



# CITY COUNCIL MEETING

Monday, May 20, 2024 at 6:00 PM

1 Benjamin Franklin Way Franklin, Ohio 45005

[www.FranklinOhio.org](http://www.FranklinOhio.org)

## AGENDA

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. APPROVE THE CLERK'S JOURNAL AND ACCEPT THE TAPES AS THE OFFICIAL MINUTES
  - A. [May 6, 2024](#)
5. RECEPTION OF VISITORS
6. INTRODUCTION OF NEW LEGISLATION
  - A. **ORDINANCE 2024-10** LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2025 (Khristi Dunn)
  - B. **ORDINANCE 2024-11** AUTHORIZING THE ANNEXATION OF 19.665 ACRES OF LAND OWNED BY THE CITY OF FRANKLIN TO THE CITY AND AUTHORIZING THE LAW DIRECTOR TO PROSECUTE SUCH ACTION. (Jonathan Westendorf)
    - a. Exhibit A: Petition for Annexation
    - b. Exhibit B: Legal Description
    - c. Exhibit C: Map
  - C. **ORDINANCE 2024-12** APPROVING THE FRANKLIN DOWNTOWN REVITALIZATION PHASE 1 RECORD PLAN FOR THE COMBINATION OF CITY OWNED LOTS AND DEDICATION OF RIGHT OF WAY FOR EAST SIXTH STREET AND RILEY BOULEVARD (Barry Conway)
    - a. Exhibit A: Record Plan
7. CITY MANAGER'S REPORT
8. COUNCIL COMMENTS
9. EXECUTIVE SESSION
  - A. To consider the purchase of property for public purposes pursuant to ORC 121.22 (G)(2).
10. ADJOURNMENT



# CITY COUNCIL MEETING

Monday, May 06, 2024 at 6:00 PM

1 Benjamin Franklin Way Franklin, Ohio 45005

[www.FranklinOhio.org](http://www.FranklinOhio.org)

## CLERK'S JOURNAL

### 1. CALL TO ORDER

Mayor Centers called the meeting to order at 6:00pm.

### 2. ROLL CALL

PRESENT

D. Denny Centers

Paul Ruppert

Vice Mayor Todd Hall

Mayor Brent Centers

Michael Aldridge

Debbie Fouts

Matt Wilcher

Staff: Mr. Westendorf, Mr. Yoder, Ms. Dunn, Ms. Steed, Chief Colon, Chief Stitzel, Mr. Conway, Mr. Ward, Mr. Miller, Ms. Chibis

There were eight guests and one member of the press in attendance.

### 3. PLEDGE OF ALLEGIANCE

Mayor Centers led the pledge of allegiance.

### 4. APPROVE THE CLERK'S JOURNAL AND ACCEPT THE TAPES AS THE OFFICIAL MINUTES

A. April 15, 2024

Motion made by Vice Mayor Hall, Seconded by Ruppert.

Voting Yea: Ruppert, Vice Mayor Hall, Mayor Centers, Fouts, Wilcher

Voting Abstaining: D. Centers, Aldridge

Motion passed.

### 5. RECEPTION OF VISITORS

Mayor Centers opened the Reception of Visitors at 6:01pm.

Jim St. John of Park Ave asked to be heard. He is excited about what's going on. He and his wife are long-time residents and supporters. They are glad to see things moving in the right direction.

He reported that the curbs on Park Avenue are in poor condition and need attention. He also reported that there is one streetlight that covers two blocks, and it can get very dark at night. He would like to see additional lighting if possible.

When doing spring cleaning in their front yard, he found a syringe with a needle attached. He understands that drug issues are all over the country, but it is concerning when it is in your own front yard. He would like attention given to drug issues.

He thanked Council for listening and said he is excited about what is happening, good job to all. Staff will be following up with Mr. St. John and his wife on the issues addressed.

Sam Harp of 701 Virginia Ave asked to be heard. He was seeking clarification on a property maintenance violation regarding a camper. He thinks he is in compliance and hasn't received a phone call back with questions about clarification. Mr. Westendorf will follow up with Mr. Harp.

The Mayor closed the Reception of Visitors at 6:09pm.

**6. PRESENTATIONS**

**A. Property Maintenance Recognition (Elden Ward)**

Elden Ward, Property Maintenance Inspector, presented a Property Maintenance Recognition program for consideration. This would recognize property owners that keep their property well-maintained. He asked Council if they would like to do a formal recognition for recognized property at Council meetings in addition to a letter and website recognition.

Council suggested issuing proclamations and yard signs as recognition. They were in favor of the program, especially with the recent increase in property maintenance enforcement. Council asked for a suggested list of criteria and a recognition plan from staff.

**B. Merchandising Plan (The Dillin Group)**

Larry Dillin presented a Merchandising Plan to Council. This is a tool that can be used with developers and brokers over time. The finished product shows the downtown investment and uses market data to target specific uses for the area.

**C. Judge Ruppert**

Judge Ruppert approached Council about transitioning the part-time judge position to a full-time position. The City of Franklin is a funding authority of the Courts. When a change in the court occurs, the general assembly authorizes the change. The Supreme Court makes a recommendation to the general assembly. The cost increase to the City would be the City's share of the judicial salary. The Judge is requesting a Resolution from City Council recommending the change to a full-time judgeship. Judge Ruppert said that everything in the current operation would remain the same outside of the Judge's time. There was discussion regarding the change, operations, cost, and benefits of a full-time judge.

Council recessed from 8:12pm - 8:28pm.

**7. PUBLIC HEARING**

**A. ORDINANCE 2024-08 AMENDING SECTION 1701, "RATES AND FEES" APPENDIX A OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO, TO INCLUDE A FEE FOR THE SALE OF BULK WATER.**

This City would like to include a fee for the sale of Bulk Water to the Rate and Fee Schedule in Section 1701 at a rate of \$4.26 per 1,000 gallons. This would allow for the increase each year based on the Cost of Living Adjustment (COLA).

