

REGULAR COUNCIL MEETING
August 4, 2014

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

Members Excused: None

In Attendance: E. William Gabrys, City Manager
Tracy Jamieson, Deputy Manager
Brian Spaid, Esq., City Solicitor
R. Russell Lucas, Jr., Esq., Campbell Durrant Beatty Palombo & Miller Law Firm
Darla Hawke, Recording Secretary
Robert Billingsley
Cheryl Karns, 35 Murdock Street
Sandra South, 105 Dale Avenue
Rev. Barry Jenkins, 1st Presbyterian Church
Russ Campbell, General Authority Member
David R. Lord, General Authority Chairman
Savannah Barr, Venango Newspapers, Inc.

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

ADOPTION OF AGENDA - Resolution No. 78

Mr. Gabrys asked that "Remarks by Attorney Lucas" be added to the agenda as Item 13A. Mr. Marshall moved to approve the agenda, as amended. Mr. Rudegear seconded the motion, which passed unanimously.

APPROVAL OF MINUTES - Resolution No. 79

Mrs. Fletcher moved to approve the minutes of the regular meeting of July 7, 2014 as presented. Mr. Lyons seconded the motion, which passed unanimously.

PAY THE BILLS - Resolution No. 80

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

CITIZENS' INQUIRIES

_____ In reference to their attendance at last month's meeting regarding the stalls in the

Miller-Sibley bath house not being handicapped accessible, Mrs. South asked if any changes had been made. Mr. Gabrys advised her that they had taken her suggestion to have the stall doors swing out and asked that she contact him if this did not take care of the problem.

CERTIFICATE OF APPROPRIATENESS

Resolution No. 81 - Mr. Rudegear moved and Mr. Wood seconded a motion to issue a Certificate of Appropriateness for a sign request at 1250 Elk Street, as presented; for valances, paint and pergola for 846 Liberty Street, as presented; and for a sign request at 1133 Liberty Street, as presented. Motion passed unanimously.

ROBERT BILLINGSLEY PRESENTATION - Resolution No. 82

Mr. Billingsley was in attendance to request permission to shoot a 3-gun cannon salute during the Doughboy Ceremony in front of the Venango County Courthouse on Saturday, August 16, at 2 PM, and during next year's 150th Commemoration of the end of the Civil War where a marker for General Alfred B. McCalmont will be unveiled. Mr. Marshall so moved with the stipulation that Police Chief London be involved as to the placement of the cannon. Mr. Lyons seconded the motion, which passed unanimously. Mr. Billingsley also invited all those in attendance to the upcoming ceremony.

FEDERAL PROGRAMS PROCUREMENT POLICY REVISIONS - Resolution No. 83

Mrs. Jamieson explained that in 1984 the City was required to adopt a Procurement Policy as part of the Community Development Block Grant Program, which includes the bidding thresholds that the State of Pennsylvania mandates. Since the bidding requirements changed with Act 91 of 2011, this policy now needs to reflect those changes. In addition, if the City wants to take advantage of piggyback contracting, the City is required to have policies in place that allow that. She is requesting the necessary revisions be adopted to amend the "City of Franklin Procurement Policy Establishing Standards and Guidelines for the Acquiring of Supplies, Equipment, Construction & Services for Federal Assistance Programs." Mrs. Fletcher so moved. Mr. Rudegear seconded the motion, which passed unanimously. [Copy attached to original minutes.]

CDBG PROGRAM UPDATE

Mrs. Jamieson reported on the 2010 Census low and moderate income (LMI) statistics, which had just been released. The figures indicate Franklin is 43% LMI, which she feels is greatly understating the City's LMI population. She noted that the 2000 Census found that 48% of Franklin residents were LMI; however, once the City completed its own survey back in 2004, it showed we were 53% LMI overall. Unfortunately, at this time, HUD is not permitting communities to carry out their own income surveys to disprove the Census.

She noted that the effect is dramatic. The City will no longer be able to use CDBG funds for projects such as, the Aerial Ladder Truck payments, Downtown City Park Improvements,

Street Paving used for all City residents, Downtown Sidewalks, Firefighting Equipment, etc. Also, the City will not be permitted to utilize any previous years' CDBG funds for projects that no longer meet the LMI requirement. The City will be limited to doing projects that either: 1) Occur in LMI areas and benefit only those LMI areas; 2) Benefit handicapped persons, who are presumed to be LMI; or 3) Prevent or eliminate slums and blight, such as demolition or facade renovations.

She also updated City Council on the standstill status of the Miller-Sibley Bathhouse Roof Project. In light of the fact that Sugarcreek Borough cannot locate their income surveys of Rocky Grove, the City may not be permitted to carry out this project, and may have to pay back funds used for the pool slide completed last year. She informed Council that she is still trying to work through this issue with DCED.

The 2014 CDBG application will be due sometime in October; therefore, she would recommend setting September 8 as the preliminary public hearing on the 2014 CDBG process.

