

**CITY OF NEW FRANKLIN
REGULAR MEETING AGENDA
CITY HALL**

Paul Adamson, *Mayor*

Susan M. Cooke, *Finance Director*

Kelly Kepler, *Clerk*

Council Members:

Judy Jones, **President**

Jim Cotts

Terry Harget

Andy Fetterman

Jack Daniels, **Vice President**

Kevin Powell

David Stock

Law Director: Irving Sugerman

Wednesday, May 3, 2023

1. Call to Order
2. Pledge of Allegiance
3. Roll Call of Council Members
4. Approval of the minutes from the regularly scheduled meeting of April 19, 2023
5. Public Comment – Please keep your comments addressed to Council and under 4 minutes.

6. **First Readings**

6-A **Resolution No.: 23-R-36**

Sponsor: Mayor Adamson

Finance Committee: Mr. Cotts

A RESOLUTION TO AUTHORIZE APPROVAL OF A PROPOSAL FROM MARLBORO SUPPLY FOR DRAINAGE PIPE FOR THE NEW FRANKLIN SERVICE DEPARTMENT PROJECTS AND DECLARING AN EMERGENCY.

6-B **Resolution No.: 23-R-37**

Sponsor: Mayor Adamson

Finance Committee: Mr. Cotts

A RESOLUTION AUTHORIZING THE NEW FRANKLIN SERVICE DEPARTMENT TO PURCHASE A USED BUCKET TRUCK FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$175,000.00) AND DECLARING AN EMERGENCY.

6-C **Resolution No.: 23-R-38**

Sponsor: Mayor Adamson

Community Development Committee: Mr. Daniels

A RESOLUTION IMPOSING A MORATORIUM ON ENFORCEMENT OF CERTAIN PROVISIONS OF THE NEW FRANKLIN ZONING CODE PERTAINING TO AGRICULTURAL USES AND DECLARING AN EMERGENCY.

6-D Resolution No.: 23-R-39

Sponsor: Mayor Adamson

Public Utilities Committee: Mr. Powell

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ANY AGREEMENTS, MEMORANDUMS OF UNDERSTANDING OR OTHER DOCUMENTS NECESSARY TO PARTICIPATE WITH SUMMIT COUNTY IN APPLYING FOR OHIO PUBLIC WORKS COMMISSION FUNDING FOR THE Q-834 NEW FRANKLIN SANITARY SEWER IMPROVEMENTS PROJECT AT A COST NOT TO EXCEED FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00) AND DECLARING THIS AN EMERGENCY.

6-E Resolution No.: 23-R-40

Sponsor: Mayor Adamson

Community Development Committee: Mr. Daniels

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH TOWN PLANNING PRACTICE LLC, FOR IMPLEMENTATION OF PHASE ONE OF THE ZONING DIAGNOSTIC REPORT REGARDING CODE MAINTENANCE AND DECLARING AN EMERGENCY.

7. *Second Readings*

8. *Third Readings*

9. *Pending Legislation*

10. Mayor's Report

11. Comprehensive Plan Committee Report

12. Finance Report

13. Old Business

14. New Business

15. Public Questions and Answers on Issues Raised at Meeting

16. Executive Session

17. Adjournment

**Next Council Meeting
May 17, 2023**

RESOLUTION NO: 23-R-36
SPONSOR: MAYOR ADAMSON
INTRODUCED: MAY 3, 2023

A RESOLUTION TO AUTHORIZE APPROVAL OF A PROPOSAL FROM MARLBORO SUPPLY FOR DRAINAGE PIPE FOR THE NEW FRANKLIN SERVICE DEPARTMENT PROJECTS AND DECLARING AN EMERGENCY.

WHEREAS, there is a need for drainage pipe for projects of the New Franklin Service Department; and

WHEREAS, Marlboro Supply has submitted a quote for drainage pipe in the amount of Sixteen Thousand, Nine Hundred Eighty-Nine and 00/100 dollars (\$16,989.00); and

WHEREAS, New Franklin Council deems it in the best interest of New Franklin to proceed with this purchase.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW FRANKLIN, COUNTY OF SUMMIT, AND STATE OF OHIO, THAT:

SECTION ONE:

The Mayor is hereby authorized and directed to enter into an agreement with Marlboro Supply in the amount of \$16,989.00 (attached as Exhibit A) for the items listed above and thereon.