Mayor Centers opened and closed the public hearing at 8:29 as none asked to be heard.

Motion made by Vice Mayor Hall, Seconded by Aldridge.  
Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher  
Motion passed.

**B. ORDINANCE 2024-09 DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2025 (Khristi Dunn)**

This is the second of three steps Council must act upon to implement the annual street lighting assessments for 2025. \$170,000 is the total projected cost for lighting of the streets, lanes and public ways for 2025. The City funds 2% of the total (\$3,400) and assessed residents' shares total \$166,600.

Mayor Centers opened and closed the public hearing at 8:29 as none asked to be heard.

Motion made by Vice Mayor Hall, Seconded by Aldridge.  
Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher  
Motion passed.

**8. NEW BUSINESS**

**A. RESOLUTION 2024-31 ADOPTING THE REINVENT FRANKLIN 2040 COMPREHENSIVE PLAN**

In 2021, the City of Franklin retained the Warren County Regional Planning Commission to assist with the creation of a citywide comprehensive plan. The Comprehensive Plan is a policy document that presents a unified vision for the future of the City. Planning Commission approved the Plan during their April 10, 2024 public meeting.

The Mayor asked if anyone would like more time to review the document. Mr. Aldridge chairs the Economic Development and Planning Committee, which reviewed the plan thoroughly prior to the plan going to the Planning Commission. He is proud of the engagement from the community. This is a great blueprint for the future that he is proud of. Some aspects of the plan have already been completed. It encompasses what are doing and where we are going. This plan gives the best vision of where we need to go.

Motion made by D. Centers, Seconded by Ruppert.  
Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher  
Motion passed.

**B. RESOLUTION 2024-32 CONSENTING TO THE DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE FRANKLIN NEW COMMUNITY AUTHORITY AND PROVIDING RELATED AUTHORIZATIONS**

The City of Franklin, as statutory developer of the Franklin New Community Authority (the "NCA") under Ohio Revised Code chapter 349, by and through its City Manager, Jonathan Westendorf, has presented to council a proposed Declaration of Covenants and Restrictions (the "Declaration") that will provide for "Community Development Charges" as that term is used in the Declaration for the benefit and use of the new community authority to cover all or part of the cost of the acquisition, construction, operation and maintenance of land, land development and community facilities, the debt service thereof and any other cost incurred by the authority in the exercise of the powers granted by Chapter 349 of the Ohio Revised Code. The Declaration will be recorded on the ground that is currently owned by the City and within the boundaries of the NCA. The Community Development Charges will not be activated on property owned by the City for public purposes, but the Community Development Charges will activate once property is sold or used by private parties for private business or residential activities. New property that is added to the NCA will become subject to the Declaration by providing for a

supplemental declaration approved by the property owner, the City, and the NCA upon the property's formal addition to the NCA district.

Motion made by Vice Mayor Hall, Seconded by Wilcher.  
Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher  
Motion passed.

**C. RESOLUTION 2024-33 AUTHORIZING THE PURCHASE OF DE-ICING SALT FROM THE CARGIL INC DEICING TECHNOLOGY BUSINESS UNIT, THROUGH THE WARREN COUNTY ENGINEER'S JOINT SALT PURCHASING PROGRAM**

The Warren County Engineer closed the reverse online bidding for ice control salt on April 5th, 2024. The lowest bids for dumped road salt were from the Cargil Inc. Deicing Technology Business Unit. (we use dumped). The County Commissioners awarded the bid to the Cargil Inc. Deicing Technology Business Unit on April 16, 2024. This year, under the County's Program, our price per ton is \$92.10. Last year our bid price was \$89.85 per ton through the County's Joint Program. This represents an increase of \$2.25 per ton.

The bids were as follows:

Cargill Deicing Tech	\$92.10 per ton
Compass Minerals America	\$92.49 per ton
Morton Salt	\$94.00 per ton

Staff estimated our need for bidding purposes at 3,000 tons.

Motion made by Ruppert, Seconded by Aldridge.  
Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher  
Motion passed.

**D. RESOLUTION 2024-34 AMENDING RESOLUTION 2024-28 AND AUTHORIZING POSITION TITLES AND THE NUMBER OF POSITIONS FOR EACH TITLE FOR CITY OF FRANKLIN PERSONNEL FOR THE YEAR 2024**

This resolution will shift five (5) seasonal employees from Parks and Recreation Personnel to Seasonal Laborer in the Division of Public Works. This change will not alter the overall number of seasonal employees within the Division.

Motion made by Vice Mayor Hall, Seconded by Ruppert.  
Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher  
Motion passed.

**E. RESOLUTION 2024-35 AUTHORIZING THE CITY MANAGER TO SIGN AN AMMENDMENT TO THE WATER PURCHASE AGREEMENT BY AND BETWEEN THE CITY OF FRANKLIN AND THE CITY OF CARLISLE**

The original agreement with the Municipality of Carlisle was approved by Resolution 1994-106 on October 17, 1994. The original term of the agreement was twenty years. The proposed amendment includes some minor modifications to the original agreement and would extend the original agreement another twenty (20) years. The City received about \$380,000 from the City of Carlisle in 2023. The City sells the water to the City of Carlisle at a bulk rate through a master meter. Carlisle takes care of their water mains after the meter.

Motion made by Ruppert, Seconded by D. Centers.

Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher  
Motion passed.

**9. CITY MANAGER'S REPORT**

Mr. Ward spoke with the Harp family that addressed Council earlier that evening and their matter was resolved.

Congratulations to Officer Butler and certified K9 Asland. Training is complete and they will start patrol the following day.

Staff has started a Summer Programming campaign to raise awareness of the programs available.

The Town hall meeting and walking tours were well attended. He is proud of the efforts to communicate to the community. There is more work to be done. The Main Street project is an infrastructure investment with a beautification aspect. He encouraged anyone to please reach out with any questions or concerns. He ensures that calls are returned and that he is available. It is important for residents to know what is happening because that is who we serve.

