

**City of Franklin Common Council**  
**Regular Meeting Minutes**  
**July 15, 2019**

The regular meeting of the Common Council of the City of Franklin, Indiana was called to order at 6:00 p.m. at City Hall, 70 E. Monroe Street, with Mayor Steve Barnett presiding. Council members Kenneth Austin, Daniel Blankenship, Andrew Eggers, Bob Heuchan, Danny Richards and Richard Wertz answered roll call. Clerk-Treasurer Jayne Rhoades, Records Clerk Kathy Cragen, City Attorney Lynnette Gray were also present. Council member Joseph Abban was absent.

Councilor Wertz offered an invocation. Mayor Barnett opened the meeting and asked the Clerk-Treasurer to call the roll. Mayor Barnett led the recitation of the Pledge of Allegiance.

**Announcements, Presentations & Public Comments**

Scott Livorno came forward and stated he would like to propose a four way stop at Jefferson Street & Home Avenue. Mr. Livorno stated it's dangerous, & would like for the city to look into this area. Mayor Barnett told Mr. Livorno that this item should come before the Board of Works not the City Council, and stated that it will be put on the Board of Works agenda for August 5<sup>th</sup>.

Community Development Director Krista Linke stated that the Council needs to appoint a member for the FDC as the current appointment will expire at the end of July. Ms. Linke stated that the current appointee Amy Richardson said she would be willing to be reappointed for another term. Councilor Heuchan made a motion to reappoint Amy Richardson to the FDC, seconded by Councilor Wertz. A voice vote was taken with all members stating aye. The motion carried.

**Consent Agenda**

Mayor Barnett presented the consent agenda for approval.

- Approval of the July 1, 2019 Common Council Minutes

Councilor Eggers made a motion to approve the consent agenda as presented, seconded by Councilor Richards. A voice vote was taken with all members stating aye. The motion carried.

**Old Business**

Councilor Eggers made a motion to read all old business by title only, seconded by Council President Austin. A voice vote was taken with all members stating aye. The motion carried.

## **Public Hearing**

**Common Council Budgetary Ordinance No.: 19-11 An Additional Appropriation for Additional Parks Projects in the amount of \$100,000.00** - Parks Superintendent Chip Orner stated this was introduced at the previous meeting, and gave a list of what this money would be used for. Mayor Barnett opened the floor for public hearing, no one asked to speak. A discussion was held. Council President Austin made a motion to approve, seconded by Councilor Heuchan. A voice vote was taken with all members stating aye. The motion carried.

Parks Superintendent Orner stated Parks employee Mike Blackwell will be retiring August 2<sup>rd</sup> after 34 years of service.

## **New Business**

Council President Austin made a motion to read all new business by title only, seconded by Councilor Eggers. A voice vote was taken with all members stating aye. The motion carried.

**Update on Grant Cycle, Funds Raised, Volunteer Opportunities, Community Partnerships & Upcoming Events** - Franklin Education Connection - Toni Breeden gave an update of their grant cycle, funds they have raised, volunteer opportunities, community partnerships & upcoming events they have planned for 2019. Ms. Breeden stated that they gave out grants last year in the amount of \$113,000.00 for teachers to help with their projects and supplies for their classrooms. Ms. Breeden stated that Study Buddies are in great need for the coming school year, and that the Scholar Program at the high school for students who will be the first in their family to attend college is growing each year. Ms. Breeden also stated there will be a Barn Dance fund raiser later in the year on Saturday, October 5<sup>th</sup>. The Council members thanked Ms. Breeden for her updates.

**Common Council Budgetary Resolution No. 19-06 - Authorizing a Transfer from Record Perpetuation Services 300 to Record Perpetuation Supplies 200 in the amount of \$5,000.00** - City Court Clerk Amy McLaughlin stated they are requesting to transfer \$5,000.00 dollars from their Record Perpetuation Fund to their Supplies Fund in order to cover purchasing file cabinets, that will be needed at the new City Court. A discussion was held. Council President Austin made a motion to approve, seconded by Councilor Wertz. A voice vote was taken with all members stating aye. The motion carried.

