

REGULAR COUNCIL MEETING  
September 8, 2014

Members Present: Douglas Baker, Mayor  
Donna Fletcher, Deputy Mayor  
Samuel Lyons  
James Marshall  
Jennifer Morris  
Ryan Rudegeair  
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 & Miller Law Firm  
Chuck Gibbons, Code Enforcement Officer  
Darla Hawke, Recording Secretary  
Dennis & Laura Jones, 806 Liberty Street  
Steve Mason, Miller Park MPCC  
David R Lord, General Authority Chairman  
Ally-Karen D. Miller, Franklin YMCA  
Robert Heller, 834 Elk Street  
Jeanne Reib, 221 - 14<sup>th</sup> Street  
Savannah Barr, Venango Newspapers, Inc.

Mayor Baker called the meeting to order at 7:07 PM.

ADOPTION OF AGENDA & EXECUTIVE SESSION - Resolution No. 95

Mayor Baker asked that 3-A, "Executive Session," be added to the agenda. Mayor Baker then moved to approve the agenda, as amended, and enter into executive session at 7:09 PM. Mr. Marshall seconded the motion, which passed unanimously. The executive session ended at 7:35 PM.

First Reading of Bill No. 8, "Garbage"

Due to its length, Mr. Spaid asked that the First Reading of Bill No. 8, "Garbage," start being read, electronically, into the record.

APPROVAL OF MINUTES

Resolution No. 96 - Mrs. Fletcher moved to approve the minutes of the regular meeting of August 4, 2014, as presented, and the minutes of the special meeting of August 18, 2014, as presented. Mr. Lyons seconded the motion, which passed unanimously.

PAY THE BILLS - Resolution No. 97

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

CITIZENS' INQUIRIES

Mr. Mason was in attendance to thank City Council and Staff for completing the Wiley Avenue Bridge Project.

Mr. Heller voiced his concerns regarding City Council's decision to terminate the General Authority. Mr. Marshall noted that the department heads of the Wastewater Network/Plant and Water Network/Plant all have at least 25 years of service in their respective departments. Mr. Heller questioned who would be handling the bidding processes, etc. Mr. Marshall advised him that, Mrs. Jamieson and Mr. Gabrys will handle the administrative areas. Mayor Baker reminded Mr. Heller that City Council has made their decision, with Mr. Marshall adding that the monies that are being spent on litigation should have been used towards much needed project repairs.

CERTIFICATE OF APPROPRIATENESS

Resolution No. 98 - After Mr. Jones explained his proposal to construct a one-half front porch with gabled roof to his home and presented design plans and a materials list to the Council, Mrs. Fletcher moved and Ms. Morris seconded a motion to approve a Certificate of Appropriateness for 806 Liberty Street, as presented. Motion passed unanimously.

Resolution No. 99 - Mr. Rudegeair moved and Mrs. Fletcher seconded a motion to approve a Certificate of Appropriateness for the porch and paint request at 221-14<sup>th</sup> Street, as presented. Motion passed unanimously.

YMCA END OF SEASON POOL REPORT

Mrs. Miller, after passing out 2014 Miller-Sibley Pool summaries to the Council, noted that pool attendance was down considerably due to the weather and bad press received because of several break-ins at the pool. She noted that the aerobic classes and swimming classes were well attended, even during cold days, and advised the members that she has several ideas for better promoting the pool for next year. City Council thanked Mrs. Miller for all her work.

Mr. Lyons questioned the status of the roof for the pool house and concession stand. Mrs. Miller noted that several areas of the bathhouse leak terribly during rainfall, including the changing areas, restrooms, and food storage area & concession stand. She added that you could see the deterioration and where water was coming down the walls. Mrs. Jamieson advised \$70,000 has been earmarked for this project out of the FY-2013 CDBG Program and that she has requested clarification from DCED on how best to move forward in light of the income survey problems with Sugarcreek Borough.

FIRST READING - BILL NO. 8 - GARBAGE - Resolution No. 100

Beginning at 7:40 PM, Bill No. 8, "Garbage," was electronically read in its entirety, into the record, finishing at 8:05 PM. Mr. Lyons moved and Mrs. Fletcher seconded a motion to approve on First Reading, Bill No. 8, "Garbage." Motion passed unanimously. Mr. Gabrys noted that the bid opening would be held on September 22, 2014, and bidders were requested to maintain the present collection schedule.