SECTION TWO:

The City of New Franklin finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberation of this Council and any other Committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION THREE:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of New Franklin as the pipe is needed for current projects. Provided that this legislation receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: _____

Kelly Kepler, Clerk

Judy Jones, President
23-R-36

APPROVED: _____, 2023

Paul F. Adamson, Mayor

ENACTED EFFECTIVE: _____

ON ROLL CALL: Cotts _____ Daniels _____ Fetterman _____
Harget _____ Jones _____ Powell _____
Stock _____

Publications on _____ and _____

Kelly Kepler, Clerk

RESOLUTION NO: 23-R-37
SPONSOR: MAYOR ADAMSON
INTRODUCED: MAY 3, 2023

A RESOLUTION AUTHORIZING THE NEW FRANKLIN SERVICE DEPARTMENT TO PURCHASE A USED BUCKET TRUCK FOR AN AMOUNT NOT TO EXCEED ONE HUNDRED SEVENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$175,000.00) AND DECLARING AN EMERGENCY.

WHEREAS, the New Franklin Service Department is in need of a replacement Bucket Truck; and

WHEREAS, new Bucket Trucks are unavailable and therefore it will be necessary to purchase a used Bucket Truck; and

WHEREAS, in that there is a competitive market for used Bucket Trucks, advanced authority to purchase is necessary so that once a suitable truck is located the purchase can be secured.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW FRANKLIN, COUNTY OF SUMMIT, AND STATE OF OHIO, THAT:

SECTION ONE:

The Mayor is hereby authorized and directed to enter into a purchase agreement for a Bucket Truck for the New Franklin Service Department in an amount not to exceed One Hundred Seventy-Five Thousand and 00/100 Dollars (\$175,000.00), said amount being less than the cost of a new Bucket Truck pursuant to State Bid guidelines.

SECTION TWO:

The City of New Franklin finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberation of this Council and any other Committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION THREE:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety, and welfare of the citizens of New Franklin. Provided that this legislation receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: _____

Kelly Kepler, Clerk

Judy Jones, President
23-R-37

APPROVED: _____, 2023

Paul F. Adamson, Mayor

ENACTED EFFECTIVE: _____

ON ROLL CALL: Cotts _____ Daniels _____ Fetterman _____
 Harget _____ Jones _____ Powell _____
 Stock _____

Publications on _____ and _____

Kelly Kepler, Clerk

RESOLUTION NO: 23-R-38
SPONSOR: MAYOR ADAMSON
INTRODUCED: MAY 3, 2023

A RESOLUTION IMPOSING A MORATORIUM ON ENFORCEMENT OF CERTAIN PROVISIONS OF THE NEW FRANKLIN ZONING CODE PERTAINING TO AGRICULTURAL USES AND DECLARING AN EMERGENCY.

WHEREAS, Article 8, Section 800.03 sets forth provisions relative to agricultural land uses in New Franklin; and

WHEREAS, Section 800.03(B) includes in the definition of agriculture, "The use of land for . . . apiculture . . . poultry husbandry and the production of poultry and poultry products; and

WHEREAS, Section 800.03(D) sets forth required lot sizes for these activities; and

WHEREAS, as part of the review and potential revision of the New Franklin Zoning Code, New Franklin City Council is considering revisions to the requirements and wishes to suspend enforcement of those requirements as they pertain to existing activities involving apiculture and poultry husbandry and the production of poultry and poultry products until such times as these sections of the Zoning Code are considered for revision.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW FRANKLIN, COUNTY OF SUMMIT, AND STATE OF OHIO, THAT:

SECTION ONE:

Council hereby imposes a moratorium on enforcement of New Franklin Zoning Code Article 8, Section 800.03(D) as they relate to the size of lots required for apiculture, poultry husbandry and the production of poultry and poultry products for residents currently involved in these activities on their premises.

SECTION TWO:

The moratorium as imposed herein shall continue for a period not to exceed eighteen (18) months or until such time as revisions are either adopted or declined to the existing lot size requirements as currently set forth in Section 800.03(D), whichever first occurs.

SECTION THREE:

Council further finds that a moratorium not to exceed eighteen months is reasonable and will allow sufficient time for the Zoning Administrator and the Planning and Zoning Commission to propose and initiate action to address the issues outlined herein.

