



CITY COUNCIL MEETING

Monday, April 15, 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. [April 1, 2024](#)
5. PRESENTATIONS
 - A. Fire & EMS Update (Chief Stitzel)
 - B. Swear in Fire & EMS Lt. Tony LeMaster (Mayor Centers)
 - C. Committee Reports
6. RECEPTION OF VISITORS
7. PUBLIC HEARING
 - 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
 - B. **ORDINANCE 2024-07** APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024 AND DECLARING AN EMERGENCY (Jonathan Westendorf)
 - a. Exhibit A: 2024 Budget

8. NEW BUSINESS

- A. RESOLUTION 2024-26** ADOPTING A POSITION DESCRIPTION FOR SENIOR CITY ENGINEER (Cindi Chibis)
a. Exhibit A: Senior City Engineer Position Description
- B. RESOLUTION 2024-27** AMENDING THE POSITION DESCRIPTIONS FOR THE CITY ENGINEER (Cindi Chibis)
a. Exhibit A: City Engineer Position Description
- C. RESOLUTION 2024-28** AMENDING RESOLUTION 2024-09 AND AUTHORIZING POSITION TITLES AND THE NUMBER OF POSITIONS FOR EACH TITLE FOR CITY OF FRANKLIN PERSONNEL FOR THE YEAR 2024 (Cindi Chibis)
a. Exhibit A: List of Authorized Positions
- D. RESOLUTION 2024-29** AMENDING RESOLUTION 2024-23 AND ESTABLISHING THE ORGANIZATIONAL LISTINGS AND PAY RATES FOR CITY OF FRANKLIN OFFICIALS AND EMPLOYEES FOR THE YEAR 2024 (Cindi Chibis)
a. Exhibit A: 2024 Payroll Rates
- E. RESOLUTION 2024-30** AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT AND OTHER DOCUMENTS FOR THE CITY OF FRANKLIN’S PURCHASE OF CERTAIN REAL PROPERTY IDENTIFIED AS WARREN COUNTY AUDITOR’S PARCEL ID NUMBER 0431101006 (Karisa Steed)
a. Exhibit A: Purchase and Sale Agreement

9. INTRODUCTION OF NEW LEGISLATION

- A. ORDINANCE 2024-08** AMENDING SECTION 1701, “RATES AND FEES” APPENDIX A OF THE CODIFIED ORDINANCES OF THE CITY OF FRANKLIN, OHIO, TO INCLUDE A FEE FOR THE SALE OF BULK WATER. (Barry Conway)
a. Exhibit A: Fee Schedule
- B. ORDINANCE 2024-09** DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2025 (Khristi Dunn)

10. CITY MANAGER'S REPORT

11. COUNCIL COMMENTS

12. ADJOURNMENT



CITY COUNCIL MEETING

Monday, April 01, 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 6:02pm.

2. ROLL CALL

PRESENT

D. Denny Centers

Paul Ruppert

Vice Mayor Todd Hall

Mayor Brent Centers

Matt Wilcher

ABSENT

Michael Aldridge

Debbie Fouts

Staff: Mr. Westendorf, Ms. Trice, Ms. Dunn, Chief Colon, Chief Stitzel, Mr. Conway, Mr. Inman, Ms. Chibis, Captain Pacifico

Guests: Two guests and one member of the press 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 18, 2024

Motion made by Vice Mayor Hall, Seconded by Wilcher.

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

Motion passed.

5. PRESENTATIONS

A. Division of Police Update

Chief Colon gave an update on the operations of the Division of Police. He reviewed statistics from 2023 and highlighted several cases on interest and the results of those investigations. He also reviewed several improvements in the Detectives bureau including technology updates and training courses that were attended.

Updates for 2024 include a drone program, various equipment updates, and the transition to twelve-hour shifts.

B. Introduce K9s Aslan & Maggie

Officer Butler introduced K9 Asland. Officer Butler's partner, Fury, was tragically lost in the line of duty in 2023. Asland is currently in his third week of training.

SRO Lacon introduced K9 Maggie. Maggie will be trained in bomb detection and will serve with SRO Lacon at Franklin City Schools.

C. Council Work Session - Independence Day Celebrations

It was previously decided to suspend the 4th of July celebrations for 2024. Due to public push back, Council asked to discuss the possibility again and exhaust all options.

Mr. Westendorf presented several parade route options. Council opted for a route that goes down River, instead of Main, and ends at the north point where Main and River converge. There were concerns about safety along River and in the area where downtown construction will be occurring. Staff will evaluate the route and provide updates.

6. RECEPTION OF VISITORS

Mayor Centers opened the Reception of Visitors at 6:53PM.

Charles Richard of 3884 Beal Road asked to be heard. He also owns the property located at 165-185 E 6th Street.

Mr. Richard says that damage occurred to his property and equipment as a result of a City contractor and Duke energy using his property as a staging area for their work site.

Mr. Conway recounted the conversations he's had with Mr. Richard. There were three projects happening in the area. Mr. Conway confirmed that contractors were not given permission to be on his property. He provided contact information for all three companies. Mayor Centers would like Bricker to provide a legal opinion on options for City contractors damaging business owner property. Mr. Conway clarified that Duke is a not a city contractor, they were doing work on their equipment. Mr. Westendorf asked for a meeting with Mr. Richard to be brought up to date on the situation.

The Mayor closed the Reception of Visitors at 7:05pm

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

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.

Mayor Centers opened and closed the public hearing at 7:07pm as none asked to be heard.

Motion made by D. Centers, Seconded by Ruppert.

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

Motion passed.

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

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.

Mayor Centers opened and closed the public hearing at 7:09pm as none asked to be heard.

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

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

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.

Mayor Centers opened and closed the public hearing at 7:10pm as none asked to be heard.

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

8. NEW BUSINESS

A. RESOLUTION 2024-24 APPROVING THE COUNTYWIDE 9-1-1 FINAL PLAN

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.

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

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

After negotiations and approval of the Teamsters Collective Bargaining Agreement the Water Operator Position was not included in the agreement. The Fieldwork functions of the position are being updated to reflect the duties of the position more accurately.

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

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.

10. CITY MANAGER'S REPORT

Mr. Westendorf gave a brief overview of the total solar eclipse that would be happening on April 8th. There was an event planned at the community park for residents to gather and view. Safety Department staff have met and are prepared for the event.

A First Responder Recruitment campaign was scheduled to launch that week.

Mr. Westendorf provided an update on the Streetscape project. Weather will affect the timing. Sixth Street should be open the following week. Main between Fourth and Third will then close. The intersection at Third and Main will need to close for several days. The project is on target to open Main from Sixth to Fourth in early June. Fourth Street will not be complete until the end of the project. We are still on target for a November 22 completion date. Roads will be striped to convert Main Street to two-way traffic past Sixth Street.

A resident attended a Council meeting recently regarding the Sheetz development. Mr. Westendorf met with her and she is happy with the progression of the project. She has asked for evergreen cover at the top of the hill and is no longer requesting the fence in question be moved.

Mr. Westendorf shared his excitement about the way the community is reacting to improvements. He's noticed lots of spring cleaning occurring. Several homes along Main Street have been renovated.

The Slipcast announcement is creating Economic Development discussions.

Grace Café was scheduled to open the following day.

He is appreciative and excited about what is happening in the City.

11. COUNCIL COMMENTS

Mr. Wilcher had no comments.

Mr. D Centers had no comments.

Mr. Ruppert had no comments.

Vice Mayor Hall said that we need to talk to whoever caused damage at Mr. Richard's property. He had not heard of this happening before and it's not right. Mr. Richard shouldn't have to deal with it and the issues needs to be fixed.

Mayor Centers congratulated Nic Lamb on his promotion to Water Plant Superintendent and asked for an update on the process. Mr. Inman said that Mr. Lamb has been with the City for eight years, working at the plant for four years under Mr. Howard. Mr. Inman complimented Mr. Lamb and said he and thinks he is very qualified for the job.

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).

Motion to enter executive session made by Ruppert, Seconded by D. Centers.
Voting Yea: D. Centers, Ruppert, Mayor Centers, Wilcher
Voting Nay: Vice Mayor Hall
Motion passed. Council entered executive session at 7:40pm.

Motion to exit executive session made by Vice Mayor Hall, Seconded by Wilcher.
Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Wilcher
Motion passed. Council exited executive session at 8:56pm.

13. ADJOURNMENT

Motion made by Vice Mayor Hall, Seconded by Ruppert.
Voting Yea: D. Centers, Ruppert, Vice Mayor Hall, Mayor Centers, Wilcher
Motion passed. Council adjourned at 8:56pm.

Brent Centers, Mayor

Khristi Dunn, Clerk of Council



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.



LEGISLATIVE COVER MEMO

Introduction & Public Hearing: April 15th, 2024

Effective Date: April 15th, 2024

Agenda Item: **Ordinance 2024-07**

APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024, AND DECLARING AN EMERGENCY

Submitted by: Jonathan Westendorf, City Manager
Scope/Description: This ordinance will adjust appropriations to the following funds:

General Fund

- Decrease Municipal Court Other in the general fund by \$70,000 for the administrative purposes.
- Increase the Law Department Other in the general fund by \$77,500 for administrative purposes.
- Increase the Income Tax Other in the general fund by \$400,000 for income tax refunds.
- Increase the Building Division Other by \$70,000 for Fire Loss Disbursement.
- Increase the City Manager Other by \$10,000 for recruitment.
- Increase the General Fund Police Division Other by \$12,000 for a cruiser.
- Increase the General Fund Transfers by \$168,000

E-911 Fund

- Increase of \$63,860, to the E-911 Other account line for CAD Integration (\$34,860) and a recording upgrade of (\$27,789).

Capital Improvement

- Increase the Capital Improvement Fund Other line item by \$75,000 for the Streetscape project.

Economic Development Fund

- Increase the Economic Development Fund Other by \$93,000.

Water Fund

- Increase of \$5,000 to the Water Fund Other for utility billing fees and postage.

Trash Fund

- Increase of \$8,300 to the Water Fund Other for utility billing fees and postage.

Stormwater Fund

- Increase of \$3,000 to the Water Fund Other for utility billing fees and postage.

Emergency Legislation: Yes – Necessary to provide for the financial operations of the City through the end of the fiscal year. This ordinance will become effective immediately.

Vote Required for Passage: Per Section 4.14 of the City Charter, the passage of this Ordinance requires the affirmative vote of not less than four members of Council.

Exhibits: Exhibit A: 2024 Budget

Recommendation: Approval.

CITY OF FRANKLIN, OHIO
ORDINANCE 2024-07

APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES FOR THE CITY OF FRANKLIN, OHIO, FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024 AND DECLARING AN EMERGENCY

WHEREAS, the Council of the City of Franklin finds it necessary, upon the recommendation of the Finance Committee, the City Manager and the Finance Director, to make the following appropriations, which provides appropriations for the fiscal year ending December 31, 2024, in order to meet current expenses and to authorize certain other expenditures; and

WHEREAS, Section 4.14 of the City’s Charter authorizes emergency appropriations, when such appropriations are made pursuant to an emergency ordinance.

THE CITY OF FRANKLIN HEREBY ORDAINS, at least four (4) members of Council elected thereto concurring, that:

Section 1. This Ordinance is an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Franklin, Ohio. The reason for such necessity arises from the need to provide appropriations for current expenses and other expenditures for the fiscal year ending December 31, 2024, to ensure the continued, usual, daily operation of the City Government.

Section 2. To provide for current expenses and other expenditures of the City of Franklin, Ohio, for the fiscal year ending December 31, 2024, the sums contained within the attached Exhibit A, as amended, are hereby appropriated.

Section 3. Existing Ordinance 2023-28 is hereby repealed.

Section 4. The Finance Director is hereby authorized to make payments from any of the appropriations herein made, upon receiving proper claims, certificates and or vouchers approved by the officials, department heads, or their respective designees, authorized by law to approve the same, or upon an ordinance or resolution of Council to make expenditures; provided, however, that no payments for salaries or wages shall be made except to persons employed in accordance with the ordinances of the City of Franklin and/or laws of the State of Ohio.

