

# RECORD OF PROCEEDINGS

**Minutes of Franklin Township  
Franklin County, Ohio**

**Regular Meeting**

**Held via Teleconference  
COVID-19 Emergency Declaration  
Ohio's Open Meeting Act**

**July 23, 2020**

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**Call Meeting to Order:**

Chairman Alex called the Regular Meeting of the Franklin Township Board of Trustees to order at 6:30 p.m. on July 23, 2020, via teleconference.

**Opening Prayer:** Led by Trustee Fleshman

**The Pledge of Allegiance:** Led by Trustee Horn

**Roll Call:** Alex, yes; Fleshman, yes; Horn, yes.

**Prior Meeting Minutes:**

Fleshman and Horn asked Alex if the July 9<sup>th</sup>, 2020 meeting minutes presented could be tabled to the next meeting to ensure they have adequate time to review.

*Alex made a motion to table the following minutes from the Special Meeting on July 9, 2020 and the Regular Meeting on July 9, 2020.*

*Fleshman seconded the motion. With no further discussion, a vote was taken as follows: Alex, yes; Fleshman, yes; Horn, yes. The motion was passed.*

**Old Business**

**Resolutions:**

Assistant Fiscal Officer, Robyn Watkins recommended the following resolution to read as follows:

**Resolution 20-140**

*BE IT RESOLVED* by the Board of Trustees of Franklin Township, Franklin County, Ohio that the Board approves bills in the amount of \$196,129.37 and payroll ending on 07/21/2020 in the amount of \$205,063.42 for a total of \$401,192.79. From check number 63739 to 63885 and electronic payments 2020-263 through 2020-268.

*Alex moved, Fleshman seconded the motion, with no discussion, the roll was called for its adoption and the vote was as follows: Alex, yes; Fleshman, yes; Horn, yes. Resolution passed.*

**New Business:**

**Police Department:**

Chief Byron Smith asked the Board to consider amending the Memo of Understanding (MOU) between the Township, himself and Lieutenant David Ratliff. There are a few language changes that need to be made to align the

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MOU with the current Fraternal Order of Police Collective Bargaining Agreement.

Alex made a motion for the following resolutions to be read:

Fleshman made a comment to ensure the public knows that these changes were not for monetary gain but a language correction. The changes would not cost any additional money to the Township, said Fleshman.

### **Resolution 20-142**

BE IT RESOLVED that the Franklin Township, Franklin County, Ohio Board of Trustees accepts the amendments outline in compliance with the Fiscal Officer to reflect the Police Chief, Byron Smith's memo of understanding will reflect specific language as outline in the collective bargaining agreement between the Fraternal Order of Police and Franklin Township.

*Fleshman seconded the motion, with no further discussion, the roll was called for its adoption and the vote was as follows: Alex, yes; Fleshman, yes; Horn, yes. Resolution passed.*

Alex made a motion for the following resolution:

### **Resolution 20-143**

BE IT RESOLVED that the Franklin Township, Franklin County, Ohio Board of Trustees accepts the amendments outline in compliance with the Fiscal Officer to reflect the Police Lieutenant, David Ratliff's memo of understanding will reflect specific language as outline in the collective bargaining agreement between the Fraternal Order of Police and Franklin Township.

Fleshman made another comment to ensure the public knows that these changes were not for monetary gain but a language correction. The changes will not cost any additional money to the Township, said Fleshman.

*Fleshman seconded the motion, with no further discussion, the roll was called for its adoption and the vote was as follows: Alex, yes; Fleshman, yes; Horn, yes. Resolution passed.*

Smith asked the Board for a resolution to accept the resignation of Police Officer, Courtland Fisher effective August 3, 2020. Horn and Fleshman both thanked Fisher for his service to Franklin Township and his work as the Township misdemeanor investigator. Smith explained that he will not be replacing this full-time position currently due to financial restraints within the police department.

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Alex made a motion for the following resolution:

**Resolution 20-144**

BE IT RESOLVED that the Franklin Township, Franklin County, Ohio Board of Trustees accepted the resignation of Courtland Fisher, effective August 3, 2020.