The Streetscape project is on schedule. The utility plan is a full month ahead of plans. The intersection of 2nd and Main will only be closed once all other intersections are open. Tentative grand opening on December 7, 2024. The transition to two-way traffic will occur after Memorial Day.

The Shaker Farms development with Forestar could come to Planning Commission in June. There are 284 lots, including 46 townhomes. Construction is tentative for May 2025 with occupancy in September 2026. The Development agreement is still being worked on. The site will have a playground, pool with water features, walking path, pickleball court, and dog park.

The Mayor and City Manager will not be at the next meeting. Ms. Steed and Vice Mayor Hall will run the meeting.

**10. COUNCIL COMMENTS**

Mr. Wilcher had no comments

Mrs. Fouts had no comments.

Mr. Aldridge congratulated the class of 2024. He appreciates the school board for getting this class into the new school this year. He is very proud of this class.

Mr. D. Centers asked if we are doing any plaques to honor Fury. Members of the Police Division are going to national K9 Memorial in Washington DC. After the memorials, staff will meet to discuss permanent memorialization.

Mr. D. Centers asked where parking meters will be installed. Mr. Westendorf explained that there will not be individual meters, but pay stations will be installed along Main Street and in the public parking lots. Pay stations will not be on the side streets, just on Main Street.

Mr. Ruppert reported that he and his wife present the Top 10 Award to FHS graduates every year. He would like to invite them to come to a Council meeting as a group to recognize them. The school does a morning ceremony and not all parents can attend. Council agreed that they would be happy to have them at a meeting to congratulate them.

Vice Mayor Hall also wished the school ceremony was at a different time for the parents. He asked about work be doing in his neighborhood, staff reported that Alta Fiber is installing fiber. This will add another internet provider option to residents.

Vice Mayor Hall said that the City is communicating more than he has ever seen. Some people will complain because change is hard. A lot of information is being shared.

Mayor Centers said the narrative is changing because people are proud of what is happening and are quick to defend the naysayers.

Mayor Centers would like for all of Council to discuss paid parking in public lots. The Economic Development and Planning Committee recommended moving forward with pay parking in public lots. Chairman Aldridge said he like the flexibility of the parking system and thought it was important to have the infrastructure in place. Mr. Westendorf said policy and legislation will be brought to Council for parking in public lots as well as metered parking. The Mayor would like to discuss this soon because he has received lots of questions.

The Comprehensive Plan was a massive undertaking. This is a great plan.

**11. EXECUTIVE SESSION**

- A. To consider the appointment, employment, and compensation of a public employee or official pursuant to ORC 121.22 (G)(1).

Motion to enter executive session made by Ruppert, Seconded by Aldridge.  
Voting Yea: D. Centers, Ruppert, Mayor Centers, Aldridge, Fouts, Wilcher  
Voting Nay: Vice Mayor Hall

Motion passed. Council entered into executive session at 9:19pm.

Motion to exit executive session made by Vice Mayor Hall, Seconded by Wilcher.  
Voting Yea: D. Centers, Ruppert, Mayor Centers, Vice Mayor Hall, Aldridge, Fouts, Wilcher  
Motion passed. Council exited executive session at 10:09pm.

**12. ADJOURNMENT**

Motion made by Vice Mayor Hall, Seconded by Fouts.  
Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher  
Motion passed. Council adjourned at 10:09 pm.

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Brent Centers, Mayor

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Khristi Dunn, Clerk of Council



# LEGISLATIVE COVER MEMO

**Introduction:** May 20, 2024

**Public Hearing:** June 3, 2024

**Effective Date:** July 3, 2024

**Agenda Item:** **Ordinance 2024-10**

LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2025

**Submitted by:** Khristi Dunn, Clerk of Council

**Scope/Description:** This is the last step Council must act upon to implement the annual street lighting assessments for 2025.

**Vote Required for Passage:** Per Section 4.03(b) of the City's Charter, the passage of this Ordinance requires the affirmative vote of a majority of members of Council present.

**Budgetary Impact:** \$170,000 is the total project cost for 2024. The City funds 2% of the total, or \$3,400.

**Recommendation:** Approval



CITY OF FRANKLIN, OHIO  
ORDINANCE 2024-10

**LEVYING ASSESSMENTS FOR THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF  
FOR THE YEAR 2025**

WHEREAS, this Council, on March 18, 2024, duly adopted Resolution 2024-20, declaring the necessity of improving City streets and public ways within the corporate limits of the City by the lighting thereof, said lighting to be provided by electrical lighting, for the year 2025;

WHEREAS, this Council by Ordinance 2024-09, adopted on May 6, 2024, determined to proceed with said improvement;

WHEREAS, the actual cost of the improvement has been ascertained and the amount of the special assessments have been increased or decreased in the same proportion to the estimated assessments as the actual cost of the improvements bears to the estimated cost of the improvement upon which the estimated assessments were based; and

WHEREAS, Ohio Revised Code Section 727.25 requires this Council, after the actual cost of improvement has been ascertained, to assess by Ordinance, upon the lots and lands enumerated in the estimated assessment, that portion of the total costs of the improvement to be paid for by special assessments,

THE CITY OF FRANKLIN HEREBY ORDAINS, a majority of the members of the Council present concurring, that:

Section 1. The adjusted assessment of the cost of improving City streets and public ways by the lighting thereof, said lighting to be provided by electrical lighting, in the City of Franklin, Ohio, for the year 2025, as reported to this Council and filed in the office of the Clerk of Council, and aggregating One Hundred Seventy Thousand Dollars and No Cents (\$170,000.00), is adopted and affirmed. The City shall pay two percent (2%) of the cost of the improvement.

Section 2. There are hereby levied and assessed upon all lots and lands lying within the corporate limits of the City of Franklin, Ohio the several amounts reported in the adjusted assessments, which assessments are in proportion to the tax value thereof. The assessments do not exceed any statutory limitations.

