REGULAR COUNCIL MEETING
September 9, 2013

Members Present:	Douglas Baker, Mayor Samuel Lyons James Marshall Jennifer M Horne Ryan Rudegeair Garnet Wood
Members Excused:	Donna Fletcher, Deputy Mayor
In Attendance:	E. William Gabrys, City Manager Brian Spaid, Esq., City Solicitor Darla Hawke, Recording Secretary Michael Thomas, 222 Evergreen Drive John Phillips, Oil Region Alliance Richard Speer, 527 - 12th Street James Ashbaugh, 1428 Elk Street (HARB) Deborah Oaks, Franklin Public Library Lynn Cochran, Franklin Area Chamber of Commerce Diane McCall, Franklin Retail Association Ronnie Beith, Events & Marketing Coordinator Steve & Nancy Walker, 339 Valley Trails Linda Lusher, Galaxy Federal Credit Union Leslie Wilks, Forever Broadcasting Kim Vacanti, Forever Broadcasting Daniel Weiland, 1 Park Way (HARB) Rick Beith, Beith Associates Mathew Beith, Beith Associates (HARB) Karen Carey, 719 Buffalo Street Rachel Ashbaugh, 1428 Elk Street (HFPA) Eli Lenk, Franklin YMCA Dianne Hall, 1109 Elk Street (HARB & HFPA) Timothy & Penny Daniels, 1129 Chestnut Street Jess Thomas, Forever Broadcasting Sally Kilmer, 217 Evergreen Drive (HFPA) Erin Giles, 226 Bissell Ave., Oil City Phil Deets, 903 Liberty Street Kris Miller, 902 Liberty Street Stephen & Beth West, 1401 Buffalo Street Clinton Mitchell, 1425 Chestnut Street James Johnson, 1412 Chestnut Street Jack Johnson, 1415 Chestnut Street

George Gardner, 1420 Chestnut Street
Jeffrey Hall, 1109 Elk Street
Chris Baxter, 521 - 12th Street
Rob Greggs, Franklin Little League Assn
Scott Walters, Franklin Little League Assn
Andy Kockler, Franklin Little League Assn
Robert LeFrancois, 233 Evergreen Drive
Adam Guthrie, Huff's Funeral Home & Crematorium
Mark & Eva Livezey, 1418 Elk Street
David Ballard, Franklin Insurance
Doug Volmrich, Feldman Jewelers
Randy Spencer, 166 Garden Lane
Jim Williams, 474 Miller Road
Cliff & Penny Minnick, 1218 Elk Street
Sandy Baker, 504 - 15th Street (HFPA)
Jeremy Johnson, Venango Newspapers, Inc.

*HARB (Historic Architectural Review Board)
*HFPA (Historic Franklin Preservation Association)

Mayor Baker called the meeting to order at 7:05 PM.

ADOPTION OF AGENDA - Resolution No. 123

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

APPROVAL OF MINUTES - Resolution No. 124

Mr. Lyons moved to approve the minutes of the regular meeting of August 5, 2013, as presented. Mr. Rudegeair seconded the motion, which passed unanimously.

PAY THE BILLS - Resolution No. 125

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

CITIZENS' INQUIRIES

Historic District Guidelines - Mr. Weiland advised that Mr. Spaid and Mr. Gibbons have reviewed the introduction and guidelines covering signs and awnings and have submitted their comments to the Historic & Architectural Review Board (HARB). The Board plans to review their comments at its September meeting and, hopefully, have them ready for the October

Council meeting. He also reminded the public that HARB only votes on proposed alterations, construction and/or demolition, not on any type of business proposals or ordinances.

Franklin Public Library - Mrs. Oakes thanked City Council for its past support and asked for their continued support. She reported on this year's attendance figures for several programs offered by the library, and noted there are presently 7,554 registered borrowers. She advised that computer usage among children and adults, especially with those individuals not owning a computer of their own, had jumped considerably. Staff helps those individuals learn computer skills, how to set-up email accounts and with job searches. She also advised the members that the Library has a large amount of e-books available for those with e-readers. She invited those who haven't been to the Library in a while, to come in and look around at all the improvements.

Mr. Richard Speer, representing residents near the 1200 block of Chestnut Street, addressed Council concerning several shabby homes and a severe skunk problem in this area. After a short discussion, it was decided that Mr. Gabrys will discuss the skunk problem with staff and the Game Commission to try and find a resolution, and Mr. Gibbons, Code Enforcement Officer, will look into any property maintenance violations. Mr. Marshall also advised that Council will discuss amending the ordinance to require garbage be placed in watertight sealed containers to further deter wildlife nuisances.

