

**BOARD OF PUBLIC WORKS AND SAFETY
Agenda Request Form**

(Form B-01-2012)

Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard. Please make sure that your contact information is accurate in case we need to get in touch with you. The Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.

Date Submitted:	09.11.2024	Meeting Date:	09.16.2024
Contact Information:			
Requested by:	Lynnette Gray		
On Behalf of Organization or Individual: City of Franklin			
Telephone:	317-738-3365		
Email address:	lynng@jgmlawfirm.com		
Mailing Address:	63 E. Court St., P.O. Box 160, Franklin, IN 46131		
Describe Request:			
Approval of Ordinance Number 24-07 An Ordinance Amending Name and Duties of the Franklin Telecommunications Council			
List Supporting Documentation Provided:			
Ordinance Number 24-07			
Exhibit "A"			
Who will present the request?			
Name:	Lynnette Gray, City Attorney	Telephone	317-738-3365

In order for an individual and/or agency to be considered for new business on the Board of Works agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 4:00 p.m. on the Wednesday before the meeting.

ORDINANCE NO.: 2024-07
OF THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA

**AN ORDINANCE AMENDING NAME AND DUTIES OF THE FRANKLIN
TELECOMMUNICATIONS COUNCIL**

WHEREAS, I.C. 36-1-3 confers upon units of local government within the State of Indiana such powers as are necessary or desirable to conduct the affairs of the governmental unit; and

WHEREAS, I.C. 36-4-6-18 authorizes the Common Council of a city to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit; and

WHEREAS, the Common Council of the City of Franklin, Indiana, adopted Ordinance Number 01-03 creating the Franklin Telecommunications Council to assist the Board of Public Works and the Common Council in carrying out statutorily imposed duties with respect to franchising and/or contracting with telecommunications suppliers and to perform certain duties as set forth in Ordinance Number 01-03 of the City of Franklin identified as Exhibit "A" attached hereto; and

WHEREAS, after adoption of Ordinance Number 01-03 the City of Franklin did establish and fund a separate City Department known as the Information Technology Department and the Telecommunications Council has worked with the Information Technology Department providing technical expertise to the City with regard to its technology matters and not solely related to cable television, telephone, or telecommunication companies; and

WHEREAS, it appears to the Common Council of the City of Franklin that the name of the Telecommunications Council should be amended to reflect the advisory nature of the Council and in recognition of the assistance the Council provides to the City regarding technology matters.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Common Council of the City of Franklin, Indiana:

1. Ordinance Number 01-03 of the City of Franklin is hereby amended such that the previously known Franklin Telecommunications Council shall now be known as the Franklin Technology Advisory Council.
2. Ordinance Number 01-03 paragraph 5(f) shall be amended to provide as follows:

(f) To report upon request, by the Mayor, Common Council or the Board of Public Works, in writing or by appearing at a public meeting the Council's

activities and expenditures, such report to include evaluations and recommendations of the Council on technology issues, including making recommendations and/or suggestions to the Board of Public Works and/or Common Council of the City of Franklin as relates to technology matters including but not limited to information technology, website technology, technology security systems and cyber security considerations.

- 3. That all other provisions of Ordinance Number 01-03 shall remain in full force and effect.
- 4. That this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

Recommended for Approval by the Board of Public Works and Safety of the City of Franklin this ____ day of _____, 2024.

City of Franklin, Indiana, By its Board of Public Works and Safety:

Voting Affirmative:

Mayor Steve Barnett

Tina Gross, Member

Kenneth Austin, Member

Voting Opposed:

Mayor Steve Barnett

Tina Gross, Member

Kenneth Austin, Member

Attest:

Jan Jones, City Clerk-Treasurer

BE IT FURTHER ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA THAT: this Ordinance shall become effective upon passage and approval by the Mayor of the City of Franklin, Indiana.

Introduced and Filed on the ____ day of _____, 2024.

DULY PASSED on this _____ day of _____, 2024 by the Common Council of the City Of Franklin, Johnson County, Indiana, having been passed by a vote ____ in Favor and ____ Opposed.

City of Franklin, Indiana, by its Common Council:

Voting Affirmative:

Voting Opposed:

Kenneth W. Austin, President

Kenneth W. Austin, President

Todd Shuck, Member

Todd Shuck, Member

Anne McGuinness, Member

Anne McGuinness, Member

Irene Nalley, Member

Irene Nalley, Member

Jennifer Price, Member

Jennifer Price, Member

Josh Prine, Member

Josh Prine, Member

Shawn Taylor, Member

Shawn Taylor, Member

Attest:

Jan Jones
City Clerk-Treasurer

Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15, this ____ day of _____, 2024 at ____ o'clock a.m./p.m.