SECTION FOUR:

The City of New Franklin finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberation of this Council and any other Committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION FIVE:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety, and welfare of the citizens of New Franklin to prevent enforcement inconsistent with the purposes of this Resolution. Provided that this legislation receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: _____

Kelly Kepler, Clerk

Judy Jones, President
23-R-38

APPROVED: _____, 2023

Paul F. Adamson, Mayor

ENACTED EFFECTIVE: _____

ON ROLL CALL:	Cotts	_____	Daniels	_____	Fetterman	_____
	Harget	_____	Jones	_____	Powell	_____
	Stock	_____				

Publications on _____ and _____

Kelly Kepler, Clerk

RESOLUTION NO: 23-R-39
SPONSOR: MAYOR ADAMSON
INTRODUCED: MAY 3, 2023

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE ANY AGREEMENTS, MEMORANDUMS OF UNDERSTANDING OR OTHER DOCUMENTS NECESSARY TO PARTICIPATE WITH SUMMIT COUNTY IN APPLYING FOR OHIO PUBLIC WORKS COMMISSION FUNDING FOR THE Q-834 NEW FRANKLIN SANITARY SEWER IMPROVEMENTS PROJECT AT A COST NOT TO EXCEED FIFTY THOUSAND AND 00/100 DOLLARS (\$50,000.00) AND DECLARING THIS AN EMERGENCY.

WHEREAS, the State Capital Improvements Program provides financial assistance through State Issue 1 funds administered by the Ohio Public Works Commission ("OPWC") to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, Summit County is planning to construct a pump station and sewer lines/access in the area of State Route 93 and Vanderhoof Road, titled the Q-834 New Franklin Sanitary Sewer Improvements Project ("Project"), at a total estimated cost of over Fifteen Million and 00/100 Dollars (\$15,000,000.00); and

WHEREAS, Summit County intends to submit an application to OPWC for partial funding of the Project through State Issue 1 funds; and

WHEREAS, the commitment by New Franklin to authorize an amount of \$50,000.00 will be helpful in Summit County's efforts to secure OPWC funding; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the City of New Franklin to participate in the Project, and to authorize the Mayor to execute any agreements, memorandums of understanding or other documents necessary to participate with Summit County in applying for OPWC funding for the Project.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW FRANKLIN, COUNTY OF SUMMIT, AND STATE OF OHIO, THAT:

SECTION ONE:

The Mayor is hereby authorized to execute any agreements, memorandums of understanding or other documents with Summit County and the Ohio Public Works Commission ("OPWC") necessary to participate with Summit County in applying for OPWC funding for the Q-834 New Franklin Sanitary Sewer Improvements Project

("Project"), located in the City of New Franklin, at a cost to the City not to exceed \$50,000.00.

SECTION TWO:

The City of New Franklin finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberation of this Council and any other Committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION THREE:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety, and welfare of the citizens of New Franklin. Provided that this legislation receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: _____

Kelly Kepler, Clerk

Judy Jones, President
23-R-39

APPROVED: _____, 2023

Paul F. Adamson, Mayor

ENACTED EFFECTIVE: _____

ON ROLL CALL: Cotts _____ Daniels _____ Fetterman _____
 Harget _____ Jones _____ Powell _____
 Stock _____

Publications on _____ and _____

Kelly Kepler, Clerk

RESOLUTION NO: 23-R-40
SPONSOR: MAYOR ADAMSON
INTRODUCED: MAY 3, 2023

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH TOWN PLANNING PRACTICE LLC, FOR IMPLEMENTATION OF PHASE ONE OF THE ZONING DIAGNOSTIC REPORT REGARDING CODE MAINTENANCE AND DECLARING AN EMERGENCY.

WHEREAS, the City engaged Town Planning Practice LLC, to prepare and present a Zoning Diagnostic Report ("the Report") to assist with necessary revisions to the New Franklin Zoning Code ("the Code"); and

WHEREAS, Phase One of the Report set forth a plan for review and revisions to the Code in cooperation with the New Franklin Planning & Zoning Commission; and

WHEREAS, The City deems it advisable to engage the services of the consultant who prepared and submitted the Report to provide direction and assistance to the Zoning Administrator and the Planning & Zoning Commission throughout this process; and

WHEREAS, Town Planning Practice LLC, has submitted a proposal to provide those services for a monthly fee of Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00) per month through completion of Phase One.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NEW FRANKLIN, COUNTY OF SUMMIT, AND STATE OF OHIO, THAT:

SECTION ONE:

The Mayor is hereby authorized and directed to enter into an agreement with Town Planning Practice LLC, for direction and assistance in implementation of Phase One of the Zoning Diagnostic Report at a monthly rate of Two Thousand Five Hundred and 00/100 Dollars (\$2,500.00) per month pursuant to the proposal attached hereto as Exhibit A.