Section 3. The portion of the cost of the improvement to be assessed against benefited property, in the amount of One Hundred Sixty-Six Thousand Six Hundred Dollars and No Cents (\$166,600.00), shall be assessed in the amount, manner and number of installments provided in Resolution 2024-20, adopted on March 18, 2024, which declared the necessity of the improvement.

Section 4. The adjusted assessments are in the same proportion to the estimated assessments as the actual cost of the improvement bears to the estimated cost upon which such estimated assessments were based.

Section 5. The total assessment against each lot and parcel of land shall be payable, in cash, to the Finance Director of the City of Franklin within thirty (30) days after passage of this Ordinance or, at the option of the property owner assessed, in two (2) semi-annual installments. All assessments which have not been paid at the expiration of the thirty (30) day period shall be certified by the Finance Director to the County Auditor, to be placed on the tax duplicate and collected in the same as other taxes are collected, as provided by law.

Section 6. The Clerk of Council is directed to cause notice of the passage of this Ordinance to be published once in a newspaper of general circulation in the City, as required by law.

Section 7. The Finance Director is authorized and directed to keep the adjusted assessments on file in her office for as long as any of them remain unpaid.

Section 8. The Finance Director is directed to cause notice of the levy of the assessments herein to be filed with the County Auditor within thirty (30) days after the passage of this Ordinance.

Section 9. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 10. This Ordinance shall go into effect July 17, 2024.

INTRODUCED: June 3, 2024

ADOPTED: June 17, 2024

ATTEST: \_\_\_\_\_  
Khristi Dunn, Clerk of Council

APPROVED: \_\_\_\_\_  
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of Ordinance 2024-10 passed by that body on June 17, 2024.

\_\_\_\_\_  
Khristi Dunn, Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Ben Yoder, Law Director



# LEGISLATIVE COVER MEMO

**Introduction:** May 20, 2024

**Public Hearing:** June 3, 2024

**Effective Date:** July 3, 2024

**Agenda Item:** **Ordinance 2024-11**

AUTHORIZING THE ANNEXATION OF 19.665 ACRES OF LAND OWNED BY THE CITY OF FRANKLIN TO THE CITY AND AUTHORIZING THE LAW DIRECTOR TO PROSECUTE SUCH ACTION

**Submitted by:** Jonathan Westendorf, City Manager

**Scope/Description:** The City of Franklin owns 19.665 acres of land which is contiguous to the City limits. The City can annex this land in accordance with Ohio Revised Code Section 709.16. This ordinance is required by Ohio Revised Code Section 709.14 to authorize the annexation and to direct the Law Director to take all steps necessary to effectuate the annexation.

**Vote Required for Passage:** Per Ohio Revised Code Section 709.14 the passage of this Ordinance requires the affirmative vote of a majority of members elected to Council.

**Exhibits:** Exhibit A: Petition for Annexation  
Exhibit B: Legal Description  
Exhibit C: Map

**Recommendation:** Approval

CITY OF FRANKLIN, OHIO  
ORDINANCE 2024-11

**AUTHORIZING THE ANNEXATION OF 19.665 ACRES OF LAND OWNED BY THE CITY OF FRANKLIN TO THE CITY AND  
AUTHORIZING THE LAW DIRECTOR TO PROSECUTE SUCH ACTION**

WHEREAS, the City of Franklin, Ohio, an Ohio municipal corporation, is the sole owner of 19.665 acres of property currently located in Franklin Township, Ohio which property is contiguous with the City of Franklin municipal boundary; and

WHEREAS, R.C. 709.13 et seq. provides the manner and method of annexation by a municipality for municipal-owned land; and

WHEREAS, The City of Franklin, Ohio, an Ohio municipal corporation, seeks to annex such property located in Franklin Township to the City of Franklin pursuant to R.C. 709.13 et seq.; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FRANKLIN, WARREN COUNTY, OHIO THAT:

Section 1. The City of Franklin, Ohio, by a majority of members elected to City Council, hereby authorize the annexation of 19.665 acres of land located in Franklin Township, Ohio which is wholly owned by the City of Franklin, Ohio, to be annexed into the City of Franklin, Ohio, and City Council further directs, empowers, and authorizes the City's Law Director, Benjamin Yoder of the law firm Bricker Graydon LLP, as the certified agent for petitioner, to cause the annexation petition to be prepared, filed, and heard by the Warren County Commissioners in accordance with R.C. 709.15, and to otherwise prosecute the proceedings necessary to effect the annexation.

Section 2. That City Council hereby authorizes, empowers and directs the City Manager to sign a petition for annexation of 19.665 acres located along State Route 123 to the City of Franklin on behalf of the City (hereinafter referenced as the "Petition"). A copy of the Petition is attached hereto as Exhibit A and made a part hereof. The property to be annexed is more accurately described in Exhibits to the Petition.

Section 3. That any act of any agent, advisor, or employee of the City and of any person designated or authorized to act by the City Manager or the Law Director, which act would have been authorized by the foregoing except that such act was taken prior to the adoption of this ordinance, is hereby ratified, confirmed, approved and adopted as the act of the City.

Section 4. That this ordinance is passed pursuant to R.C. 709.14 et seq. by a majority of the members elected to the City Council of the City of Franklin, Ohio.

Section 5. Upon completion of the annexation, the clerk is authorized and directed to file the necessary documents with the Ohio Secretary of State, the county auditor, the county board of elections, and the county recorder.

Section 6. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 7. This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

INTRODUCED: June 3, 2024

ADOPTED: June 17, 2024

ATTEST: \_\_\_\_\_  
Khristi Dunn, Clerk of Council

APPROVED: \_\_\_\_\_  
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of Ordinance 2024-11 passed by that body on June 17, 2024.

\_\_\_\_\_  
Khristi Dunn, Clerk of Council

APPROVED AS TO FORM:

\_\_\_\_\_  
Ben Yoder, Law Director

**PETITION FOR ANNEXATION – MUNICIPAL**

We, the undersigned, being 100% of the owners of real estate in the territory hereinafter described, hereby petition for the annexation of the following described territory to the City of Franklin, Warren County, Ohio, in the manner provided for by Section 709.16 of the Revised Code of Ohio.

