

**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**

Kevin Powell

Terry Harget

Mark Webb

Jack Daniels, **Vice President**

Jim Cotts

David Stock

***Law Director:*** Irving Sugerman

**Wednesday, November 15, 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 November 1, 2023
5. Approval of the Financials for October 2023, Subject to Audit.
6. Public Comment – Please keep your comments addressed to Council and under 4 minutes.

7. **First Readings**

7-A. **Resolution No.: 23-R-89**

**Sponsor: Mayor Adamson**

Finance Committee: Mr. Cotts

**A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE POLICE DISTRICT FUND AND DECLARING AN EMERGENCY.**

7-B. **Resolution No.: 23-R-90**

**Sponsor: Mayor Adamson**

Streets & Drainage Committee: Mr. Stock

**A RESOLUTION AUTHORIZING NEW FRANKLIN TO ENTER INTO AN ADDENDUM TO THE AGREEMENT WITH OHM ADVISORS FOR CONSTRUCTION SERVICES FOR THE NEW FRANKLIN 2023 PAVING PROJECT AND DECLARING AN EMERGENCY.**

7-C. **Resolution No.: 23-R-91**

**Sponsor: Mayor Adamson**

Laws & Ordinances Committee: Mr. Webb

**A RESOLUTION TO AMEND THE CITY OF NEW FRANKLIN PUBLIC RECORDS POLICY AND DECLARING AN EMERGENCY.**

7-D. **Resolution No.: 23-R-92**

**Sponsor: Mayor Adamson**

Finance Committee: Mr. Cotts

**A RESOLUTION GRANTING WAGE INCREASES FOR CERTAIN FULL-TIME AND PART-TIME NON-UNION JOB CLASSIFICATIONS AND DECLARING AN EMERGENCY.**

8. **Second Readings**

8-A Resolution No.: 23-R-87

Sponsor: Mayor Adamson

Finance Committee: Mr. Cotts

**A RESOLUTION APPROVING AND ADOPTING THE 2024 ANNUAL OPERATING APPROPRIATION BUDGET FOR THE GENERAL FUND AND ALL OTHER FUNDS FOR THE CITY OF NEW FRANKLIN AND DECLARING AN EMERGENCY.**

9. **Third Readings**

10. **Pending Legislation**

11. Mayor's Report

12. Comprehensive Plan Committee Report

13. Finance Report

14. Old Business

15. New Business

16. Public Questions and Answers on Issues Raised at Meeting

17. Executive Session

18. Adjournment

**Next Council Meeting  
December 6, 2023**

**RESOLUTION NO: 23-R-89**  
**SPONSOR: MAYOR ADAMSON**  
**INTRODUCED: NOVEMBER 15, 2023**

**A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS FROM THE GENERAL FUND TO THE POLICE DISTRICT FUND AND DECLARING AN EMERGENCY.**

WHEREAS, the City of New Franklin Council deems it necessary to transfer funds from the General Fund to the Police District Fund and;

**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 City of New Franklin Council hereby authorizes the following transfer of funds:

From the General Fund (1000-101-5901) to the Police District Fund (2901-000-4899) in the amount of \$250,000.00.

**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 legislation 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 a portion of the Police Budget is through transfers from the General Fund. 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-89

APPROVED: \_\_\_\_\_.

\_\_\_\_\_  
Paul F. Adamson, Mayor

ENACTED EFFECTIVE: \_\_\_\_\_.

ON ROLL CALL: Cotts, \_\_\_\_\_.      Harget, \_\_\_\_\_.      Jones, \_\_\_\_\_.  
                    Webb, \_\_\_\_\_.      Powell, \_\_\_\_\_.      Daniels, \_\_\_\_\_.  
                    Stock, \_\_\_\_\_.     

Publications in the Leader on \_\_\_\_\_ and

\_\_\_\_\_.

\_\_\_\_\_  
Kelly Kepler, Clerk

**RESOLUTION NO: 23-R-90**  
**SPONSOR: MAYOR ADAMSON**  
**INTRODUCED: NOVEMBER 15, 2023**

**A RESOLUTION AUTHORIZING NEW FRANKLIN TO ENTER INTO AN ADDENDUM TO THE AGREEMENT WITH OHM ADVISORS FOR CONSTRUCTION SERVICES FOR THE NEW FRANKLIN 2023 PAVING PROJECT AND DECLARING AN EMERGENCY.**

WHEREAS, by Resolution 23-R-51 New Franklin entered an Agreement for Construction Services with OHM Advisors for the City of New Franklin 2023 Paving Project; and

WHEREAS, there is a need for an Addendum to that Agreement as a result of additional services for the parking lot paving and road berms; and

WHEREAS, OHM Advisors have submitted a proposed Amendment to the Agreement for further services not to exceed Eight Thousand and 00/100 Dollars (\$8,000.00); and

WHEREAS, Council deems it in the best interest of New Franklin to authorize the Mayor to accept the proposed amendment for additional construction services for the City of New Franklin 2023 Paving 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 and directed to enter into an Amendment to the Agreement with OHM Advisors to proceed with the additional construction services for the 2023 Paving Project in accordance with the scope of services and fee proposal attached as Exhibit A. The cost for the services outlined in Exhibit A shall not exceed Eight Thousand and 00/100 Dollars (\$8,000.00).

