

REGULAR COUNCIL MEETING
December 8, 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 & Miller Law Firm
Lucas
Bob Graham, 1237 - 15th Street
Bob Finch, General Authority Member, 1237 Washington Street
David R. Lord, 407 Forest Lane
Joseph Friedman, Esq., Clark Hill, 301 Grant St., 14th Flr, Pittsburgh 15219
James Greenfield, Esq., Dale Woodard Gent Law Firm
Robert Heller, 834 Elk Street
Tim & Penny Daniels, 1129 Chestnut Street
Hope Bittner, Shade Tree Commission Chairperson, 201 Rosemont Farm
Russ Campbell, General Authority Chairperson, 1235 Chestnut Street
Darla Hawke, Recording Secretary
Sheila Boughner, Venango Newspapers, Inc.

Mayor Baker called the meeting to order at 7:28 PM.

ADOPTION OF AGENDA - Resolution No. 158

Mr. Lyons requested the addition of 6A an "Executive Session" to discuss litigation. Mr. Lyons then moved to approve the agenda, as amended. Mr. Marshall seconded the motion, which passed unanimously.

APPROVAL OF MINUTES

Resolution No. 159 - Mr. Wood requested the word "*none*" be removed after Certificate of Appropriateness on the regular minutes of November 10, 2014. Mr. Wood then moved to approve the minutes of the public hearing of November 10, 2014, as presented, and the minutes of the regular meeting of November 10, 2014, as amended. Mr. Lyons seconded the motion, which passed unanimously.

PAY THE BILLS - Resolution No. 160

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

CITIZENS' INQUIRIES - none.

EXECUTIVE SESSION - Resolution No. 161

Mayor Baker moved to enter into executive session for the purpose of litigation at 7:30 PM. Mrs. Fletcher seconded the motion, which passed unanimously. The session ended at 7:50 PM.

FIRST READING - BILL NO. 14 OF 2014, "AN ORDINANCE OF THE CITY OF FRANKLIN, VENANGO COUNTY, REPEALING ORDINANCE NO. 3 OF 2014 AND ORDINANCE NO. 5 OF 2014"

Resolution No. 162 - Mr. Spaid read Bill #14 of 2014, in its entirety. Mr. Rudegear then moved and Ms. Morris seconded a motion to approve on First Reading, Bill No. 14 of 2014, "An Ordinance of the City of Franklin, Venango County, Repealing Ordinance No. 3 of 2014 and Ordinance No. 5 of 2014." Motion passed unanimously.

SETTLEMENT STIPULATION - Resolution No. 163

Mr. Rudegear explained that he could not, in good faith, accept the settlement stipulation. He feels it would handcuff the City for one, by forcing it to agree on the next two appointments to the Authority. In addition, it would allow the Authority to continue, with no oversight, for the next 20 years, which is the responsibility of City Council, according to the City Charter. Mr. Rudegear then moved to not accept the settlement stipulation. Mr. Woods seconded the motion, which passed 5-2, with Mr. Lyons and Mayor Baker voting "no."

FINAL READING - BILL NO. 10 - DEBT ORDINANCE - Resolution No. 164

Mayor Baker moved to table the Final Reading of Bill No. 10. Mr. Rudegear seconded the motion, which passed unanimously.

CERTIFICATES OF APPROPRIATENESS - none.

AWARD BID - SLUDGE TRANSPORTATION AND DISPOSAL - Resolution No. 165

Bid results for Sludge Transportation and Disposal were opened on December 1, 2014. Three bids were received with the low bidder being, Tri-County Industries, at a base bid of \$55 base price per ton over a 3-year period, making a total price of \$214,500. Mayor Baker moved and Mr. Rudegear seconded a motion to accept the bid from the low bidder, Tri-County, for a total price of \$214,500.

FINAL READING - BILL NO. 11 - BUDGET - Resolution No. 166

Mr. Spaid read the title of Bill No. 11, "Budget," into the record. Mrs. Fletcher moved and Mr. Lyons seconded a motion to approve, on Final Reading, Bill No. 11, "Budget."

Mr. Marshall reminded the Council of his request at last month's meeting to consider reducing the Shade Tree Commission line item by \$5,000 and not to donate \$5,000 to the Oil Region Alliance (ORA) this year. Mayor Baker felt these would be meaningless cuts that would not affect the budget, but does indeed improve the City. The City does not have many services

that can be cut and the ones that can will not have any effect on this year's budget. Mr. Wood agreed, noting this impacts the entire County. Mr. Rudegear noted that what is needed is pension reform, "which will not be fixed here." A vote was then taken on the motion, which passed 6-1, with Mr. Marshall voting "no."

FINAL READING - BILL NO. 12 - REAL ESTATE TAX - Resolution No. 167

Mr. Spaid read the title of Bill No. 12, "Real Estate Tax," into the record. Mrs. Fletcher moved and Ms. Morris seconded a motion to approve on Final Reading, Bill No. 12, "Real Estate Tax." Motion passed 6-1, with Mr. Marshall voting "no." Mr. Lyons thanked Mr. Gabrys and City Staff for having kept taxes low over the years.

FINAL READING - BILL NO. 13 - EARNED INCOME TAX - Resolution No. 168

Mr. Spaid read the title of Bill No. 13, "Earned Income Tax," into the record. Mr. Marshall moved and Mrs. Fletcher seconded a motion to approve on Final Reading, Bill No. 13, "Earned Income Tax." Motion passed unanimously.

PARADE & PARK REQUESTS - none.

REPORTS

Manager - none.

Solicitor - Wished Mr. Gabrys "Good Luck," adding, that it had been a pleasure working with him throughout the years.

Mayor

- Thanked Mr. Gabrys for his years of service.
- Thanked the City Staff and volunteers for another wonderful Light-Up Night.
- Asked Council to study the Parking Rate Comparison that had been placed in last month's packet.

Mayor - Appointments

- Resolution No. 169 - Mayor Baker moved to reappoint Dan Drayer to the Uniform Construction Code Appeals Board. Mr. Marshall seconded the motion, which passed unanimously.
- Resolution No. 170 - Mayor Baker moved to reappoint Karen Counselman and Richard Mihalic to the Franklin Industrial & Commercial Development Authority (F.I.C.D.A.). Mr. Lyons seconded the motion, which passed unanimously.

COUNCIL REPORTS

All of Council thanked Mr. Gabrys for his service and accomplishments over the years,

wishing him well on his retirement.

EXECUTIVE SESSION - Resolution No. 171

Mayor Baker moved to enter into executive session at 8:14 PM to discuss personnel. Mr. Marshall seconded the motion, which passed unanimously. The executive session ended at 8:35 PM.

ADJOURNMENT - Resolution No. 172

There being no further business to come before the Council at this time, Mrs. Fletcher moved to adjourn the meeting at 8:35 PM. Mr. Lyons seconded the motion which passed unanimously.

Respectfully submitted,

Darla Hawke, Recording Secretary