SECTION TWO:

The City of New Franklin finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberation of this Council and any other Committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION THREE:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety, and welfare of the citizens of New Franklin. Provided that this legislation receives the affirmative vote of two-thirds of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: _____

Kelly Kepler, Clerk

Judy Jones, President
23-R-40

APPROVED: _____, 2023

Paul F. Adamson, Mayor

ENACTED EFFECTIVE: _____

ON ROLL CALL: Cotts _____ Daniels _____ Fetterman _____
Harget _____ Jones _____ Powell _____
Stock _____

Publications on _____ and _____

Kelly Kepler, Clerk

CONSULTING SERVICES AGREEMENT

This Consulting Services Agreement (“Agreement”) is made and entered into as of the ____ day of May, 2023, (the “Effective Date”) by and between The Town Planning Practice, an Ohio limited liability company (the “Contractor”) and The City of New Franklin, (“Company”) (each a “Party” and collectively, the “Parties”).

Recitals:

WHEREAS, the Contractor is an Ohio limited liability company engaged in the practice of performing zoning and planning consulting under the laws of the State of Ohio; and

WHEREAS, the Company desires to engage the Contractor, and the Contractor desires to be engaged by the Company under the terms, covenants, and conditions set forth in this Agreement.

NOW, THEREFORE, in consideration of the foregoing premises and for other good and valuable consideration, the Parties, desiring to be legally bound, agree as follows:

Section 1. Provision of Services

A. The Contractor shall provide Zoning Code Amendment Services for the Company as outlined in Attachment A, attached hereto and incorporated herein (the “Services”). Unless otherwise specified herein, Contractor may perform the Services at a location of its choice, and on the dates and times of its choosing.

B. The Company shall reasonably cooperate with, and provide materials as needed to, Contractor to assist the Contractor in its performance of the Services hereunder.

C. In the performance of the Services, it is mutually understood and agreed that the Contractor is always acting and performing as an independent contractor of the Company. Nothing in this Agreement is intended or shall be construed to establish the Contractor as a partner, agent, employee, or joint ventures of the Company in the performance of the Services hereunder.

Section 2. Term

The project term is detailed in Attachment A-Project Services and excluding any reasonable delays from the Company or Contractor.

Section 3. Termination of Agreement

Either party may terminate this Agreement at any time for any or no reason by providing the other with not less than thirty (30) days’ advance written notice of its intent to terminate. Notwithstanding the foregoing, Contractor may terminate this Agreement immediately at any time by providing written notice to the Company upon the Company’s failure to make any payment hereunder when due. Upon termination of this Agreement, any provisions that by their terms survive or require performance after expiration of this Agreement shall continue to apply.

Section 4. Compensation, Expenses & Taxes

The Company shall pay the Contractor compensation and expenses as specified in Attachment B.

Section 5. Metrics and Benchmarks; Disclaimer of Representations and Warranties

Contractor shall periodically, or upon reasonable request by the Company, provide updates to the Company demonstrating the outcomes for the Services. The information to be provided and any target metrics for the Services are designated on Attachment A. Any metrics listed are target metrics only, and the Contractor makes no representation or warranty, written or oral, express or implied, as to specific metrics or outcomes for the Company in relation to the Services.

Section 6. Miscellaneous

A. Notices required or permitted to be given under this Agreement shall be in writing and shall be sent by certified mail, return receipt requested, by hand delivery, by a nationally recognized overnight delivery service, or by electronic mail or facsimile with confirmation of receipt. All notices shall be sent to the addresses as the parties may from time to time designate in writing, and shall be deemed given when sent, and shall be effective upon receipt or three days of mailing, whichever occurs first.

B. This constitutes the entire understanding between the Contractor and the Company with respect to the subject matter hereof and supersedes any and all prior understandings, written or oral.

C. No amendments to this Agreement shall be binding unless in writing and signed by both parties.

D. If for any reason any provision of this Agreement shall be deemed by a court of competent judgment to be legally invalid or unenforceable, the validity and enforceability of the remainder of the Agreement shall not be affected and such provision shall be modified to the minimum extent necessary to make such provision consistent with applicable law.

E. This Agreement will be governed by the laws of the State of Ohio. Any controversies or disputes arising out of or relating to this Agreement shall be adjudicated in the local, state, or federal courts situated in Summit County, Ohio.