**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-90

APPROVED: \_\_\_\_\_, 2023

\_\_\_\_\_  
Paul F. Adamson, Mayor

ENACTED EFFECTIVE: \_\_\_\_\_

ON ROLL CALL: Cotts \_\_\_\_\_ Daniels \_\_\_\_\_ Harget \_\_\_\_\_  
                  Jones \_\_\_\_\_ Powell \_\_\_\_\_ Stock \_\_\_\_\_  
                  Webb \_\_\_\_\_

Publications on \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_  
Kelly Kepler, Clerk



October 24, 2023

City of New Franklin  
Mayor Paul Adamson  
5611 Manchester Road  
New Franklin, OH 44319

**RE: 2023 Paving Program – Construction Services Amendment**  
Location: City of New Franklin  
Amendment to Proposal #23037A

Dear Mayor Adamson:

The following is a budget amendment request to original proposal #23037A. This amendment request to the original Construction Services proposal is related to the out-of-scope work and added work performed on the 2023 Paving Program

**Proposal Outline**

Scope of Services - Construction Services Tasks .....	2
Price Proposal .....	2
Compensation .....	2
Clarifications and Assumptions .....	2
Client Responsibilities .....	2
Terms & Conditions .....	3

Sincerely,  
OHM Advisors

Authorization to Proceed

**Gary Smolinski**

Digitally signed by Gary Smolinski  
Reason: I am the author of this document  
Date: 2023.10.24 13:26:25-04'00'

Gary Smolinski  
Project Manager  
Gary.smolinski@ohm-advisors.com  
D: 330.913.1051 C: 330.472.8522

\_\_\_\_\_  
Signature Date

Digitally signed by Joshua J. Slaga  
DN: C=US,  
E=josh.slaga@ohm-advisors.com, O=OHM  
Advisors, CN=Joshua J. Slaga  
Date: 2023.10.27 08:35:17-04'00'

Josh Slaga, PE  
Principal  
Josh.slaga@ohm-advisors.com

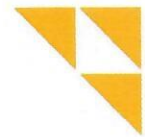
\_\_\_\_\_  
Printed Name Title

**OHM Advisors**

388 SOUTH MAIN STREET, SUITE 301  
AKRON, OHIO 44311

T 330.913.1080  
F 330.319.8691

OHM-Advisors.com



## Scope of Services - Construction Services Tasks

### Task #178 Additional Construction Services

- This task has been included as an “If Authorized” fee in the event that one or more of the following conditions occur:
  - The Contractor’s work schedule exceeds the number of weeks shown above in the Project Schedule
  - The Contractor’s work schedule includes work weeks exceeding 40 hours.
  - The Contractor’s work process requires multiple work crews and therefore multiple inspectors on-site simultaneously.
  - The Contractor is granted extra time (time extension) to complete the project.
  - The Contractor is awarded a change order for additional work or changed work conditions.
- If any of the above conditions apply, the Engineer shall document and estimate the total cost to complete the additional inspection services and request authorization/approval from the Owner to cover these costs.

## Price Proposal

#	Construction Services Tasks	Fee
Task #178	Additional Construction Services (If Authorized)	\$ 8,000
	<b>Grand Total =</b>	<b>\$ 8,000</b>

## Compensation

- Construction Tasks will be billed as follows.
  - Task #178 will be billed at the Standard Hourly Rates

## Clarifications and Assumptions

- Our Proposal was prepared based on the following assumptions:
  - If additional labor effort or change in schedule is required beyond described herein, OHM Advisors will negotiate an amendment with the City of New Franklin. OHM Advisors will not proceed with additional services without written authorization to proceed from the City of New Franklin.
  - Meetings shall be conducted in accordance with the Scope of Services as described herein. Additional meetings, not described within our Scope of Services, shall be considered additional services, and will be billed on an hourly basis under the Additional As-Needed Services Allowance upon agreement with the City of New Franklin.

## Client Responsibilities

- City of New Franklin will provide a single point of contact to OHM Advisors who is knowledgeable about the project needs and desired outcomes.
- City of New Franklin will provide the following, if available, to assist us with the project: (prior as-builts and existing plans, plat maps, site surveys indicating site boundaries, existing topography, access to structures, easements and utility line information, utility availability, building information, etc.)

