



CITY COUNCIL MEETING

Monday, April 01, 2024 at 6:00 PM

1 Benjamin Franklin Way Franklin, Ohio 45005

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. [March 18, 2024](#)
5. PRESENTATIONS
 - A. Division of Police Update (Chief Colon)
 - B. Introduce K9s Aslan & Maggie
 - C. Council Work Session - Independence Day Celebrations
6. RECEPTION OF VISITORS
7. PUBLIC HEARING
 - A. **ORDINANCE 2024-03** AN ORDINANCE TO VACATE A PORTION OF SOUTH AVENUE FROM CEDAR STREET TO THE NORFOLK SOUTHERN RAILROAD PURSUANT TO OHIO REVISED CODE (ORC), SECTION 723.04 AND MAINTAINING A PERMANENT PUBLIC UTILITY EASEMENT THROUGH SAID VACATED RIGHT-OF-WAY PURSUANT TO ORC 723.041 (Barry Conway)
 - a. Exhibit A: Legal description and survey of right-of-way proposed for vacation.
 - B. **ORDINANCE 2024-04** AN ORDINANCE TO VACATE A FIFTEEN (15) FOOT ALLEY PURSUANT TO OHIO REVISED CODE (ORC), SECTION 723.04 (Barry Conway)
 - a. Exhibit A: Legal description and survey of right-of-way proposed for vacation
 - C. **ORDINANCE 2024-05** APPROVING THE RECORD PLAN FOR K.O. STORAGE THAT INCLUDES THE RIGHT OF WAY DEDICATION OF NORTH DIXIE HIGHWAY/NORTH MAIN STREET (Barry Conway)
 - a. Exhibit A: Record Plan
8. NEW BUSINESS
 - A. **RESOLUTION 2024-24** APPROVING THE COUNTYWIDE 9-1-1 FINAL PLAN (Jonathan Westendorf)
 - a. Exhibit A: Warren County, Ohio 911 Final Plan

B. RESOLUTION 2024-25 AMENDING THE POSITION DESCRIPTION FOR THE WATER OPERATOR

- a. Exhibit A: Water Operator Position Description

9. INTRODUCTION OF NEW LEGISLATION

A. ORDINANCE 2024-06 DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF FRANKLIN, WARREN COUNTY, OHIO TO BE A PUBLIC PURPOSE; DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING SPECIFIC PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT, ONCE MADE, WILL DIRECTLY BENEFIT THE PARCELS FOR WHICH IMPROVEMENT IS DECLARED TO BE A PUBLIC PURPOSE; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; AUTHORIZING PAYMENTS TO THE FRANKLIN CITY SCHOOL DISTRICT AND THE WARREN COUNTY CAREER CENTER; AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT; AND PROVIDING RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40(B), 5709.42, 5709.43, 5709.832 AND 5709.85. (Jonathan Westendorf)

- a. Exhibit A: Description of Property
- b. Exhibit B: Description of the Public Infrastructure Improvements

10. CITY MANAGER'S REPORT

11. COUNCIL COMMENTS

12. EXECUTIVE SESSION

- A. To consider the purchase of property for public purposes pursuant to ORC 121.22 (G)(2).
- B. To consider the appointment, employment, and compensation of a public employee or official pursuant to ORC 121.22 (G)(1).

13. ADJOURNMENT



CITY COUNCIL MEETING

Monday, March 18, 2024 at 6:00 PM

1 Benjamin Franklin Way Franklin, Ohio 45005

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

Mr. Westendorf, Ms. Steed, Ms. Trice, Ms. Dunn, Mr. Conway, Chief Colon, Chief Stitzel, Mr. Inman, Mr. Miller, Ms. Chibis and approximately 20 guests were also 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. March 4, 2024

Motion made by Ruppert, Seconded by D. Centers.

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

Motion passed.

5. PRESENTATIONS

A. Warren County Sheriff's Office Yearly Report (Sheriff Sims)

Sheriff Sims thanked the City for allowing him to serve as Sheriff for the past 16 years. Highlights from 2023 include increasing School Resource Officers at Kings Schools, use of drones in locating missing persons, and a specific incident involving the tactical officers (SWAT Team).

Mr. D. Centers told Sheriff Sims that he would be missed and that he has done a great job. He is confident Deputy Riley will do a great job, but the Sheriff will be missed.

Mayor Centers said that he feels blessed that the City has a partnership with the Sheriff's office and is also blessed to have Sheriff Sims serve for the past 16 years.

6. EXECUTIVE SESSION

- A. Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment pursuant to ORC 121.22 (G)(4).

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 6:09pm.

Motion to exit 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 exited executive session at 6:28pm.

7. RECEPTION OF VISITORS

The Mayor opened and closed the reception of visitors at 6:28pm as none asked to be heard.

8. PUBLIC HEARING

- A. **ORDINANCE 2024-02** AMENDING SECTIONS 1103.01, 1107.07, AND 1115.10 OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE

The Ordinance proposes various amendments to Section 1103.01 and 1107.07 that would allow for the use “Essential Services and Utilities, City Owned” to be permitted in each zoning district and exempt such essential services and utilities from the application of the UDO.

Planning Commission unanimously recommended approval of the text amendments to Council during its February 14, 2024 meeting.

The Ordinance also proposes various amendments to Section 1115.10 of the Uniform Development Code, governing Appeals Board (BZA) zoning procedures and approvals. Many of the amendments remedy grammatical errors, and maintain consistency of terms and language used throughout Section 1115.10. More substantive changes appear in subsections 1115.10(d)(7) and (e)(3)(E). These provisions state: (i) an Appeals Board decision becomes a final appealable order immediately following the Appeals Board’s oral decision vote; and (ii) the oral decision will be reduced to writing and transmitted to the involved applicant within thirty (30) days of the date of the public meeting during which the vote was rendered.

Planning Commission unanimously recommended approval of the text amendments to Council during its January 10, 2024 meeting.

Mayor Centers opened and closed the public hearing at 6:30PM 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.

9. NEW BUSINESS

- A. **RESOLUTION 2024-19** ADOPTING A POSITION DESCRIPTION FOR ADMINISTRATIVE ASSISTANT FOR FIRE & EMS

This Resolution adopts a new position description for the Administrative Assistant for Fire & EMS position. The position was previously held by Lt. Katie Williams who has been hired as a fulltime

Firefighter/Paramedic. As we prepare to replace the position, we have updated the position description to remove the paramedic requirement.

Motion made by Ruppert, Seconded by Wilcher.

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

B. RESOLUTION 2024-20 DECLARING THE NECESSITY OF IMPROVING CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2025

This is “Resolution of Necessity” is the first step in the street light assessment process for 2025. The street lighting assessment program is used for lighting public rights of way, and can also be used to purchase new street lights. This process is used for all assessment projects normally done for road improvements, as required by the Revised Code.

The City pays for 2% of the total lighting improvement cost to cover the City’s share of the improvement, as required by the R.C., and the cost of lighting intersections. The remaining 98% of the improvement cost is to be paid by special assessment levied on all properties within the City which are benefitted by the public lighting improvement. The assessments are levied based on a percentage of the tax value of each assessed property and are paid in two semi-annual installments.

Motion made by Vice Mayor Hall, Seconded by Fouts.

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

C. RESOLUTION 2024-21 AUTHORIZING THE SALE TO RILEY REAL ESTATE, LLC OF CERTAIN CITY-OWNED REAL PROPERTY, MORE PARTICULARLY IDENTIFIED AS WARREN COUNTY AUDITOR’S PARCEL NOS. 0431138025, 0431138024, 0431138026, 0431138022, 0431138027, 0431138018, AND 0431138017

The City of Franklin currently owns seven (7) adjacent parcels located on the corner of Sixth Street and Riley Boulevard. RILEY REAL ESTATE, LLC desires to purchase the parcels for the total purchase price \$50,000, and develop a brewery and taproom on the property. City staff supports this project from an economic development perspective.

Staff showed a video introducing the brewery concept.

Mr. Brian Willet and his team were in attendance. Council welcomed them to Franklin and expressed excitement to be working together.

Motion made by D. Centers, Seconded by Aldridge.

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

10. INTRODUCTION OF NEW LEGISLATION

A. ORDINANCE 2024-03 AN ORDINANCE TO VACATE A PORTION OF SOUTH AVENUE FROM CEDAR STREET TO THE NORFOLK SOUTHERN RAILROAD PURSUANT TO OHIO REVISED CODE (ORC), SECTION 723.04 AND MAINTAINING A PERMANENT PUBLIC UTILITY EASEMENT THROUGH SAID VACATED RIGHT-OF-WAY PURSUANT TO ORC 723.041

B. ORDINANCE 2024-04 AN ORDINANCE TO VACATE A FIFTEEN (15) FOOT ALLEY PURSUANT TO OHIO REVISED CODE (ORC), SECTION 723.04

C. ORDINANCE 2024-05 APPROVING THE RECORD PLAN FOR K.O. STORAGE THAT INCLUDES THE RIGHT OF WAY DEDICATION OF NORTH DIXIE HIGHWAY/NORTH MAIN STREET

11. CITY MANAGER'S REPORT

Mr. Westendorf provided an update on the traffic flow at the new high school. He has been in communication with school administration, and they were happy with the current situation until the roundabout is installed next year.

Ms. Steed gave an update on the Main Street Streetscape Project. Sixth Steet will be closed for two additional weeks. Main Street, from Fourth to Third, with intersections open, should close on April 1. The intersection of Third and Main will be closed for a few days, but staff will give notice when that date is finalized.

Chief Stitzel briefed Council on a fire that occurred at Emerald Edge apartment buildings. High winds increased the spread, and the damage was extensive. There were eight families (22 people) displaced. The cause of the fire was discarded smoking material on an outdoor deck. To the Chief's best knowledge, none of the residents had renters' insurance. The Fire Division is working with American Red Cross to help with temporary housing. There were no reported injuries to residents or firefighters. The Chief is proud of the crews for the way the situation was handled. Vice Mayor Hall's daughter lives close by and he thanked the Chief and firefighters for their excellent work. Mrs. Fouts' business employs one of the residents and she is coordinating with the employee to help with needed items. Mr. Westendorf said the crew did a great job extinguishing the fire and thanked the Division of Police and Dispatchers for their efforts as well.

The Mayor and Staff met with Ethan Reynolds from Governor DeWine's office. He was extremely complimentary of the projects presented and work that has been done. He will be asking the Governor to come to the Main Street Streetscape grand opening to celebrate.

Mr. Westendorf congratulated Slipcast, Council and the City. The new Slipcast development will redefine the South entrance to the community and will serve as a gateway into the business district. He is glad that the City is adding public parking near the site, which will serve current businesses as well as new. The beautification efforts will carry through nicely. It's an exciting time for us.

There were a couple articles published that communicate the wisdom in placing the high school adjacent to downtown businesses. Several other articles will be forth coming from various publications regarding the brewery announcement.

The first edition of the Franklin Post, a City-wide newsletter, would be mailed to homes in the next few days. Included in the newsletter is an invitation to the Townhall Meeting on April 9 at 6:00pm at the new High School.

City staff will be meeting with Dayton Daily News editors in the coming weeks, and in April, the City of Franklin will be featured in the Dayton Business Journal community spotlight. The merchandising plan is wrapping up and staff will have results shortly.

Mr. Westendorf thanked Ms. Steed for her time as acting City Manager while he was on vacation earlier in the month.

12. COUNCIL COMMENTS

Mr. Wilcher welcomed the Slipcast team and thanked them for choosing our City. Reading their business plan was great, and he thanked staff for bringing the team here. He said it’s an exciting time for Franklin.

Mrs. Fouts appreciates the new development and said it’s exciting. She looks forward to visiting. Staff has done outstanding work.

The recent fire is the second devastating event to happen to her crew in the last few months. It hits very close to home. She appreciates the Fire and Police for all they do.

Mr. Aldridge welcomed the Scouts in attendance that were observing the meeting. He welcomed their thoughts about the meeting and thanked them for coming.

He thanked the Slipcast crew for choosing Franklin. He is impressed with their plan. Slipcast will be a destination and will bring a lot of people to Franklin. He is excited to partner with the Slipcast team. He thanked staff for their work on the project. This is a significant announcement. He is excited to see what’s to come.

Mr. D. Centers thanked Mr. Willet; it was hard to keep the secret as people are wanting a new development. He thanked Sheriff Sims for his service. He knows Deputy Riley will do great. He thanked the Scouts for coming and advised them to “Hang in there for Eagle.” It’s a little more work, but worth it!

Mr. Ruppert echoed earlier comments to welcome Slipcast. He said this is just the start and he can’t imagine what will follow. The buildlig will be a remarkable gateway. He appreciates them wanting to be a part of the community. Staff has gone way beyond what was expected. He is consistently asked when something new is going to happen. The streetscape project is new, and it’s going to be great. This is a good night.

He complimented staff on the newsletter, it’s a great communication tool for the City. He is really proud of all City staff, even those who do not get regular recognition. He thanked Mr. Conway as well as Mr. Inman and his team.

Vice Mayor Hall welcomed Slipcast to the City. He's excited to see the development as he drives by the site every day. He cant wait!

He wants to stress the word patience again. It's very obvious that we needed to redesign our town and make updates. People get upset, but construction has to happen, and it is one year before the future happens in this City. The more that’s done, the more the change will be visible. Please be patient. He would like to revisit the 4th of July parade. He doesn’t know how but would like to do it. There has been a lot of disruption, and this would help keep things normal. He has received a lot of push back. He would like to figure out a different route to make the parade possible.

Mayor Centers agreed and asked if Council would like to have a work session to revisit the topic. Council concurred. A work session will be held to discuss the possibility of having a parade.

Mayor Centers expanded on the governors’ office visit. Mr Reynolds applauded the City for turning conceptual plans into actual improvements. He said that is very rare to see a plan move on from the conceptual phase onto execution.

Slipcast is a crucial part of the downtown revitalization now. He said “We couldn’t be more excited to have you join us.”

He is thrilled with the way the newsletter turned out. It’s another way to communicate in addition to the City’s website and social media. There is a Townhall meeting coming up which is an opportunity to communicate in person.

He thanked the Scouts for attending the meeting and offered to stay after the meeting to answer any questions they may have.

Vice Mayor Hall asked everyone to please support the school levy the following day.

Mayor Centers said “well done” to Chief Stitzel on the recent fire. The Chief was selected for the Warren County Fire Investigation team, which is a huge asset to the City. He thanked the Chief for stepping up and being a part of that team.

There was an election the following day. Mayor Centers asked everyone to support Franklin City Schools and the Warren County Career Center.

Mayor Centers introduced **Resolution 2024-22** - APPROVING OR REJECTING THE TENTATIVE AGREEMENT WITH THE TEAMSTERS CLERICAL AND SERVICE UNITS AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE COLLECTIVE BARGAINING CONTRACT

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

Mayor Centers introduced **Resolution 2024-23** - AMENDING RESOLUTION 2023-86 AND ESTABLISHING THE ORGANIZATIONAL LISTINGS AND PAY RATES FOR CITY OF FRANKLIN OFFICIALS AND EMPLOYEES FOR THE YEAR 2024

Resolution 2023-86 is being amended to set the rates of pay for 2024. Rates are being set in accordance with the recently approved Teamsters Union Agreements. Section 7 of Resolution 2023-86 is being repealed as all Police Officers, including the Chief and Captain, are ordering uniforms instead of being allotted a separate uniform allowance.

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

13. ADJOURNMENT

Motion made by Vice Mayor Hall, Seconded by Aldridge.
Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Aldridge, Fouts, Wilcher
Motion passed. Council adjourned at 7:11pm.