*Fleshman seconded the motion, with no further discussion, the roll was called for its adoption and the vote was as follows: Alex, yes; Fleshman, yes; Horn, yes. Resolution passed.*

Smith asked the Board to consider allowing him to hire one part-time officer at a maximum of 24 hours per week. Alex explained that he is not comfortable hiring even a part-time person as the other departments are not rehiring. Fleshman asked Alex if this could go to a vote because he feels the Board owes this to the residents. Horn agreed with Fleshman. Horn asked Smith if the Township is obligated to schedule hours for a part-time officer or are the hours at our discretion? Smith confirmed that the hours for a part-time officer are at the discretion of the Township.

Alex explained he is still not in favor due to the brown-outs within the fire department as well as replacing a full-time position with a part-time position impacts the collective bargaining power.

Fleshman said he understands Alex's position but also, he remembers early on as a trustee when the police department was down to four employees and with Smith's leadership the department has grown to 16 officers. Many of the part-time officers which have been hired in the past, become full-time officers at the Township.

Fleshman made a motion for the following resolution:

**Resolution 20-146**

BE IT RESOLVED that the Franklin Township, Franklin County, Ohio Board of Trustees approved for the police chief to hire Curtis Boes, as a part-time police officer (max. of 24 hours per week) at \$14.00 an hour effective August 5, 2020. The scheduled hours are at the discretion of Franklin Township.

*Horn seconded the motion, with no further discussion, the roll was called for its adoption and the vote was as follows: Alex, no; Fleshman, yes; Horn, yes. Resolution passed.*

Horn asked Smith if the body cameras have arrived. Smith confirmed that the body cameras arrived this week and the department is waiting on proper training from the manufacturer within the next couple of weeks.

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Fire Department:

Chief Welch said the language for the ballot related to the fire levy has been reviewed and recommendations have been made by the County Prosecutor's Office. Welch referred to Administrator Potts to explain the recommendations.

Potts shared that since the last levy was passed in 2016, ballot language has changed and the prosecutor's office submitted recommendations based on those changes.

Alex made a motion and read the following resolution:

**RESOLUTION NO. 2020-145**

**RESOLUTION TO PROCEED WITH THE SUBMISSION OF THE QUESTION OF LEVYING A REPLACEMENT OF AN EXISTING TAX IN EXCESS OF THE TEN MILL LIMITATION**

**WHEREAS**, on June 25, 2020, the Board of Trustees of Franklin Township, Franklin County, Ohio (the "Board") passed a resolution declaring the necessity to levy a tax in excess of the ten-mill limitation pursuant to R.C. 5705.19(I), for the purpose of providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs, pursuant to Ohio Revised Code Section 5705.19(I) for Franklin Township; and

**WHEREAS**, on July 7, 2020, the Franklin County Auditor certified to the Board that the dollar amount of revenue that would be generated by a five and eighty-nine hundredths (5.89) mills replacement levy during the first year of collection is \$972,105.86 based on the current assessed valuation of the Township of \$165,043,440.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Township Trustees of Franklin Township, Franklin County, Ohio (the "Board"), two-thirds of all the members elected hereto concurring, that:

**Section 1.** The Board shall proceed with the submission of the question of a replacement levy of five and eighty-nine hundredths (5.89) mills to the electors of Franklin Township (unincorporated area) for the purpose of providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs, pursuant to Ohio Revised Code Section 5705.19(I). The replacement levy shall be at a rate not exceeding five and eighty-nine hundredths (5.89) mills for each one dollar of valuation, which amounts to fifty-eight and nine-tenths cents (\$.589) for each one

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hundred dollars (\$100.00) of valuation, for a period of five (5) years, which such levy shall be a **replacement levy** that is the same rate and for the same purposes as the existing 5.89 mill levy approved by voters in November of 2016.