Resolution No. 84 - Mayor Baker moved to establish September 8 @ 7 PM as the preliminary Public Hearing for the 2014 CDBG Program. Mr. Lyons seconded the motion, which passed unanimously.

FIRST READING - BILL NO. 5 - PARKING - CHESTNUT STREET - Resolution No. 85

Mr. Spaid read Bill No. 5, "Parking-Chestnut Street," in its entirety, into the record. There being some questions from Mr. Marshall regarding this ordinance, Mr. Rudegear moved to table this item until Mr. Gabrys has discussed the matter with City staff. Mr. Wood seconded a motion, which passed unanimously.

FIRST READING - BILL NO. 6 - NO SMOKING/TOBACCO USE IN CITY PARKS

Resolution No. 86 - Explaining that there were too many changes made to the original "No Smoking/Tobacco Use in City Parks" Bill read at last month's meeting, Mr. Spaid read the revised version of Bill No. 6, "No Smoking/Tobacco Use in City Parks," in its entirety, into the record. Mrs. Fletcher moved and Mr. Lyons seconded a motion to pass on First Reading, Bill No. 6, "No Smoking/Tobacco Use in City Parks." Motion passed unanimously.

PARADE & PARK REQUESTS - Resolution No. 87

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

- August 21, 2014 • Vietnam Honor Roll • Missing in America Flag Presentation • Missing in America; VETS Honor Guard; and Patriot Guard Riders of PA
- August 22, 2014 • Bandstand Park • Gospel Concert • Polk Presbyterian Church
- August 23, 2014 • 11th Street Playground • Back to School Bash • Erie St. Church of God

- August 23, 2014 • Third Ward Playground • Third Ward Reunion • Scott Mohnkern
- August 24, 2014 • Bandstand Park • Christ & First United Methodist Churches • Worship in the Park
- October 9, 2014 • S. Park, W. Park, Liberty & Otter Streets • FHS • Homecoming Parade

Motion passed unanimously.

FIRST READING - BILL NO. 7 - FACILITATE GENERAL AUTHORITY'S TERMINATION

Resolution No. 88 - Following remarks made by Attorney Lucas, Mr. Spaid read Bill No. 7, "Facilitate General Authority's Termination," in its entirety, into the record. Mr. Marshall moved and Mr. Lyons seconded a motion to pass on First Reading, Bill No. 7, "Facilitate General Authority's Termination." Motion passed 6-1, with Mayor Baker voting "no."

Resolution No. 89 - Mr. Lyons moved to establish a special meeting on Monday, August 18, 2014, at 4 PM, for the purpose of the Final Reading of Bill No. 7, "Facilitate General Authority's Termination." Ms. Morris seconded the motion, which passed unanimously.

REPORTS

Manager

- Will need an executive session to discuss litigation
- Informed Council that the garbage contract would expire this November and would like permission to bid once-a-week pickup only. He advised that, Mr. Spaid and Mr. Gibbons have been revising the current Garbage Ordinance, with one of the changes being a 50-pound weight limit to prohibit residents from filling the trucks before they have had a chance to go throughout the neighborhood. He anticipates First Reading to be held during the September meeting. Mr. Marshall asked how residents would be notified of the changes. Mr. Gabrys advised the changes would be included with the billing notices.
- Resolution No. 90 - Advised the members that three operators and one mechanic had visited Upper St. Clair to inspect the used street sweeper they have for sale. It would be the City's recommendation that Council approve the purchase of the street sweeper for \$40,000 and up to an additional \$5,000 for tires, an intake hose, a spill vacuum hose and some minor repairs. Mr. Marshall so moved. Mrs. Fletcher seconded the motion, which passed unanimously.

Solicitor

- Will need an executive session for personnel and possible litigation.

Mayor • Appointments - none.

COUNCIL REPORTS

Mayor Baker

- Commended all City departments for their efforts during the accident concerning the tanker truck which had overturned on 15th Street.
- Commended Mrs. Fletcher, Mrs. Beith and City staff on this year's Taste of Talent and Taste of Franklin.

Mr. Wood

- Echoed Mayor Baker's accolades, noting it was extremely hard to choose between the four remaining finalists during this year's Taste of Talent.

Mrs. Fletcher

- Questioned the pending addition to 1117 Elk Street.
- Regarding 736 Elk Street, it was her understanding that there were 3-5 citations pending at the Magistrate's Office concerning this property. She asked Mr. Spaid what would be the Magistrate's response should the property owners refuse to comply. Mr. Spaid suggested she contact Mr. Gibbons.

EXECUTIVE SESSION - Resolution No. 91

Mrs. Fletcher moved to enter into executive session at 8:25 PM to discuss personnel, and litigation. Mr. Rudegeair seconded the motion, which passed unanimously. The executive session ended at 8:57 PM.

ADJOURNMENT - Resolution No. 92

There being no further business to come before the Council at this time, Mr. Marshall moved to adjourn the meeting at 8:57 PM. Mr. Wood seconded the motion which passed unanimously.

Respectfully submitted,

Darla Hawke, Recording Secretary