**Request Approval of City Council Ordinance No.: 19-02 Authorizing the Issuance of not to Exceed \$27,500,000 Aggregate Principal Amount of Economic Development Revenue**

**Refunding Bonds for Otterbein Homes** – EDC Attorney Rob Schafstall stated this proposal was presented about two weeks ago. Mr. Schafstall stated that he is representing the City tonight for this project. Mr. Schafstall stated that the Methodist Home is a retirement community in the City of Franklin, and that we have approved the refunding of Bonds in the past years of: 1991, 1999, 2007, 2010, 2015, and they are asking for the same approval for tax exempt borrowing status. Which means money will get borrowed plus interest will be paid on this money. Mr. Schafstall stated that if this is approved by Council then their new borrowing will be at a lower interest rate. Mr. Schafstall stated that we're not giving them any money or guaranteeing any of their debt, we will just be authorizing them to be approved as a tax exempt business. Mr. Schafstall stated that in 2018 Otterbein purchased the Methodist Home which took it off the 2015 City Debt and replaced it with private debt. They are requesting to make debt public again with financing, & offering to pay attorney fees for the city. Mr. Schafstall stated he is working with them to get documents together in order to ask for approval of this Council Ordinance. Mr. Schafstall stated that he is satisfied with all of the documents presented. Basic flow is that if approved the City will borrow up to \$27,500,000, but it will not be a general obligation debt for the city. The only right to repayment is from operating of the Methodist Home. Mr. Schafstall stated that at the EDC meeting they talked about risk to the City which is more a reputational risk, and the City will not have to repay this bond. Anyone who wants to invest in this bond will see that it is backed by the City. Mr. Schafstall stated that the Clerk Treasurer will have very little responsibility in her office, and that he has spoken with Jeff Peters and, Barnes & Thornburg in the past, and reached out to them on this project, and they did not see any issues with this proposal. The ordinance accepts as true what the EDC did last week. They had a public hearing, and found that statutory requirements for this type of item have been met. The rule in Indiana is an Ordinance should not be passed on the night it is introduced, but it does not necessarily have to happen if we have 5 out of 7 votes it can be approved tonight. City Attorney Gray stated that she & Mr. Schafstall have been working together to look at these documents, and the Methodist Home will be paying the attorney fees. Ms. Gray stated the following: What are the risks? Is the city on the hook for the money – no. Should they default will that impair our credit so that it would hurt the city – no. What is the benefit to the City? The benefit to us is supporting economic development in our city with an entity that has been in our city for several years. Attorney Mike Dean with Dinsmore Law Firm stated they are the law firm for Otterbein, and thanked Mr. Schafstall for his thorough review of these documents. Mr. Dean stated that the City would be indemnified by Otterbein. A discussion was held. Councilor Eggers made a motion to waive the two meetings for approval, seconded by Council President Austin. A voice vote was taken with the following members voting aye: Council President Austin, Councilor Blankenship, Councilor Eggers, Councilor Heuchan, Councilor Richards, and Councilor Wertz. The motion carried. Mayor Barnett opened the floor for public hearing, no one asked to speak. Councilor Heuchan made a motion to approve the Ordinance as presented, seconded by Councilor Eggers. A roll call vote was taken with the following members stating aye: Council President Austin, Councilor Blankenship, Councilor Eggers, Councilor Heuchan, Councilor Richards, & Councilor Wertz. The motion carried. Councilor Eggers made a motion to approve the Mayor & Council President Austin to sign, seconded by Councilor Wertz. A voice vote was taken with all members stating aye. The motion carried.

### **Other Business**

There was no other business presented.

### **Council Comments**

Council President Austin stated that he was sorry he had to miss the recent EDC meeting but he was out of the country.

Councilor Heuchan stated that he agreed with the discussion regarding putting in a stoplight at the corner of Jefferson Street, and Home Avenue, and stated it is hard to see if you are coming off of Home Avenue to turn onto Jefferson Street.

Councilor Wertz stated there would be an RDC meeting tomorrow at 8:00 a.m.

Councilor Eggers thanked the City employees for the Firecracker Festival, and stated that several of the council members would be working at the Lemon Shake up stand at the fair after the meeting.

City Attorney Gray stated that we would have to work with INDOT for approval if we decide we want to put a stoplight back at Home Avenue and Jefferson Street.

### **Adjournment**

As there was no further business to come before the Common Council, a motion and a second were made to adjourn at 6:55 p.m.

Respectfully submitted,

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Jayne Rhoades, Clerk-Treasurer  
Enrolled: 8/1/2019

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Steve Barnett, Mayor

Attest:

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Jayne Rhoades, Clerk-Treasurer