Brent Centers, Mayor

Khristi Dunn, Clerk of Council



LEGISLATIVE COVER MEMO

Introduction: March 18, 2024

Public Hearing: April 1, 2024

Effective Date: May 1, 2024

Agenda Item: **Ordinance 2024-03**
AN ORDINANCE TO VACATE A PORTION OF SOUTH AVENUE FROM CEDAR STREET TO THE NORFOLK SOUTHERN RAILROAD PURSUANT TO OHIO REVISED CODE (ORC), SECTION 723.04 AND MAINTAINING A PERMANENT PUBLIC EASEMENT THROUGH SAID VACATED RIGHT-OF-WAY PURSUANT TO ORC 723.041

Submitted by: Barry Conway, City Engineer

Scope/Description: Atlas Roofing Corporation has requested the vacation of a portion of the northern half of South Avenue (a paper street). Atlas owns the property that abuts both sides of the paper street. Certain City and other public utilities exist within this right-of-way. The City has no objection to vacating this portion of South Avenue, but a permanent public utility easement must be retained to ensure the continued maintenance and operation of utilities in the right-of-way.

Vote Required for Passage: Per Section 4.03 of the City Charter, following Council’s hearing on the Ordinance, a majority vote of all Council members present shall be required for passage of the Ordinance.

Exhibits: Exhibit A – Legal description and survey of right-of-way proposed for vacation.

Recommendation: Approval

AN ORDINANCE TO VACATE A PORTION OF SOUTH AVENUE FROM CEDAR STREET TO THE NORFOLK SOUTHERN RAILROAD PURSUANT TO OHIO REVISED CODE (ORC), SECTION 723.04 AND MAINTAINING A PERMANENT PUBLIC UTILITY EASEMENT THROUGH SAID VACATED RIGHT-OF-WAY PURSUANT TO ORC 723.041

WHEREAS, Atlas Roofing Corporation submitted to the City of Franklin, Ohio a petition (the "Petition") to vacate a portion of South Avenue from Cedar Street to the Norfolk Southern Railroad, as more particularly described in the legal description and survey of said right-of-way attached as Exhibit A to this Ordinance (the "Street"); and

WHEREAS, Atlas Roofing Corporation is the fee simple owner of the real property abutting both sides of the Street (more particularly described as Warren County Auditor's Parcel Nos. 02-04-256-001 and 02-04-257-003); and

WHEREAS, the Petition requests that the Street be transferred to Atlas Roofing Corporation upon its vacation; and

WHEREAS, Ohio Revised Code, Section 723.04 empowers the City Council of the City of Franklin, Ohio to pass an ordinance vacating the Street if Council is satisfied that good cause exists for such vacation, and the vacation will not be detrimental to the general interest; and

WHEREAS, the City of Franklin has no objection to vacating the Street and transferring the right-of-way to Atlas Roofing Corporation in accordance with the Petition request; provided there are certain public utilities located in the Street and, pursuant to Ohio Revised Code, Section 723.041, any affected public utility shall be deemed to have a permanent easement in such vacated Street for the purpose of maintaining, operating, renewing, reconstructing, and removing its respective utility facilities, and for purposes of access to said facilities.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, a majority of members present concurring, that:

Section 1. City Council hereby finds and determines that good cause exists to vacate the Street, as requested in Atlas Roofing Corporation's Petition, and that said vacation will not be detrimental to the general interest.

Section 2. The Street is hereby vacated and transferred to Atlas Roofing Corporation (subject to the permanent easement rights described in Section 3 of this Ordinance).

Section 3. Certain public utilities are presently located in the Street and, pursuant to Ohio Revised Code, Section 723.041, any public utility affected by the Street vacation effected by this Ordinance shall be deemed to have a permanent easement in the vacated Street for the purpose of maintaining, operating, renewing, reconstructing, and removing its respective utility facilities, and for purposes of access to said facilities.

Section 4. It is hereby 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 5. Pursuant to Section 4.04 of the City of Franklin Charter, this Ordinance shall be effective on May 1, 2024.

INTRODUCED: March 18, 2024

ADOPTED: April 1, 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 an Ordinance passed by that body on April 1, 2024.

Khristi Dunn, Clerk of Council

LEGAL DESCRIPTION
SOUTH AVENUE VACATION NORTH HALF

Situated in Section 4, Township 1 N, Range 5 E, City of Franklin, Franklin Township, Warren County, Ohio and being a Vacation of a portion of the northerly half of South Avenue as platted in Mackinaw Addition to the Village of Franklin, Plat Book 1, Page 199. All record references being to the Warren County Recorder's Office.

Beginning in a 5/8" Iron Pin Found in the intersection of the easterly right of way line of Cedar Street and the northerly right of way line of said South Avenue (30' RW) and being the TRUE BEGINNING POINT of the Vacation of a portion of the northerly half of South Avenue herein described; thence the following 4 courses:

1. In said northerly right of way line of South Avenue, South 62° 46' 43" East, 827.72 feet to a point located within a "stump in the westerly line of Pennsylvania Lines, LLC, a wholly owned subsidiary of Norfolk Southern Railway Company, Deed Book 1933, Page 695; thence
2. In said westerly line of Pennsylvania Lines, LLC, South 26° 30' 11" East, 25.35 feet to a 5/8" Iron Pin Set in the centerline of right of way line of said South Avenue; thence
3. In said centerline of right of way line of South Avenue, North 62° 46' 43" West, 848.15 feet to a 5/8" Iron Pin Set in said easterly right of way line of Cedar Street; thence
4. In said easterly right of way line of Cedar Street, North 27° 12' 53" East, 15.00 to the TRUE BEGINNING POINT of a portion of the Vacation of the northerly half of South Avenue herein described.

Containing 0.2885 acres.

Right of way as described hereon to be conveyed with Atlas Roofing Corporation, Official Record 2017-011179 (Parcel Two). Auditor's Parcel No. 02-04-256-001.

Bearings herein are based on Ohio State Plane Coordinate System, South Zone, North American Datum of 1983 (1986 Adjustment). Bearings derived from VRS Observations.

Iron Pins set consist of a 5/8" x 30" rebar with a plastic cap inscribed "FINN S-7181 OH."

This description was prepared by IBI Group, Cincinnati, Ohio by Patrick Finn, P.S. No. 7181, and is based on a field survey December, 2023.

LEGAL DESCRIPTION
SOUTH AVENUE VACATION SOUTH HALF

Situated in Section 4, Township 1 N, Range 5 E, City of Franklin, Franklin Township, Warren County, Ohio and being a Vacation of a portion of the southerly half of South Avenue as platted in Mackinaw Addition to the Village of Franklin, Plat Book 1, Page 199. All record references being to the Warren County Recorder's Office.

Beginning in a 5/8" Iron Pin Found in the intersection of the easterly right of way line of Cedar Street and the northerly right of way line of said South Avenue (30' RW); thence In said easterly right of way line of Cedar Street, South 27° 12' 53" West, 15.00 feet to a 5/8" Iron Pin Set in the centerline of right of way line of said South Avenue and being the TRUE BEGINNING POINT of the Vacation of a portion the southerly half of South Avenue herein described; thence the following 4 courses:

1. In said centerline of right of way line of said South Avenue, South 62° 46' 43" East, 848.15 feet to a 5/8" Iron Pin Set in the westerly line of Pennsylvania Lines, LLC, a wholly owned subsidiary of Norfolk Southern Railway Company, Deed Book 1933, Page 695; thence
2. In said westerly line of Pennsylvania Lines, LLC, South 26° 30' 11" East, 25.35 feet to a 5/8" Iron Pin Found in the southerly right of way line of said South Avenue; thence
3. In said southerly right of way line of South Avenue, North 62° 46' 43" West, 868.08 feet to a 5/8" Iron Pin Set in said easterly right of way line of Cedar Street; thence
4. In said easterly right of way line of Cedar Street, North 27° 12' 53" East, 15.00 to the TRUE BEGINNING POINT of the Vacation of a portion of the southerly half of South Avenue herein described.

Containing 0.2956 acres.

Right of way as described hereon to be conveyed with Atlas Roofing Corporation, Official Record 2017-011179 (Parcel One). Auditor's Parcel No. 02-04-257-003.

Bearings herein are based on Ohio State Plane Coordinate System, South Zone, North American Datum of 1983 (1986 Adjustment). Bearings derived from VRS Observations.

Iron Pins set consist of a 5/8" x 30" rebar with a plastic cap inscribed "FINN S-7181 OH."

This description was prepared by IBI Group, Cincinnati, Ohio by Patrick Finn, P.S. No. 7181, and is based on a field survey December, 2023.

LEGAL DESCRIPTION
SOUTH AVENUE VACATION TOTAL

Situated in Section 4, Township 1 N, Range 5 E, City of Franklin, Franklin Township, Warren County, Ohio and being a Vacation of a portion of South Avenue as platted in Mackinaw Addition to the Village of Franklin, Plat Book 1, Page 199. All record references being to the Warren County Recorder's Office.

Beginning in a 5/8" Iron Pin Found in the intersection of the easterly right of way line of Cedar Street and the northerly right of way line of said South Avenue (30' RW) and being the TRUE BEGINNING POINT of the Total Vacation herein described; thence the following 4 courses:

1. In said northerly right of way line of South Avenue, South 62° 46' 43" East, 827.72 feet to a point located within a "stump in the westerly line of Pennsylvania Lines, LLC, a wholly owned subsidiary of Norfolk Southern Railway Company, Deed Book 1933, Page 695; thence
2. In said westerly line of Pennsylvania Lines, LLC, South 26° 30' 11" East, 50.70 feet to a 5/8" Iron Pin Found in the southerly right of way line of said South Avenue; thence
3. In said southerly right of way line of South Avenue, North 62° 46' 43" West, 868.08 feet to a 5/8" Iron Pin Set in said easterly right of way line of Cedar Street; thence
4. In said easterly right of way line of Cedar Street, North 27° 12' 53" East, 30.00 to the TRUE BEGINNING POINT of the Total Vacation herein described.

Containing 0.5841 acres.

Bearings herein are based on Ohio State Plane Coordinate System, South Zone, North American Datum of 1983 (1986 Adjustment). Bearings derived from VRS Observations.

Iron Pins set consist of a 5/8" x 30" rebar with a plastic cap inscribed "FINN S-7181 OH."

This description was prepared by IBI Group, Cincinnati, Ohio by Patrick Finn, P.S. No. 7181, and is based on a field survey December, 2023.

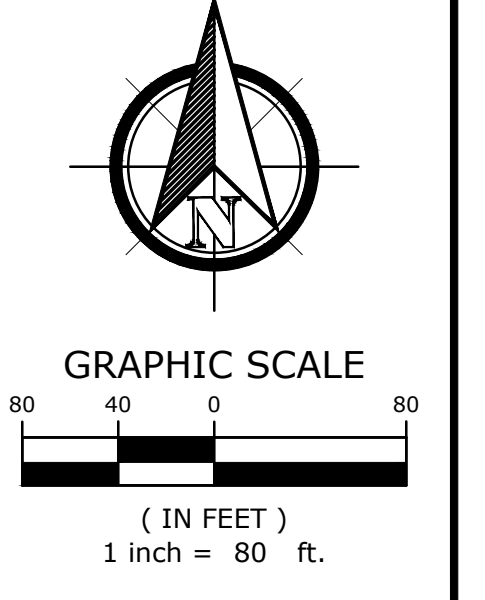
- LEGEND**
- 5/8" IRON PIN FOUND AS NOTED
 - MAG NAIL FOUND
 - 5/8" IRON PIN SET CAPPED "FINN-7181 OH"
 - MAG NAIL SET

VACATION PLAT
 0.5841 ACRES OF SOUTH AVENUE
 MACKINAW ADDITION TO THE VILLAGE OF FRANKLIN
 PLAT BOOK 1, PAGE 199
 SECTION 4, TOWN 1 N, RANGE 5 E
 CITY OF FRANKLIN, FRANKLIN TOWNSHIP
 WARREN COUNTY, OHIO

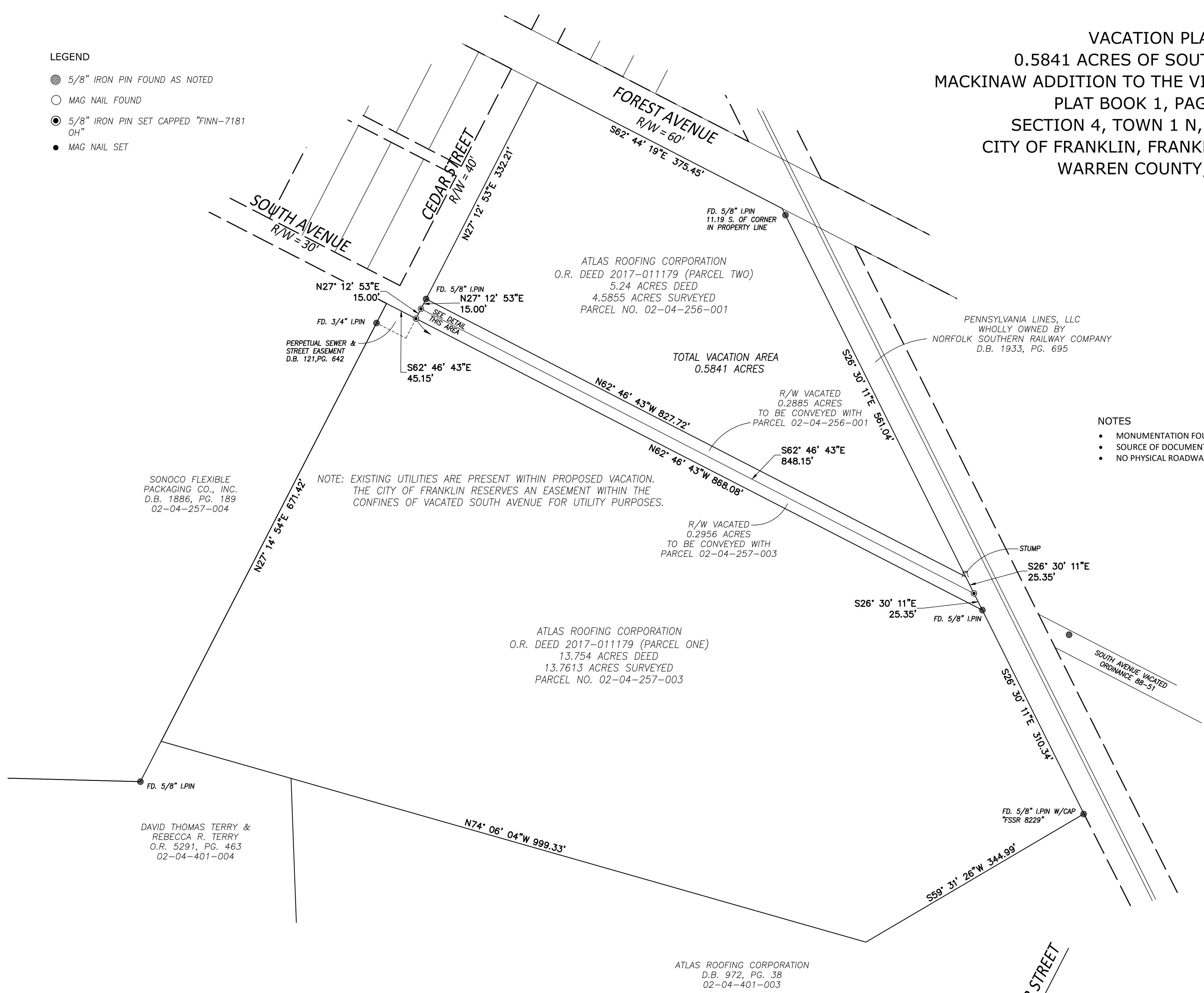


VICINITY MAP ~ N.T.S.

BEARINGS ARE BASED ON OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE DERIVED FROM VRS OBSERVATIONS.