Petitioner has attached hereto and made a part of this petition a legal description of the perimeter of the territory sought to be annexed, marked as Exhibit “A”.

The described territory is contiguous with the City of Franklin, Ohio, and wholly owned by the City of Franklin, Ohio. The City of Franklin’s legislative authority has authorized annexation of this territory by Ordinance \_\_\_\_ passed on \_\_\_\_\_.

Petitioners have attached hereto and made a part of this petition, an accurate map or plat of the territory sought to be annexed, marked Exhibit “B”.

Ben Yoder, with Bricker Graydon LLP, Law Director of the City of Franklin, is hereby appointed agent for the undersigned Petitioner as required by Revised Code Section 709.02(C)(3), with full power and authority hereby granted to said agent to amend, alter, change, correct, withdraw, refile, substitute, compromise, increase or delete the area, to do any and all things essential thereto, and to take any action necessary for obtaining the granting of this Petition. Said amendment, alteration, change, correction, withdrawal, refiling, substitution, compromise, increase or deletion or other actions for granting of this Petition shall be made in the Petition, description and plat by said agent without further expressed consent of the Petitioners.

Agent:

Petitioner:

\_\_\_\_\_  
Ben Yoder, Agent for Petitioner  
2 East Mulberry St.  
Lebanon, Ohio 45036  
513-870-6024  
byoder@brickergraydon.com

\_\_\_\_\_  
Jonathan Westendorf, Franklin City Manager  
1 Benjamin Franklin Way  
Franklin, Ohio 45005  
(937) 743-1101  
JWestendorf@FranklinOhio.org

## **REVIEW**

### **LEGAL DESCRIPTION 19.6650 ACRE TRACT AREA TO BE ANNEXED TO THE CITY OF FRANKLIN, OHIO**

Situated in the State of Ohio, Warren County, Franklin Township, Section 31, Town 2 Range 5, being 18.3251 acres of an 18.722 acre tract of land conveyed to The City of Franklin described in D.N. 2015-037668, being 0.8148 acres of a 1 acre tract conveyed to The City of Franklin Ohio as described in D.N. 2023-013377, all of a 0.267 acre tract, and all of a 0.1898 acre tract of land as conveyed to The City of Franklin described in D.N. 2015-037668, all of 0.0683 acre tract conveyed to The City of Franklin described in D.N. 2023-021924 of the Warren County, Ohio Recorder's Office and being more particularly described as follows:

Beginning on the northeast corner of Lot 38 of Glendell Addition-First Addition as recorded in Plat Book 4, Pg. 35

Thence along the lines of said 18.722 acre tract for the following seven (7) courses and distances;

- 1) S74°13'00"W a distance of 121.43 feet;
- 2) N85°03'00"W a distance of 115.07 feet;
- 3) N60°07'00"W a distance of 139.22 feet;
- 4) N29°53'00"E a distance of 71.02 feet;
- 5) N54°58'30"W a distance of 585.76 feet;
- 6) N16°47'45"E a distance of 350.53 feet;
- 7) N60°02'45"E a distance of 57.76 feet to southwesterly corner of a 1 acre tract conveyed to The City of Franklin Ohio described in D.N. 2023-013377;

Thence along the line of said 1 acre tract, N61°45'00"W, a distance of 117.50 feet to a point in the existing City of Franklin Corporation line;

Thence continuing along the line of said 1 acre tract and along the said existing corporation line, N57°06'04"E a distance of 213.84 feet;

Thence along the line and through said 1 acre tract and said existing corporation line, N75°33'56"E a distance of 187.47 feet to a point in the easterly line of said 1 acre tract;

Thence along the easterly line of said 1 acre tract and said existing corporation line, S01°30'00"E a distance of 117.16 feet to a point in the northerly line of said 18.722 acre tract;

Thence along the lines of said 18.722 acre tract and said existing corporation line for the following two (2) courses and distances;

- 1) S70°24'30"E a distance of 559.42 feet;
- 2) S50°22'35"E a distance of 29.77 feet;

Thence along the northeasterly line of a said 0.0683 acre tract and said existing corporation line, S48°26'41"E, 108.99 feet to the westerly line of relocated State Route 123;

Thence along the westerly line of relocated State Route 123 and continuing along the line of said 0.1898 acre tract and the aforementioned 0.267 acre tract also along said existing corporation line, S16°41'30"E a distance of 320.05 feet to the intersection of the westerly R/W line of relocated State Route 123 and the easterly line of the said 18.722 acre tract;

Thence continuing along the westerly line of State Route 123 through the said 18.722 acre tract and said existing corporation line for the following three (3) courses and distances;

- 1) S16°24'25"E a distance of 77.97 feet;
- 2) S24°09'40"E a distance of 277.47 feet;
- 3) S30°19'40"E a distance of 66.23 feet;

Thence along a northerly line of Tama Lane S66°34'00"W a distance of 399.97 feet;

Thence leaving the northerly line of Tama Lane continuing along the lines of said 18.722 acre tract for the following two (2) courses and distances;

- 1) N01°54'00"E a distance of 174.04 feet;
- 2) N72°52'00"W a distance of 151.67 feet to the point of beginning.

Containing 19.6650 acres more or less.