Section 5. The Finance Director is hereby authorized to adjust appropriations within any Fund or Department, so long as the adjustments made do not exceed the total appropriations authorized within any Fund. In addition, the Finance Director is hereby authorized to establish additional accounts within any Fund as may from time to time be required to ensure proper accounting or by the State of Ohio.

Section 6. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Chapter 121 of the Ohio Revised Code, and the Rules of Council.

Section 7. This Ordinance shall take effect immediately upon its adoption and, in accordance with Sections 4.05 and 4.14 of the City’s Charter, shall not be automatically repealed.

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 2024-07 passed by that body on April 15, 2024.

Khristi Dunn, Clerk of Council

APPROVED AS TO FORM:

Ben Yoder, Law Director

| FUND | ACTIVITY | PERSONAL SERVICES | OTHER | TOTAL |
|------------|--|--------------------|---------------------|---------------------|
| 100 | <u>GENERAL FUND</u> | | | |
| | <u>Public Safety</u> | | | |
| | Police Division | \$4,479,400 | \$826,530 | \$5,305,930 |
| | Reserve Police | \$1,800 | \$0 | \$1,800 |
| | Total | \$4,481,200 | \$826,530 | \$5,307,730 |
| | <u>General Government</u> | | | |
| | Economic Development | \$0 | \$101,180 | \$101,180 |
| | Clerk & Council | \$200,542 | \$73,925 | \$274,467 |
| | Municipal Court | \$835,930 | \$247,775 | \$1,083,705 |
| | Probation Division | \$305,600 | \$17,110 | \$322,710 |
| | City Manager | \$537,040 | \$28,700 | \$565,740 |
| | Finance Department | \$351,620 | \$122,320 | \$473,940 |
| | Income Tax Division | \$254,700 | \$914,095 | \$1,168,795 |
| | Law Department | \$0 | \$577,500 | \$577,500 |
| | Civil Service Commission | \$0 | \$7,850 | \$7,850 |
| | Planning Commission | \$0 | \$10,200 | \$10,200 |
| | Building & Grounds | \$71,370 | \$134,600 | \$205,970 |
| | Other Government | \$0 | \$521,136 | \$521,136 |
| | Building Division | \$323,950 | \$437,500 | \$761,450 |
| | Total | \$2,880,752 | \$3,193,891 | \$6,074,643 |
| | <u>Transfers</u> | | | |
| | Transfers & Advances | \$0 | \$8,763,238 | \$8,763,238 |
| | Total | \$0 | \$8,763,238 | \$8,763,238 |
| | TOTAL GENERAL FUND | \$7,361,952 | \$12,783,659 | \$20,145,611 |
| 200 | <u>STREET FUND</u> | | | |
| | Street Constr, Maint, & Repair | \$863,011 | \$971,041 | \$1,834,052 |
| | Total | \$863,011 | \$971,041 | \$1,834,052 |
| 210 | <u>STATE HIGHWAY FUND</u> | | | |
| | Street Constr, Maint, & Repair | \$0 | \$56,000 | \$56,000 |
| | Total | \$0 | \$56,000 | \$56,000 |
| 212 | <u>FIRE & EMS LEVY FUND</u> | | | |
| | Fire & EMS Division (Includes Grant) | \$2,339,370 | \$632,700 | \$2,972,070 |
| | Volunteer Firefighters | \$798,400 | \$2,000 | \$800,400 |
| | Transfers & Advances | \$0 | \$451,000 | \$451,000 |
| | Total | \$3,137,770 | \$1,085,700 | \$4,223,470 |
| 215 | <u>ISSUE TWO FUND</u> | | | |
| | Street Constr, Maint, & Repair | \$0 | \$1,045,000 | \$1,045,000 |
| | Total | \$0 | \$1,045,000 | \$1,045,000 |
| 219 | <u>E 9-1-1 WIRELESS FUND</u> | | | |
| | Police Division | \$103,920 | \$101,485 | \$205,405 |
| | Total | \$103,920 | \$101,485 | \$205,405 |
| 220 | <u>JOINT RECREATION FUND</u> | | | |
| | Swimming Pool | \$16,800 | \$197,350 | \$214,150 |
| | Transfers & Advances | \$0 | \$0 | \$0 |
| | Total | \$16,800 | \$197,350 | \$214,150 |
| 225 | <u>COMPUTER RESEARCH FUND</u> | | | |
| | Municipal Court | \$0 | \$0 | \$0 |

| | | | | |
|------------|--|-----------|-------------|-------------|
| | Total | \$0 | \$0 | |
| 230 | <u>COURT SPECIAL PROJECTS</u> | | | |
| | Municipal Court | \$95,760 | \$259,000 | \$354,760 |
| | Probation Division | \$28,100 | \$97,700 | \$125,800 |
| | Total | \$123,860 | \$356,700 | \$480,560 |
| 235 | <u>CLERK'S COMPUTERIZATION</u> | | | |
| | Municipal Court | \$0 | \$47,000 | \$47,000 |
| | Total | \$0 | \$47,000 | \$47,000 |
| 238 | <u>FEMA FUND</u> | | | |
| | Fire & EMS Division | \$0 | \$0 | \$0 |
| | Transfers & Advances | \$0 | \$1,097,295 | \$1,097,295 |
| | Total | \$0 | \$1,097,295 | \$1,097,295 |
| 239 | <u>LOCAL CORONAVIRUS RELIEF FUND</u> | | | |
| | Police Division | \$0 | \$0 | \$0 |
| | Fire & EMS Division (Includes Volunteers) | \$0 | \$0 | \$0 |
| | Total | \$0 | \$0 | \$0 |
| 240 | <u>COUNTY VEHICLE TAX FUND</u> | | | |
| | Street & Road Repair | \$0 | \$215,770 | \$215,770 |
| | Transfer & Advance | \$0 | \$0 | \$0 |
| | Total | \$0 | \$215,770 | \$215,770 |
| 250 | <u>DRUG LAW ENFORCEMENT</u> | | | |
| | Police Division | \$0 | \$0 | \$0 |
| | Total | \$0 | \$0 | \$0 |
| 255 | <u>LAW ENFORCEMENT FUND</u> | | | |
| | Police Division | \$0 | \$22,000 | \$22,000 |
| | Total | \$0 | \$22,000 | \$22,000 |
| 258 | <u>ONE OHIO OPIOIOD FUND</u> | | | |
| | Police Division | \$0 | \$0 | \$0 |
| | Total | \$0 | \$0 | \$0 |
| 260 | <u>RECREATION FUND</u> | | | |
| | Parks & Recreation | \$311,150 | \$297,019 | \$608,169 |
| | Special Events | \$0 | \$90,100 | \$90,100 |
| | Total | \$311,150 | \$387,119 | \$698,269 |
| 265 | <u>LAW ENFORCEMENT ASST. FUND</u> | | | |
| | Police Division | \$0 | \$0 | \$0 |
| | Total | \$0 | \$0 | \$0 |
| 270 | <u>IDAT FUND</u> | | | |
| | Health | \$0 | \$7,000 | \$7,000 |
| | Total | \$0 | \$7,000 | \$7,000 |
| 272 | <u>IDIAM FUND</u> | | | |
| | Health | \$0 | \$21,250 | \$21,250 |
| | Total | \$0 | \$21,250 | \$21,250 |
| 275 | <u>ENFORCEMENT & EDUCATION FUND</u> | | | |
| | Health | \$0 | \$1,500 | \$1,500 |
| | Total | \$0 | \$1,500 | \$1,500 |
| 277 | <u>IN HOUSE MONITORING FUND</u> | | | |
| | Municipal Court | \$0 | \$0 | \$0 |
| | Total | \$0 | \$0 | \$0 |

| | | | | |
|------------|--|-----------|-------------|-------------|
| 280 | <u>AMERICAN RESCUE PLAN FUND</u> | | | |
| | Other | \$0 | \$65,000 | \$65,000 |
| | Total | \$0 | \$65,000 | \$65,000 |
| | | | | |
| 290 | <u>EMPLOYEE BENEFITS RESERVE FUND</u> | | | |
| | Police Division | \$176,165 | \$0 | \$176,165 |
| | Fire Division | \$68,450 | \$0 | \$68,450 |
| | Parks & Recreation | \$11,200 | \$0 | \$11,200 |
| | Sanitary Sewer | \$10,000 | \$0 | \$10,000 |
| | Water | \$37,000 | \$0 | \$37,000 |
| | Stormwater Utility | \$10,000 | \$0 | \$10,000 |
| | Street Constr, Maint, & Repair | \$29,800 | \$0 | \$29,800 |
| | Clerk & Council | \$0 | \$0 | \$0 |
| | Municipal Court | \$5,000 | \$0 | \$5,000 |
| | City Manager | \$0 | \$0 | \$0 |
| | Finance | \$5,000 | \$0 | \$5,000 |
| | Income Tax | \$5,000 | \$0 | \$5,000 |
| | Building & Grounds | \$0 | \$0 | \$0 |
| | Building Division | \$24,000 | \$0 | \$24,000 |
| | Total | \$381,615 | \$0 | \$381,615 |
| | | | | |
| 310 | <u>BOND RETIREMENT FUND</u> | | | |
| | Bond Retirement | \$0 | \$1,225,782 | \$1,225,782 |
| | Total | \$0 | \$1,225,782 | \$1,225,782 |
| | | | | |
| 320 | <u>SPECIAL ASSESSMENT BOND RETIREMENT</u> | | | |
| | Bond Retirement | \$0 | \$0 | \$0 |
| | Total | \$0 | \$0 | \$0 |
| | | | | |
| 400 | <u>CAPITAL IMPROVEMENTS FUND</u> | | | |
| | Police Division | \$0 | \$391,000 | \$391,000 |
| | Other Government | \$0 | \$1,975,096 | \$1,975,096 |
| | Total | \$0 | \$2,366,096 | \$2,366,096 |
| | | | | |
| 401 | <u>ODOT PROGRAM FUND</u> | | | |
| | Street Constr, Maint, & Repair | \$0 | \$2,829,000 | \$2,829,000 |
| | Total | \$0 | \$2,829,000 | \$2,829,000 |
| | | | | |
| 403 | <u>ECONOMIC DEVELOPMENT & REHABILITATION FUND</u> | | | |
| | Economic Development | \$0 | \$792,000 | \$792,000 |
| | Total | \$0 | \$792,000 | \$792,000 |
| | | | | |
| 410 | <u>TIF FUND</u> | | | |
| | Economic Development | \$0 | \$83,904 | \$83,904 |
| | Total | \$0 | \$83,904 | \$83,904 |
| | | | | |
| 412 | <u>FIRE & EMS REPLACEMENT FUND</u> | | | |
| | Fire & EMS Division | \$0 | \$259,690 | \$259,690 |
| | Total | \$0 | \$259,690 | \$259,690 |
| | | | | |
| 420 | <u>SEWER REPLACEMENT FUND</u> | | | |
| | Sanitary Sewer | \$0 | \$0 | \$0 |
| | Total | \$0 | \$0 | \$0 |
| | | | | |
| 430 | <u>WATERWORKS REPLACEMENT FUND</u> | | | |
| | Water | \$0 | \$1,885,000 | \$1,885,000 |
| | Total | \$0 | \$1,885,000 | \$1,885,000 |
| | | | | |
| 440 | <u>STORMWATER REPLACEMENT FUND</u> | | | |
| | Stormwater Utility | \$0 | \$0 | \$0 |
| | Total | \$0 | \$0 | \$0 |