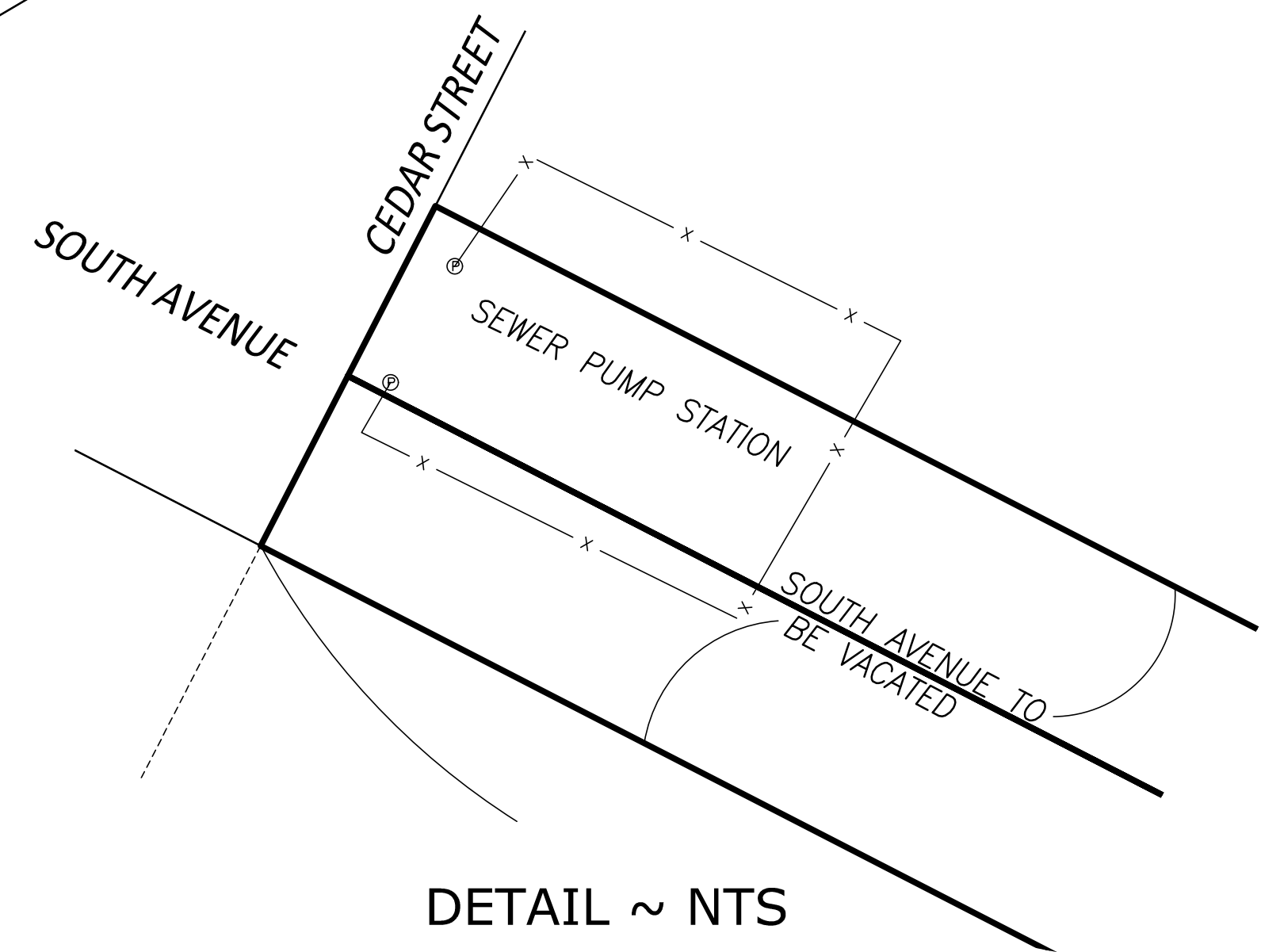


ARCADIS
 23 TRIANGLE PARK DR
 SUITE 2300
 CINCINNATI, OHIO 45246
 (513) 942-3141
 www.arcadis.com



- NOTES**
- MONUMENTATION FOUND IN GOOD CONDITION
 - SOURCE OF DOCUMENTS USED AS SHOWN HEREON.
 - NO PHYSICAL ROADWAY PRESENT WITH VACATION AS SHOWN.

| NORTH 0.2885 ACRE CLOSURE | | SOUTH 0.2956 ACRE CLOSURE | |
|---------------------------|-----------------------|---------------------------|-----------------------|
| North: 574913.3974' | East: 1457066.6355' | North: 574900.0580' | East: 1457059.7756' |
| Segment #1 : Line | | Segment #1 : Line | |
| Course: S62° 46' 43"E | Length: 827.72' | Course: S62° 46' 43"E | Length: 848.15' |
| North: 574534.7762' | East: 1457802.6777' | North: 574512.0882' | East: 1457813.9913' |
| Segment #2 : Line | | Segment #2 : Line | |
| Course: S26° 30' 11"E | Length: 25.35' | Course: S26° 30' 11"E | Length: 25.35' |
| North: 574512.0884' | East: 1457813.9909' | North: 574489.4005' | East: 1457825.3045' |
| Segment #3 : Line | | Segment #3 : Line | |
| Course: N62° 46' 43"W | Length: 848.15' | Course: N62° 46' 43"W | Length: 868.59' |
| North: 574900.0582' | East: 1457059.7752' | North: 574886.7187' | East: 1457052.9153' |
| Segment #4 : Line | | Segment #4 : Line | |
| Course: N27° 12' 53"E | Length: 15.00' | Course: N27° 12' 53"E | Length: 15.00' |
| North: 574913.3977' | East: 1457066.6352' | North: 574900.0582' | East: 1457059.7752' |
| Perimeter: 1716.22' | Area: 12569 Sq. Ft. | Perimeter: 1757.09' | Area: 12876 Sq. Ft. |
| Error Closure: 0.0004 | Course: N60° 04' 58"W | Error Closure: 0.0004 | Course: N60° 04' 58"W |
| Error North: 0.00020 | East: -0.00035 | Error North: 0.00020 | East: -0.00035 |
| Precision 1: 4290547 | | Precision 1: 4392732 | |



CITY MANAGER
 I HEREBY APPROVE THIS PLAT ON THIS _____ DAY OF _____, 20____

CITY MANAGER

CITY ENGINEER
 I HEREBY APPROVE THIS PLAT ON THIS _____ DAY OF _____, 20____

CITY ENGINEER

PLANNING COMMISSION
 I HEREBY APPROVE THIS PLAT ON THIS _____ DAY OF _____, 20____

CITY PLANNER

CITY COUNCIL
 I HEREBY CERTIFY THAT ON THIS _____ DAY OF _____, 20____, THIS PLAT WAS APPROVED AND ACCEPTED BY ORDINANCE NO. _____.

CLERK OF COUNCIL _____ MAYOR _____

WARREN COUNTY AUDITOR
 TRANSFERRED ON THIS _____ DAY OF _____, 20____

BY: _____ DEPUTY _____ WARREN COUNTY RECORDER

WARREN COUNTY RECORDER
 FILE NO. _____
 RECEIVED ON THIS _____ DAY OF _____, 2023 AT _____ M.

RECORDED ON THIS _____ DAY OF _____, 2023 AT _____ M.

RECORDED IN PLAT BOOK _____, PAGES _____

FEE _____

BY: _____ DEPUTY _____ WARREN COUNTY RECORDER

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON MEETS THE MINIMUM STANDARDS FOR BOUNDARY SURVEYS IN THE STATE OF OHIO AS DEFINED BY CHAPTER 4733-37 OF THE OHIO ADMINISTRATIVE CODE.

PATRICK S. FINN P.S. 7181 _____ DATE

VACATION PLAT

SECTION 4, TOWN 1 N, RANGE 5 E
 CITY OF FRANKLIN, FRANKLIN TOWNSHIP
 WARREN COUNTY, OHIO

| FIELD | DRAFT | CHECK |
|---------------------|-------|-------|
| NR/TB | PF | PF |
| IBI NO.: 145319 | | |
| DATE: DECEMBER 2023 | | |
| SCALE: 1"=80 | | |
| PRINT DATE: | | |



LEGISLATIVE COVER MEMO

| | |
|-----------------------------------|---|
| Introduction: | March 18, 2024 |
| Public Hearing: | April 1, 2024 |
| Effective Date: | May 1, 2024 |
| Agenda Item: | Ordinance 2024-04 AN ORDINANCE TO VACATE TWO HUNDRED AND FIFTY FEET OF A FIFTEEN (15) FOOT ALLEY PURSUANT TO OHIO REVISED CODE (ORC), SECTION 723.05 |
| Submitted by: | Barry Conway, City Engineer |
| Scope/Description: | Franklin City Schools has requested the vacation of a fifteen (15) foot alley located between Pine Street and 250 feet west. The School District owns the property that abuts both sides of the involved alley. The City has no objection to vacating the alley and transferring the right-of-way to the School District. |
| Vote Required for Passage: | Per Section 4.03 of the City Charter, following Council's hearing on the Ordinance, a majority vote of all Council members present shall be required for passage of the Ordinance. |
| Exhibits: | <u>Exhibit A</u> – Legal description and survey of right-of-way proposed for vacation. |
| Recommendation: | Approval |

CITY OF FRANKLIN, OHIO
ORDINANCE 2024-04

**AN ORDINANCE TO VACATE TWO HUNDRED AND FIFTY FEET OF A FIFTEEN (15) FOOT ALLEY
PURSUANT TO OHIO REVISED CODE (ORC), SECTION 723.05**

WHEREAS, the Board of Education of the Franklin City School District (the "School District") asked the City of Franklin, Ohio to vacate a portion of a certain alley located between Pine Street and 250 feet west, as more particularly described in the legal description and survey of said right-of-way attached as Exhibit A to this Ordinance (the "Alley"); and

WHEREAS, the School District is the fee simple owner of the real property abutting both sides of the Alley (more particularly described in Exhibit A); and

WHEREAS, the School District requests that the Alley be transferred to the School District upon its vacation; and

WHEREAS, Ohio Revised Code, Section 723.05 empowers the City Council of the City of Franklin, Ohio to pass this Ordinance vacating the Alley if Council is satisfied that good cause exists for such vacation, and the vacation will not be detrimental to the general interest; and

WHEREAS, the City of Franklin has no objection to vacating the Alley and transferring the right-of-way to the School District in accordance with their request.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, a majority of members present concurring, that:

Section 1. City Council hereby finds and determines that good cause exists to vacate the Alley, as requested by the School District, and that said vacation will not be detrimental to the general interest.

Section 2. The Alley is hereby vacated and transferred to the Board of Education of City of Franklin School District (aka the Franklin City Board of Education, Franklin, Ohio; the Board of Education, Franklin, Ohio; the Board of Education of Franklin School District; the Board of Education Franklin School District, Warren County, Ohio).

Section 3. It is hereby 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 4. Pursuant to Section 4.04 of the City of Franklin Charter, this Ordinance shall be effective on May 1, 2024.

INTRODUCED: March 18, 2024

ADOPTED: April 1, 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 an Ordinance passed by that body on April 1, 2024.

Khristi Dunn, Clerk of Council



1" X 1"
BAR

VOLUME _____ PAGE _____
WARREN COUNTY ENGINEER'S
RECORD OF LAND SURVEYS



THE KLEINGERS GROUP
CIVIL ENGINEERING SURVEYING LANDSCAPE ARCHITECTURE
www.kleingers.com
6219 Centre Park Dr.
West Chester, OH 45069
513.779.7851

PRELIMINARY ACCESS APPROVAL

_____ GRANTED _____ NOT APPLICABLE

NEIL F. TUNISON, P.S., P.E.
WARREN COUNTY ENGINEER

0.086 ACRES:

North: 575300.6708' East: 1457199.8404'

Segment #1 : Line
Course: S27° 17' 56"W Length: 15.00'
North: 575287.3414' East: 1457192.9610'

Segment #2 : Line
Course: N62° 50' 12"W Length: 250.00'
North: 575401.4736' East: 1456970.5338'

Segment #3 : Line
Course: N27° 17' 56"E Length: 15.00'
North: 575414.8030' East: 1456977.4133'

Segment #4 : Line
Course: S62° 50' 12"E Length: 250.00'
North: 575300.6708' East: 1457199.8404'

Perimeter: 530.00' Area: 0.086 acres
Error Closure: 0.0000 Course: N00° 00' 00"E
Error North: 0.00000 East: 0.00000

Precision 1: 530000000.00

SEAL:



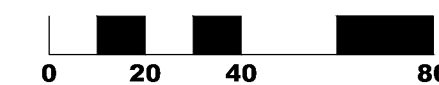
| NO. | DATE | DESCRIPTION |
|-----|-----------|---------------------|
| 1 | 12-5-2022 | VACATION PLAT - JDB |

VACATION PLAT
0.086 ACRES
SECTION 4, TOWN 1N, RANGE 5E BTM
FRANKLIN TOWNSHIP
CITY OF FRANKLIN,
WARREN COUNTY, OHIO

PROJECT NO: 221151VSD00

DATE: 12-05-2022

SCALE: 1" = 40'



SHEET NAME:

513 PARK AVENUE

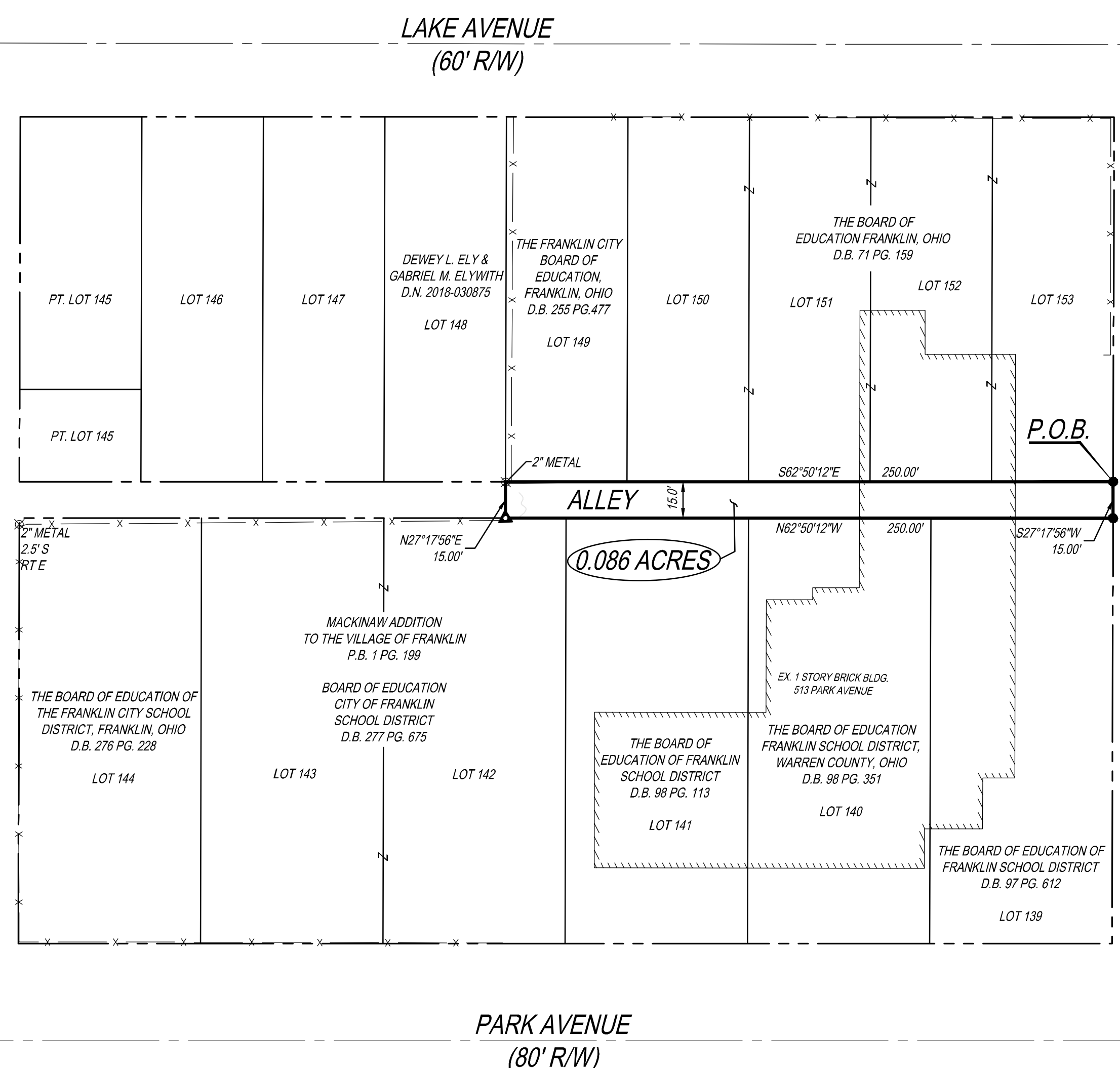
SHEET NO.