F. The failure of either party to insist upon strict adherence to any term, covenant, or condition of this Agreement on any occasion shall not be considered a waiver or relinquishment of any right of such party or parties to insist upon strict performance of that term, covenant, or condition, or any other term, covenant, or condition, of this Agreement at any time thereafter.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

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

CONTRACTOR

(The Town Planning Practice, LLC)

COMPANY

(City of New Franklin)

Signature: _____

Signature: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

ATTACHMENT A -- PROJECT SERVICES
City of New Franklin – Phase 1 Zoning Code Maintenance Amendments

Services To Be Performed:

The Town Planning Practice LLC (Fred Guerra) will complete the following Zoning Code Maintenance Amendments. These Phase 1 Zoning Code Maintenance Amendments will eventually become part of the Phase 2 Consolidated Land Use Code Amendments.

1. Amend the Existing Zoning Code Administrative Articles. This includes:
 - a. Update and organize Articles 1 General Provisions, Article 2 Administration and Article 3 Application Procedures.
 - b. Integrate appropriate Summit County Subdivision Chapter 1103 Procedures and Chapter 1111 Administrative and Enforcement sections into the new administrative amendments.
2. Amend Residential-Lakefront (R-L) Lot, Setback and Building Coverage Regulations. The existing zoning code requires all lots to be no smaller than ½ acre (21,780 SF) with sewers and 1 acre (43,560 SF) without sewers. In addition, regulations state that front yard setbacks are 50 feet, rear yard setbacks are 25 feet and side yard setbacks are 15 feet. These setbacks are suitable for ½ acre suburban lots but are not applicable for ¼ acre or smaller lots. Improper setback standards have resulted in 45 variances in the last 10 years in the R-L Zoning District. Therefore, more appropriate lot and building standards amendments are needed. More comprehensive modifications will take place in the Consolidated Land Use Code and Special District phases. The R-L District land use requirements should be based on historic lot sizes, development patterns and designs, not on conventional suburban development patterns.
3. Create an Enforcement and Penalty Chapter within the Administrative Regulations in the Existing Zoning Code. This zoning code amendment will create a zoning violation, penalty, and enforcement chapter in the existing zoning code. There is presently no violation, penalty, and enforcement regulations in the existing zoning code.
4. Amend the Chapter 1100.01 Riparian Development Setback Regulations. Chapter 1101.01 Riparian Development Setback Regulations were derived from the Summit County Riparian Regulations. The riparian regulations effectively enforce land uses in stream corridors; however, staff has expressed concerns about using the Board of Zoning Appeals for riparian boundary interpretations and variances. Simple modifications could create a more practical administrative policy that allows staff approvals for simple modifications and the Board of Zoning Appeals or the Planning Commission approvals for large modifications.
5. Amend Article 8 Supplemental Land Use Regulations. Article 8 includes an assortment of common supplemental land use regulations that range from agricultural district regulations to satellite dish requirements. This amendment task is a comprehensive revision to all supplemental regulations in Article 8.

Target Metrics (and Month Benchmarks):

1. Amend the Existing Zoning Code Administrative Articles -- 90 Days (May, June, and July 2023)
2. Create an Enforcement and Penalty Chapter within the Administrative Regulations in the Existing Zoning Code -- 60 Days (July and August 2023)
3. Amend Residential-Lakefront (R-L) Lot, Setback and Building Coverage Regulations -- 90 Days (September, October, and November 2023)
4. Amend the Chapter 1100.01 Riparian Development Setback Regulations -- 60 Days (November and December 2023)
5. Amend Article 8 Supplemental Land Use Regulations – 120 Days (January, February, March, and April 2024)

This schedule can be adjusted with both the Company and Consultant approval. All work will be completed at the City of New Franklin City Hall or at The Town Planning Practice’s offices. The Consultant will make every attempt to fast-track some of the target metrics and benchmarks.

ATTACHMENT B – PROJECT FEES
City of New Franklin – Phase 1 Zoning Code Maintenance Amendments

Fees for Services:

The Zoning Code Diagnostic Report fee is \$2,500.00 per month to complete the Services identified in Attachment A. The Contractor will invoice the Company monthly.

Each invoice will be for \$2,500.00 unless work tasks are delayed due to reasonable circumstances from either the Company or Contractor that would affect task activities. All invoices will include a monthly activity report. All invoices shall be paid within 30 days of invoice.

If additional services are requested, or the project is extended past the deadline for reasonable circumstances, the Contractor will be paid on an hourly fee basis of \$125.00 an hour. The Contractor shall then submit invoices to the Company demonstrating the amount of time spent on the Services on a basis and form mutually agreed upon between the parties. The Company shall then pay the Contractor within 30 days of receipt of each invoice.