Jan Jones
City Clerk-Treasurer

This Ordinance having been passed by the legislative body and presented to me was Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-1(a)(1) Vetoed pursuant to Indiana code § 36-4-6-16(a)(2), this ____ day of _____, 2024 at ____ o'clock a.m./p.m.

Steve Barnett
Mayor

Attest:

Jan Jones
City Clerk-Treasurer

Approved as to Form:

Lynnette Gray
City Attorney

ORDINANCE NUMBER 01-03
OF THE CITY OF FRANKLIN

COPY

AN ORDINANCE CREATING THE
FRANKLIN TELECOMMUNICATIONS COUNCIL

WHEREAS, I. C. 36-1-3 confers upon units of local government within the State of Indiana such powers as are necessary or desirable to conduct the affairs of the governmental unit; and,

WHEREAS, I.C. 36-4-6-18 authorizes the Common Council of a city to pass such ordinances, orders, resolutions and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit; and,

WHEREAS, the Board of Public Works of the City of Franklin, Indiana, and the Common Council of the City of Franklin, Indiana, are, by law, authorized to enter into franchise agreements with suppliers of telecommunication products and services for the supplying of said products and services to the citizens of the City of Franklin, Indiana; and

WHEREAS, it appears to the Common Council of the City of Franklin, Indiana, that it would be in the best interests of the citizens of the City of Franklin, Indiana, that a telecommunications council be created by ordinance, to assist the Board of Public Works and the Common Council in the carrying out of statutorily imposed duties with respect to franchising and/or contracting with telecommunications suppliers.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the Common council of the City of Franklin, Indiana:

1. There is hereby created by this ordinance a public body within the government of the City of Franklin, Indiana, to be known as the City of Franklin Telecommunications Council.
2. The City of Franklin Telecommunications Council shall be responsible to, and shall report to, the Board of Public Works and the Common Council of the City of Franklin, Indiana, with respect to the duties, responsibilities, and authority delineated herein.
3. The membership of the Council shall consist of five (5) members, a majority of whom must be residents of the City of Franklin, Indiana. Subject to the foregoing qualification, members of the said Council may be residents of the City of Franklin Buffer Zone. Two (2) of the members shall be appointed by the Mayor of the City of Franklin, Indiana. Three (3) of the appointments shall be made by the Common Council. Efforts shall be made to solicit, as members of said council, individuals with knowledge and expertise in the area of telecommunications, and/or interest in, or commitment to, said area of telecommunications products and service, as well as an interest, desire, and commitment to serving the citizens and community of Franklin, Indiana.

4. That the term of council members shall be for a period of four (4) years. However, the initial appointments made by the Mayor shall be for a term to expire on December 31, 2004, and the term of the initial appointments by the Common Council shall be for a term to expire on December 31, 2002.
5. The Franklin Telecommunications Council shall have the following powers and responsibilities:
 - (a) To evaluate the quality of subscriber service by cable television, telephone, or other telecommunications companies;
 - (b) To evaluate whether a company is operating in satisfaction of the terms of the telecommunications, telephone products, and cable television franchise agreement and applicable state and federal rules and regulations;
 - (c) To study the communication needs of the Franklin community and explore ways of using the telecommunications, telephone products, and cable television to meet those needs;
 - (d) To assist members of the public and non-profit organizations in the use of the telecommunications, telephone products, and cable television, including, to the extent of the council's ability, programming advice, production advice and assistance, and cable-casting arrangements;
 - (e) To seek out and retain the services of other persons, organizations and companies for purposes of satisfying the responsibilities assigned to the council by this ordinance;
 - (f) To report at least once a year, or more frequently upon request, to the Mayor, the Common Council, and the Board of Public Works, in writing, on the Council's activities and expenditures, such report to include the evaluations provided for in subsections (b) and (c) of this section, and such report further being made available to the public upon request. Further, to make recommendations and/or suggestions to the Board of Public Works and/or Common Council of the City of Franklin in a timely fashion, as appropriate or as requested.
 - (g) To make reports and recommendations regarding the creation, establishment, implementation, and administration of appropriate municipal Web sites, as well as to seek the best methods of evaluating and improving said sites.
 - (h) To make reports and recommendations regarding municipal computer network security, and any and all related areas and activities.
 - (i) To pursue the preceding responsibilities in the best public interest of the citizens of Franklin.
6. The Franklin Telecommunications Council shall, within thirty (30) days after the initial appointments thereto have been made, meet for an organizational meeting and elect such officers and adopt such rules, regulations and bylaws as said council deems necessary.