1 OF 1

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY WAS PREPARED UNDER MY DIRECTION AND IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733-37 "MINIMUM STANDARDS FOR BOUNDARY SURVEYS". ALL MONUMENTATION HAS BEEN SET AS SHOWN.

MATTHEW D. HABEDANK DATE
OHIO PROFESSIONAL SURVEYOR NO. 8611



LEGEND

- 5/8" IRON PIN SET (UNLESS NOTED OTHERWISE)
- ▲ MAG NAIL SET
- IRON PIN FOUND (SIZE AS NOTED)
- CONCRETE MONUMENT FOUND
- ⊙ PIPE FOUND (SIZE AS NOTED)
- ⊠ FENCE POST
- x — FENCE LINE

NOTES:

- SOURCE DOCUMENTS AS NOTED.
- OCCUPATION IN GENERAL FITS SURVEY.
- MONUMENTATION IS IN GOOD CONDITION UNLESS OTHERWISE NOTED.
- ALL IRON PINS SET ARE 5/8" DIAMETER x 30" IRON REBAR WITH ID CAP STAMPED "KLEINGERS".
- BEARINGS ARE BASED ON OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, AS DERIVED FROM THE OHIO DEPARTMENT OF TRANSPORTATION'S VIRTUAL REFERENCE STATIONING (VRS). (NAD '83 - 2011)

221151VSD00.DWG(221151VSD000 513 PARK AVENUE) 9/14/2023 11:07:42 AM, math



LEGISLATIVE COVER MEMO

Introduction: March 18, 2024

Public Hearing: April 1, 2024

Effective Date: May 1, 2024

Agenda Item: **Ordinance 2024-05**

APPROVING THE RECORD PLAN FOR K.O. STORAGE THAT INCLUDES THE RIGHT OF WAY DEDICATION OF NORTH DIXIE HIGHWAY/NORTH MAIN STREET.

Submitted by: Barry Conway, City Engineer

Scope/Description: This Record Plan for K.O. Storage includes the Right of Way Dedication of North Dixie Highway/North Main Street.

After holding a public hearing on the request Planning Commission voted at its March 13, 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 this Record Plan for K.O. Storage.

CITY OF FRANKLIN, OHIO
ORDINANCE 2024-05

APPROVING THE RECORD PLAN FOR K.O. STORAGE THAT INCLUDES THE RIGHT OF WAY DEDICATION OF NORTH DIXIE HIGHWAY/NORTH MAIN STREET

WHEREAS, pursuant to Section 1115.06 of the City of Franklin Uniform Development Code (the “UDO”), the City of Franklin Planning Commission, at its March 13, 2024 regular meeting, voted unanimously (6-0) to make a recommendation to Council to approve the Record Plan that includes the right-of-way dedication of North Dixie Highway/North Main Street in PC Case 24-04; 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 K.O. Storage on North Dixie Highway/North Main Street 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 Record Plan for K.O. Storage that includes the Right-of-Way dedication of North Dixie Highway/North Main Street.

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 May 1, 2024.

INTRODUCED: March 18, 2024

ADOPTED: April 1, 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 2024-05 passed by that body on April 1, 2024.

Khristi Dunn, Clerk of Council

Approved as to form: _____, Ben Yoder, Law Director

ACCEPTANCE

O-24-05
Exhibit A

WE, THE UNDERSIGNED, BEING ALL THE OWNERS AND LIEN HOLDERS OF THE LAND HEREIN PLATTED, DO HEREBY VOLUNTARILY CONSENT TO THE EXECUTION OF THE SAID PLAT AND HEREBY DEDICATE THE STREETS AS SHOWN HEREON TO THE PUBLIC USE FOREVER. STORM & DRAINAGE EASEMENT SHALL BE OWNED AND MAINTAINED BY THE OWNERS OF THE LOT. THE CITY OF FRANKLIN SHALL NOT BE RESPONSIBLE IN ANY WAY FOR THIS AREA. THIS AREA SHALL BE RESERVED FOR THE DETENTION BASINS AND SHALL BE MAINTAINED AS SUCH.

OWNER / REPRESENTATIVE
KOSF II - FRANKLIN LLC

DATE

ACKNOWLEDGEMENT

STATE OF OHIO

COUNTY OF _____

BE IT REMEMBERED THAT ON THIS _____ DAY OF _____, 2024 BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE PERSONALLY CAME _____ WHO THEN AND THERE DID ACKNOWLEDGE THE SIGNING OF THE FOREGOING INSTRUMENT, AND THE SAME IS HER FREE ACT AND DEED FOR THE USES AND PURPOSES THEREIN MENTIONED.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED MY SEAL OF NOTARY ON THE DAY, MONTH AND YEAR AFORESAID:

NOTARY PUBLIC

COMMISSION EXPIRY: _____

SURVEYOR'S NOTES

- 1. NORTH AND BEARING SYSTEM BASED UPON THE OHIO STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, NAD83(12a) AND FURTHER BASED ON THE OHIO DEPARTMENT OF TRANSPORTATION, RTN (REAL TIME NETWORK), AS COLLECTED UTILIZING AND SP90 RECEIVER DURING A FIELD SURVEY PREPARED BY A LAND PROFESSIONALS, AND DATED 02/02/2023. REFERENCE TO THE BEARING SYSTEM IS MADE TO THE FOUND MONUMENTS ON THE CENTERLINE OF MAIN STREET (SOUTH 33°32'19" WEST)
- 2. ALL DATA SOURCES, DOCUMENTS AND RECORDS SHOWN HEREON ARE ON FILE IN THE WARREN COUNTY RECORDERS OFFICE ON FILE IN LEBANON, OH.
- 3. SURVEY PREPARED FROM FIELDWORK PERFORMED IN APRIL, 2023. ALL MONUMENTATION SHOWN HEREON IS IN GOOD CONDITION UNLESS OTHERWISE NOTED.
- 4. THE SURVEYOR DID NOT PERFORM A TITLE SEARCH ON THE SUBJECT PARCEL.
- 5. THE LANDS OF THE GRANTOR ARE SHOWN IN THEIR ENTIRETY.

DEED REFERENCE

SITUATE IN SECTION 33, TOWN 2, RANGE 5 M.Rs., CITY OF FRANKLIN, FRANKLIN TOWNSHIP, WARREN COUNTY, OHIO AND CONTAINING 4.2208 ACRES OF LAND BEING ALL OF THE 2.117 AND 2.1031 ACRE TRACTS OF KOSF II - FRANKLIN LLC, DN 2023-001383

FLOOD ZONE STATEMENT

THE PROPERTY AS SURVEYED CURRENTLY LIES WITHIN ZONE "AE" & "SHADED X" - AREA OF FLOOD HAZARD, AS SHOWN ON FIRM 39165C0008F WITH AN EFFECTIVE DATE OF 12/20/2019

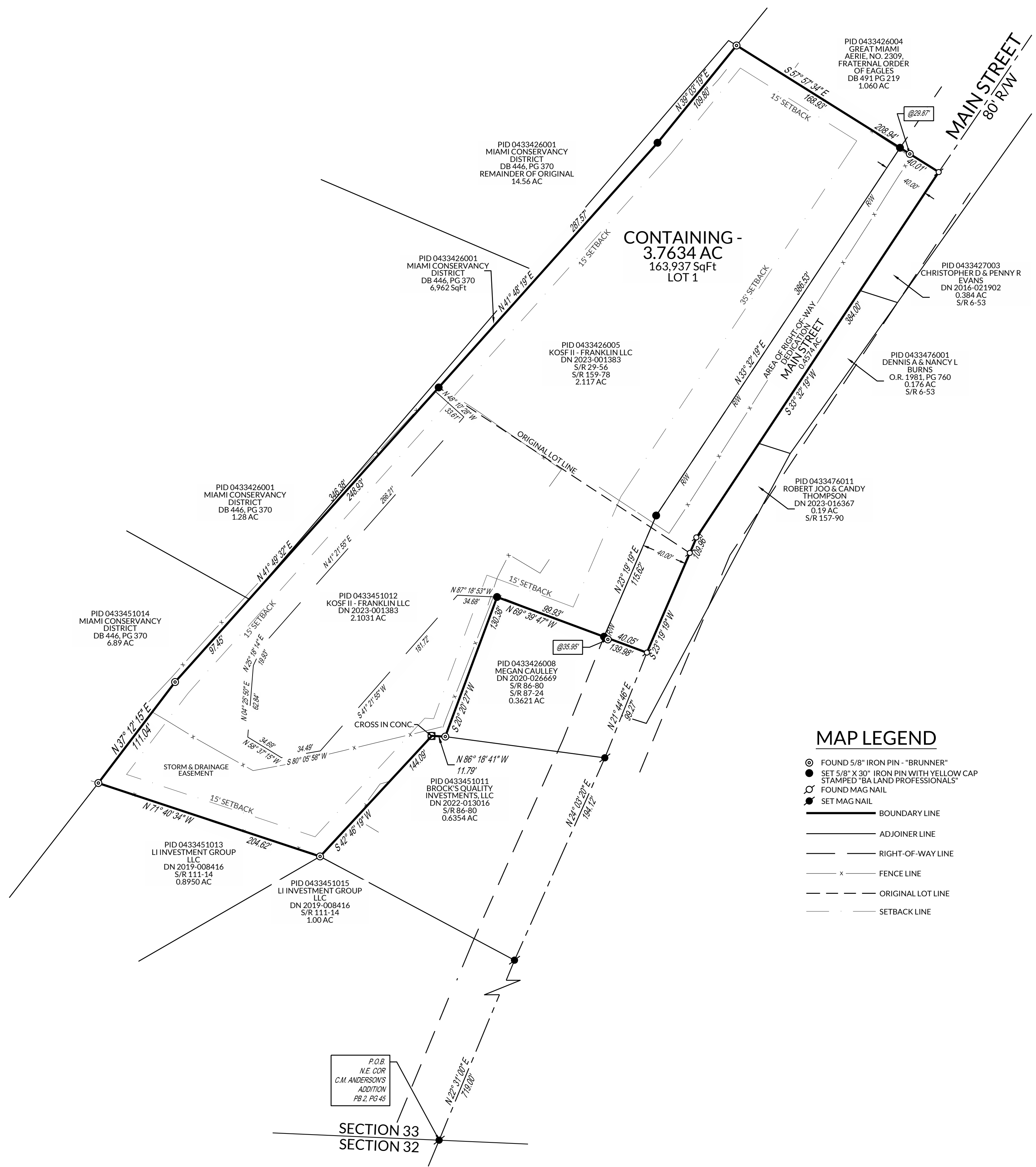
OCCUPATION STATEMENT

NO EXISTING OCCUPATION AS NOTED ALONG THE BOUNDARY LINES AS ASCERTAINED.

PERTINENT DOCUMENTS

ALL PERTINENT DOCUMENTS USED TO ASCERTAIN THE BOUNDARY AS SHOWN HEREON.

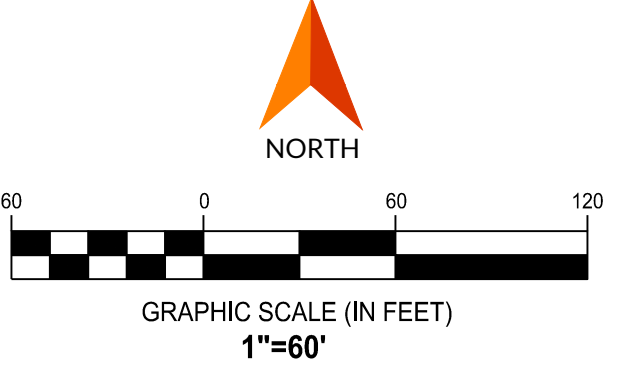
RECORD PLAN
K.O. STORAGE
SECTION 33, TOWN 2, RANGE 5, M.Rs.
CITY OF FRANKLIN, FRANKLIN TOWNSHIP
WARREN COUNTY, STATE OF OHIO
MARCH 2024
4.2208 TOTAL ACRES



CONTAINING -
3.7634 AC
163,937 SqFt
LOT 1

MAP LEGEND

- FOUND 5/8" IRON PIN - "BRUNNER"
- SET 5/8" X 30" IRON PIN WITH YELLOW CAP
- STAMPED "BALAND PROFESSIONALS"
- FOUND MAG NAIL
- SET MAG NAIL
- BOUNDARY LINE
- ADJOINER LINE
- RIGHT-OF-WAY LINE
- x FENCE LINE
- - - ORIGINAL LOT LINE
- - - SETBACK LINE



SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY THAT THIS PLAT REPRESENTS AN ACTUAL FIELD SURVEY MADE BY ME OR UNDER MY JURISDICTION AND IS PREPARED ACCORDING TO O.A.C. 4733-37 AND ORC 171.01

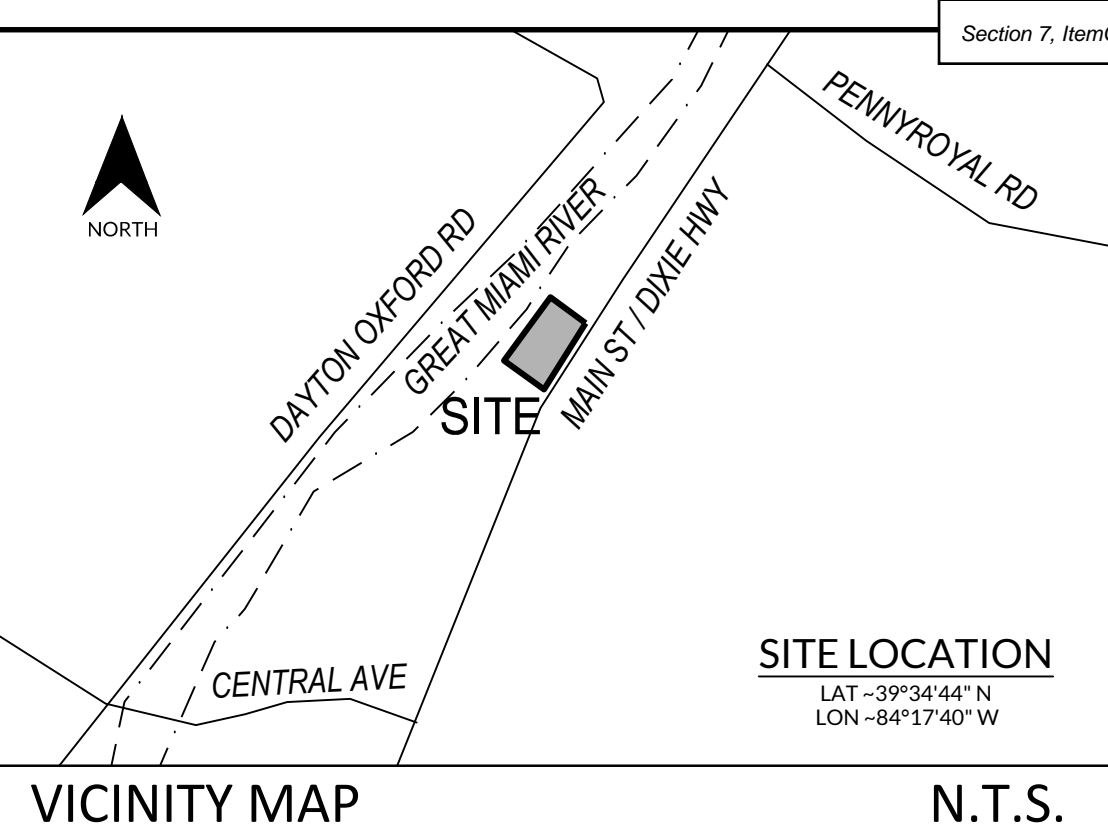
J. BRYANT ABT, PS #8593 DATE

OWNER/DEVELOPER

KOSF II - FRANKLIN LLC
10301 WAYZETE BLVD
MINNETONKA, MN 55505

SURVEYOR

J. BRYANT ABT, PS
OHIO P.S. # 8593
BALAND PROFESSIONALS, LLC
301 BOURBON STREET
BLANCHESTER, OH 45107
937.558.6671
WWW.BALANDPROS.COM
ABT@BALANDPROS.COM