| | | | | |
|--|---|---------------------|---------------------|------------------------------------|
| <u>STREET LIGHTING FUND</u> | | | | |
| | Street Lighting | \$0 | \$92,500 | \$92,500 |
| | Total | \$0 | \$92,500 | \$92,500 |
| <u>MIAMI CONSERVANCY DISTRICT</u> | | | | |
| | Flood Control | \$0 | \$58,000 | \$58,000 |
| | Total | \$0 | \$58,000 | \$58,000 |
| <u>WATER FUND</u> | | | | |
| | Water Division (Includes Water Treatment Plant) | \$1,169,950 | \$1,060,950 | \$1,055,950 \$2,230,900 |
| | Bond Retirement | \$0 | \$94,600 | \$94,600 |
| | Transfers & Advances | \$0 | \$2,175,000 | \$2,175,000 |
| | Total | \$1,169,950 | \$3,330,550 | \$4,500,500 |
| <u>WATER DEPOSIT</u> | | | | |
| | Other | \$0 | \$30,000 | \$30,000 |
| | Total | \$0 | \$30,000 | \$30,000 |
| <u>SEWER FUND</u> | | | | |
| | Sewer Division | \$378,000 | \$2,800,100 | \$3,178,100 |
| | Transfers & Advances | \$0 | \$115,000 | \$115,000 |
| | Total | \$378,000 | \$2,915,100 | \$3,293,100 |
| <u>SEWER DEPOSIT</u> | | | | |
| | Other | \$0 | \$30,000 | \$30,000 |
| | Total | \$0 | \$30,000 | \$30,000 |
| <u>TRASH COLLECTION FUND</u> | | | | |
| | Trash Collection | \$65,234 | \$907,100 | \$898,800 \$972,334 |
| | Total | \$65,234 | \$907,100 | \$972,334 |
| <u>STORMWATER UTILITY FUND</u> | | | | |
| | Stormwater Utility | \$362,650 | \$380,026 | \$377,026 \$742,676 |
| | Other Financing Uses | \$0 | \$25,000 | \$25,000 |
| | Total | \$362,650 | \$405,026 | \$767,676 |
| <u>POLICE PENSION FUND</u> | | | | |
| | Police Division | \$553,000 | \$1,300 | \$554,300 |
| | Total | \$553,000 | \$1,300 | \$554,300 |
| <u>FIRE PENSION FUND</u> | | | | |
| | Fire & EMS Division (Includes Grant) | \$449,700 | \$1,300 | \$451,000 |
| | Total | \$449,700 | \$1,300 | \$451,000 |
| <u>F.C. DIAL TRUST FUND</u> | | | | |
| | Parks & Recreation | \$0 | \$19,761 | \$19,761 |
| | Total | \$0 | \$19,761 | \$19,761 |
| <u>UNCLAIMED MONIES FUND</u> | | | | |
| | Unclaimed Funds | \$0 | \$1,000 | \$1,000 |
| | Transfers & Advances | \$0 | \$6,100 | \$6,100 |
| | Total | \$0 | \$7,100 | \$7,100 |
| <u>INSURANCE RESERVE FUND</u> | | | | |
| | Insurance Demolition | \$0 | \$20,000 | \$20,000 |
| | Total | \$0 | \$20,000 | \$20,000 |
| <u>BUILDING STANDARDS FUND</u> | | | | |
| | Building Division | \$0 | \$2,000 | \$2,000 |
| | Total | \$0 | \$2,000 | \$2,000 |
| | TOTAL BUDGET | \$15,278,612 | \$35,722,078 | \$51,000,690 |



LEGISLATIVE COVER MEMO

Introduction: April 15, 2024

Agenda Item: **Resolution 2024-26**
ADOPTING A POSITION DESCRIPTION FOR SENIOR CITY ENGINEER

Submitted by: Cindi Chibis, Human Resources Specialist

Scope/Description: This Resolution adopts a new position description for the Senior City Engineer. This position can be full or part-time and requires at least fifteen years' experience in a municipal engineering capacity.

Budget Impact: None.

Exhibits: Exhibit A: Senior City Engineer Position Description

Recommendation: Approval

CITY OF FRANKLIN, OHIO
RESOLUTION 2024-26

ADOPTING A POSITION DESCRIPTION FOR SENIOR CITY ENGINEER

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, upon the recommendations of the City Manager, this Council now finds it desirable to adopt position descriptions for the position of Senior City Engineer to adequately reflect the duties and responsibilities of this position,

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

Section 1. The position description for Senior City Engineer is attached hereto as Exhibit A, is hereby adopted and approved, and shall be included in the City of Franklin Position Classification Plan.

Section 2. It is hereby 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. This Resolution shall become effective immediately upon its passage.

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 a resolution passed by that body on April 15, 2024.

Khristi Dunn, Clerk of Council



CITY OF FRANKLIN

POSITION DESCRIPTION

| | | | |
|------------------------------|---------------------|-----------------------------|---------------------------|
| Employee Name: | | Department/Division: | Safety/ Building & Zoning |
| Civil Service Status: | Unclassified | Position Title: | Senior City Engineer |
| Employment: | Full-time/Part-Time | Reports To: | Safety Director |
| FLSA Status: | Exempt | Supervises: | City Engineers |

GENERAL DESCRIPTION: The Senior City Engineer manages the development and implementation of divisional goals, objectives, policies, and priorities and performs short range planning of design and project management tasks and engages stakeholders in the development of long-range planning for major engineering projects.

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

1. Responsible for providing professional civil engineering services in support of the Public Works Department, and other municipal departments/divisions as necessary. Such duties include planning, construction, repair, operations, and maintenance of the City’s infrastructure, including streets, traffic, water distribution, sanitary sewer, and storm sewer systems, as well as the various City facilities.
2. Prepares bids documents including drawings, specifications and cost estimates for maintenance, replacement, reconstruction or construction of streets, traffic, water distribution, sanitary sewer and storm sewer systems. Reviews and recommends bid award for construction contracts. Prepares RFQs/RFPs; and evaluates and recommends award for professional services contracts.
3. Supervises City Engineer(s). Assigns, schedules, and directs subordinates to ensure quality work product and services. Supports training, evaluates effectiveness, and mentors direct reports to improve their knowledge, skills, and abilities. Reviews work and provides feedback for performance evaluations.
4. Directly monitors and coordinates the work of contractors on City projects. Reviews and approves contractor pay requests and assures that all work is in compliance with the contract and contract documents.
5. Prepares and implements local, state, and federal planning, transportation and utility grants and loans.
6. Develops and updates design criteria, construction specifications and standard drawings for the design and construction of public infrastructure projects and private drives, driveways, curbs, gutters, and sidewalks.
7. Assists in the long-range strategic planning of the City’s transportation network, including vehicular, pedestrian, and alternative transportation systems.
8. Recommends maintenance, repair or replacement of bridges and culverts.
9. Issues Floodplain Permits in accordance with the provisions of the UDO’s Floodplain Overlay District. Reviews all stormwater management plans to assure conformance with the City’s stormwater and drainage standards. Reviews Site Plans to assure conformance with the Site Plan and development regulations of the UDO. Reviews and approves applications for Minor and Major Subdivisions. Reviews all PUD, PRCD, zoning amendment, and conditional use applications to assure compliance with the regulations of the UDO.
10. Oversees and may provide inspection services of residential subdivision and commercial and industrial development plans.
11. Responsible for ensuring that new development and ongoing land occupancy conforms to applicable City regulations regarding land use and zoning, drainage and stormwater management, and special flood hazard areas.



CITY OF FRANKLIN POSITION DESCRIPTION

12. Advises Planning Commission, Board of Zoning Appeals, and administration on all matters upon which those bodies need to act and provides to those bodies all documents, maps and any other related information deemed necessary.
13. Maintains all records of construction inspections and prepares reports for various Federal, State, County and City agencies.
14. City liaison for contractors, developers, property owners and others regarding regulations and requirements related to public Infrastructure and drainage issues. Responds to job-related inquiries made by phone or in writing. Responds to citizen complaints and undertakes enforcement actions as necessary. Assists the public to resolve these issues.
15. Conducts field inspections to ensure compliance with all construction regulations, conditions of approval or permit requirements and investigates and determines violations.
16. Serves as staff liaison to the Planning Commission, Board of Zoning Appeals and other City boards, commissions and/or County agencies and prepares budget information. Attends the meetings of the Planning Commission, Board of Zoning Appeals and other zoning boards or commissions. Attends City Council meetings and meetings of other City and civil groups, as required by the City Manager. Serves as a member of other boards and commissions, as required by the City Manager.
17. Demonstrates ability to analyze and problem solve. Exercises appropriate discretion and professional judgement.

OTHER DUTIES AND RESPONSIBILITIES:

1. Performs other duties as required.

QUALIFICATIONS:

Communication Skills: Ability to develop and maintain effective relationships with City Council members, officials, leaders, organizations, the public, and staff at all levels. Ability to respond effectively to sensitive inquiries or complaints from the public and public officials. Ability to compile and prepare reports, business correspondence, and documents using original or prescribed techniques or style. Ability to make effective and persuasive speeches and presentations on controversial or complex topics to top management, public groups, and/or boards of directors. Ability to develop, lead, and nurture high performance and a professional atmosphere.

Education and Experience: Bachelor's degree in civil engineering or related field and minimum of fifteen (15) years' experience in a municipal engineering capacity, or equivalent combination of education and experience. Certification as an Ohio professional engineer (or proof of exemption) under Ohio Revised Code Chapter 4733 required. Prior experience with zoning and building enforcement beneficial. Valid Ohio driver's license, acceptable motor vehicle record, and continuous insurability required.

Equipment, Tools and Materials: Ability to use computer equipment and standard office equipment. Ability to periodically drive vehicle.

Knowledge: Knowledge of Civil Engineering principles and practices and laws applicable to zoning, building and subdivisions and City Zoning Code (unified Development Ordinance). Ability to maintain proficiency in and knowledge of current, upcoming and/or new regulations/legislation within area of responsibility. Knowledge of fiscal and budget management principles, supervisory principles and practices, and records management.

Math Skills: Mathematical, fiscal, and statistical skills. Ability to effectively present complex data to the City Manager, City Council members, and the general public. Ability to create and adhere to annual budgets. Ability to effectively negotiate contracts and adhere to grant requirements. Ability to develop and implement cost saving measures.

Physical Requirements: (with or without accommodation): Ability to occasionally operate a motor vehicle, hold, lift, reach, stoop and turn. Ability to frequently, grasp, sit, stand, walk, and use keyboard. Specific vision abilities required for this job include close and



CITY OF FRANKLIN

POSITION DESCRIPTION

distance vision. Ability to speak English and hear required. Duties are primarily performed in an office environment.

Reasoning Skills: Ability to plan, organize, and direct municipal operations, services, and activities. Ability to lead City Council and staff in ongoing strategic planning and implementation efforts. Ability to deal with a variety of abstract and concrete variables while determining and taking specific action, apply management principles to analyze problems, collect data, establish facts, identify solutions in support of established goals, project consequences of proposed actions, and implement recommendations. Ability to understand, interpret, and apply laws, rules, and regulations to specific situations. Ability to function with a high degree of independence, utilize sound professional judgment; and maintain records according to established procedures.

Technical Skills: Ability to use e-mail, spreadsheet, and office software. Ability to maintain complex financial records. Ability to learn automated system functions used in carrying out job duties.

INHERENTLY HAZARDOUS OR PHYSICALLY DEMANDING WORKING CONDITIONS: (For purposes of O.R.C. 4167)
Employee has exposure to chemical compounds found in an office environment (e.g., toner, correction fluid, etc.). Employee is occasionally exposed to outdoor weather conditions, May be exposed to hazardous driving conditions, verbal abuse by the public, 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.

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

Agenda Item: **Resolution 2024-27**
AMENDING THE POSITION DESCRIPTIONS FOR THE CITY ENGINEER

Submitted by: Cindi Chibis, Human Resource

Scope/Description: This resolution updates the job description for the City Engineer to report to the newly authorized Senior City Engineer position.

Budget Impact: None.