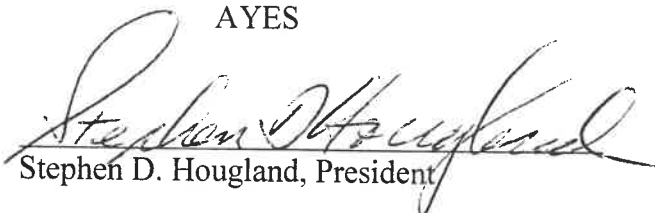
7. The Franklin Telecommunications Council may provide that its members be compensated at a rate of Fifty Dollars (\$50.00) per month for each month in which the Council has at least one (1) formal meeting, and may further provide that actual expenses incurred by council members in the furtherance of their duties may be reimbursed, provided however, that the Franklin Telecommunications Council shall have no authority to incur any debt, pay any per diem, not authorized by the Franklin Common Council either through the regular budget process or by way of additional appropriation. All funds made available to the Franklin Telecommunications Council by the Franklin Common Council shall be from revenues received by the City of Franklin through the City's franchise agreements with cable service providers and/or other telecommunication product or service providers under contract with the City, and from no other source or sources.
8. The Franklin Telecommunications Council is hereby declared to be a public body of the City of Franklin, Indiana, and therefore, is subject to the Indiana Open Door Law and all other statutes, rules and regulations concerning the conduct of public business by units of government in the State of Indiana.
9. That this ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

BE IT FURTHER ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA THAT: this ordinance shall become effective upon passage and approval by the Mayor of the City of Franklin, Indiana.

ADOPTED this 26 day of March, 2001.

AYES

NAYS


Stephen D. Hougland, President

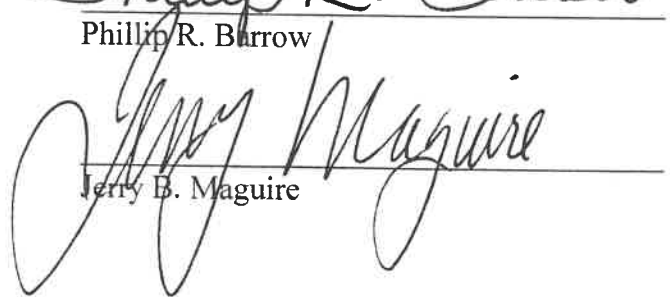
Stephen D. Hougland, President


Joseph R. Ault

Joseph R. Ault


Phillip R. Barrow

Phillip R. Barrow

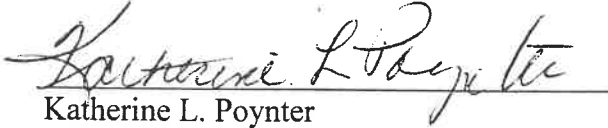

Jerry B. Maguire

Jerry B. Maguire

Absent 3-12-01

William T. Murphy

William T. Murphy

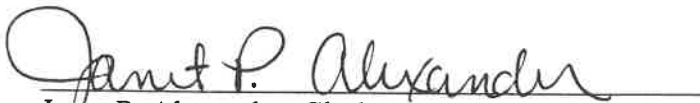

Katherine L. Poynter

Katherine L. Poynter

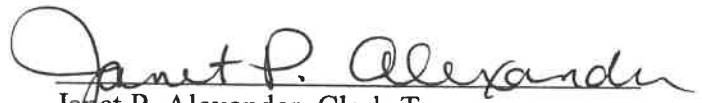

Lyman A. Snyder

Lyman A. Snyder

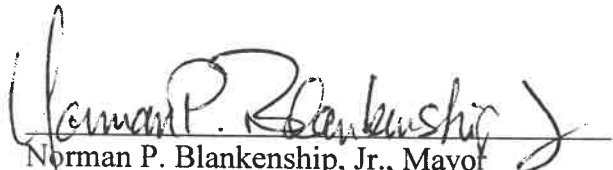
ATTEST:


Janet P. Alexander, Clerk-Treasurer,
Secretary to the Common Council

Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15,16, this 26 day of March, 2001 at 7:35 o'clock ~~a.m.~~/p.m.



Janet P. Alexander, Clerk-Treasurer,
City of Franklin, Indiana

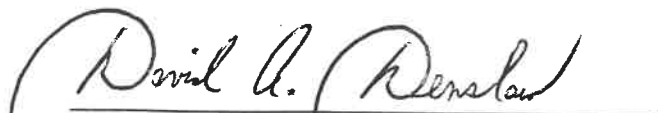
This ordinance having been passed by the legislative body and presented to me this [Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this 26 day of March, 2001, at 7:35 o'clock ~~a.m.~~/p.m.


Norman P. Blankenship, Jr., Mayor
City of Franklin, Indiana

ATTEST:

APPROVED AS TO FORM:


Janet P. Alexander, Clerk-Treasurer,
City of Franklin, Indiana


David A. Denslaw, City Attorney
City of Franklin, Indiana