CITY ENGINEER

APPROVED THIS _____ DAY OF _____ OF 2024 AND APPROVED BY: _____

CITY ENGINEER

CITY MANAGER

APPROVED THIS _____ DAY OF _____ OF 2024 AND APPROVED BY: _____

CITY MANAGER

CITY PLANNING COMMISSION

I HEREBY CERTIFY THAT ON THE _____ DAY OF _____, 2024

THIS PLAT IS APPROVED BY THE PLANNING COMMISSION OF THE CITY OF FRANKLIN, OH

CHAIRMAN

CITY COUNCIL

I HEREBY CERTIFY THAT ON THE _____ DAY OF _____, 2024

THIS PLAT IS APPROVED AND ACCEPTED BY ORDINANCE, 0-24-____ PASSED BY THE COUNCIL OF THE CITY OF FRANKLIN, OHIO

MAYOR

CLERK

ORDINANCE #

WARREN COUNTY OHIO AUDITOR

TRANSFERRED THIS _____ DAY OF _____, 2024 @ _____

WARREN COUNTY AUDITOR

DEPUTY AUDITOR

WARREN COUNTY OHIO RECORDER

RECEIVED THIS _____ DAY OF _____, 2024 @ _____

RECORDED THIS _____ DAY OF _____, 2024 @ _____

PLAT BOOK _____ PAGE _____

FILE NUMBER _____ FEE OF \$ _____

RECORDER

DEPUTY RECORDER

RECORD PLAN

K. O. STORAGE

1073 N MAIN ST SECTION 33, TOWN 2, RANGE 5, M.Rs.
CITY OF FRANKLIN, FRANKLIN TOWNSHIP WARREN COUNTY, OHIO

SCALE: 1" = 60' DATE: 01/24/2024 REV 02/29/2024

Table with columns for DESIGN, DRAWN, CHECKED and values N/A, DPB, JBA.



JOB NO.: 23-0133
SHEET NO.: 1 OF 1



LEGISLATIVE COVER MEMO

Meeting Date: April 1, 2024

Agenda Item: **Resolution 2024-24**
APPROVING THE COUNTYWIDE 9-1-1 FINAL PLAN

Submitted by: Jonathan Westendorf, City Manager

Scope/Description: On February 27th, the Warren County 911 Program Review Committee met and approved the 911 Final Plan. This meeting and plan update was promoted by changes in Ohio Law that went into effect on October 3, 2023. One of the changes, (ORC 128.08 A) requires all Municipalities and Townships to approve or disapprove the new 911 plan.

Exhibits: Exhibit A: Warren County, Ohio 911 Final Plan

Recommendation: Approval

CITY OF FRANKLIN, OHIO
RESOLUTION 2024-24

Section 8, Item A.

APPROVING THE COUNTYWIDE 9-1-1 FINAL PLAN

WHEREAS, due to a legislative update to Section 128.01 et seq. of the Ohio Revised Code, the Board of County Commissioners was required to re-establish the Countywide 9-1-1 Program Review Committee for the purposes of updating its Final Plan for implementing and operating a countywide 9-1-1 system; and

WHEREAS, the Board of County Commissioners by and through Resolution #24-0140 adopted January 23, 2024, re-established the Countywide 9-1-1 Program Review Committee; and

WHEREAS, the Countywide 9-1-1 Program Review Committee did meet on February 27, 2024, and approved an updated Final Plan for implementing and operating a countywide 9-1-1 system, and provided a copy of the same to the Board of County Commissioners in compliance with Section 128.07 of the Ohio Revised Code.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, a majority of Council Members present concurring, that

Section 1. Franklin City Council, in accordance with Section 128.08 of the Ohio Revised Code, hereby approves / disapproves (circle one) the Countywide 9-1-1 Program Review Committee’s Final Plan, attached hereto as Exhibit A.

Section 2. It is found that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 3. This Resolution shall become effective immediately upon its passage.

ADOPTED: April 1, 2024

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Mayor Brent Centers

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 a Resolution passed by that body on April 1, 2024.

Khristi Dunn, Clerk of Council



Warren County, Ohio

9-1-1

Final Plan

For the Emergency Communications Centers of
The City of Franklin, The City of Lebanon, and Warren County

February 27, 2024

WARREN COUNTY 9-1-1 PROGRAM REVIEW COMMITTEE

VOTING MEMBERS

(1) David G. Young
Warren County Commissioner
406 Justice Drive
Lebanon, Ohio 45036
513-695-1250
david.young@co.warren.oh.us

(4) Darryl Cordrey
Hamilton Township
7780 St. Rt. 48
Maineville, Ohio 45039
513-683-8520
dcordrey@hamilton-township.org

(2) Eric Hansen
City of Mason
6000 Mason-Montgomery Rd
Mason, Ohio 45040
513-229-8500
ehansen@masonoh.org

(5)

(3) Julie Seitz
Deerfield Township
4900 Parkway Drive, Suite 150
Mason, Ohio 45040
513-332-6172
jseitz@deerfieldtwp.com

(6) Brent Centers
City of Franklin
6910 Scholl Road
Franklin, Ohio 45005
937-620-1872
bcenters@franklinohio.org

ORC Member requirements:

- (1) A member of the board of County Commissioners, or a designee, who shall serve as chairperson of the committee.
- (2) The chief executive officer of the most populous municipal corporation in the county.
- (3) A member of the board of township trustees of the most populous township in the county as selected by majority vote of the board of trustees.
- (4) A member of a board of township trustees selected by the majority of boards of township trustees in the county pursuant to resolutions they adopt.
- (5) A member of the legislative authority of a municipal corporation in the county selected by the majority of the legislative authorities of municipal corporations in the county pursuant to resolutions they adopt.
- (6) An elected official from within the county appointed by the board of County Commissioners.

WARREN COUNTY 9-1-1 PROGRAM REVIEW COMMITTEE

NON-VOTING ADVISORS

PSAP Representatives:

Melissa Bour, Director, Warren County Department of Emergency Services

Chief Adam Colon, City of Franklin Division of Police

Chief Jeffery Mitchell, City of Lebanon Division of Police

Public Safety Representatives:

Sheriff Larry Sims, Sheriff's Office Warren County

Chief Steve Agenbroad, Clearcreek Township Fire Department

Chief Mike Hannigan, Franklin Township Fire Department

Telecommunications:

Paul Kindell, Director, Warren County Telecom, Warren County 911 Coordinator

Gary Estes, Deputy Director, Warren County Telecom

Joshua Moyer, Public Safety Systems Manager, Warren County Telecom

Prosecutor's Office:

Adam Nice, Legal Advisor, Warren County Prosecutor's Office

Derek Faulkner, Legal Advisor, Warren County Prosecutor's Office

128.07

(1) Which telephone companies serving customers in the county and, as authorized in division (A) of section 128.03 of the Revised Code, in an adjacent county will participate in the 9-1-1 system;

- a. Altafiber, serving Southwest Warren County.
- b. ATT, serving North Central and West Central Warren County.
- c. Brightspeed, serving central and Northwest Warren County.
- d. Frontier, serving Southeast Warren County.
- e. Telephone Service Company (TSC), serving Northwest Warren County.
- f. Verizon
- g. ATT
- h. T-Mobile
- i. Spectrum Cable

(2) A. The location and number of public safety answering points; B. how the public safety answering points will be connected to a county's preferred next generation 9-1-1 system; C. from what geographic territory each public safety answering point will receive 9-1-1 calls; D. whether enhanced 9-1-1 or next generation 9-1-1 service will be provided within such territory; E. what subdivisions will be served by the public safety answering point; and F. whether a public safety answering point will respond to calls by directly dispatching an emergency service provider, by relaying a message to the appropriate emergency service provider, or by transferring the call to the appropriate emergency service provider;

A.

- (1). Franklin PD 2 911 Positions
- (2). Lebanon PD 2 911 Positions
- (3). Warren County 14 911 Positions

B. PSAP Connectivity shall be at least two forms of connectivity consisting of ethernet over Fiber Optic and microwave that provide sufficient bandwidth to meet call quality requirements for all call types. The fiber circuit shall connect to the Warren County 911 Core 1 in Lebanon and the microwave shall connect to the Disaster Recovery Site 911 Core 2.

C. The geographic territory answered by Franklin and Lebanon will be for calls inside their respective community boarders or contracted areas of service. All remaining calls (that are not routed to communities with territory within Warren County but have a PSAP outside of Warren County) will be routed to the Warren County PSAP.

D. Next Generation 911 services are desired by the Committee.

E. Subdivisions that will be served by each PSAP are:

Franklin

Within the City limits of Franklin and contracted service areas.
Dispatching for: Franklin Police and Fire.

Lebanon
Within the City of Lebanon
Dispatching for: Lebanon Police and Fire.

Warren County
The Village of Butlerville, the City of Carlisle, the Village of Corwin, the Village of Harveysburg, the Village of Maineville, the City of Mason, the Village of Morrow, the Village of Pleasant Plain, the City of South Lebanon, the City of Springboro, the Village of Waynesville, Clearcreek Township, Deerfield Township, Franklin Township (not including the City of Middletown), Hamilton Township (not including the City of Loveland), Harlan Township (not including the Village of Blanchester), Massie Township, Salem Township, Turtlecreek Township (not including the City of Monroe), Union Township, and Wayne Township.

Dispatching for: Carlisle Police and Fire, JEMS, Franklin Township Fire, Clearcreek Township Police and Fire, Springboro Police, Wayne Township Fire, Waynesville Police, Massie Township Fire, Harveysburg Police, Turtlecreek Township Fire, Mason Police and Fire, Deerfield Township Fire, Hamilton Township Police and Fire, Union Township Fire, Morrow Police, Salem Township Fire, Harlan Township Fire, and the Warren County Sheriff's Office.

F. All PSAPs directly dispatch emergency services for their area of responsibility.

(3) A. How originating service providers must connect to the core 9-1-1 system identified by the final plan and B. what methods will be utilized by the originating service providers to provide 9-1-1 voice, text, other forms of messaging media, and caller location to the core 9-1-1 system.

A. Originating Service Providers shall connect by iP to the geographically redundant Indigital ESiNet using diverse carriers and circuits to ensure no single points of failure.

| | | |
|-------------------|-------|-------------------------|
| Indianapolis, In. | Fiber | ESiNet, Wireless & VOIP |
| Cincinnati, Oh. | Fiber | ESiNet, Wireless & VOIP |
| Florence, Ky. | Fiber | ESiNet, Wireless & VOIP |
| New Knoxville, Oh | Fiber | ESiNet, Wireless & VOIP |
| Mansfield, Oh. | T1 | Legacy Wireline & VOIP |
| Lima, Oh. | T1 | Legacy Wireline & VOIP |

B. Originating Service Providers shall route all call types, voice, text, multimedia, etc. diversly to the Indigital cores for delivery to the PSAPs following NENA i3 standards.

(4) A. That in instances where a public safety answering point, even if capable, does not directly dispatch all entities that provide the emergency services potentially needed for an incident, without significant delay, that request shall be transferred, or the information electronically relayed to the entity that directly dispatches the potentially needed emergency services;

A. All PSAPS within Warren County are served by a common redundant system with seamless transfer capability between.

(5) A. Which subdivision or regional council of governments will establish, equip, furnish, operate, and maintain a particular public safety answering point;

A. The City of Franklin will equip, furnish, operate, secure, and maintain the Franklin PSAP.

The City of Lebanon will equip, furnish, operate, secure, and maintain the Lebanon PSAP.

The Warren County Board of Commissioners will equip, furnish, operate, secure, and maintain the Warren County PSAP.

(6) A projection of the initial cost of establishing, equipping, and furnishing and of the annual cost of the first five years of operating and maintaining each public safety answering point;

N.A.

(7) Whether the cost of establishing, equipping, furnishing, operating, or maintaining each public safety answering point should be funded through charges imposed under section 128.35 of the Revised Code or will be allocated among the subdivisions served by the answering point and, if any such cost is to be allocated, the formula for so allocating it;

Funds imposed under section 128.35 will be distributed to PSAPs in Warren County in the following manner.

| | |
|---------------|-----|
| Franklin | 25% |
| Lebanon | 25% |
| Warren County | 50% |

PSAP Expenses

Each PSAP is responsible for all expenses for their respective PSAP including any expenses not specified in this document.

Operations

Each PSAP is responsible for the expense of furnishing, operating, and staffing their PSAP.

Equipment

Each PSAP is responsible for the expense of providing their own workstations and network equipment that connects to the County 911 Cores to answer 911 calls and text messages.

Networking

Each PSAP is responsible for the expense of at least one fiber optic and at least one microwave link back to the County 911 Cores. The County is responsible for the fiber links to the EsiNet, and the fiber and microwave links between County 911 Core 1 and County 911 Disaster Recovery Core 2.

Maintenance

Each PSAP is responsible for the maintenance of their equipment that connects to the County 911 Cores to answer 911 calls and text messages.

Upgrades

Each PSAP is responsible for the expense of upgrading their own workstations and networking equipment that connects to the County 911 Cores to answer 911 calls and text messages.

Security

Each PSAP is responsible for providing and following best practices for cyber security to ensure the operation and integrity of the 911 system including monitored firewalls when utilizing ethernet connectivity to other internal PSAP networks.

(8) How each emergency service provider will respond to a misdirected call or the provision of a caller location that is either misrepresentative of the actual location or does not meet requirements of the federal communications commission or other accepted national standards as they exist on the date of the call origination.

Franklin PSAP:

801.5

(B) When calls need to be transferred to another PSAP:

- (1) An advisement to the caller to remain on the line as well as notification to the caller of the PSAP to which they are being transferred.
- (2) That the transfer will be initiated without delay.
- (3) That the telecommunicator will remain on the line during the transfer to ensure the caller is properly connected.
- (4) A recommendation that, if at all possible, the following information be relayed to the receiving PSAP once the transfer is complete:
 - (a) Name of the agency making the transfer
 - (b) Location of the emergency
 - (c) Nature of the call
 - (d) Call back number
 - (e) Known safety information

Lebanon PSAP:

811.1.2

D. Misrouted 9-1-1 Calls.

- 1. Misrouted 9-1-1 calls to this PSAP shall be handled in the following manner.
 - a. Once it is determined the location of the emergency is outside our response area, the call must be transferred to the appropriate PSAP for that location.
 - b. First advise the caller to remain on the line and tell them what PSAP they are being transferred to.
 - c. Using the established method in the 9-1-1 system software, transfer the call without delay.
 - d. The communications officer will remain on the line during the transfer to ensure the caller is properly connected.
 - e. If transferring the call using the established method in the 9-1-1 system software is not possible, the communications officer will obtain the necessary critical information, disconnect with the caller and contact the appropriate PSAP directly, relaying all collected information.