Exhibits: Exhibit A: City Engineer Position Description

Recommendation: Approval

CITY OF FRANKLIN, OHIO
RESOLUTION 2024-27

AMENDING THE POSITION DESCRIPTIONS FOR THE CITY ENGINEER

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 City Engineer.

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 City Engineer 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 4. That this resolution shall become effective immediately upon its passage.

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 a resolution passed by that body on April 15, 2024.

Khristi Dunn, Clerk of Council



CITY OF FRANKLIN

POSITION DESCRIPTION

| | | | |
|------------------------------|--------------|-----------------------------|--|
| Employee Name: | | Department/Division: | Safety/ Building & Zoning |
| Civil Service Status: | Unclassified | Position Title: | City Engineer |
| Employment: | Full-time | Reports To: | Safety Director <u>Senior City Engineer</u> |
| FLSA Status: | Exempt | Supervises: | N/A <u>Assistant City Engineers</u> |

GENERAL DESCRIPTION: Under direction of the Senior City Engineer, the City Engineer manages the development and implementation of divisional goals, objectives, policies, and priorities and performs short range planning of design and project management tasks and engages stakeholders in the development of long-range planning for major engineering projects.

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

1. Responsible for providing professional civil engineering services in support of the Public Works Department, and other municipal departments/divisions as necessary. Such duties include planning, construction, repair, operations, and maintenance of the City’s infrastructure, including streets, traffic, water distribution, sanitary sewer, and storm sewer systems, as well as the various City facilities.
2. Prepares bids documents including drawings, specifications and cost estimates for maintenance, replacement, reconstruction or construction of streets, traffic, water distribution, sanitary sewer and storm sewer systems. Reviews and recommends bid award for construction contracts. Prepares RFQs/RFPs; and evaluates and recommends award for professional services contracts.
3. Supervises Assistant City Engineer(s). Assigns, schedules, and directs subordinates to ensure quality work product and services. Supports training, evaluates effectiveness, and mentors direct reports to improve their knowledge, skills, and abilities. Reviews work and provides feedback for performance evaluations.
4. Directly monitors and coordinates the work of contractors on City projects. Reviews and approves contractor pay requests and assures that all work is in compliance with the contract and contract documents.
5. Prepares and implements local, state, and federal planning, transportation and utility grants and loans.
6. Develops and updates design criteria, construction specifications and standard drawings for the design and construction of public infrastructure projects and private drives, driveways, curbs, gutters, and sidewalks.
7. Assists in the long-range strategic planning of the City’s transportation network, including vehicular, pedestrian, and alternative transportation systems.
8. Recommends maintenance, repair or replacement of bridges and culverts.
9. Issues Floodplain Permits in accordance with the provisions of the UDO’s Floodplain Overlay District. Reviews all stormwater management plans to assure conformance with the City’s stormwater and drainage standards. Reviews Site Plans to assure conformance with the Site Plan and development regulations of the UDO. Reviews and approves applications for Minor and Major Subdivisions. Reviews all PUD, PRCD, zoning amendment, and conditional use applications to assure compliance with the regulations of the UDO.
10. Oversees and may provide inspection services of residential subdivision and commercial and industrial development plans.
11. Responsible for ensuring that new development and ongoing land occupancy conforms to applicable City regulations regarding land use and zoning, drainage and stormwater management, and special flood hazard areas.



CITY OF FRANKLIN POSITION DESCRIPTION

12. Advises Planning Commission, Board of Zoning Appeals, and administration on all matters upon which those bodies need to act and provides to those bodies all documents, maps and any other related information deemed necessary.
13. Maintains all records of construction inspections and prepares reports for various Federal, State, County and City agencies.
14. City liaison for contractors, developers, property owners and others regarding regulations and requirements related to public Infrastructure and drainage issues. Responds to job-related inquiries made by phone or in writing. Responds to citizen complaints and undertakes enforcement actions as necessary. Assists the public to resolve these issues.
15. Conducts field inspections to ensure compliance with all construction regulations, conditions of approval or permit requirements and investigates and determines violations.
16. Serves as staff liaison to the Planning Commission, Board of Zoning Appeals and other City boards, commissions and/or County agencies and prepares budget information. Attends the meetings of the Planning Commission, Board of Zoning Appeals and other zoning boards or commissions. Attends City Council meetings and meetings of other City and civil groups, as required by the City Manager. Serves as a member of other boards and commissions, as required by the City Manager.
17. Demonstrates ability to analyze and problem solve. Exercises appropriate discretion and professional judgement.

OTHER DUTIES AND RESPONSIBILITIES:

1. Performs other duties as required.

QUALIFICATIONS:

Communication Skills: Ability to develop and maintain effective relationships with City Council members, officials, leaders, organizations, the public, and staff at all levels. Ability to respond effectively to sensitive inquiries or complaints from the public and public officials. Ability to compile and prepare reports, business correspondence, and documents using original or prescribed techniques or style. Ability to make effective and persuasive speeches and presentations on controversial or complex topics to top management, public groups, and/or boards of directors. Ability to develop, lead, and nurture high performance and a professional atmosphere.

Education and Experience: Bachelor's degree in civil engineering or related field and minimum of ten (10) years' experience in a municipal engineering capacity, or equivalent combination of education and experience. Certification as an Ohio professional engineer (or proof of exemption) under Ohio Revised Code Chapter 4733 required. Prior experience with zoning and building enforcement beneficial. Valid Ohio driver's license, acceptable motor vehicle record, and continuous insurability required.

Equipment, Tools and Materials: Ability to use computer equipment and standard office equipment. Ability to periodically drive vehicle.

Knowledge: Knowledge of Civil Engineering principles and practices and laws applicable to zoning, building and subdivisions and City Zoning Code (unified Development Ordinance). Ability to maintain proficiency in and knowledge of current, upcoming and/or new regulations/legislation within area of responsibility. Knowledge of fiscal and budget management principles, supervisory principles and practices, and records management.

Math Skills: Mathematical, fiscal, and statistical skills. Ability to effectively present complex data to the City Manager, City Council members, and the general public. Ability to create and adhere to annual budgets. Ability to effectively negotiate contracts and adhere to grant requirements. Ability to develop and implement cost saving measures.

Physical Requirements: (with or without accommodation): Ability to occasionally operate a motor vehicle, hold, lift, reach, stoop and turn. Ability to frequently, grasp, sit, stand, walk, and use keyboard. Specific vision abilities required for this job include close and



CITY OF FRANKLIN

POSITION DESCRIPTION

distance vision. Ability to speak English and hear required. Duties are primarily performed in an office environment.

Reasoning Skills: Ability to plan, organize, and direct municipal operations, services, and activities. Ability to lead City Council and staff in ongoing strategic planning and implementation efforts. Ability to deal with a variety of abstract and concrete variables while determining and taking specific action, apply management principles to analyze problems, collect data, establish facts, identify solutions in support of established goals, project consequences of proposed actions, and implement recommendations. Ability to understand, interpret, and apply laws, rules, and regulations to specific situations. Ability to function with a high degree of independence, utilize sound professional judgment; and maintain records according to established procedures.

Technical Skills: Ability to use e-mail, spreadsheet, and office software. Ability to maintain complex financial records. Ability to learn automated system functions used in carrying out job duties.

INHERENTLY HAZARDOUS OR PHYSICALLY DEMANDING WORKING CONDITIONS: (For purposes of O.R.C. 4167)
Employee has exposure to chemical compounds found in an office environment (e.g., toner, correction fluid, etc.). Employee is occasionally exposed to outdoor weather conditions, May be exposed to hazardous driving conditions, verbal abuse by the public, 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.

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 15, 2024

Agenda Item: **Resolution 2024-28**

AMENDING RESOLUTION 2024-09 AND AUTHORIZING POSITION TITLES AND THE NUMBER OF POSITIONS FOR EACH TITLE FOR CITY OF FRANKLIN PERSONNEL FOR THE YEAR 2024

Submitted by: Cindi Chibis, Human Resources Specialist

Scope/Description: This resolution adds the newly created Senior City Engineer position. This position can be full-time or part-time. There will only be one Senior City Engineer in either the full-time or part-time authorized positions.
This resolution also corrects the title of the Administrative Assistant for Fire & EMS.

Budget Impact: None.

Exhibits: Exhibit A: List of Authorized Positions

Recommendation: Approval

CITY OF FRANKLIN, OHIO
RESOLUTION 2024-28

AMENDING RESOLUTION 2024-09 AND AUTHORIZING POSITION TITLES AND THE NUMBER OF POSITIONS FOR EACH TITLE FOR CITY OF FRANKLIN PERSONNEL FOR THE YEAR 2024

WHEREAS Section 3.03 of the City of Franklin Charter grants this Council the power to fix the number of employees in the various offices, departments, divisions, bureaus, boards and commissions of the City, by ordinance or resolution; and

WHEREAS, Section 171.04 of the Codified Ordinances of the City of Franklin requires this Council, by ordinance or resolution, to establish a yearly list of position titles and the number of positions that may be filled under each title for each department of the City government; and

WHEREAS, on February 5, 2024 this Council passed Resolution 2024-09 Authorizing position titles for each title for City of Franklin personnel for the Year 2024;

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

Section 1. The attached list, Exhibit A, of position titles and the number of positions to be filled under each title for the year 2024 is hereby authorized and approved, subject to the availability of funds authorized in the Annual Appropriations Ordinance:

Section 2. It is hereby 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. This Resolution shall become effective immediately upon its passage.

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 a resolution passed by that body on April 15, 2024.

Khristi Dunn, Clerk of Council

City of Franklin
Authorized Position Titles

| |
|--------------------|
| Section 8, Item C. |
|--------------------|

Full Time Part-Time Seasonal Volunteer

A. Council:

| | | | | |
|------------------|---|---|---|---|
| Clerk of Council | 1 | 0 | 0 | 0 |
|------------------|---|---|---|---|

B. Administration:

| | | | | |
|----------------------------------|---|---|---|---|
| City Manager | 1 | 0 | 0 | 0 |
| Assistant City Manager | 1 | 0 | 0 | 0 |
| Admin. Assistant to City Manager | 0 | 0 | 0 | 0 |
| Secretary to City Manager | 0 | 1 | 0 | 0 |
| Human Resources Specialist | 1 | 0 | 0 | 0 |
| Seasonal Intern | 0 | 0 | 4 | 0 |

C. Finance Department:

| | | | | |
|------------------------|---|---|---|---|
| Finance Director | 1 | 0 | 0 | 0 |
| Finance Clerk | 0 | 1 | 0 | 0 |
| Payroll Clerk | 1 | 0 | 0 | 0 |
| Accounts Payable Clerk | 1 | 0 | 0 | 0 |

Income Tax Division:

| | | | | |
|---------------------------|---|---|---|---|
| Income Tax Administrator | 1 | 0 | 0 | 0 |
| Income Tax Clerk | 1 | 1 | 0 | 0 |
| Seasonal Income Tax Clerk | 0 | 0 | 2 | 0 |

Utility Billing Division:

| | | | | |
|-------------------------------|---|---|---|---|
| Utility Billing Administrator | 2 | 0 | 0 | 0 |
| Utility Clerk | 1 | 1 | 0 | 0 |

D. Law Department:

| | | | | |
|--------------|---|-----------------|--|--|
| Law Director | 0 | 1 (contractual) | | |
| Prosecutor | 0 | 1 (contractual) | | |

E. Public Works Department:

| | | | | |
|---|---|---|----|---|
| Public Works Director | 1 | 0 | 0 | 0 |
| Assistant Public Works Director | 1 | 0 | 0 | 0 |
| Administrative Assistant for Public Works | 1 | 0 | 0 | 0 |
| Custodian | 1 | 0 | 0 | 0 |
| Seasonal Labor | 0 | 0 | 10 | 0 |

Parks Division:

| | | | | |
|------------------------------|---|---|----|---|
| Park Worker/Lead | 1 | 0 | 0 | 0 |
| Park Worker | 1 | 0 | 0 | 0 |
| Recreation/Event Coordinator | 0 | 1 | 0 | 0 |
| Parks & Recreation Personnel | 0 | 0 | 20 | 0 |