CERTIFICATE OF APPROPRIATENESS

Resolution No. 126 - Mr. Rudegeair moved and Mrs. Horne seconded a motion to approve a certificate of appropriateness to replace a stoop & steps at **903 Liberty Street**, as presented. Motion passed unanimously.

Resolution No. 127 - After comments from local business owners and organizations, including representatives from the Franklin Retail Association and Franklin Area Chamber of Commerce, in support of the upgrade to the facade of 1246 Liberty Street; and from members of the Historic & Architectural Review Board (HARB) and Historic Franklin Preservation Society (HFPS) opposed to the new design, Mr. Lyons moved and Ms. Horne seconded a motion to approve a certificate of appropriateness to upgrade the facade **only**, at **1246 Liberty Street**, as presented. Motion passed 5-1, with Mr. Marshall voting "no." The applicants will need to return to HARB and reapply for the sign. Both Mr. Marshall and Mr. Wood encouraged the applicants to work with members of HARB to get their suggestions on how to make the facade more appropriate for their vision of what is appropriate in the Historic District. The applicants were amenable to this request, with Mrs. Carey advising that it had been their intent all along.

Resolution No. 128 - Mr. Rudegeair moved and Mrs. Horne seconded a motion to approve a certificate of appropriateness for an LED message board, a railing and a privacy fence at **1411 Liberty Street**, as presented. Motion passed unanimously.

Resolution No. 129 - Mr. Rudegeair moved and Mr. Lyons seconded a motion to deny a certificate of appropriateness to repaint a storefront at **1219 Liberty Street**, as presented. Motion passed unanimously.

YMCA MILLER-SIBLEY POOL PRESENTATION - Resolution No. 130

Mr. Lenk reported that 4,061 daily passes had been sold this season for the Miller-Sibley Pool. He noted the number was down slightly from last year, due to the cold, wet summer, creating a shortfall of $9,816.17. Mr. Lenk then advised he had received a quote from Gravatt Painting and Services, Inc., in the amount of $7,150, to paint the floor at the bathhouse. The project would consist of turbo washing with a pressure cleaner; priming with a water-based epoxy sealer; and painting on two coats, the first with Armorseal 1000 H.S. with Sand Aggragate added for slip resistance. Mr. Lyons then moved and Mr. Wood seconded a motion to accept the quote from Gravatt Painting and Services, Inc., in the amount of $7,150 to be taken from Capital Funds. Motion passed unanimously. Mr. Lenk also requested permission to paint the outside of the building, with the City paying for the paint. Permission was given.

LITTLE LEAGUE REQUEST - Resolution No. 131

Mr. Greggs requested permission to plant grass this Fall at the league fields and to address a water problem by adding dirt to the area in question to see if it fixes the problem before trying more drastic measures. The league also requested permission to replace the deteriorated batting cage with a more modern one on a cement slab. When asked, Mr. Greggs advised Mr. Ruditis, Street Department Supervisor, had been hesitant to allow cement to be poured in the past because the location of the batting cage was near underground lines. Mr. Gabrys advised that the City will work with the Little League to find a suitable location for the batting cage and cement slab. Mr. Marshall moved and Mr. Rudegeair seconded a motion to approve the improvements by the Little League. Motion passed unanimously.

2013 CDBG PROGRAM RESOLUTION - Resolution No. 132

Mr. Gabrys advised Council that the 2013 CDBG Program allocation for the City of Franklin was $300,000 and requested Council approve the resolution. He reminded the members the activities proposed for the funding were: Aerial Ladder Truck Payment - $77,000; Street Paving - $99,000; Miller-Sibley Bathhouse Roof Project - $70,000; and Administration - $54,000. Mr. Lyons moved and Mrs. Horne seconded a motion to approve the 3-year Community Development Plan, the FY-2013 CDBG Program Application and authorized the Mayor to sign said on behalf of City Council. Motion passed unanimously.

EXCESSIVE FORCE POLICY ADOPTION - Resolution No. 133

Mr. Gabrys explained the PA Dept. of Community & Economic Development (DCED) has announced HUD is now requiring all recipients of CDBG funding to adopt an Excessive Force

Policy. Mr. Marshall moved and Mr. Rudegeair seconded a motion to adopt an Excessive Force Policy for the City of Franklin. Motion passed unanimously.

EGBERT FOUNTAIN REHAB PROJECT CHANGE ORDER - Resolution No. 134

Mr. Gabrys requested approval of Change Order #1, in the amount of $5,853.60, to M&B Services for additional work needed on the base of the fountain. Mr. Marshall moved and Mr. Wood seconded a motion to approve Change Order #1, in the amount of $5,853.60. Motion passed unanimously.