Warren County PSAP:

5.09 IV A Call Processing

1. EMERGENCY 911 CALLS RECEIVED FOR AREAS NOT WITHIN OUR COVERAGE

An ED receiving an emergency call for an area not covered by this Communications Center will either transfer the call or gather all the necessary information and relay it to the appropriate dispatch center. Whenever transferring a call, the ED **must** stay on the line to ensure that the transfer was successful, the caller is still on the line, and was connected. The ED will let the receiving agency know who he/she is, the location of the caller and the nature of the call being transferred. The ED will never give the caller the proper dispatch center's number and tell them to call it themselves. Additionally, do not further confuse or add to the caller's anxiety by lecturing them on the fact that they have called the wrong agency.

- a. After the ED has determined the 911 call should be transferred to another Public Safety Answering Point (PSAP) he/she will advise the caller that they are being transferred to the appropriate agency and will remain on the line.

- i. If the PSAP is within Warren County:

The ED will do a tandem transfer to connect to the appropriate PSAP. When the other PSAP dispatcher answers, the ED shall identify in the following manner:

"This is Warren County with a 911 transfer."

The ED will ensure the other PSAP has received the 911 screen information and will provide the dispatcher with the location and the nature of the call. Only then can involvement with the call be terminated.

- ii. If the PSAP is outside of Warren County:

The ED will transfer to the other PSAP's 7-digit line. When the other PSAP dispatcher answers, the ED shall identify in the following manner:

"This is Warren County with a 911 transfer."

The ED will give the other agency the call location and the nature of the call. Only then can involvement with the call be terminated.

- b. If the ED cannot transfer the call because of a busy signal at the other PSAP or for any other reason, the ED is responsible for handling the call. The ED will then make a call for service, gather all information and follow the appropriate PDS protocols while another ED relays the information to the proper point for dispatch.
- c. A 911 call shall not be transferred when this communication center dispatches any equipment for that particular 911 call. You or another ED will relay the details to any additional agencies by a separate phone call.

128.021 *Adoption of rules establishing technical and operational standards for public safety answering points.*

Each PSAP is compliant with the technical and operational standards as inspected and determined by the State of Ohio 911 Program Office annually.

128.05 *Each county shall appoint a county 9-1-1 coordinator to serve as the administrative coordinator for all public safety answering points participating in the countywide 9-1-1 final plan described in section 128.03 of the Revised Code and shall also serve as a liaison with other county coordinators and the 9-1-1 program office.*

By Resolution 22-0163 the Warren County Commissioners appointed Paul Kindell 911 Coordinator.
Contact Information:

Paul Kindell
Director
Warren County Telecom
500 Justice Drive
Lebanon, Ohio 45036
paul.kindell@wcoh.net
513-695-1318

128.25 *Each county shall provide a single point of contact to the 9-1-1 program office who has the authority to assist in location-data discrepancies, 9-1-1 traffic misroutes, and boundary disputes between public safety answering points.*

The single point of contact for 911 traffic misroutes and boundary disputes is Joshua Moyer.

Contact Information:

Joshua Moyer
Public Safety Systems Manager
Warren County Telecom
500 Justice Drive
Lebanon, Ohio 45036
joshua.moyer@wcoh.net
513-695-2823

For faster service email help@wcoh.net to open a ticket or call 513-695-HELP (4357)

128.57 *County systems receiving disbursements to provide wireless 9-1-1 service. Are the PSAPs receiving funds directly and/or indirectly benefiting from county funds?*

Each PSAP receives direct wireless funds and also benefits indirectly from County Funds. Warren County provides at a minimum trunking, the core 911 system and backup system, maintenance contracts on the cores, and technology refresh upgrades to the core systems.

(B)(1) The 9-1-1 program review committee shall send a copy of the final plan to:

(a) To the board of county commissioners of the county, to the legislative authority of each municipal corporation in the county, and to the board of township trustees of each township in the county either by certified mail or, if the committee has record of an internet identifier of record associated with the board or legislative authority, by ordinary mail and by that internet identifier of record; and

(a) Warren County Commissioners

| Municipal Corporations | Board of Township Trustees |
|-------------------------------|-----------------------------------|
| Blanchester | Clearcreek Township |
| Butler | Deerfield Township |
| Carlisle | Franklin Township |
| Corwin | Hamiton Township |
| Franklin | Harlan Township |
| Harveysburg | Massie Township |
| Lebanon | Salem Township |
| Loveland | Turtlecreek Township |
| Maineville | Union Township |
| Mason | Washington Township |
| Middletown | Wayne Township |
| Monroe | |
| Morrow | |
| Pleasant Plain | |
| South Lebanon | |
| Springboro | |
| Waynesville | |

(b) To the board of trustees, directors, or park commissioners of each subdivision that will be served by a public safety answering point under the plan.

(b) Warren County Park Board

(2) The 9-1-1 program review committee shall file a copy of its current final plan with the Ohio 9-1-1 program office not later than six months after the effective date of this amendment (4/3/2024). Any revisions or amendments shall be filed not later than ninety days after adoption.

(C) As used in this section, "internet identifier of record" has the same meaning as in section 9.312 of the Revised Code.

128.08 (A) *Within sixty days after receipt of the final plan pursuant to division (B)(1) of section 128.07 of the Revised Code, the board of county commissioners of the county and the legislative authority of each municipal corporation in the county and of each township whose territory is proposed to be included in a countywide 9-1-1 system shall act by resolution to approve or disapprove the plan, except that, with respect to a final plan that provides for funding of the 9-1-1 system in part through charges imposed under section 128.35 of the Revised Code, the board of county commissioners shall not act by resolution to approve or disapprove the plan until after a resolution adopted under section 128.35 of the Revised Code has become effective as provided in division (D) of that section. Each such authority immediately shall notify the board of county commissioners in writing of its approval or disapproval of the final plan. Failure by a board or legislative authority to notify the board of county commissioners of approval or disapproval within such sixty-day period shall be deemed disapproval by the board or authority.*

(B) *As used in this division, "county's population" excludes the population of any municipal corporation or township that, under the plan, is completely excluded from 9-1-1 service in the county's final plan. A countywide plan is effective if all of the following entities approve the plan in accordance with this section:*

(1) The board of county commissioners;

(2) The legislative authority of a municipal corporation that contains at least thirty per cent of the county's population, if any;

(3) The legislative authorities of municipal corporations and townships that contain at least sixty per cent of the county's population or, if the plan has been approved by a municipal corporation that contains at least sixty per cent of the county's population, by the legislative authorities of municipal corporations and townships that contain at least seventy-five per cent of the county's population.

(C) After a countywide plan approved in accordance with this section is adopted, all of the telephone companies, subdivisions, and regional councils of governments included in the plan are subject to the specific requirements of the plan and to this chapter.

Warren County 911 Policies

1. **Testing:** Each PSAP or designee shall test the integrity of each fiber and microwave network circuit to their PSAP on the first Wednesday of each month unless pre-empted by an incident or severe weather. If pre-empted, the network shall be tested on the next available day.

2. **Testing:** Telecom will test the incoming fiber circuits from Indigital once per quarter with the assistance of Indigital.

3. **Assistance:** for buttons, speed dials, accounts, screen layout, and password resets, each PSAP shall open a ticket directly with Indigital to receive assistance.

4. **PSAP Equipment Trouble:** In the event of trouble with 911 equipment in the PSAP, such as bad screen, bad PC, bad keyboard, etc. The PSAP shall directly open a ticket with Indigital for repairs. Warren County ECC will create a Dispatch Problem Report with Telecom.

5. **911 System trouble:** In the event of trouble with the 911 system, such as calls not ringing in, multiple terminals down, etc. Notify Telecom for assistance.

6. **In the event of network trouble,** Telecom will assist the PSAPs with technical assistance to support Indigital, Mobilcomm, and Crown Castle. The PSAPs are responsible for any call out fees associated with trouble in their circuits.

**911 Program Review Committee
911 Final Plan Approval**

1. David Young, Warren County Board of Commissioners

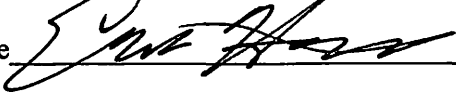
A member of the board of County Commissioners, or a designee, Chairperson

Signature 

Date 2/27/2024

2. Eric Hansen, City Manager Mason Ohio

The chief executive officer of the most populous municipal corporation in the county.

Signature 

Date 2/27/2024

3. Julie Seitz, Deerfield Township Ohio

A member of the board of township trustees of the most populous township in the county as selected by majority vote of the board of trustees.

Signature 

Date 2/27/2024

4. Darryl Cordrey

A member of a board of township trustees selected by the majority of boards of township trustees in the county pursuant to resolutions they adopt.

Signature 

Date 2/27/2024

5. No appointment

A member of the legislative authority of a municipal corporation in the county selected by the majority of the legislative authorities of municipal corporations in the county pursuant to resolutions they adopt.

Signature _____

Date _____

6. Brent Centers, Mayor Franklin Ohio

(6) An elected official from within the county appointed by the board of County Commissioners.

Signature 

Date 2/27/2024

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0140

Adopted Date January 23, 2024

RE-ESTABLISHING THE COUNTYWIDE 911 PLANNING COMMITTEE AS THE COUNTYWIDE 9-1-1 PROGRAM REVIEW COMMITTEE TO AMEND THE COUNTYWIDE 9-1-1 FINAL PLAN

WHEREAS, pursuant O.R.C. Section 128.06 the Board of Warren County Commissioners is authorized to re-establish the Countywide 911 Planning Committee as the Countywide 9-1-1 Program Review Committee to consider making necessary adjustments and/or amendments to the Countywide 9-1-1 Final Plan; and,

WHEREAS, pursuant to O.R.C. Section 128.06, the following individuals must be designated to serve on the Countywide 9-1-1 Planning Committee:

1. A member of the Board of County Commissioners, or a designee, who shall serve as chairperson of the committee.
2. The chief executive officer of the most populous municipal corporation in the county.
3. A member of the board of township trustees of the most populous township in the county as selected by majority vote of the board of trustees.
4. A member of a board of township trustees selected by the majority of boards of township trustees in the county pursuant to resolutions they adopt.
5. A member of the legislative authority of a municipal corporation in the county selected by the majority of the legislative authorities of municipal corporations in the county pursuant to resolutions they adopt.
6. An elected official from within the county appointed by the Board of County Commissioners.

WHEREAS, a meeting for the Countywide 9-1-1 Planning Committee is required to be held within 30 days of resolution signature and future meetings as called by the County 911 Coordinator.

NOW THEREFORE, BE IT RESOLVED, that the Warren County Countywide 9-1-1 Planning Committee is hereby re-established to consider amendments to the Countywide 9-1-1 Final Plan and the County 911 Coordinator is instructed to proceed immediately to take all steps necessary to secure the appointment of Committee members pursuant to O.R.C. Section 128.06.

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – yea
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 23rd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

cc: Telecommunications (file)
Appointment file

L. Lander

**BOARD OF COUNTY COMMISSIONERS
WARREN COUNTY, OHIO**

Resolution

Number 24-0141

Adopted Date January 23, 2024

**APPOINTING MEMBERS TO THE COUNTYWIDE 9-1-1 PROGRAM REVIEW
COMMITTEE**

WHEREAS, pursuant to Resolution #24-0140, adopted January 23, 2024, this Board re-established the Countywide 9-1-1 Program Review Committee (FKA Countywide 9-1-1 Planning Committee); and

WHEREAS, pursuant to O.R.C. Section 128.06, a member of the Board of County Commissioners or their designee shall serve as chairperson of the committee; and

WHEREAS, pursuant to O.R.C. Section 128.06, the Board of County Commissioners shall also appoint an elected official from within the county.

NOW THEREFORE BE IT RESOLVED, to make the following appointments to the Countywide 9-1-1 Program Review Committee for an indefinite term:

- David G. Young – Warren County Commissioner
- Brent Centers, Mayor – City of Franklin

Mrs. Jones moved for adoption of the foregoing resolution being seconded by Mr. Grossmann. Upon call of the roll, the following vote resulted:

Mr. Young – yea
Mr. Grossmann – yea
Mrs. Jones – yea

Resolution adopted this 23rd day of January 2024.

BOARD OF COUNTY COMMISSIONERS



Krystal Powell, Clerk

cc: Telecom (file)
Appointments file
Appointees
L. Lander



**RESOLUTION 24-01-29
TURTLECREEK TOWNSHIP
WARREN COUNTY, OHIO**

A Resolution to appoint Darryl Cordrey to the Warren County 911 Program Review Committee

Whereas, Chapter 128 of the Ohio Revised Code requires a newly drafted countywide 911 plan for implementing and operating a countywide 911 system to be submitted to the State of Ohio 911 Program Office; and,

Whereas, Section 128.06 of the Ohio Revised Code requires a county 911 program review committee to maintain and amend said final plan, and the county 911 program review committee shall include a member of a board of trustees selected by the majority of the boards of the township trustees in Warren County pursuant to resolution; and,

Whereas, Trustee Cordrey of Hamilton Township Board of Trustees has volunteered to serve on the Warren County 911 Program Review Committee.

Now therefore be it resolved, to select Darryl Cordrey of Hamilton Township Board of Trustees to serve as a member of the Warren County 911 Program Review Committee.

The foregoing resolution moved for adoption by Mr. VanDeGrift, being seconded by Mr. Jones. Upon call of the roll, the following vote resulted:

| | |
|--------------------|-----|
| Trustee Sams | YEA |
| Trustee VanDeGrift | YEA |
| Trustee Jones | YEA |

Resolution adopted this 30th day of January, 2024.



Fiscal Officer

The Board of Trustees of Hamilton Township, County of Warren, Ohio, met at a regular session at 6:00 p.m. on January 17, 2024, at Hamilton Township, Warren County, Ohio, with the following Trustees present:

- Darryl Cordrey – Trustee, *Chair*
- Joseph P. Rozzi – Trustee, *Vice Chair*
- Mark Sousa – Trustee

Mr. Cordrey introduced the following resolution and moved its adoption:

**HAMILTON TOWNSHIP, WARREN COUNTY OHIO
RESOLUTION NUMBER 24-0117F**

A RESOLUTION TO APPOINT TRUSTEE DARRYL CORDREY OF HAMILTON TOWNSHIP BOARD OF TRUSTEES TO THE WARREN COUNTY 911 PROGRAM REVIEW COMMITTEE

WHEREAS, Chapter 128 of the Ohio Revised Code requires a newly drafted countywide 911 plan for implementing and operating a countywide 911 system to be submitted to the State of Ohio 911 Program Office; and,

WHEREAS, Section 128.06 of the Ohio Revised Code requires a county 911 program review committee to maintain and amend said final plan, and the county 911 program review committee shall include a member of a board of trustees selected by the majority of the boards of the township trustees in Warren County pursuant to resolution; and,

WHEREAS, Trustee Cordrey of Hamilton Township Board of Trustees has volunteered to serve on the Warren County 911 Program Review Committee.

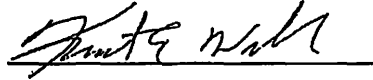
NOW THEREFORE BE IT RESOLVED, to select Darryl Cordrey of Hamilton Township Board of Trustees to serve as a member of the Warren County 911 Program Review Committee.

Mr. Rozzi seconded the Resolution and the following being called upon the question of its adoption, the vote resulted as follows:

| | | | | |
|-------------------|-----|-------------------------------------|-----|--------------------------|
| Joseph P. Rozzi – | Aye | <input checked="" type="checkbox"/> | Nay | <input type="checkbox"/> |
| Mark Sousa | Aye | <input checked="" type="checkbox"/> | Nay | <input type="checkbox"/> |
| Darryl Cordrey | Aye | <input checked="" type="checkbox"/> | Nay | <input type="checkbox"/> |

Resolution adopted this 17th day of January, 2024.

Attest:



Kurt Weber, Fiscal Officer

Approved as to form:



Benjamin J. Yoder, Law Director

I, Kurt Weber, Fiscal Officer of Hamilton Township, Warren County, Ohio, hereby certify that this is a true and accurate copy of a Resolution duly adopted by the Board of Trustees of Hamilton Township, County of Warren, Ohio, at its regularly scheduled meeting on January 17, 2024.