The above description is based on information of record, No Field survey was performed. by Apex Engineering & Surveying, Inc., Justin Lee Schulz, Ohio Professional Surveyor No. 8653. Bearings and Distances are based on deeds and plats of the Warren County Recorder's Office



### ANNEXATION ACREAGE BREAKDOWN

TOTAL ACREAGE OF DEEDS -----20.2471 ACRES

18.3251 AC. (04-31-404-001) + (0.8148 AC.) 04-31-403-005 + 0.267 AC. (04-31-404-001) TRACT I + 0.1898 AC. (04-31-404-002) TRACT II + 0.0683 AC. (04-31-404-010)

TOTAL ACREAGE OF PROPOSED ANNEXATION -----19.6650 ACRES

TOTAL ACRES OF RIGHT OF WAY -----0.0000 ACRES

LENGTH OF ST. ROUTE 123-----0.000 ACRES

LENGTH OF TAMA LANE-----0.000 ACRES

PERIMETER OF ANNEXATION TERRITORY =3,894 FEET

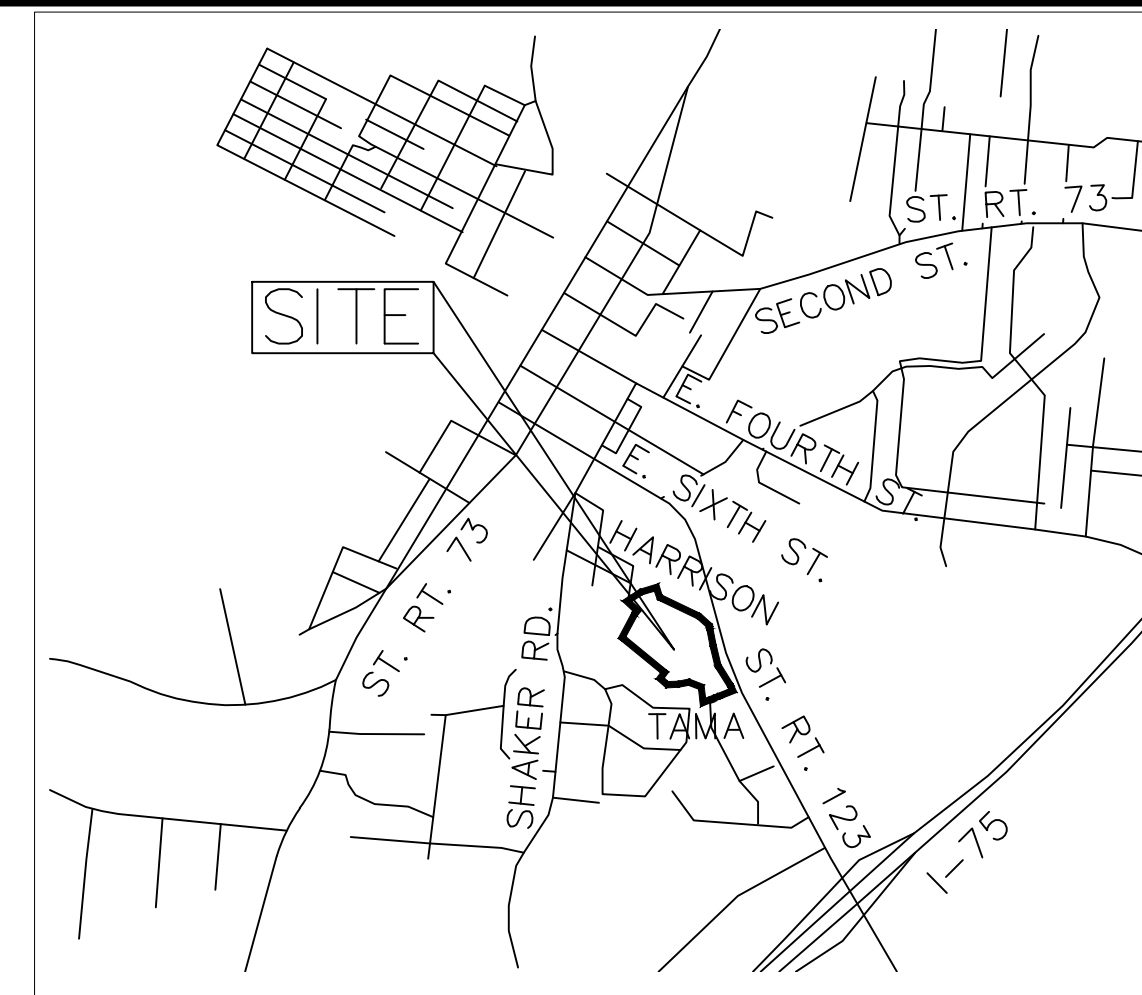
CONTIGUOUS BOUNDARY WITH THE CITY OF FRANKLIN =1,785 FEET

CONTIGUITY WITH THE CITY OF FRANKLIN = 45.8%

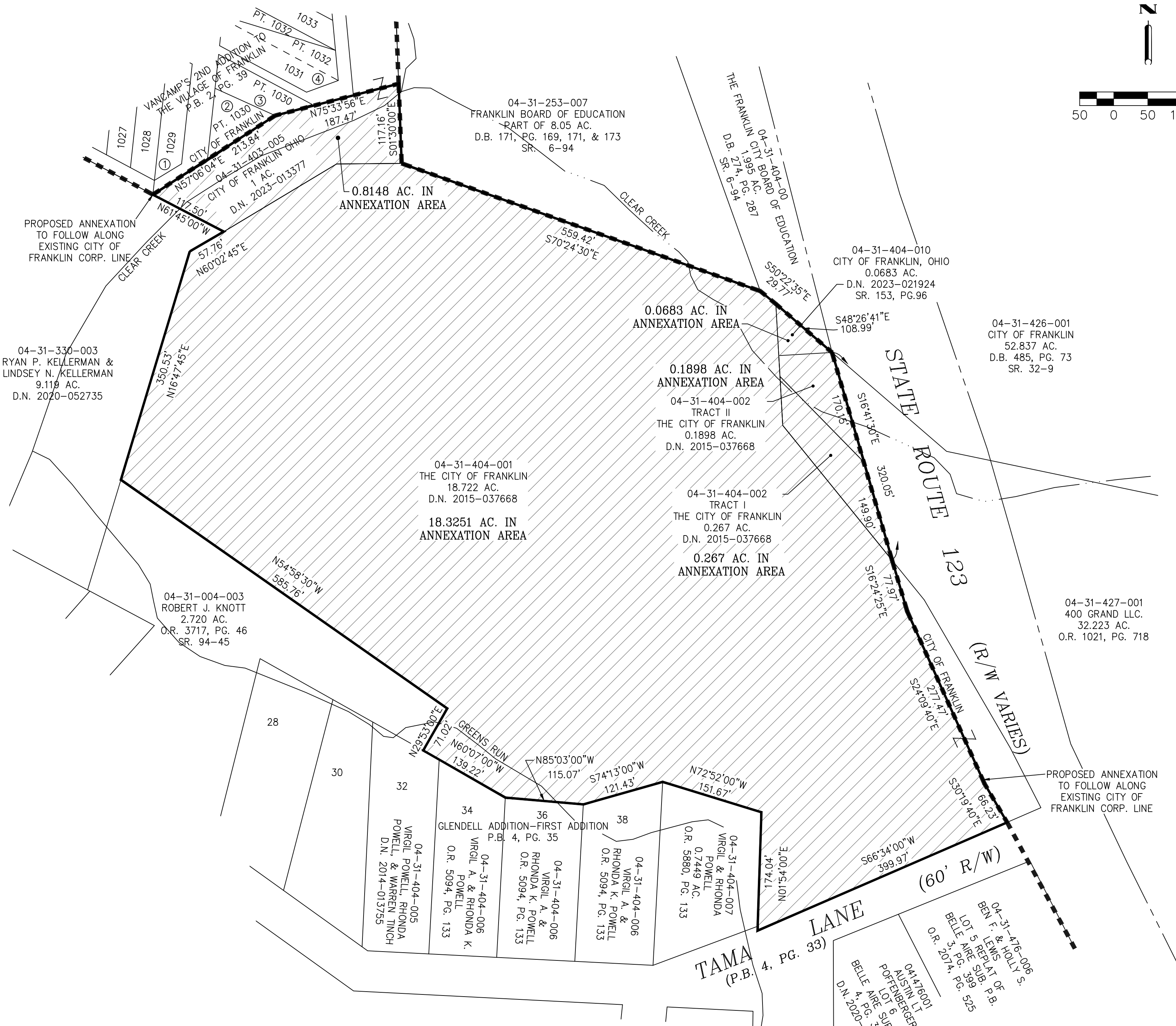
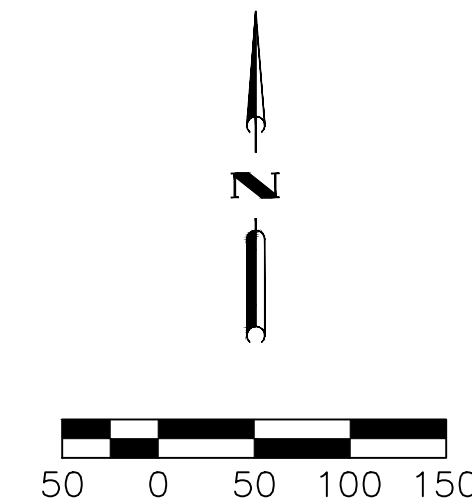
# FRANKLIN PARK AREA ANNEXATION

## MAP OF AREA CONTAINING 19.6650 ACRES MORE OR LESS TO BE ANNEXED TO THE CITY OF FRANKLIN, OHIO

### SITUATED IN SECTION 31, TOWN 2, RANGE 5 FRANKLIN TOWNSHIP WARREN COUNTY, OHIO



VICINITY MAP NTS



- ① 04-31-402-002 JENNIFER TURPIN & KEVIN S. TURPIN LOT 1029 D.N. 2014-000854