Stormwater Division:

| | | | | |
|-----------------------------|---|---|---|---|
| Utility Person – Stormwater | 2 | 0 | 0 | 0 |
|-----------------------------|---|---|---|---|

**City of Franklin
Authorized Position Titles**

| |
|--------------------|
| Section 8, Item C. |
|--------------------|

| | <u>Full Time</u> | <u>Part-Time</u> | <u>Seasonal</u> | <u>Volunteer</u> |
|--|------------------|------------------|-----------------|------------------|
|--|------------------|------------------|-----------------|------------------|

Streets Division:

| | | | | |
|-------------------------|---|---|---|---|
| Street Superintendent | 1 | 0 | 0 | 0 |
| Utility Person – Street | 4 | 0 | 0 | 0 |

Water Division & Sewer Division:

| | | | | |
|--------------------|---|---|---|---|
| Water & Sewer Lead | 1 | 0 | 0 | 0 |
| Utility Person | 8 | 0 | 0 | 0 |

Water Treatment Division:

| | | | | |
|--------------------------------|---|---|---|---|
| Water Treatment Superintendent | 1 | 0 | 0 | 0 |
| Water Operator | 1 | 0 | 0 | 0 |

F. Safety Department:

| | | | | |
|---|---|---|---|---|
| Safety Director | 0 | 0 | 0 | 0 |
| Assistant to the Safety Director | 0 | 0 | 0 | 0 |
| Administrative Assistant for Safety Departmer | 0 | 1 | 0 | 0 |

Fire & EMS Division:

| | | | | |
|---|----|---|---|----|
| Chief | 1 | 0 | 0 | 0 |
| Secretary to <u>Administrative Assistant</u> <u>for</u> Fire & EMS Division | 0 | 2 | 0 | 0 |
| Captain | 1 | 0 | 0 | 0 |
| Lieutenant | 5 | 0 | 0 | 0 |
| Firefighter | 12 | 0 | 0 | 0 |
| Second Lieutenant | 0 | 0 | 0 | 2 |
| Volunteer Firefighter | 0 | 0 | 0 | 65 |

Police Division:

| | | | | |
|---|----|---|---|---|
| Chief | 1 | 0 | 0 | 0 |
| Captain | 1 | 0 | 0 | 0 |
| Lieutenant | 0 | 0 | 0 | 0 |
| Sergeant | 4 | 0 | 0 | 0 |
| Patrol Officer | 22 | 0 | 0 | 0 |
| Cadet (included in Patrol Officers Total) | 2 | 0 | 0 | 0 |
| School Resource Officer | 0 | 1 | 0 | 0 |
| Lead Dispatcher | 1 | 0 | 0 | 0 |
| Dispatcher | 6 | 0 | 0 | 0 |
| Property Room & Evidence Manager | 0 | 1 | 0 | 0 |
| Reserve Officer | 0 | 0 | 0 | 5 |
| Reserve Dispatcher | 0 | 0 | 0 | 5 |

Building & Zoning Division:

| | | | | |
|-----------------------------|----------|----------|----------|----------|
| <u>Senior City Engineer</u> | <u>1</u> | <u>1</u> | <u>0</u> | <u>0</u> |
| City Engineer | 1 | 0 | 0 | 0 |
| Assistant City Engineer | 1 | 0 | 0 | 0 |
| Zoning Official | 0 | 1 | 0 | 0 |

City of Franklin
Authorized Position Titles

Section 8, Item C.

Full Time Part-Time Seasonal Volunteer

Building & Zoning Division contd:

| | | | | |
|----------------------|---|---|---|---|
| Code Official | 1 | 0 | 0 | 0 |
| Property Maintenance | 1 | 1 | 0 | 0 |

G. Boards & Commissions:

| | | | | |
|-------------------------------|---|---|---|---|
| Civil Service Comm. Secretary | 0 | 1 | 0 | 0 |
|-------------------------------|---|---|---|---|

H. Municipal Court:

Municipal Court positions as authorized by the Ohio Revised Code or Municipal Court Judge



LEGISLATIVE COVER MEMO

Introduction: April 15, 2024

Agenda Item: **Resolution 2024-29**

AMENDING RESOLUTION 2024-23 AND ESTABLISHING THE ORGANIZATIONAL LISTINGS AND PAY RATES FOR CITY OF FRANKLIN OFFICIALS AND EMPLOYEES FOR THE YEAR 2024

Submitted by: Jonathan Westendorf, City Manager

Scope/Description: Resolution 2024-23 is being amended to set the rates of pay for 2024. The full-time Senior City Engineer position is being set at \$97,922 – 120,432. The part-time rate is being set at \$39.00 - \$47.97.

Budget Impact: None.

Exhibits: Exhibit A: 2024 Payroll Rates

Recommendation: Approval

CITY OF FRANKLIN, OHIO
RESOLUTION 2024-29

AMENDING RESOLUTION 2024-23 AND ESTABLISHING THE ORGANIZATIONAL LISTINGS AND PAY RATES FOR CITY OF FRANKLIN OFFICIALS AND EMPLOYEES FOR THE YEAR 2024

WHEREAS, section 3.03 of the City of Franklin Charter grants this Council the power to fix the number of employees in the various offices, departments, divisions, bureaus, boards and commissions of the City and to fix the rate of their compensation;

WHEREAS, Section 1901.33 of the Ohio Revised code provides that the judge of a municipal court may appoint one or more interpreters, one or more mental health professionals, one or more probation officers, an assignment commissioner, deputy assignment commissioners, and other court aides on a full-time, part-time, hourly, or other basis. Each appointee shall receive the compensation out of the city treasury that the legislative authority prescribes in either biweekly installments or semimonthly installments, as determined by the payroll administrator and the judge may appoint one or more typists, stenographers, statistical clerks, and official court reporters, each of whom shall be paid the compensation out of the city treasury that the legislative authority prescribes; and

WHEREAS, Resolution 2024-23 established pay rates for City of Franklin Officials and Employees for the year 2024 and now needs amended to update pay rates for those in the Teamsters Union.

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

Section 1. The compensation hereafter provided in Exhibit A shall apply to the listed positions for and during the year 2024.

Section 2. It is hereby 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. This Resolution shall become effective immediately upon its passing.

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 a resolution passed by that body on April 15, 2024.

Khristi Dunn, Clerk of Council

**Resolution 2024-29
Exhibit A**

Section 8, Item D.

| | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Step 7 | Step 8 | Step 9 |
|---|---------------------|----------|-----------|-----------|-----------|-----------|-----------|-----------|---------------------------|
| Council | | | | | | | | | |
| Mayor | \$8,500 | | | | | | | | |
| Council Member | \$8,000 | | | | | | | | |
| Clerk of Council | \$72,341 | \$74,512 | \$76,747 | \$79,049 | \$81,420 | \$83,864 | \$88,316 | \$88,970 | |
| Acting Clerk | \$100 (per meeting) | | | | | | | | |
| Administration | | | | | | | | | |
| City Manager | \$141,750 | | | | | | | | |
| Assistant City Manager | \$95,828 | \$98,703 | \$101,664 | \$104,714 | \$107,855 | \$111,091 | \$114,424 | \$117,857 | |
| Admin. Asst. to City Manager | \$65,978 | \$67,298 | \$68,644 | \$70,018 | \$71,418 | \$72,846 | \$74,303 | \$75,790 | |
| Secretary to City Manager | \$40,032 | \$40,833 | \$41,650 | \$42,483 | \$43,332 | \$44,198 | \$45,083 | \$45,985 | |
| Secretary to City Manager, P/T (per hour) | \$18.93 | \$19.94 | \$20.97 | \$23.15 | \$23.85 | | | | |
| Human Resources Specialist | \$56,960 | \$58,612 | \$60,313 | \$62,066 | \$63,871 | \$65,731 | \$67,646 | \$69,619 | |
| Seasonal Intern (per hour) | Education Credit | \$12.60 | \$13.65 | \$14.70 | \$15.75 | | | | |
| Finance Department | | | | | | | | | |
| Finance Director | \$96,863 | \$99,768 | 102,761 | 105,845 | 109,020 | 112,291 | 115,659 | 119,129 | |
| Finance Clerk P/T (per hour) | \$17.50 | \$18.43 | \$19.37 | \$19.95 | | | | | |
| Finance Division | | | | | | | | | |
| Payroll Clerk*† (per hour) | | \$23.53 | \$24.92 | \$26.21 | | | | | |
| Accounts Payable Clerk*† (per hour) | | \$22.48 | \$23.87 | \$25.16 | | | | | |
| Income Tax Division | | | | | | | | | |
| Income Tax Administrator | \$58,938 | \$60,705 | \$61,978 | \$63,250 | \$64,522 | \$65,922 | \$67,322 | \$68,721 | \$70,086 |
| Income Tax Clerk*† (per hour) | | \$22.48 | \$23.87 | \$25.16 | | | | | |
| Income Tax Clerk, part-time (per hour) | \$18.94 | \$19.94 | \$20.97 | \$23.15 | | | | | |
| Income Tax Clerk, seasonal (per hour) | \$17.50 | \$18.03 | \$18.57 | \$19.12 | | | | | |
| Utility Billing Division | | | | | | | | | |
| Utility Billing Administrator | \$58,938 | \$60,705 | \$61,978 | \$63,250 | \$64,522 | \$65,922 | \$67,322 | \$68,721 | \$70,086 |
| Utility Clerk*† (per hour) | | \$22.48 | \$23.87 | \$25.16 | | | | | |
| Utility Clerk, part-time (per hour) | \$18.94 | \$19.94 | \$20.97 | \$23.15 | | | | | |
| Law Department | | | | | | | | | |
| Law Director | | | | | | | | | (per employment contract) |
| Prosecutor, part-time | \$77,500 | | | | | | | | (per employment contract) |

Resolution 2024-29

Exhibit A

Section 8, Item D.

| | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Step 7 | Step 8 | Step 9 |
|--|-----------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|--------|--------|
| Public Works Department | | | | | | | | | |
| Public Works Director | \$105,000 | \$108,150 | \$111,395 | \$114,736 | \$118,178 | \$121,133 | \$124,161 | | |
| Assistant Public Works Director | \$99,750 | \$102,743 | \$105,825 | \$109,000 | \$112,270 | \$115,076 | \$117,953 | | |
| Administrative Assistant to Public Works | \$47,000 | \$48,410 | \$49,862 | \$51,358 | \$52,899 | | | | |
| Custodian*† (per hour) | | \$18.39 | \$19.47 | \$20.58 | | | | | |
| Seasonal Labor (per hour) | \$16.14 | | | | | | | | |
| Parks Division | | | | | | | | | |
| Parks Superintendent | (filled by Public Works Director) | | | | | | | | |
| Lead Park Worker*† (per hour) | | \$35.66 | | | | | | | |
| Utility Person I*† (per hour) | | \$26.63 | \$28.28 | \$29.75 | | | | | |
| Utility Person II*† (per hour) | | \$30.05 | \$30.86 | \$31.43 | | | | | |
| Utility Person III*† (per hour) | | \$31.57 | \$32.43 | \$33.03 | | | | | |
| Recreation & Events Coordinator (per hour) | \$19.37 | \$19.91 | \$20.45 | | | | | | |
| Recreation & Event Team Member(per hour) | \$10.61 | \$10.76 | \$11.30 | \$11.84 | | | | | |
| (additional hourly rate for opening/closing) | +\$0.55 | | | | | | | | |
| Stormwater Division | | | | | | | | | |
| Stormwater Superintendent | (filled by Public Works Director) | | | | | | | | |
| Utility Person I*† (per hour) | | \$26.63 | \$28.28 | \$29.75 | | | | | |
| Utility Person II*† (per hour) | | \$30.05 | \$30.86 | \$31.43 | | | | | |
| Utility Person III*† (per hour) | | \$31.57 | \$32.43 | \$33.03 | | | | | |
| Street Division | | | | | | | | | |
| Street Superintendent | | \$75,415 | \$79,380 | \$83,541 | | | | | |
| Utility Person I*† (per hour) | | \$26.63 | \$28.28 | \$29.75 | | | | | |
| Utility Person II*† (per hour) | | \$30.05 | \$30.86 | \$31.43 | | | | | |
| Utility Person III*† (per hour) | | \$31.57 | \$32.43 | \$33.03 | | | | | |
| Water Division & Sewer Division | | | | | | | | | |
| Water & Sewer Lead*† (per hour) | | \$35.66 | | | | | | | |
| Utility Person I*† (per hour) | | \$26.63 | \$28.28 | \$29.75 | | | | | |
| Utility Person II*† (per hour) | | \$30.05 | \$30.86 | \$31.43 | | | | | |
| Utility Person III*† (per hour) | | \$31.57 | \$32.43 | \$33.03 | | | | | |

