO. 2 – Resolution No. 110

Mr. Marshall made a motion and Mr. Rudegear seconded the motion to give final approval to an ordinance naming the alleyway to the west side of City Hall Garnet Wood Way, after longtime City Council member Garnet Wood, who passed away Feb. 23, 2016.

Motion passed unanimously.

PARADE & PARK REQUESTS – Resolution No. 111

Mr. Rudegear made a motion and Mr. Johnson seconded the motion to approve the following parade and park requests for:

- The use of the 200 block of West Park Street on July 16, 2016, by the First Presbyterian Church for a street carnival.
- The use of Fountain Park from 2 to 4 p.m. Friday, July 22, by Jeffrey Fonzo and Erin Zacherl for a wedding
- The use of 935 Buffalo Street on Aug. 6, 2016, by Baker & Bellis Auctioneers for the Haylett Estate Auction.
- The use of Bandstand and Fountain Parks on Aug. 6 and 7, 2016, by the City of Franklin and the Franklin Fine Arts Council for the Taste of Franklin event.
- The use of Riverfront Park on Aug. 20, 2016, by the City of Franklin and Franklin Fine Arts Council for the Rock in River Fest and PA Stone Skipping competition
- The use of Bandstand Park on Sept. 11, 2016, by the First United Methodist Church and Christ United Methodist Church for a 911 worship service

Motion passed unanimously.

FIRST READING OF BILL NO. 3 ZONING CODE AMENDMENT - Resolution No. 112 –

Mr. Spaid explained the changes he and Mr. Gibbons made to the zoning ordinance in Bill No. 3. The changes include new language on no-impact home-based businesses and design standards and requirements for telecommunications towers and facilities as well as windmills. Mr. Spaid said the changes were approved by the City's Planning & Zoning Commission and were also presented as a courtesy to the Venango County Regional Planning Commission.

Mr. Rudegear moved and Mrs. Dlugos seconded a motion to approve the amendment to the city's zoning ordinance on first reading. The motion passed unanimously.

Resolution No. 113 –Mr. Rudegear moved and Mr. Johnson seconded the motion to hold the required public hearing on the changes to the zoning ordinance at 7 p.m. Monday, Aug. 1, prior to Council's regular monthly meeting. The ordinance will be presented to Council

for approval on second and final reading during the Aug. 1 meeting. Motion passed unanimously.

REPORTS

Manager

- **Resolution No. 114** – Mrs. Jamieson proposed that the City enter into a professional services contract with Arnold Forestry & Surveying LLC of Tionesta for select timbering in the City’s 120-acre Gurney Hill tract. She noted that Mr. Arnold previously told the city that a select harvest of 30 percent of the trees keeps the forest healthy and productive. Mr. Rudegeair moved to approve a management contract with Arnold Forestry for the select cut for the customary fee of 10 percent of the awarded bid, which Mrs. Jamieson said she expects to be “upwards of \$100,000.” Mr. Marshall seconded the motion, which passed unanimously. Mrs. Jamieson said the City’s Bully Hill tract will be ready for select timbering next year.
- **Resolution No. 115** – Mrs. Jamieson requested approval from City Council to subdivide property at the old hospital site adjacent to the Professional Building for possible public sale. Family Services & Children’s Aid Society has expressed interest in purchasing a lot at that location and initially requested a lot measuring roughly 2 acres. The city pulled that back to 1.5 acres, Mrs. Jamieson said, and John Neidich surveyed and laid out a plot of approximately 1.5 acres. That was determined by Family Services to be too big as well and was scaled back to about 1 acre, Mrs. Jamieson said. Mr. Marshall made a motion to move forward with the subdivision of about an acre, and Mr. Johnson seconded the motion. Motion approved unanimously.
- **Resolution No. 116** – Mrs. Jamieson requested approval from City Council for renewal of the city’s garbage contract with Tri-County Industries for the third and final year of the contract. The contract will run through October 2017, and the price will remain unchanged, she said. Mr. Rudegeair moved and Mrs. Fletcher seconded a motion to approve the contract renewal. The motion was approved unanimously.
- Notified City Council of a plan of action to train Fire Department personnel to assist the City Code Enforcement Office with fire inspections, vacant and abandoned property registrations and property maintenance. Jamieson said the effort will provide increased capacity for the code office and help the City catch up on existing violations. Five fire fighters will receive the training. City Council voiced its approval.
- Told Council the City is preparing to begin the planning process for the bike and pedestrian plan with Mackin Engineering of Pittsburgh. The process will include events – including several public events -- every month from July through January, she said.
- Followed up on her report at last month’s meeting regarding a Rocky Grove man’s wish to donate a large cast iron sign that once adorned the 13th Street Bridge to the City. She said the sign makes no mention of the City and may be better placed with the Venango County Historical Society, which expressed interest in the sign. Council agreed.
- Reported that the playset for the Third Street playground has been installed and the pavilions and electrical service requested by the Child Development Centers at the 11th Street and Atlantic Avenue playgrounds have also been installed.