- ② 04-31-403-004 KENNETH R. GROSS & SALLY L. GROSS PT. LOT 1030 O.R. 672, PG. 405
- ③ 04-31-403-003 MARTHA L. GROSS PT. LOT 1030 D.B. 497, PG. 905 D.N. 2021-031965
- ④ 04-31-403-002 MISTY LEE GROSS LOT 1031 PT. LOT 1032 O.R. 5283, PG. 359

04-31-330-003 RYAN P. KELLERMAN & LINDSEY N. KELLERMAN 9.119 AC. D.N. 2020-052735

04-31-004-003 ROBERT J. KNOTT 2.720 AC. O.R. 3717, PG. 46 SR. 94-45

04-31-404-001 THE CITY OF FRANKLIN 18.722 AC. D.N. 2015-037668

0.0683 AC. IN ANNEXATION AREA  
0.1898 AC. IN ANNEXATION AREA  
04-31-404-002 TRACT II THE CITY OF FRANKLIN 0.1898 AC. D.N. 2015-037668

04-31-404-002 TRACT I THE CITY OF FRANKLIN 0.267 AC. D.N. 2015-037668

04-31-426-001 CITY OF FRANKLIN 52.837 AC. D.B. 485, PG. 73 SR. 32-9

04-31-427-001 400 GRAND LLC. 32.223 AC. O.R. 1021, PG. 718

#### SURVEYOR NOTES:

- 1.) SOURCE DOCUMENTS AS NOTED.
- 2.) BEARINGS BASED ON WARREN COUNTY RECORDER'S OFFICE DEED REFERENCES
- 3.) ALL BOUNDARY INFORMATION FROM RECORDS, NO FIELD SURVEY HAS BEEN PERFORMED

#### CITY OF FRANKLIN CLERK

CLERK \_\_\_\_\_ DATE \_\_\_\_\_

#### WARREN COUNTY COMMISSIONERS

WE, THE BOARD OF COUNTY COMMISSIONERS OF WARREN COUNTY, OHIO DO HEREBY APPROVE THIS PLAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

COMMISSIONER \_\_\_\_\_ DATE \_\_\_\_\_  
COMMISSIONER \_\_\_\_\_ DATE \_\_\_\_\_  
COMMISSIONER \_\_\_\_\_ DATE \_\_\_\_\_