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

Resolution No. 101 - Mr. Spaid read the title of Bill No. 6, "No Smoking/Tobacco Use in City Parks." Mrs. Fletcher moved and Mr. Wood seconded a motion to approve, Bill No. 6, "No Smoking/Tobacco Use in City Parks," on Final Reading. Motion passed 6-1, with Mr. Rudegear voting "no." [Both Mr. Marshall and Mr. Rudegear advised that they had received negative comments regarding this ordinance.]

MINIMUM MUNICIPAL OBLIGATION

Mr. Gabrys informed the Council of the Minimum Municipal Obligation figures for 2015. They are as follows: Police - \$198,455 • Firemen - \$180,050 • Non-Uniformed - \$157,950 • for a total of \$536,455.

ESTABLISH HALLOWEEN HOURS - Resolution No. 102

Mayor Baker moved to establish 6-8 PM, on October 31, 2014, as the Trick-or-Treat hours for the City of Franklin. Mr. Wood seconded the motion, which passed unanimously.

PARADE & PARK REQUESTS - Resolution No. 103

Mr. Marshall moved and Mr. Rudegear seconded a motion to approve the use of Fountain Park on Sunday, October 5, 2014 for the annual Easter Seals of Western PA Duck Race. Motion passed unanimously.

## REPORTS

Manager

- Will be picking up the new street sweeper tomorrow.
- Upon further investigation, regarding changes to parking on Chestnut Street, it was decided that no ordinance changes would be needed.
- Will need an executive session to discuss litigation and personnel.

Solicitor - none.

FIRST READING - BILL NO. 9 OF 2014 - AMENDING ORDINANCE NO. 3 OF 2014, ADOPTED AUGUST 18, 2014, AND AMENDING THE DATES SET FORTH IN ORDINANCE NO. 3 FOR THE GENERAL AUTHORITY OF THE CITY OF FRANKLIN TO COMPLY WITH ORDINANCE NO. 3.

Resolution No. 104 - Mr. Lucas read Bill No. 9 of 2014, in its entirety, into the record. Mr. Marshall then moved and Mr. Wood seconded a motion to pass on First Reading Bill No. 9

of 2014, "Amending Ordinance No. 3 of 2014, adopted August 18, 2014, and amending the dates set forth in Ordinance No. 3 for the General Authority of the City of Franklin to Comply with Ordinance No. 3." Motion passed unanimously.

Offering a short explanation, Mr. Lucas advised that the time frame for the Authority to hand over all of their assets, debts and financial responsibilities to the City was changed to February 1, 2015. He explained that the time frame was pushed back in the interest of making sure that this benefits the public first.

Resolution No. 105 - Mr. Lyons moved and Mrs. Fletcher seconded a motion to authorize a Special Meeting at 4:00 PM on September 16, 2014, for the purpose of the Final Reading of Bill No. 9. Motion passed unanimously.

#### Mayor • Appointments - Resolution No. 106

Mayor Baker moved to make the following appointments to the General Authority: Ann W. Rudegear to replace David Lord, in light of the expiration of Mr. Lord's term of office; Timothy J Lyons to replace John Estok, in light of the expiration of Mr. Estok's term of office; and Martin J. Rudegear to fill the vacant seat on the Authority. All appointments are to be effective immediately. Mr. Lyons seconded the motion, which passed unanimously.

#### COUNCIL REPORTS

##### Mayor Baker

- Congratulated the City on another successful Rock in River Festival.

##### Mrs. Fletcher

- Reported that, due to poor attendance at the Barrow-Civic Theatre's Watermelon Drop, it was decided to add it to the Taste of Franklin Weekend next year, rather than over Labor Day Weekend.

##### Mr. Marshall

- Asked the status of the playground equipment for Franklin Heights. Mr. Gabrys advised the equipment has been delivered to the Street Department.

##### Mr. Lyons

- Advised the Council that Franklin Bronze has been sold and is now known as Franklin Bronze Precision Components, a family-owned business out of Michigan who plan to stay in Franklin and, hopefully, double its size.

#### EXECUTIVE SESSION - Resolution No. 107

Mr. Marshall moved to enter into executive session at 8:46 PM to discuss personnel and litigation. Mr. Lyons seconded the motion, which passed unanimously. The executive session ended at 9:15 PM.

ANY OTHER BUSINESS - none.

ADJOURNMENT - Resolution No. 108

There being no further business to come before the Council at this time, Mayor Baker moved to adjourn the meeting at 9:15 PM. Mr. Marshall seconded the motion, which passed unanimously.

Respectfully submitted,

Darla Hawke, Recording Secretary