Date: 1/17/2024


Kurt Weber, Fiscal Officer

**Board of Township Trustees
Franklin Township, Warren County Ohio**

**Resolution No. 01-01242024
Adopted Date January 24, 2024**

A Resolution to appoint Darryl Cordrey to the Warren County 911 Program Review Committee

Whereas, Chapter 128 of the Ohio Revised Code requires a newly drafted countywide 911 plan for implementing and operating a countywide 911 system to be submitted to the State of Ohio 911 Program Office; and,

Whereas, Section 128.06 of the Ohio Revised Code requires a county 911 program review committee to maintain and amend said final plan, and the county 911 program review committee shall include a member of a board of trustees selected by the majority of the boards of the township trustees in Warren County pursuant to resolution; and,


Whereas, Trustee Darryl Cordrey of the Hamilton Township Board of Trustees has volunteered to serve on the Warren County 911 Program Review Committee.

Now therefore be it resolved, to select Darryl Cordrey of Hamilton Township Board of Trustees to serve as a member of the Warren County 911 Program Review Committee.

The foregoing resolution moved for adoption by Trustee Jennings, being seconded by Trustee Rose. Upon call of the roll, the following vote resulted:

**Trustee Shane Centers - Yes
Trustee Rob Rose - Yes
Trustee Matt Jennings- Yes**

Resolution adopted this 24th day of January , 2024.



Scot Fromeyer Fiscal Officer

Board of Township Trustees
Union Township, Warren County Ohio

Resolution No. 01-19-2024-01
Adopted Date 1-19-2024

A Resolution to appoint Darryl Cordrey to the Warren County 911 Program Review Committee

Whereas, Chapter 128 of the Ohio Revised Code requires a newly drafted countywide 911 plan for implementing and operating a countywide 911 system to be submitted to the State of Ohio 911 Program Office; and,

Whereas, Section 128.06 of the Ohio Revised Code requires a county 911 program review committee to maintain and amend said final plan, and the county 911 program review committee shall include a member of a board of trustees selected by the majority of the boards of the township trustees in Warren County pursuant to resolution; and,

Whereas, Trustee Cordrey of Hamilton Township Board of Trustees has volunteered to serve on the Warren County 911 Program Review Committee.

Now therefore be it resolved, to select Darryl Cordrey of Hamilton Township Board of Trustees to serve as a member of the Warren County 911 Program Review Committee.

The foregoing resolution moved for adoption by FRED Vonderhaar, being seconded by Chris Koch. Upon call of the roll, the following vote resulted:

- Trustee Koch — yes
- Trustee Cockerham — yes
- Trustee Vonderhaar — yes

Resolution adopted this 19th day of January, 2024.

Shelley Jamb
Fiscal Officer

**RESOLUTION 5485
CLEARCREEK TOWNSHIP TRUSTEES**

**Warren County, Ohio
January 22, 2024**

**A RESOLUTION TO APPOINT HAMILTON TOWNSHIP TRUSTEE DARRYL CORDREY
TO THE WARREN COUNTY 911 PROGRAM REVIEW COMMITTEE AND DISPENSING
WITH THE SECOND READING**

WHEREAS, Chapter 128 of the Ohio Revised Code requires a newly drafted countywide 911 plan for implementing and operating a countywide 911 system to be submitted to the State of Ohio 911 Program Office; and,

WHEREAS, Section 128.06 of the Ohio Revised Code requires a county 911 program review committee to maintain and amend said final plan, and the county 911 program review committee shall include a member of a board of trustees selected by the majority of the boards of the township trustees in Warren County pursuant to resolution; and,

WHEREAS, Township Trustee, Darryl Cordrey of the Hamilton Township Board of Trustees has volunteered to serve on the Warren County 911 Program Review Committee.

NOW THEREFORE, BE IT RESOLVED, by the Board of Clearcreek Township Trustees, that Township Trustee, Darryl Cordrey of the Hamilton Township Board of Trustees is confirmed by this Board to serve as a member of the Warren County 911 Program Review Committee.; and,

BE IT FURTHER RESOLVED, by the Board of Clearcreek Township Trustees upon majority vote hereby dispenses with the requirement that this Resolution be read on two separate days, and authorizes the adoption of this Resolution upon its first reading; and,

Mr. GABBARD moved to adopt the foregoing Resolution. Mr. WADE seconded the motion and upon the call of the roll the following vote resulted:


| | | | |
|---------------|---|---|-----|
| Mr. Wade | - |  | YEA |
| Mr. Gabbard | - |  | YEA |
| Mr. Muterspaw | - | | |


**RESOLUTION 5485
CLEARCREEK TOWNSHIP TRUSTEES
Warren County, Ohio
January 22, 2024**

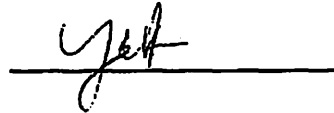
Resolution adopted at a regular public meeting conducted January 22, 2024.

**THE BOARD OF
CLEARCREEK TOWNSHIP TRUSTEES**

**Law Director Bryan Pacheco
Approved as to form**







RESOLUTION 2024-01
BOARD OF TOWNSHIP TRUSTEES
SALEM TOWNSHIP, OHIO

RESOLUTION

NUMBER 2024-01

ADOPTED DATE January 23, 2024

Board of Township Trustees of Salem Township, Warren County Ohio

A Resolution to appoint Darryl Cordrey to the Warren County 911 Program Review Committee

Whereas, Chapter 128 of the Ohio Revised Code requires a newly drafted countywide 911 plan for implementing and operating a countywide 911 system to be submitted to the State of Ohio 911 Program Office; and,

Whereas, Section 128.06 of the Ohio Revised Code requires a county 911 program review committee to maintain and amend said final plan, and the county 911 program review committee shall include a member of a board of trustees selected by the majority of the boards of the township trustees in Warren County pursuant to resolution; and,

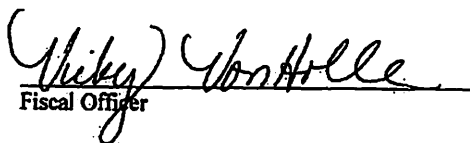
Whereas, Trustee Ralph Blanton of Salem Township Board of Trustees has volunteered to serve on the Warren County 911 Program Review Committee.

Now therefore be it resolved, to select Darryl Cordrey of Hamilton Township Board of Trustees to serve as a member of the Warren County 911 Program Review Committee.

The foregoing resolution moved for adoption by Ralph Blanton, being seconded by Heath Kilburn. Upon call of the roll, the following vote resulted:

Trustee Susan Ramsey - yea
Trustee Ralph Blanton - yea
Trustee Heath Kilburn - yea

Resolution adopted this 23rd day of January, 2024.


Fiscal Officer

**Board of Township Trustees
Harlan Township, Warren County Ohio**

**Resolution No. 011724-2
Adopted Date January 17, 2024**

A Resolution to appoint Mr. Porginski to the Warren County 911 Program Review Committee

Whereas, Chapter 128 of the Ohio Revised Code requires a newly drafted countywide 911 plan for implementing and operating a countywide 911 system to be submitted to the State of Ohio 911 Program Office; and,

Whereas, Section 128.06 of the Ohio Revised Code requires a county 911 program review committee to maintain and amend said final plan, and the county 911 program review committee shall include a member of a board of trustees selected by the majority of the boards of the township trustees in Warren County pursuant to resolution; and,

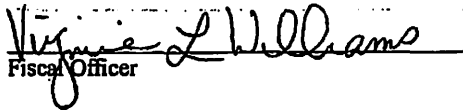
Whereas, Trustee Porginski of Harlan Township Board of Trustees has volunteered to serve on the Warren County 911 Program Review Committee.

Now therefore be it revolved, to select Mr. Porginski of Harlan Township Board of Trustees to serve as a member of the Warren County 911 Program Review Committee.

The foregoing resolution moved for adoption by Mr. Shelton, being seconded by Mr. Curran. Upon call of the roll, the following vote resulted:

**Trustee _ Mr. Porginski yes
Trustee _ Mr. Curran yes
Trustee _ Mr. Shelton yes**

Resolution adopted this 17 day of January, 2024.


Fiscal Officer



LEGISLATIVE COVER MEMO

Introduction: April 1, 2024

Agenda Item: **Resolution 2024-25**

AMENDING THE POSITION DESCRIPTION FOR THE WATER OPERATOR

Submitted by: Cindi Chibis, Human Resource

Scope/Description: After negotiations and approval of the Teamsters Collective Bargaining Agreement the Water Operator Position was excluded from the agreement. The Fieldwork functions of the position are being updated to reflect the duties of the position more accurately.

Budget Impact: None.

Exhibits: Exhibit A: Water Operator Position Description

Recommendation: Approval

CITY OF FRANKLIN, OHIO
RESOLUTION 2024-25

AMENDING THE POSITION DESCRIPTION FOR THE WATER OPERATOR

WHEREAS, Section 8.08 of the Franklin City Charter requires this Council to adopt a Position Classification Plan containing position descriptions for all City positions, considering the duties, authority and responsibility of each position;

WHEREAS, this Council adopted a Position Classification Plan and position descriptions on August 18, 2003; and

WHEREAS, upon the request and recommendation of the City Manager/Safety Director, this Council now finds it desirable to update the position description for the Water Operator

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Franklin, Ohio, a majority of members of Council present concurring, that:

Section 1. The position description for Water Operator is hereby amended as shown in the attached Exhibit A.

Section 2. It is found that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 3. That this resolution shall become effective immediately upon its passage.

ADOPTED: April 1, 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 a resolution passed by that body on April 1, 2024.

Khristi Dunn, Clerk of Council



CITY OF FRANKLIN

POSITION DESCRIPTION

| | | | |
|------------------------------|--------------|------------------------|---------------------------------|
| Employee Name: | | Department: | Public Works |
| Civil Service Status: | Unclassified | Position Title: | Water Operator |
| Employment: | Full-time | Reports To: | Water Plant Superintendent/Lead |
| FLSA Status: | Nonexempt | Supervises: | N/A |

GENERAL DESCRIPTION: Under supervision of Water Plant Superintendent. Under direction, learns and performs job duties related to the operation, monitoring, maintenance, and repair on the City’s water treatment facility, including pumps, lift stations, and associated equipment. Performs a variety of unskilled and semi-skilled manual tasks in the maintenance, repair and construction of water mains, sanitary sewer lines and services, storm sewer lines and associated. Uses trade experience to perform labor as part of a team or alone. Occasional overtime required.

ESSENTIAL FUNCTIONS OF THE POSITION: For purposes of 42 USC 12101.

- System Maintenance:** Assists with the performance of technical and administrative work to assure the production of the proper quantity and quality of water for the City. Assists with monitoring SCADA system. Learns to perform calculations for process control and process optimization. Reads charts and gauges, noting operational problems and recommends adjustments to Water Plant Superintendent. Installs new water pipes and sewer service connections, checks water lines for leaks, and cleans and repairs sewer lines as directed.
- Plant and Equipment:** Performs inspection, maintenance, and repairs to water treatment plant, tools, and equipment. Operates a variety of power construction and maintenance equipment used in the water and sewer department. Under direction, operates computer for process control.
- Water Quality:** Conducts laboratory tests on water samples to monitor water quality including but not limited to bacteriological, chemical, and physical analyses. As directed, performs calculations for process control and process optimization. Completes sampling both inside and outside of the plant.
- Records Management:** Assists with the maintenance of daily operational logbooks including the recording of water quality data, equipment maintenance logs, and regulatory compliance records.
- Fieldwork:** ~~Inspects and repairs manholes, catch basins, and other concrete structures in the sewer system. Assists with the installation, repair, and maintenance of water mains, hydrants, and gate valves.~~ Cutting grass, maintenance of chemical pumps, Plant or well equipment, general plumbing repairs and general building maintenance.
- Regulatory Compliance:** Under the leadership of the Water Plant Superintendent, ensures compliance with applicable Federal, State, and local regulations related to stormwater, water quality, hazardous materials handling, wastewater discharge, water treatment operations. Prepares and maintains records and reports as directed.
- Community Relations:** Represents the City professionally in all interactions with members of the community and regulatory agencies. May responds to citizen requests regarding water system issues and concerns such as water leaks, or pressure loss.
- Self- Development:** Stays informed of current trends and innovations in the field of water treatment. Demonstrates motivation and commitment to improve work related knowledge, abilities, processes, and relationships.
- Safety:** Adheres to all applicable safety and environmental practices and regulations, and effectively responds to all job-related emergencies and calls for service both during and after hours in accordance with the policies and procedures of the City of Franklin.



CITY OF FRANKLIN POSITION DESCRIPTION

OTHER DUTIES AND RESPONSIBILITIES:

1. Performs other duties as required.

QUALIFICATIONS:

Communication Skills: Understands, interprets, and follows written and verbal instructions and directions. Communicates effectively, tactfully, and cautiously with staff and members of the community, applies active listening skills, and effectively establishes and maintains working relationships with those contacted in the course of work.

Education and Experience: Water Treatment Class I License or higher, minimum of 1 year job related experience, and ability to operate all water equipment required. Valid Ohio driver's license (CDL Class B), acceptable motor vehicle record, and continuous insurability required.

Equipment, Tools and Materials: Ability to use computer equipment, operate power tools, and operate all equipment necessary to complete essential job duties.

Knowledge: Knowledge of safety rules and operating procedures. Knowledge of the materials, methods, equipment, regulatory practices, and reporting requirements utilized in the operation, construction, maintenance, and repair of water treatment. Knowledge of public relations, safety rules and operating procedures, office practices and procedures, and basic chemistry

Math skills: Ability to add, subtract, multiply, and divide whole numbers, and to calculate fractions, decimals, and percentages.

Reasoning Skills: Ability to evaluate information to determine compliance with standards. Ability to make decisions and problem solve.

Technical Skills: Ability to use e-mail, office software and SCADA system. Ability to use automated timekeeping system to accurately record and track hours of work.

Physical Requirements: (with or without accommodation): Primary functions require sufficient physical ability to work in an outdoor environment and heavy manual labor for extended periods of time in often adverse conditions. Frequently required to stand for prolonged periods of time, lift and move up to 25 pounds, and use hands and arms to reach and operate objects, tools, or controls. Ability to occasionally walk, sit, stoop, bend, kneel, crouch, reach, twist, climb, crawl, balance, push, pull, lift, and or move up to 100 pounds unassisted. Specific vision abilities required by this job include close vision, distance vision, peripheral vision, depth perception, and ability to adjust focus. Ability to speak and hear required.

INHERENTLY HAZARDOUS OR PHYSICALLY DEMANDING WORKING CONDITIONS: (For purposes of O.R.C. 4167)

Employee is regularly exposed to outdoor weather conditions, and frequently works near moving mechanical parts, and in motorized traffic situations. Employee may occasionally work in confined spaces, and be exposed to fumes or airborne particles, raw sewage, toxic or caustic chemicals, and risk of electrical shock, and must manipulate large and heavy pieces of equipment, materials and/or tools. The noise level in the work environment is usually moderate but will periodically be very loud. Employee will occasionally be required to wear protective equipment to perform duties. May be exposed to hazardous driving conditions, crowds, verbal abuse by the public, vicious animals or to human blood or other body substances.

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily, and must demonstrate the necessary skills, knowledge, and abilities required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.



CITY OF FRANKLIN

POSITION DESCRIPTION

The above reflects general information considered necessary to describe the essential functions of the job and shall not be construed as an exhaustive statement of duties, responsibilities or requirements that may be inherent in the job. It is not intended to limit the right of any supervisor to assign, direct, or control the work of employees under his/her supervision.

The use of a particular expression to describe duties shall not be held to exclude other duties not mentioned that are of similar kind or level of difficulty. This position description in no manner states or implies that these are the only duties and responsibilities to be performed by the position incumbent. My (employee) signature below signifies that I have reviewed and understand the contents of my position description.