Resolution 2024-29

Exhibit A

Section 8, Item D.

| | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Step 7 | Step 8 | Step 9 |
|---|---|------------------|------------------|------------------|------------------|------------------|------------------|------------------|---------|
| Water Treatment Division | | | | | | | | | |
| Water Treatment Superintendent | | \$75,415 | \$79,380 | \$83,541 | | | | | |
| Water Operator (per hour) | \$27.88 | \$28.74 | \$29.80 | \$30.76 | \$31.97 | \$33.65 | | | |
| Safety Department | | | | | | | | | |
| Safety Director | (filled by City Manager) | | | | | | | | |
| Admin Assistant to Safety Dept. PT (per hour) | \$18.93 | \$19.94 | \$20.97 | \$23.15 | \$23.85 | \$24.56 | \$25.31 | | |
| Building & Zoning Division | | | | | | | | | |
| <u>Senior City Engineer</u> | <u>\$97,922</u> | <u>\$100,860</u> | <u>\$103,885</u> | <u>\$107,002</u> | <u>\$110,212</u> | <u>\$113,518</u> | <u>\$116,924</u> | <u>\$120,432</u> | |
| <u>Senior City Engineer, P/T (per hour)</u> | <u>\$39.00</u> | <u>\$40.17</u> | <u>\$41.38</u> | <u>\$42.62</u> | <u>\$43.89</u> | <u>\$45.21</u> | <u>\$46.57</u> | <u>\$47.97</u> | |
| City Engineer | \$93,259 | \$96,057 | \$98,938 | \$101,907 | \$104,964 | \$108,113 | \$111,357 | \$114,697 | |
| Assistant City Engineer | \$78,914 | \$81,281 | \$83,720 | \$86,271 | \$88,818 | \$91,483 | \$94,227 | \$97,054 | |
| Zoning Official* (per hour) | (filled by City Engineer, City Manager, Assistant City Manager, & Property Maintenance Inspector) | | | | | | | | |
| Zoning Official, P/T (per hour) | \$22.48 | \$23.87 | \$25.16 | | | | | | |
| Code Official*† (per hour) | \$30.45 | 32.35 | 33.89 | | | | | | |
| Property Maintenance | (per employment contract) | | | | | | | | |
| Property Maintenance, P/T (per hour) | \$22.48 | \$23.87 | \$25.16 | | | | | | |
| Fire & EMS Division | | | | | | | | | |
| Chief | \$101,236 | \$104,274 | \$106,706 | \$109,040 | \$112,269 | \$115,498 | \$118,727 | | |
| Division Secretary Administrative Assistant (per hour) | \$22.60 | \$22.86 | \$23.12 | \$23.38 | \$23.68 | \$23.94 | \$24.19 | \$24.45 | \$24.72 |
| Captain*† (per hour) | 31.82 | 33.18 | | | | | | | |
| Lieutenant*† (per hour) | \$27.54 | \$29.00 | \$30.57 | | | | | | |
| Firefighter-Paramedic*† (per hour) | \$24.39 | \$25.00 | \$25.64 | \$26.29 | | | | | |
| Firefighter-Paramedic Retention Bonus^ (per hour worked) | \$1.00 | \$1.00 | \$1.00 | \$1.00 | | | | | |
| Firefighter-EMT*† (per hour) | \$20.85 | \$21.12 | \$21.66 | \$22.23 | \$22.80 | | | | |
| Volunteers: (per hour) | | | | | | | | | |
| Firefighter | \$15.07 | \$15.33 | \$15.57 | \$15.84 | \$16.10 | \$16.38 | \$16.65 | \$16.93 | \$17.22 |
| EMT | \$15.44 | \$15.71 | \$15.96 | \$16.24 | \$16.50 | \$16.79 | \$17.07 | \$17.35 | \$17.65 |
| Paramedic | \$16.14 | \$16.40 | \$16.66 | \$16.92 | \$17.19 | \$17.46 | \$17.73 | \$18.01 | \$18.30 |
| Firefighter/Paramedic | \$19.91 | \$20.37 | \$20.84 | \$21.32 | \$21.82 | \$22.32 | \$22.84 | \$23.38 | \$23.91 |
| Firefighter/EMT | \$17.22 | \$17.48 | \$17.74 | \$17.99 | \$18.26 | \$18.53 | \$18.80 | \$19.08 | \$19.35 |

**Resolution 2024-29
Exhibit A**

Section 8, Item D.

| | Step 1 | Step 2 | Step 3 | Step 4 | Step 5 | Step 6 | Step 7 | Step 8 | Step 9 |
|--|-------------------------------|--------------|--------------|--------------|--------------|-------------|-------------|---------|---------|
| Fire & EMS Division contd | | | | | | | | | |
| Second Lieutenant | (additional stipend per hour) | | | \$0.55 | \$0.80 | \$1.05 | \$1.30 | \$1.55 | \$1.80 |
| Fire Inspector (per hour) | \$15.42 | \$15.89 | \$16.35 | \$16.84 | \$17.36 | \$17.87 | \$18.41 | \$18.95 | \$19.52 |
| Police Division | | | | | | | | | |
| Chief | \$103,055 | \$106,244 | \$109,529 | \$112,856 | \$116,084 | \$119,313 | \$122,542 | | |
| Captain | \$97,805 | \$100,739 | \$103,761 | \$106,874 | \$110,081 | \$113,383 | \$116,785 | | |
| Lieutenant**† ^(e) (per hour) | \$43.30 | \$44.56 | \$47.51 | | | | | | |
| Sergeant**† ^(e) (per hour) | \$38.32 | \$39.43 | \$42.04 | | | | | | |
| Patrol Officer**† ^(b) (per hour) PROBATION | \$25.92 | | | | | | | | |
| Patrol Officer**† ^(b) (per hour) | \$27.46 | \$29.11 | \$30.79 | \$32.39 | \$37.20 | | | | |
| Patrol Officer**† ^(c) (per hour) PROBATION | \$27.36 | | | | | | | | |
| Patrol Officer**† ^(c) (per hour) | \$28.74 | \$30.17 | \$31.67 | \$33.26 | \$34.92 | \$37.20 | | | |
| Cadet (per hour) | \$22.00 | | | | | | | | |
| School Resource Officer (per hour) | \$24.43 | \$25.65 | \$26.94 | \$28.28 | \$29.70 | \$31.18 | | | |
| Lead Dispatcher (per hour) | \$33.60 | | | | | | | | |
| Dispatcher**† ^(b) (per hour) PROBATION | \$23.92 | | | | | | | | |
| Dispatcher**† ^(b) (per hour) | \$25.13 | \$26.40 | \$30.27 | | | | | | |
| Dispatcher**† ^(c) (per hour) PROBATION | \$25.71 | | | | | | | | |
| Dispatcher**† ^(c) (per hour) | \$26.73 | \$27.80 | \$28.92 | \$30.27 | | | | | |
| Reserve Officer (per hour) | \$13.83 | \$14.24 | \$14.67 | | | | | | |
| Reserve Dispatcher (per hour) | \$13.83 | | | | | | | | |
| Property Room & Evidence Manager (per hour) | \$21.53 | \$22.06 | | | | | | | |
| Municipal Court | | | | | | | | | |
| Judge ^(a) | \$22,200.00 | | | | | | | | |
| Magistrate | \$98,995.63 | \$101,966.08 | \$105,024.78 | \$108,176.04 | \$111,420.93 | | | | |
| Chief Bailiff ^(a) | | | | \$31,460.94 | | | | | |
| Deputy Bailiff (filled by Probation Officer) | | | | | | | | | |
| Clerk of Courts ^(a) | \$39,429.50 | \$40,217.31 | \$41,021.27 | \$41,841.37 | \$42,678.69 | \$43,532.16 | \$43,319.85 | | |
| Court Administrator | \$64,729.60 | \$66,347.84 | \$68,006.54 | \$69,706.70 | \$71,449.37 | | | | |
| Deputy Clerk (per hour) | \$21.02 | \$22.13 | \$23.30 | \$25.00 | \$25.74 | | | | |
| Deputy Clerk P/T (per hour) | \$16.14 | | | | | | | | |
| Chief Probation Officer | \$65,716.90 | \$67,032.08 | \$68,373.09 | \$69,741.00 | \$71,135.82 | \$72,558.62 | \$74,009.41 | | |
| Probation Officer (per hour) | \$26.72 | \$27.25 | \$27.80 | \$28.36 | \$28.93 | \$29.51 | \$30.09 | | |



LEGISLATIVE COVER MEMO

Introduction: April 15, 2024

Agenda Item: **Resolution 2024-30**

AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT AND OTHER DOCUMENTS FOR THE CITY OF FRANKLIN'S PURCHASE OF CERTAIN REAL PROPERTY IDENTIFIED AS WARREN COUNTY AUDITOR'S PARCEL ID NUMBER 0431101006

Submitted by: Karisa Steed, Assistant City Manager/Econ. Development

Scope/Description: To allow the City Manager to execute a purchase and sale agreement for the City's purchase of 535 S. River Street.

Budget Impact: \$150,000. The purchase of this real property described in this Resolution is expected to be in the best interests of the general welfare of City of Franklin residents by furthering economic development, growth, and stability in the City's downtown area.

Exhibits: Exhibit A: Purchase and Sale Agreement

Recommendation: Approval

CITY OF FRANKLIN, OHIO
RESOLUTION 2024-30

AUTHORIZING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT AND OTHER DOCUMENTS FOR THE CITY OF FRANKLIN’S PURCHASE OF CERTAIN REAL PROPERTY IDENTIFIED AS WARREN COUNTY AUDITOR’S PARCEL ID NUMBER 0431101006

WHEREAS, Section 3.03(i) of the City Charter grants the Franklin City Council with the authority to acquire title or interest in real property;

WHEREAS, the City of Franklin desires to purchase a parcel of real property located in the City’s corporate boundaries, more particularly identified as Warren County Auditor’s Parcel ID number: 0431101006 (535 S. River Street) (the “Property”); and

WHEREAS, the current owners of the Property have agreed to sell the Property to the City for a total purchase price of \$150,000;

WHEREAS, the City of Franklin City Council finds it to be in the best interests of the City and its residents to proceed with the purchase of the Property for \$150,000, pursuant to the terms and conditions of the Purchase and Sale Agreement negotiated by the City and Property owners, attached as Exhibit A to this Resolution.

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

Section 1. The City Manager is authorized to execute a Purchase and Sale Agreement in substantially the same form as the agreement attached hereto as Exhibit A, along with all other documents necessary to consummate the City’s purchase of the Property.

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. This Resolution shall become effective immediately upon its passage.

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 a resolution passed by that body on April 15, 2024.