#### WARREN COUNTY AUDITOR

ENTERED FOR TRANSFER THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

BY: \_\_\_\_\_ DEPUTY AUDITOR \_\_\_\_\_ AUDITOR, WARREN COUNTY, OHIO

#### WARREN COUNTY RECORDER

FILE NO. \_\_\_\_\_  
RECEIVED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_\_ M.  
RECORDED ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_ AT \_\_\_\_\_ M.  
RECORDED IN PLAT BOOK NO. \_\_\_\_\_, PAGE \_\_\_\_\_, FEE \$ \_\_\_\_\_

BY: \_\_\_\_\_ DEPUTY RECORDER \_\_\_\_\_ RECORDER, WARREN COUNTY, OHIO

#### LEGEND

- AREA TO BE ANNEXED
- EXISTING CORPORATION LINE
- PROPOSED CORPORATION LINE



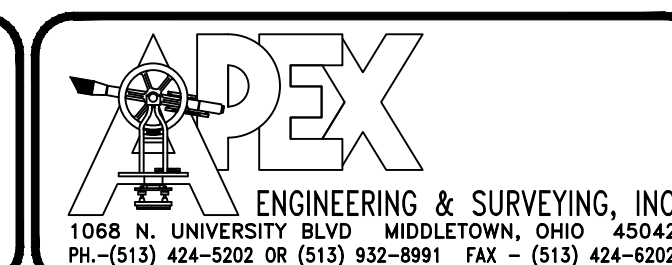
I HEREBY CERTIFY THAT THIS ANNEXATION PLAN AND THE BEARINGS SHOWN HEREON ARE BASED ON DEEDS AND PLATS AS RECORDED IN WARREN COUNTY.

**REVIEW**

JUSTIN L. SCHULZ OHIO PROFESSIONAL SURVEYOR NO. 8653 DATE \_\_\_\_\_

A CURRENT TITLE EXAMINATION/REPORT IS NECESSARY TO DETERMINE ANY ADDITIONAL EASEMENTS, RESTRICTIONS, COVENANTS, CONDITIONS OR ENCUMBRANCES WHICH MAY AFFECT THE LANDS HEREON.

SCALE: 1"=100'  
DATE: DEC. 2015  
DRAWN: PJL  
DESIGNED:  
CHECKED: KRC



REVISIONS:  
1. OCT 2023-JLS  
2. MARCH 2024-JLS  
3. APRIL 2024-JLS  
4.  
PROJECT: 151718 SHEET 1 OF 1  
DRAWING: 1920705B



# LEGISLATIVE COVER MEMO

**Introduction:** May 20, 2024

**Public Hearing:** June 3, 2024

**Effective Date:** July 3, 2024

**Agenda Item:** **Ordinance 2024-12**

APPROVING THE FRANKLIN DOWNTOWN REVITALIZATION PHASE 1 RECORD PLAN FOR THE COMBINATION OF CITY OWNED LOTS AND DEDICATION OF RIGHT OF WAY FOR EAST SIXTH STREET AND RILEY BOULEVARD.

**Submitted by:** Barry Conway, City Engineer

**Scope/Description:** This Record Plan for the Franklin Downtown Revitalization Phase 1 includes the combination of City owned lots and the Right of Way Dedication of East Sixth Street and Riley Boulevard.

After holding a public hearing on the request Planning Commission voted at its May 8, 2024 meeting, unanimously (6-0) to make a recommendation to City Council to approve this Record Plan.

**Vote Required for Passage:** Per Section 4.12 of the City Charter, the passage, amendment, or rejection of this Ordinance requires the affirmative vote of not less than four members of the Council.

**Exhibits:** Exhibit A: Record Plan

**Recommendation:** Staff recommends that City Council approve the Franklin Downtown Revitalization Phase 1 Record Plan.

CITY OF FRANKLIN, OHIO  
ORDINANCE 2024-12

**APPROVING THE FRANKLIN DOWNTOWN REVITALIZATION PHASE 1 RECORD PLAN FOR THE COMBINATION OF CITY OWNED LOTS AND DEDICATION OF RIGHT OF WAY FOR EAST SIXTH STREET AND RILEY BOULEVARD.**

WHEREAS, pursuant to Section 1115.06 of the City of Franklin Uniform Development Code (the “UDO”), the City of Franklin Planning Commission, at its May 8, 2024 regular meeting, voted unanimously (6-0) to make a recommendation to Council to approve the Record Plan that includes the combination of City owned lots and the right-of-way dedication of East Sixth Street and Riley Boulevard in PC Case 24-06; and

WHEREAS, City Council finds it to be in the best interests of the health, safety and welfare of the City and its residents to accept Planning Commission’s recommendation and accept the Record Plan for the Franklin Downtown Revitalization Phase 1 on East Sixth Street and Riley Boulevard as shown on Exhibit A.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF FRANKLIN, WARREN COUNTY, OHIO THAT:

Section 1. Council hereby accepts Planning Commission’s recommendation to approve the Franklin Downtown Revitalization Phase 1 Record Plan on East Sixth Street and Riley Boulevard.

Section 2. The Mayor, on behalf of Council, the City Manager, City Engineer, Clerk of Council and Planning Commission Chairperson are hereby authorized to endorse the Record Plan and any other documentation necessary to record this record plan with the Warren County Auditor and Warren County Recorder.

Section 3. All ordinances or parts of ordinances that conflict with this Ordinance are hereby repealed.

Section 4. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action occurred in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code, and the Rules of Council.

Section 5. This Ordinance shall become effective on July 3, 2024.

INTRODUCED: May 20, 2024

ADOPTED: June 3, 2024

ATTEST: \_\_\_\_\_  
Khristi Dunn, Clerk of Council

APPROVED: \_\_\_\_\_  
Brent Centers, Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council do hereby certify that the foregoing is a true and correct copy of Ordinance 2024-06 passed by that body on June 3, 2024.

\_\_\_\_\_  
Khristi Dunn, Clerk of Council

Approved as to form: \_\_\_\_\_, Ben Yoder, Law Director