- Also reported that the project installing new water and sewer lines and paving the 1300 block of Myrtle Street was set to begin Wednesday, July 13. She said there would be no on-street parking on that block during the day while the work is in progress.
- Advised council that efforts continue to arrive at a plan for the Miller-Sibley recreational area. She said the hope is to present Council with a draft layout at its August meeting. Once a plan is in place, work will begin to find ways to fund improvements at the site.
- Mrs. Jamieson said she would need a few minutes in executive session to discuss negotiations and possible litigation.

Solicitor

- Mr. Spaid said the City's Historic & Architectural Review Board asked for an ordinance change requiring those submitting requests for Certificates of Appropriateness to attend the relevant HARB meeting so they can answer any questions about their submissions. The HARB meetings are at 10 a.m., and Mr. Spaid said that as the City's solicitor, he would be opposed to instituting that requirement unless the meetings are moved to the evening to accommodate homeowners who work during the day. After some discussion, Mayor Baker said Council does not appear to be interested in such an ordinance change at this time.
- Said there seems to be some confusion on the part of the public about the ownership of sidewalks in the City. Property owners own up to the edge of the sidewalk on their side of the sidewalk, he said. The City owns the sidewalk and the grassy area between the sidewalk and the street. Property owners, however, are responsible for maintenance and replacement of the sidewalk in front of their property, as well as the maintenance of the grassy area between the street curb and the sidewalk.
- Noted that young people may be seen walking around the City playing Pokemon Go and issued a reminder that the City's parks close at 11 p.m. and a midnight curfew for those under the age of 18 is in effect.
- Mr. Spaid said he had some very brief items for executive session.

Mayor • Appointments

Resolution No. 117 - Mayor Baker made a motion to reappoint Doug Volmrich to the Redevelopment Authority and Mr. Rudegear seconded the motion. The reappointment was unanimously approved.

Resolution No. 118 – Mayor Baker moved to appoint Michael Scanlon to the Redevelopment Authority. Mr. Marshall seconded the motion, which was unanimously approved.

Resolution No. 119 – Mayor Baker made a motion, seconded by Mr. Rudegear, to reappoint Terry Belter, George Jolley, Angela Shields and Sharon Thornton to the Commission to Remember Our Heroes and stagger their terms. Council voted unanimously to approve the reappointments and the terms. Under the new term limit, Bob Bowen, who was recently reappointed to the commission, and Mr. Belter will serve three year terms; Mr. Jolley and Mrs. Shields will serve two-year terms; and Mrs. Thornton will serve a one-year term.

COUNCIL REPORTS

Mr. Johnson

- Said he had received a complaint about high grass and vehicles parked in the yard at 1152 Elk Street. Mr. Gibbons advised that the property is owned by a bank out of Texas, which was given 20 days to have the grass mowed and hedges trimmed and the abandoned vehicles removed from the yard. He said a citation will be issued after that if the tasks are not completed.
- Raised the issue of drivers traveling too fast on City streets and putting children at risk. Mayor Baker noted that the speed limit on most City streets is 25 mph. Mr. Marshall said that drivers must exceed the speed limit by 10 mph before they can be cited.

Mr. Rudegeair

- Said he received complaints from two people about the location of a loading zone close to the crosswalk on Elk Street between the Venango County courthouse and the courthouse annex. Those who spoke to him said vehicles in the loading zone make it difficult to see pedestrians. Mr. Marshall said government cannot solve everybody's problems, and pedestrians need to be vigilant as they cross the street in that area.

Mr. Marshall

- Commended Darla Hawke and Mary Ann Benton for their work on the July 4th parade.
- Asked when the bathhouse at Miller-Sibley pool was last painted. He asked if Community Development Block Grant funds might be used to paint the structure. Mrs. Jamieson said painting the outside of the building could possibly be an eligible project under the category of elimination of slums and blight.
- Also raised some concerns about crosswalks. Mrs. Jamieson said he could provide her with a list of those needing attention.

Mrs. Fletcher

- Said a nicely trimmed hedge is nonetheless blocking a sidewalk in the 800 block of Elk Street. Mr. Gibbons said he would look into it.

EXECUTIVE SESSION

Resolution No. 120 -- Mr. Rudegeair moved to enter into executive session at 8:25 p.m. for matters of negotiation and litigation. Mr. Johnson seconded the motion, which passed unanimously. The executive session ended at 8:32 p.m.

ADJOURNMENT

There being no further business to come before the Council at this time, the meeting was adjourned at 8:32 PM.

Respectfully submitted,

Sheila Boughner, Recording Secretary