(Signature of Appointing Authority/Designee)

(Date)

(Signature of Employee)

(Date)



LEGISLATIVE COVER MEMO

Introduction: April 1, 2024

Public Hearing: April 15, 2024

Effective Date: May 15, 2024

Agenda Item: Ordinance 2024-06

DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF FRANKLIN, WARREN COUNTY, OHIO TO BE A PUBLIC PURPOSE; DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING SPECIFIC PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT, ONCE MADE, WILL DIRECTLY BENEFIT THE PARCELS FOR WHICH IMPROVEMENT IS DECLARED TO BE A PUBLIC PURPOSE; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; AUTHORIZING PAYMENTS TO THE FRANKLIN CITY SCHOOL DISTRICT AND THE WARREN COUNTY CAREER CENTER; AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT; AND PROVIDING RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40(B), 5709.42, 5709.43, 5709.832 AND 5709.85.

Submitted by: Jonathan Westendorf, City Manager

Scope/Description: This Ordinance authorizes a Tax Increment Financing (TIF) Agreement between the City of Franklin and FRANKLIN WATKINS GLEN, LLC. The development is located in the City of Franklin, consisting of Warren County Auditor parcel number 0836200056, for the construction of new restaurant, convenience store, and fuel station operating as a Sheetz. The Property is currently located within the City’s “Community Reinvestment Area #3”. Community Reinvestment Area #3 authorizes exemptions from real property taxes for 100% of the assessed value of improvements on the Property for a period of up to 15 years. The owner of the parcel will make annual service payments in lieu of taxes with respect to any Improvement to the Warren County Treasurer, which Service Payments will be distributed, in part, to the Franklin City School District, and the Warren County Career Center in amounts equal to the real property taxes that the School Districts, to reimburse the Developer for costs of the Public Infrastructure Improvements, and for such other purposes as may be authorized by law.

Exhibits: Exhibit A: Description of Property
Exhibit B: Description of the Public Infrastructure Improvements

Recommendation: Approval.

CITY OF FRANKLIN, OHIO
ORDINANCE 2024-06

DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF FRANKLIN, WARREN COUNTY, OHIO TO BE A PUBLIC PURPOSE; DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING SPECIFIC PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT, ONCE MADE, WILL DIRECTLY BENEFIT THE PARCELS FOR WHICH IMPROVEMENT IS DECLARED TO BE A PUBLIC PURPOSE; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; AUTHORIZING PAYMENTS TO THE FRANKLIN CITY SCHOOL DISTRICT AND THE WARREN COUNTY CAREER CENTER; AUTHORIZING THE EXECUTION OF A TAX INCREMENT FINANCING AGREEMENT; AND PROVIDING RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40(B), 5709.42, 5709.43, 5709.832 AND 5709.85.

WHEREAS, Ohio Revised Code (“R.C.”) Section 5709.40(B) provides that this Council may, under certain circumstances, (i) declare improvement to parcels of real property located in the City of Franklin (the “City”) to be a public purpose, thereby granting to that improvement an exemption from real property taxation; (ii) designate specific public infrastructure improvements made, to be made, or in the process of being made that directly benefit, or that once made will directly benefit, the parcels for which improvement is declared to be a public purpose; and

WHEREAS, Pursuant to R.C. Section 5709.40(D)(1), said exemption may be up to one hundred percent (100%) of such improvement for up to thirty (30) years without approval of the board of education of a city, local or exempted city school district within the territory of which the improvement is or will be located if payments in lieu of taxes, as provided for in R.C. Section 5709.42, shall be paid to such school district in the amount of the taxes that would have been payable if the improvement had not been exempted from taxation; and

WHEREAS, the real property described in Exhibit A attached hereto and incorporated herein by reference (the “Property”) is located in the State of Ohio (the “State”), County of Warren (the “County”), and the City, with each parcel of the Property referred to herein as a “Parcel” (whether as presently appearing on County tax duplicates or as subdivided or combined and appearing on future tax duplicates); and

WHEREAS, the Property is currently located within the City’s “Community Reinvestment Area #3” a community reinvestment area (“CRA”) established under “pre-1994” rules pursuant to R.C. Sections 3735.65 through 3735.70, pursuant to City Resolution 1981-17, passed April 6, 1981, as amended by Resolutions 1994-42, passed May 16, 1994, and 1998-20, passed April 6, 1998 (collectively, as amended, the “CRA Ordinance”); and

WHEREAS, pursuant to the CRA Ordinance and in connection with the development of the Property, the City shall, upon receipt of an application for exemption from the Developer, grant exemptions from real property taxes for 100% of the assessed value of new structures constructed on the Property for a period of up to 15 years (the “CRA Exemption”); and

WHEREAS, it is the intention of this Council that the TIF Exemption (as defined herein) shall be subordinate to the CRA Exemption; and

WHEREAS, pursuant to R.C. Sections 5709.40(B) and 5709.42, this Council has determined that it is necessary and appropriate and in the best interests of the City to require the current and future owners (each such owner individually, an “Owner,” and collectively, the “Owners”) of each of the Parcels comprising the Property to make annual service payments in lieu of real property taxes (“Service Payments,” as further defined by Section 3 hereof) in the same amount as the Owners would have made but for the TIF Exemption (as defined herein) authorized by this Ordinance; and

WHEREAS, the current Owner of the Property, intends to construct, or cause the construction of, a new restaurant, convenience store, and fuel station at the Property (collectively the building and related site improvements that are actually constructed shall be referred to as the “Project”); and

WHEREAS, in support of the Project, the City desires to facilitate the construction of the public infrastructure improvements described in Exhibit B attached hereto and incorporated herein by this reference (the “Public Infrastructure Improvements”); and

WHEREAS in connection with the construction of the Public Infrastructure Improvements, the City has determined to provide for the execution and delivery of a tax increment financing agreement between the City and the current Owner, Franklin Watkins Glen, LLC (the “TIF Agreement”); and

WHEREAS, pursuant to Ohio Revised Code Sections 5709.40 and 5709.83, notice of this proposed Ordinance has been delivered to the Boards of Education of the Franklin City School District (the “School District”), and the Warren County Career Center (the “Career Center”); and

WHEREAS, this Council has determined that payments in lieu of taxes shall be paid to the School District and the Career Center pursuant to R.C. Section 5709.42 in the amount of the real property taxes that the School District and the Career Center each would have received if such increase in the assessed value of the Property had not been exempted from real property taxes pursuant to this Ordinance..

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Franklin, Warren County, State of Ohio that:

Section 1. The Public Infrastructure Improvements described in Exhibit B attached hereto intended to be made or caused to be made by the City are hereby designated as public infrastructure improvements that, once made, will directly benefit the Property.

Section 2. One-hundred percent (100%) of the increase in the assessed value of each Parcel (as each may be subdivided or combined) (each of which increase in assessed value is an “Improvement” as defined in R.C. Section 5709.40) shall be a public purpose and shall be exempt from real property taxation for a period commencing for each Parcel with the first year for which an exemption is claimed by any DTE 24 exemption application, or any successor exemption application as the same may be updated by the State of Ohio, filed by the City with respect to such Parcel, and ending for each Parcel on the earlier of (a) thirty (30) years after such commencement, or (b) the date on which the City can no longer require Service Payments in lieu of taxes, all in accordance with the requirements of R.C. Sections 5709.40, 5709.42 and 5709.43 (the “TIF Exemption”). Notwithstanding any other provision of this Ordinance, the TIF Exemption granted pursuant to this Section 2 and the payment obligations established pursuant to Section 3 of this Ordinance are subject and subordinate to any CRA Exemptions applicable to the Improvements approved by the City pursuant to the CRA Ordinance during the time that any CRA Exemption may be applicable to any Parcel within the Property, irrespective of the person or entity that files the DTE 24 exemption application pursuant to R.C. Section 5709.911.

Section 3. As provided in R.C. Section 5709.42, the Owner of any Parcel with an Improvement exempt under Section 2 hereof is required hereby to make annual payments in lieu of taxes to the County Treasurer of Warren County, Ohio (the “County Treasurer”) on or before the final dates for payment of real property taxes. Each such payment (including interest and penalties) shall be charged and collected in the same manner and in the same amount as the real property taxes that would have been charged and payable against the Improvements if they were not exempt from taxation (with the payments in lieu of tax, including any penalties and interest, being the “Service Payments”). Pursuant to Ohio Revised Code Sections 5709.40, 5709.42, 5709.43, and 5709.82, the County Treasurer shall first distribute a portion of the Service Payments to the School District and to the Career Center in an amount equal to 100% of the real property taxes that the School District and the Career Center would have received, but for the TIF Exemption, and then shall remit all remaining Service Payments to the City for deposit in the Franklin Municipal Public Improvement Tax Increment Equivalent Fund (the “TIF Fund”) established in Section 4 herein.

This Council hereby authorizes the City Manager or other appropriate officers of the City to provide such information and certifications and execute and deliver, or accept delivery of such instruments as are necessary and incidental to collect those Service Payments and to make such arrangements as are necessary and proper for payment of the Service Payments. Any late payments shall be subject to penalty and bear interest at the then current rate established under R.C. Sections 323.121 and 5703.47, as may be amended from time to time, or any successor provisions thereto, as the same may be amended from time to time. The Service Payments shall be allocated and deposited in accordance with Sections 3 and 4 of this Ordinance.

Section 4. This Council hereby establishes, pursuant to and in accordance with the provisions of R.C. Section 5709.43, the TIF Fund, into which shall be deposited all of the Service Payments distributed to the City with respect to the Improvements to Parcels of the Property by or on behalf of the County Treasurer, as provided in R.C. Section 5709.42, and hereby appropriates all of the moneys deposited in the TIF Fund from time to time to pay any costs associated with the Public Infrastructure Improvements approved by the City, including, but not limited to, the “costs of permanent improvements” described in R.C. Section 133.15(B).

The TIF Fund shall remain in existence so long as Service Payments are collected and used for the aforesaid purposes, subject to the limits set forth in Section 2 hereof, after which said TIF Fund shall be dissolved in accordance with R.C. Section 5709.43(D). Upon dissolution, any incidental surplus money remaining in the Fund shall be transferred to the City general fund as provided in R.C. Section 5709.43(D).

Section 5. This Council hereby approves the TIF Agreement with Franklin Watkins Glen, LLC and authorizes the City to execute, deliver, and perform the TIF Agreement. The City Manager is hereby authorized and directed, for and on behalf of the City, to execute and deliver the TIF Agreement, substantially in the form now on file with this Council, and attached hereto as Exhibit C, incorporated by reference, with such modifications to the form of the TIF Agreement as shall be approved by the City Manager, shall not be materially adverse to the City, and shall be consistent with this Ordinance, all of which shall be conclusively evidenced by the City Manager’s signature on the TIF Agreement. The City Manager is further hereby authorized to execute and deliver any additional agreements or instruments as the City Manager shall deem necessary to carry out the purposes of this Ordinance and the TIF Agreement, and the City Manager is hereby authorized to perform its obligations under any of those agreements or instruments.

Section 6. This Council hereby authorizes the City Manager or other appropriate officers of the City to take such actions as are necessary or appropriate to implement the transactions contemplated by this Ordinance, including the filing of one or more applications for exemption and any related forms in accordance with R.C. Section 5709.911.

Section 7. In accordance with Ohio Revised Code Section 5709.832, the City hereby determines that no employer located in the Property shall deny any individual employment based on considerations of race, religion, sex, disability, color, national origin or ancestry.

Section 8. This Council hereby finds and determines that notice of this proposed Ordinance has been delivered to the School District in accordance with R.C. Section 5709.83, and hereby ratifies the giving of that notice.

Section 9. The City hereby creates the Franklin Tax Incentive Review Council with the membership of that Council constituted in accordance with Section 5709.85 of the Ohio Revised Code. That Council shall, in accordance with Section 5709.85 of the Ohio Revised Code, review annually all exemptions from taxation resulting from the declarations set forth in this Ordinance and any other such matters as may properly come before that Council, all in accordance with Ohio Revised Code Section 5709.85.

Section 10. The Clerk of this Council is hereby directed to deliver, not later than 15 days after the effective date of this Ordinance, a copy thereof to the Director of the Department of Development of the State of Ohio and to further deliver to such Director, not later than March 31 of each year during which the tax exemption remains in effect, a status report outlining the progress of the project herein described.

Section 11. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including R.C. Section 121.22.

Section 12. This Ordinance shall take effect and be in force at the earliest date permitted by law.

ADOPTED: April 15, 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 April 15, 2024.

Khristi Dunn, Clerk of Council

APPROVED AS TO FORM:

Ben Yoder, Law Director

DESCRIPTION OF PROPERTY

The Property is the real property situated in the City of Franklin, County of Warren, State of Ohio that as of the date of this Ordinance is identified by the County Auditor of Warren County, Ohio as having tax parcel identification number 08362000560, as that real property may be subdivided, combined and be designated with different parcel numbers from time to time, and as depicted in the below map:



DESCRIPTION OF THE PUBLIC INFRASTRUCTURE IMPROVEMENTS

The Public Infrastructure Improvements may include, but are not limited to the following:

1. Constructing, reconstructing, extending, opening, improving, widening, grading, draining, curbing and changing of the lines and traffic patterns of roads, highways, streets, railways, bridges (including roadway, railway, and pedestrian), the continued maintenance of those public roads and highways, existing roadways adjacent to and providing ingress and egress to the Property, sidewalks, bikeways, medians and viaducts, constructing and improving surface parking lots or parking structures and related improvements, providing lighting systems, together with all appurtenances therefore, including, specifically, constructing and improving infrastructure along North State Route 123;
2. Constructing and reconstructing public parks or public greenspaces, including grading, trees, park plantings, park accessories and related improvements, together with all appurtenances thereto;
3. Constructing, reconstructing and installing of public utility improvements, water distribution lines (including necessary site grading therefore), storm and sanitary sewers (including necessary site grading therefore), the continued maintenance of those water and sewer lines, water and fire protection systems, and all appurtenances thereto;
4. Constructing one or more public buildings, structures, or improvements for the purpose of providing public services, including administration, public works, parks and recreation, safety services, and other government services or for providing space for recreation, community events, community gathering, or other public activity or recreational purposes, together with all appurtenances thereto;
5. Constructing and installing streetscape improvements including trees, tree grates, curbs, sidewalks, street and sidewalk lighting, trash receptacles, benches, newspaper racks, burial of overhead utility lines and related improvements, together with all appurtenances thereto; design and traffic studies preliminary to the foregoing;
6. Designing, engineering, constructing, and improving the new infrastructure for electric, gas, telephone, and cable service, including aid to construction fees for gas, aid to construction fees for electric, with related site improvements and appurtenances thereto;
7. Acquiring real estate or interests in real estate, including related right-of ways, necessary to accomplish the improvements enumerated in clauses 1 through 6;
8. Demolition and excavation necessary to accomplish the improvements enumerated in clauses 1 through 6;
9. Professional fees related to the foregoing, including architectural, engineering, contract administration, and legal costs;

10. All inspection fees and other governmental fees related to the foregoing; and
11. Any other costs for the aforesaid Public Infrastructure Improvements as permitted by law.

The Public Infrastructure Improvements above specifically include the costs of financing the Public Infrastructure Improvements, including the items of “costs of permanent improvements” set forth in Ohio Revised Code Section 133.15(B), and incurred with respect to the Public Infrastructure Improvements, which “costs” specifically include any reimbursement payments for the reimbursement of the costs of the Public Infrastructure Improvements and the debt service on, and other expenses relating to the issuance of, any bonds, notes, or other obligations issued to finance the Public Infrastructure Improvements.

All of the Public Infrastructure Improvements described above are hereby determined to be “public infrastructure improvements” as defined in Ohio Revised Code Section 5709.40(A)(8) and are intended to benefit the real property described in Exhibit A.