Khristi Dunn, Clerk of Council

PURCHASE AND SALE AGREEMENT

This **PURCHASE AND SALE AGREEMENT** (this “Agreement”) is made and entered into as of the 10th day of April, 2024 (the “Effective Date”) by **THE CITY OF FRANKLIN, OHIO**, an Ohio municipal corporation having an address of 1 Benjamin Franklin Way, Franklin, Ohio 45005 (“Buyer”) and **EVERYBODY FITNESS, LLC**, a limited liability corporation having an address at P.O. Box 110688, Nashville, Tennessee 37222 (“Seller”). In consideration of the mutual representations and covenants contained herein and other good and valuable consideration, the receipt and sufficiency of which are acknowledged, Seller and Buyer (the “Parties”) covenant and agree as follows:

1. Purchase and Sale. Seller hereby agrees to sell and convey to Buyer, and Buyer hereby agrees to purchase from Seller, upon the terms and conditions set forth herein, the real property located at 535 S. River Street, Franklin, Ohio 45005, and identified as Warren County Auditor’s Parcel ID No. 0431101006 and depicted on the attached Exhibit A (the “Property”). The Property includes all improvements, easements, rights-of-way and appurtenances belonging or in any way appertaining thereto, and all rights, licenses, privileges and benefits which relate thereto, of every kind, character and description, now existing or existing at the Closing (as defined below), whether tangible or intangible, real, personal or mixed.

2. Purchase Price. Buyer shall purchase the Property for a price of One Hundred Fifty Thousand and no/100 Dollars (\$150,000.00) (the “Purchase Price”). The Purchase Price shall be paid at Closing by wire transfer, subject to adjustments set forth herein.

As additional consideration, the Buyer shall, at Buyer’s cost and expense, perform the following actions (the “Work”) with respect to certain other property owned by an affiliate of Seller at 9762 N. Dixie Highway, Franklin, Ohio 45005, Warren County Parcel ID number 0427152002: (1) installation, repair, or conversion of a concrete catch basin in the center of the parking lot; (2) use an 8” drain line to connect the catch basin to a 12” drain line going north across the property along Dixie Highway; (3) replace the lid on the catch basin located at the north edge of the property; (4) restore the property to substantially the same condition it was in prior to performing the work. Buyer’s obligation hereunder is contingent on Seller obtaining the necessary access and construction rights to the property and providing the same to Buyer in order to perform the Work.

3. Due Diligence Period.

(a) Buyer’s obligations hereunder are subject to Buyer being satisfied regarding the condition and suitability of the Property in all respects, in Buyer’s sole discretion. Buyer shall have the opportunity and right to inspect and investigate the Property’s condition and suitability for a period of up to sixty (60) days following the Effective Date (the “Due Diligence Period”). Buyer has the option to extend the Due Diligence Period up to one (1) time for an additional sixty (60) day period by giving written notice to Seller prior to expiration of the initial Due Diligence Period.

(b) Buyer shall have the right during the Due Diligence Period to commence physical tests and inspections of the Property and to undertake any engineering, environmental, soils, or other studies on the Property (all at Buyer's sole cost); provided, however, Buyer shall give Seller reasonable advance notice of any proposed entry onto the Property for such purposes. Seller shall cooperate with Buyer in its Property inspections, and shall not unreasonably restrict Buyer's access to the Property, during the Due Diligence Period. Matters subject to Buyer's review may include, by way of example and without limitation, title, surveys, review of physical conditions, financial feasibility, development costs, utility availability, sanitary and storm water facilities, soil and subsurface conditions, environmental conditions and restrictive covenants.

(c) If Buyer notifies Seller of any title defects, exceptions or survey objections (collectively, "Objections") prior to the expiration of the Due Diligence Period, Seller shall have ten (10) days from its receipt of such notice in which to either: (i) cure such Objection(s) or commit to cure them on or before the Closing Date; or (ii) notify Buyer in writing that Seller is unable or unwilling to cure such Objection(s). If Seller notifies Buyer that Seller is unable or unwilling to cure any Objection, Buyer shall have ten (10) days from its receipt of such notice in which to elect in writing to either: (i) accept such title as Seller is willing and able to convey; or (ii) terminate this Agreement, in which case the Parties will have no further obligations to one another.

(d) Notwithstanding the foregoing, Seller shall be responsible for causing all matters of a monetary nature arising from the act or omission of Seller to be released at or prior to Closing, including, without limitation, mortgages, judgment liens, mechanic's liens, penalties, and the like; and Buyer shall have no obligation to notify Seller that any such matters are objectionable or otherwise must be released prior to Closing.

(e) Nothing in this Agreement shall be construed as imposing any limitations upon the reasons for which Buyer may decide not to purchase the Property. Buyer shall have the right, in its sole discretion, for any reason or no reason, to terminate this Agreement by providing Seller with written notice of Buyer's decision to terminate at any time prior to the expiration of the Due Diligence Period and the parties shall thereafter have no rights or obligations with respect to one another under this Agreement except those which expressly survive Closing or termination hereof.

4. Closing; Closing Adjustments and Costs; Closing Documents.

(a) Closing Date. The closing of the purchase contemplated herein shall be on a date selected by the Parties that is no later than ten (10) days after the expiration or Buyer's earlier waiver of the Due Diligence Period (the "Closing"). The Closing shall take place at such time and place as is mutually agreed by the Parties, and shall occur no later than July 22, 2024.

(b) Closing Costs. At Closing, Buyer shall pay all transfer taxes. Seller shall pay all title examination fees and title insurance premiums necessary to provide Buyer with an owner's policy of title insurance insuring fee simple title ownership to the Property. Buyer and Seller shall equally divide the costs associated with preparation of the General Warranty Deed, recording costs, and all other closing costs. Buyer and Seller shall each be responsible for the payment of their respective attorneys' fees and expenses.

(c) Prorated Real Estate Taxes. Buyer and Seller shall prorate all real property taxes and assessments related to the Property as of the date of Closing (collectively, "Taxes"), with the date of Closing being treated as the first day of ownership by Buyer. Seller shall be responsible for payment of all Taxes accruing prior to Closing. If the final tax bill for the Property is not available at Closing, the Taxes shall be prorated based upon the latest available tax duplicate(s) for the Property using the method customary in Warren County, Ohio.

(d) Deed. At Closing, Seller shall convey to Buyer good and marketable fee simple title to the Property by recordable General Warranty Deed, with release of dower where applicable, free and clear of all liens and encumbrances by any party claiming by, through or under Seller, except: (i) liens for Taxes not yet due and payable as of Closing; (ii) easements and restrictions of record; and (iii) governmental laws, restrictions and ordinances affecting the Property. Seller shall deliver exclusive possession of the Property to Buyer at Closing pursuant to the terms and conditions set forth herein.

(e) Other Closing Documents from Seller. At Closing, in addition to the above-referenced General Warranty Deed, Seller shall deliver to Buyer all documents that may be reasonably requested by the closing agent or title company to ensure that good and marketable title is transferred to Buyer.

5. Seller Representations and Warranties. Seller hereby covenants, represents and warrants to Buyer, to the best of Seller's actual knowledge, as of the Effective Date and again as of the Closing Date:

(a) Seller has all requisite power and lawful authority to enter into and perform the obligations required of Seller under this Agreement, and for Seller to execute and deliver a General Warranty Deed conveying title to the Property to Buyer.

(b) Seller has not entered into any unrecorded agreements to lease, sell, mortgage or otherwise encumber or dispose of any interest in the Property, except for this Agreement.

(c) Seller has not received notice of any action, suit or proceeding that is pending or threatened, before or by any judicial body, any governmental agency or authority, against or affecting all or any part of the Property.

(d) No party other than the Parties to this Agreement will be in possession of the Property on the Closing date.

The truth and accuracy of the foregoing representations and warranties shall be a condition precedent to the Closing. The provisions of this Section 5 shall survive Closing for a period of two years thereafter.

6. Risk of Loss. Seller agrees that it will deliver the Property to Buyer at Closing in substantially the same condition and repair as of the date of this Agreement. All risk of loss with

respect to the Property shall remain with Seller until Closing.

7. Damage and Condemnation. If, at any time prior to Closing, all or any part of the Property is damaged by casualty, or taken or appropriated by virtue of eminent domain or similar proceedings, or is condemned for any public or quasi-public use, then Buyer may, in its sole discretion, terminate this Agreement and thereafter none of the Parties will have any further obligations hereunder. If Buyer terminates this Agreement in accordance with this provision, Seller shall be entitled to receive all insurance proceeds and/or condemnation proceeds payable for the affected portion of the Property. If Buyer instead elects to maintain this Agreement in full force and effect: (i) Buyer shall be entitled to receive all insurance proceeds and/or condemnation proceeds payable for that portion of the Property damaged or taken, and Seller shall execute such assignments or other instruments as are necessary to transfer such proceeds to Buyer; or (ii) Buyer shall receive a credit against the Purchase Price equal to the amount of the insurance or condemnation proceeds actually paid to Seller with any remaining proceeds to be transferred to Buyer at Closing.

8. Default. If, following the full execution of this Agreement, any Party defaults in the performance of its duties or obligations hereunder, or any material representation or warranty hereunder is otherwise untrue or incomplete, the following terms and conditions shall apply:

(a) If Buyer defaults on any obligation contained in this Agreement, Seller must give Buyer written notice of the default and a ten (10) day opportunity to cure said default. If Buyer remains in default following the ten (10) day cure period, Seller's sole remedy shall be to terminate this Agreement, and thereafter none of the Parties will have any further obligations hereunder.

(b) If Seller defaults on any obligations contained in this Agreement, Buyer must give Seller written notice of the default and a ten (10) day opportunity to cure said default. If Seller remains in default following the ten (10) day cure period, then Buyer shall have the right to: (i) pursue specific performance against Seller; or (ii) terminate this Agreement and recover damages incurred by Buyer in connection with this Agreement and the Property.

9. Notices. Any notices delivered to a Party pursuant to this Agreement shall be delivered to the recipient-Party at the address listed below (or such other address that may be designated in writing by the Party following the Effective Date) by: (i) personal delivery; or (ii) or by a nationally recognized overnight courier service. A copy of the notice shall also be sent to the recipient-Party's designated e-mail address listed below (or such other e-mail address that may be designated in writing by the Party following the Effective Date). A notice properly addressed to the recipient-Party shall be deemed given and effective upon receipt by the recipient-Party.

IF TO SELLER:

Name: Everybody Fitness LLC
Address: PO Box 20457 Dayton, OH 45420
Email: wesley@everybodyfitness.com

IF TO BUYER:

Name: City of Franklin
Attn: Jonathan Westendorf, City Manager
Address: 1 Benjamin Franklin Way, Franklin, Ohio
E-mail: jwestendorf@franklinohio.org

10. Miscellaneous.

(a) Time is of the essence with respect to the completion and fulfillment of all terms and conditions set forth in this Agreement.

(b) Seller and Buyer each warrant and represent to the other that neither has engaged any real estate agent or broker in connection with the transaction contemplated by this Agreement.

(c) This Agreement shall be binding upon, and shall inure to the benefit of, the Parties hereto, their respective heirs, legal representatives, successors and assigns.

(d) This Agreement contains the entire agreement of the Parties with respect to the purchase and sale of the Property, and no other agreement, statement or promise made by any Party, or any officer, representative, employee or agent of any Party, whether express or implied, oral or written, that is not contained in this Agreement shall be binding or valid.

(e) This Agreement may be executed in any number of counterparts, each of which shall be an original, and all of which together shall constitute one and the same instrument.

(f) This Agreement may only be amended by written amendment signed by Buyer and Seller.

(g) The time in which any act provided by this Agreement is to be done shall be computed by excluding the first day and including the last day, unless the last day is a Saturday, Sunday, or legal holiday, in which event the last day shall also be excluded.

(h) Buyer is entitled to assign its rights and obligations under this Agreement to a third party upon written notice thereof to Seller.

(i) The prevailing party in any litigation concerning this Agreement shall be entitled to recover its reasonable attorney fees incurred in connection with this Agreement or litigation concerning this Agreement.