WILEY AVENUE BRIDGE ENGINEERING CONTRACT - Resolution No. 135

Mr. Gabrys reminded Council that, at its June meeting, they had agreed to accept a Keystone Historic Preservation Grant for $25,000 to assist with the first phase of repairs to the Wiley Avenue Bridge, located in Miller Park. A requirement of this grant is that the project engineering be initiated by this October. Attached to a memo, from Mrs. Jamieson, is an agreement for engineering services with Frank B. Taylor Engineering, at a cost of $6,408, which includes preparing the bid documents and consultation during the construction. The cost for these services is not included in the $25,000 preservation grant. Mr. Marshall moved and Mr. Rudegeair seconded a motion to approve entering into an engineering services agreement with Frank B. Taylor Engineering, in the amount of $6,408. Motion passed unanimously.

MINIMUM MUNICIPAL OBLIGATION

Mr. Gabrys informed Council of the Minimum Municipal Obligation figures for 2014. They are as follows: Police - $41,272 • Firemen - $17,707 • Non-Uniformed - $84,283 • for a total of $143,262.

FINAL READING - BILL NO. 5 - AMEND NON-UNIFORM PENSION ORDINANCE

Resolution No. 136 - Mr. Spaid read the title of Bill No. 5, "Amend Non-Uniform Pension Ordinance," into the record. Mr. Lyons moved and Mrs. Horne seconded a motion to approve on Final Reading, Bill No. 5, "Amend Non-Uniform Pension Ordinance." Motion passed unanimously.

ESTABLISH HALLOWEEN HOURS - Resolution No. 137

Mr. Lyons moved and Mr. Marshall seconded a motion to establish this year's Halloween Hours as 6-8 PM, on Thursday, October 31. Motion passed unanimously.

PARADE & PARK REQUESTS - Resolution No. 138

Mrs. Horne moved and Mr. Rudegeair seconded a motion to approve the following requests:

- October 6, 2013 • Easter Seals Society • Egbert Fountain • Annual Duck Race
- October 31, 2013 • City of Franklin • Bandstand Park • Children's Halloween

Costume Judging & Treats

Motion passed unanimously.

REPORTS

Manager

- Advised milling for the 400 & 500 blocks of Thirteenth Street has been postponed due to the weather. The City apologizes in advance for the inconvenience it will cause but once the paving is finished, it should be well worth it.
- Advised that next year, Penn DOT plans to pave all of Grant Street and 13th Street to Liberty Street. Plans were received last week and department heads are presently marking the maps with the requested information.
- **Resolution No. 139** - At the request of Mrs. Hall, representing the Historic Franklin Preservation Association, Mr. Rudegeair moved to approve the placement of a sign, aimed at raising funds to restore the Venango County Civil War Monument, inside the circle near the monument. Mr. Lyons seconded the motion, which passed unanimously.
- Advised Council he had to deny the request of a property owner who had wanted to purchase two City lots in the Oak Hill area. He explained that, if a new water plant is built on Barretts Flats, the transmission line will go directly through these properties.
- **Resolution No. 140** - Reminded Council that in 2008 a legislative grant was received to allow the County, Sandycreek Township and the City of Franklin to work on Chub Run. He has been advised there is a shortfall of $20,549.23 in the funds received for this project and is requesting Council approve the monies to cover this shortfall. Mr. Lyons moved and Mr. Wood seconded a motion to approve payment of $20,549.23 from Capital Funds to cover the shortfall of funds for the Chub Run Project. Motion passed unanimously.
- Would need an executive session to discuss personnel.

Solicitor

- Would need an executive session to discuss potential litigation.

Mayor • Appointments

Resolution No. 141 - Mayor Baker moved to reappoint Lawrence Behringer to the Housing Authority. Mr. Marshall seconded the motion, which passed unanimously.

COUNCIL REPORTS

Mr. Wood

- Reminded everyone that Applefest® was coming up.

Mr. Marshall

- Would like to discuss a personnel matter in executive session.

Mr. Lyons

- Thanked Mr. Mike Scanlon for his Letter to the Editor complimenting City employees.

EXECUTIVE SESSION - Resolution No. 142

Mr. Marshall moved to enter into executive session at 9:00 PM to discuss personnel and potential litigation. Mr. Lyons seconded the motion, which passed unanimously. The executive session ended at 9:30 PM.

ADJOURNMENT - Resolution No. 143

There being no further business to come before the Council at this time, Mr. Marshall moved and Mr. Lyons seconded a motion to adjourn the meeting at 9:30 PM. Motion passed unanimously.

Respectfully submitted,

Darla Hawke, Recording Secretary