**Section 2.** Pursuant to Ohio Revised Code Section 5705.03(B)(1):

- a. The purpose of the levy is for providing and maintaining fire apparatus, mechanical resuscitators, underwater rescue and recovery equipment, or other fire equipment and appliances, buildings and sites therefor, or sources of water supply and materials therefor, for the establishment and maintenance of lines of fire-alarm communications, for the payment of firefighting companies or permanent, part-time, or volunteer firefighting, emergency medical service, administrative, or communications personnel to operate the same, including the payment of any employer contributions required for such personnel under section 145.48 or 742.34 of the Revised Code, for the purchase of ambulance equipment, for the provision of ambulance, paramedic, or other emergency medical services operated by a fire department or firefighting company, or for the payment of other related costs, pursuant to Ohio Revised Code Section 5705.19(I).
- b. The type of levy is a replacement levy.
- c. The sections of the Ohio Revised Code authorizing submission of the question of the levy are Ohio Revised Code Sections 5705.03, 5705.19(I), 5705.191 and 5705.25.
- d. The term of the tax is for a period of five (5) years.
- e. The territory where the tax is to be levied is upon the unincorporated territory of Franklin Township.
- f. The date of the election at which the question of the tax shall appear on the ballot is the general election to be held on November 3, 2020 (the "Election").
- g. The territory where the ballot measure is to be submitted is to the electors of the unincorporated territory of Franklin Township.
- h. The replacement levy shall be placed (continued) upon the tax list and duplicate of 2020 for collection in 2021, if a majority of the electors voting thereon vote in favor thereof.
- i. Franklin Township only has territory in Franklin County.

**Section 3.** The Fiscal Officer is hereby directed to certify, not less than 90 days prior to the election, to the Franklin County Auditor and to the Board of Elections, Franklin County, Ohio, a copy of the resolution declaring it necessary to levy a tax in excess of the ten-mill limitation and a copy of this Resolution together with the certification of the Franklin County Auditor; and to notify the Board of Elections to cause notice of election on the question of levying the tax to be given as required by law.

**Section 4.** It is found and determined that all formal actions of this Board concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Revised Code.

**Section 5.** This Resolution shall take effect and be in force from and after the earliest time provided by law.

*Fleshman seconded the motion, with no further discussion, the roll was called for its adoption and the vote was as follows: Alex, yes; Fleshman, yes; Horn, yes. Resolution passed.*

Horn asked Chief Welch to explain to his firefighters that the Board is doing everything in their power to support all of the departments. Horn said he does not appreciate the negative comments he is hearing internally and externally.

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Welch said the fire department is experiencing hard times and the firefighters are facing potential lay offs and have families to take care of. The firefighters are hurt over Board decisions. Horn stated that he understands their position but would appreciate the negativity to cease.

Road Department:

Road Superintendent, Jim Stevens was absent. Potts said he had nothing to report related to the road department.

Trustee Reports:

Aryeh Alex explained that he and Administrator Potts performed advocacy work related to the CARES Act. We sent letters of support to Steve Stivers office and in return the Township has received funding from the CARES Act. This type of work is essential to secure future legislative engagement and funding for the Township, said Alex.

John Fleshman provided an update on the vehicle miles per hour speed change coming on Brown Road as well as the widen of Fisher Road between N. Hague Avenue and McKinley Avenue. The sanitary sewer project is currently in the Mon-E-Bak area and should be in the Lowell Drive area within the next few weeks, Fleshman said.

Ralph Horn had nothing to report.

Administrator Potts asked the Board for a resolution to dispose of the remaining personal property located at 1963 Harrisburg Pike in preparation for the property to be placed on the market to sell.

Alex made a motion for the following resolution:

**Resolution 20-147**

BE IT RESOLVED that the Franklin Township, Franklin County, Ohio Board of Trustees approved for the following personal property items (valued under \$2500.00) to be disposed of from 1963 Harrisburg Pike:

Xerox Workcenter 5222 (broken)  
Brown Office Chair  
Black Office Chair  
Brown Narrow Bookshelf  
Dell Copier (broken)  
Office desks and connected particle board pieces comprising a total of six desks  
Ten Speed Bike

*Fleshman seconded the motion, with no further discussion, the roll was called for its adoption and the vote was as follows: Alex, yes; Fleshman, yes; Horn, yes. Resolution passed.*

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Fleshman asked the Assistant Fiscal Officer, Robyn Watkins if blank resolutions could be provided on future agendas so the Board could assign the numbers throughout the meeting. Watkins referred Fleshman to Fiscal Officer Rhinehart for clarification.

Alex asked Potts if there were any comments from the public via social media, email or teleconference. Potts confirmed that there were no comments from the public.

With no further discussion, Alex adjourned the meeting at 7:27 p.m.

Signature on original  
Aryeh Alex, Chairman

Signature on original  
John Fleshman, Vice-Chairman

Signature on original  
Ralph Horn, Trustee

Signature on original  
Mary Rhinehart, Fiscal Officer