(j) No failure by either Party to insist upon the strict performance of the other Party's obligation under any covenant, agreement, term or condition set forth herein, or to exercise any right or remedy consequent upon a breach thereof, shall constitute a waiver of any such breach, or of such covenant, agreement, term or condition. No waiver of any breach shall affect or alter

this Agreement, and each and every covenant, condition, agreement and term of this Agreement shall continue in full force and effect with respect to any other then-existing or subsequent breach. No waiver of any breach shall in any event be effective unless the same is in writing, signed by the non-breaching Party, and then such waiver shall be effective only in the specific instance and for the specific purpose for which it is given.

(k) If any term, covenant or condition contained in this Agreement is deemed by a court of competent jurisdiction to be invalid, illegal or unenforceable for any reason, the rights and obligations of the Parties hereunder shall be construed and enforced with such term, covenant or condition limited so as to make it valid, legal or enforceable to the greatest extent allowed by law, or, if such term, covenant or condition is totally invalid, illegal or unenforceable, the rights and obligations of the Parties hereunder shall be construed and enforced as if such term, covenant or condition was never contained herein, and all other terms, covenants and conditions set forth in this Agreement shall continue on, unchanged.

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the Effective Date.


CITY OF FRANKLIN, OHIO

Jonathan Westendorf, City Manager

Approved as to form:

Benjamin Yoder, Law Director

EVERYBODY FITNESS LLC



Name: Wesley Harrell
Title: owner/ president

EXHIBIT A
(Depiction of Property)





LEGISLATIVE COVER MEMO

Introduction: April 15, 2024

Public Hearing: May 6, 2024

Effective Date: June 5, 2024

Agenda Item: **Ordinance 2024-08**

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

Submitted by: Barry Conway, City Engineer

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

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

Exhibits: Exhibit A Fee Schedule

Recommendation: Staff recommends that City Council approve this Amendment to the Rate and Fee Schedule.

CITY OF FRANKLIN, OHIO
ORDINANCE 2024-08

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

WHEREAS, the City of Franklin's wishes to include the fees from the Sale of Bulk Water into Appendix A of Chapter 1701 of the Codified Ordinances of the City of Franklin, referred to as the Cost of Living Adjustment (COLA) fees; and

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

Section 1. Chapter 1701, Appendix A, is hereby amended as set forth in Exhibit A, attached hereto.

Section 2. All ordinances or parts of ordinances that conflict with this Ordinance are hereby repealed.

Section 3. 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 4. This Ordinance shall become effective on June 5, 2024.

INTRODUCED: April 15, 2024

ADOPTED: May 6, 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 2024-04 passed by that body on May 6, 2024.

Khristi Dunn, Clerk of Council

Approved as to form:

Ben Yoder, Law Director

SECTION 1:**AMENDMENT** “APPENDIX A - Rates And Fees” of the City of Franklin Municipal Code is hereby *amended* as follows:

AMENDMENT

APPENDIX A - Rates And Fees

All of the rates and fees set forth below shall be subject to an annual increase equal to the percentage obtained by averaging the national inflation rate from the United States Labor Department, Bureau of Labor Statistics for the previous three years. This increase shall be referred to as the Cost of Living Adjustment (COLA). The new flat rate is established by adding the COLA to the then existing flat rate. When the yearly COLA is applied, all fees/licenses less than \$50 shall be rounded up to the nearest \$.25 and all fees/licenses greater than \$50 shall be rounded to the nearest dollar, and all charges/rates based on volume shall be rounded to the nearest penny. This increase shall be implemented by the City Management no later than March 1st of each year.

| <i>FEE OR PERMIT NAME</i> | <i>FLAT RATE OR FEE</i> |
|---|--------------------------------|
| BUSINESS REGULATIONS – PART SEVEN, FRANKLIN CODIFIED ORDINANCE | |
| <u>Carnivals and circus, per day</u> | \$79.00 |
| <u>Junk Yard/Recycling Center/Recycling Plant</u> | \$42.00 |
| Renewal | \$42.00 |
| <u>Mechanical Amusement Device License</u> | |
| Jukebox | \$42.00 |
| Mechanical amusement device | \$42.00 |
| <u>Motor Vehicle Salvage Dealers License or Salvage Motor Vehicle Auction License or Salvage Motor Vehicle Pool License</u> | \$79.00 each |
| Renewal for each | \$79.00 |
| <u>Taxi Cabs</u> | |
| Certificate of Public Convenience | \$79.00 |
| Vehicles | \$42.00 each |
| <u>Rooming House</u> —Per Ordinance 2009-23, passed 10/5/09, effective 11/4/09 | |
| License for New Owner of Existing Rooming House | \$135.00 |
| License Renewal | \$135.00 |

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|---|---------|
| Duplicate/Replacement License | \$70.00 |
| TRAFFIC CODE – PART THREE, FRANKLIN CODIFIED ORDINANCE | |
| Commercial and Heavy Vehicle Permit | \$10.25 |
| Police Officer, first hour & fraction thereof | \$16.75 |

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| STREETS, UTILITIES & PUBLIC SERVICES – PART NINE, FRANKLIN CODIFIED ORDINANCE | | |
| <u>Waste Collector’s License</u> | \$166.00 | |
| <u>Curbings, Curbs, Gutters, Driveway Approaches</u> Constructing, Repairing or Replacing | \$41.75 each | |
| <u>Excavation Permit</u> | \$0.75 per sq. yard \$41.75 minimum | |
| <u>Water</u> | \$16.27 per 333 cu. ft., or fraction thereof, per month | |
| <u>Bulk Water</u> | \$4.26 per 1,000 gallons | |
| <u>Water Tap-in Fees</u> | | |
| <u>Line Size</u> | <u>Tap-in fee</u> | <u>Installation Fee</u> <u>Water Utilization Fee</u> |
| 3/4" line | \$3,421.00 | \$2,602.00 \$813.00 |
| 1" | \$3,854.00 | \$2,766.00 \$813.00 |
| 1-1/2" | \$4,278.00 | \$3,254.00 \$813.00 |
| 2" | \$4,709.00 | \$3,740.00 \$813.00 |
| 3" | \$5,987.00 | \$813.00 |
| 4" | \$7,700.00 | \$813.00 |
| 6" | \$11,984.00 | \$813.00 |
| 8" | \$25,669.00 | \$813.00 |
| 10" | \$30,807.00 | \$813.00 |
| 12" | \$37,654.00 | \$813.00 |
| <u>Multi Family Units</u> | | |
| 2 or more families | water tap-in fee + utilization fee for each unit | |
| <u>Sewer</u> | | |
| Sewer Rate | \$20.96 per 333 cu. ft. or fraction thereof, per month. | |
| <u>Sewer Tap-in Fees (based on water line size)</u> | | |

| <u>Line size:</u> | <u>Fee:</u> |
|---|---|
| 3/4" line | \$3,421.00 |
| 1" | \$3,854.00 |
| 1-1'2" | \$4,278.00 |
| 2" | \$4,709.00 |
| 3" | \$5,987.00 |
| 4" | \$7,700.00 |
| 6" | \$11,984.00 |
| 8" | \$25,669.00 |
| 10" | \$30,807.00 |
| 12" | \$37,654.00 |
| <u>Multi Family Units</u> | 2 or more families sewer tap-in fee + rate adjustment fee (915.041 CO) Flow Assisted by Pump Station sewer tap-in fee + \$813.00 |
| Standard Solid Surcharge* | additional charge of \$738.00 Per ton for all suspended solid in excess of two hundred twenty-five milligrams (225mg) per liter |
| Chemical Oxygen Demand Charge* | additional charge of \$186.00 per ton in excess of six hundred milligrams (600 mg) per liter |
| <u>Stormwater Management</u> | Stormwater User Fee \$6.25 per ERU Curb and Gutter Surcharge \$2.75 per month |
| <u>Solid Waste, Recycling and Yard Waste Collection</u> | Administration Fee \$4.50 per month |

| PROPERTY MAINTENANCE CODE – PART THIRTEEN, FRANKLIN CODIFIED ORDINANCE (Ord. 2019-07, emergency, passed 8-5-19 and Ord. 2019-10, passed 9-19-19) | |
|---|-----------|
| Abatement of Violation, Inspection & Administration | \$298.00 |
| Emergency Repair Administration | \$298.00 |
| Administration | \$298.00 |
| Furniture Administration | \$298.00 |
| Rubbish or Garbage Administration | \$298.00 |
| Appeal Application | \$1193.00 |
| | 0 |

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| Pre-sale Inspection and Certificate of Occupancy (Required for new owners and tenants) | \$695.00 |
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| FIRE PREVENTION - PART FIFTEEN, FRANKLIN CODIFIED ORDINANCE | |
| Safety Occupancy Permit | \$106.00 |

(Ord. 2004-46. Passed 12-20-04; Ord. 2005-22. Passed 7-18-05; Ord. 2005-40. Passed 10-3-05; Ord. 2005-41. Passed 10-17-05; Ord. 2008-23. Passed 8-18-08; Ord. 2009-06. Passed 3-16-09; Ord. 2018-01, passed 3-19-18; Ord. 2018-10, passed 6-4-18; Ord. 2019-07, (emergency) passed 8-5-19; Ord. 2019-10, passed 8-19-19; Ord. 2020-13, (emergency) passed 10-19-2020; Ord. 2020-14, passed 12-07-2020)



LEGISLATIVE COVER MEMO

Introduction: April 15, 2024

Public Hearing: May 6, 2024

Effective Date: June 5, 2024

Agenda Item: **Ordinance 2024-09**

DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2025

Submitted by: Khristi Dunn, Clerk of Council

Scope/Description: This is the second of three steps Council must act upon to implement the annual street lighting assessments for 2025.

Budget Impact: \$170,000 is the total projected cost for lighting of the streets, lanes and public ways for 2025. The City funds 2% of the total (\$3,400) and assessed residents' shares total \$166,600.

Exhibits: None

Recommendation: Approval

CITY OF FRANKLIN, OHIO
ORDINANCE 2024-09

DETERMINING TO PROCEED WITH THE IMPROVEMENT OF CITY STREETS AND PUBLIC WAYS BY THE LIGHTING THEREOF FOR THE YEAR 2025

WHEREAS, Section 727.23 of the Ohio Revised Code requires the legislative authority of a municipal corporation that has adopted a Resolution of Necessity, pursuant to Section 727.12 of the Ohio Revised Code, to determine whether it will proceed with the proposed improvement;

WHEREAS, this Council adopted such Resolution of Necessity for the improvement of City streets and public ways by the lighting thereof for the year 2024, by Resolution 2024-20 dated March 18, 2023, and the passage of such Resolution has been advertised and noticed to residents as required by law;

WHEREAS, the Finance Director, in accordance with Resolution 2024-20, has filed with the Clerk of Council, on April 9, 2024, estimated assessments, showing the amount of the special assessment against each lot to be assessed;

WHEREAS, in accordance with Sections 727.15, 727.18 and 727.23 of the Ohio Revised Code, the time for filing claims for damages and objections has passed, and no claims for damages nor any objections were filed; and

WHEREAS, this Council finds it to be in the best interests of the health, safety and welfare of the City of Franklin, Ohio and its residents to proceed with the proposed improvement.

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

Section 1. Council hereby determines to proceed with improving the streets and other public ways within the corporate limits of the City by the lighting thereof for the year 2025, said lighting to be provided by electrical lighting, in accordance with the provisions of Resolution 2024-20 passed by this body on March 18, 2024.

Section 2. The estimated special assessments, prepared and filed in accordance with Resolution 2024-20 are hereby adopted.

Section 3. Any claims for damages resulting from the improvement that have been filed in accordance with law shall be judicially inquired into before commencement of the improvement in accordance with Sections 727.23 and 727.18.

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 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. This Ordinance shall go into effect on June 5, 2024.

INTRODUCED: April 15, 2024

ADOPTED: May 6, 2024

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Brent W. 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 2024-07 passed by that body on May 6, 2024.

Khristi Dunn, Clerk of Council

Approved as to form: _____
Ben Yoder, Law Director