### OHM Advisors

388 SOUTH MAIN STREET, SUITE 301  
AKRON, OHIO 44311

T 330.913.1080  
F 330.319.8691

OHM-Advisors.com





## Terms & Conditions

The Terms and Conditions contained in the Annual Engineering contract per resolution number 23-R-21 shall also apply to this contract.

**RESOLUTION NO: 23-R-91**  
**SPONSOR: MAYOR ADAMSON**  
**INTRODUCED: NOVEMBER 15, 2023**

**A RESOLUTION TO AMEND THE CITY OF NEW FRANKLIN PUBLIC RECORDS POLICY AND DECLARING AN EMERGENCY.**

WHEREAS, by prior Resolution 09-R-49 New Franklin Council adopted a Public Records Policy pursuant to Ohio Revised Code (ORC) Section 149.43 (E) (1); and

WHEREAS, the New Franklin Records Commission has recommended an amendment to the second paragraph of Section 2.4 of that policy as it relates to the time period for response to public records requests, consistent with the provisions of ORC Section 149.43 (B) (1); and

WHEREAS, Council wishes to accept that recommendation and proceed with the amendment.

**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 second paragraph of Section 2.4 of the New Franklin Public Records Policy is hereby amended as follows:

All requests for public records must either be satisfied or be acknowledged in writing by a public office within ~~three business days~~ a reasonable period of time following the office's receipt of the request. ~~If the request will not be satisfied within three business days, the acknowledgement must include at least the following: a request for clarification (if necessary), and an estimated cost (if copies are requested).~~ In responding to a public records request, New Franklin shall comply with the provisions of ORC Section 149.43.

**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-91

APPROVED: \_\_\_\_\_, 2023

\_\_\_\_\_  
Paul F. Adamson, Mayor

ENACTED EFFECTIVE: \_\_\_\_\_

ON ROLL CALL: Cotts \_\_\_\_\_ Daniels \_\_\_\_\_ Harget \_\_\_\_\_  
                  Jones \_\_\_\_\_ Powell \_\_\_\_\_ Stock \_\_\_\_\_  
                  Webb \_\_\_\_\_

Publications on \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_  
Kelly Kepler, Clerk

**RESOLUTION NO: 23-R-92**  
**SPONSOR: MAYOR ADAMSON**  
**INTRODUCED: NOVEMBER 15, 2023**

**A RESOLUTION GRANTING WAGE INCREASES FOR CERTAIN FULL-TIME AND PART-TIME NON-UNION JOB CLASSIFICATIONS AND DECLARING AN EMERGENCY.**

WHEREAS, the New Franklin Bargaining unit members of the OPBA, Teamsters and IAFF have negotiated wage increases during the course of their contract negotiations; and

WHEREAS, reasonably comparable wage scales are important for job attraction, retention and performance; and

WHEREAS, the Mayor has requested wage increases for all full-time and part-time non-union employees, with the exception of the Communications Manager, part-time police officers and firefighters, consistent with the two and one-half percent (2 1/2%) raises and \$250 equity increases granted to the Unions through negotiations; and

WHEREAS, The Mayor has requested an increase in the hourly rate for the Communications Manager from Twenty-Six and 93/100 Dollars (\$26.93) per hour to Thirty and 00/100 Dollars (\$30.00) per hour, and a two and one-half percent (2 1/2%) increase in the hourly rate for part-time police officers and firefighters; and

WHEREAS, New Franklin Council desires to grant the wage increases as requested above.

**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 City of New Franklin Council hereby grants an equity increase of Two Hundred Fifty and 00/100 Dollars (\$250.00) and a wage increase of two and one-half per cent (2 1/2%) for all full-time and part-time non-union employees with the exception of the Communications Manager, part-time police officers and firefighters.

**SECTION TWO:**

Council hereby grants the Communications Manager a wage increase from Twenty-Six and 93/100 Dollars (\$26.93) per hour to Thirty and 00/100 Dollars (\$30.00) per hour, and a two and one-half percent (2 1/2%) increase in the hourly rate for part-time police officers and firefighters.

**SECTION THREE:**

The foregoing wage increases shall be effective with the pay period beginning December 24, 2023. The effective date for employees on

probation as of December 24, 2023 shall be the date they complete probation.

**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. 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-92

APPROVED: \_\_\_\_\_, 2023

\_\_\_\_\_  
Paul F. Adamson, Mayor

ENACTED EFFECTIVE: \_\_\_\_\_

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

Publications on \_\_\_\_\_ and \_\_\_\_\_

\_\_\_\_\_  
Kelly Kepler, Clerk