

**City of Franklin  
COMMON COUNCIL MINUTES**

**City Hall  
55 W. Madison St.  
Franklin, Indiana 46131**

**Monday September 13, 2004 @ 7:00 P.M.**

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Presiding Officer: Mayor Norman P. Blankenship

Roll Call Present: Mr. Steve Hougland, President Pro-tempore  
Mr. Kenneth W. Austin  
Mr. Joseph R. Ault  
Mr. Phillip R. Barrow  
Mr. Jeffrey C. Eggers  
Mrs. Ann Gordon  
Dr. William T. Murphy

Also present: Clerk-Treasurer Janet Alexander, Robert H. Schafstall, Esq.

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After the Invocation and the Pledge of Allegiance Mr. Ault, seconded by Mr. Hougland made a motion to approve the minutes of the last meeting. The motion carried.

**PETITIONS AND PUBLIC COMMENTS**

Mayor Blankenship asked Ms. Suzanne Findley, Superintendent of the Parks Department, to recount the events following the June 30, 2004 vandalism incident at Greenlawn Cemetery. Ms. Findley described the damages to dozens of very old tombstones and monuments. Ms. Findley estimated that repairs would cost \$50,000. She also stated that many of the damaged stones dated back to the 1800's. A few days after the incident was reported in the newspapers, Brad Manzenberger a coordinator of the Indiana Pioneer Cemetery Restoration Project and John Walters from Grave Yard Groomers volunteered to help the City repair the damaged gravestones. On Saturday July 10, they and 30 volunteers arrived at Greenlawn Cemetery and repaired all of the damaged stones. To recognize the generosity of these two men, Mayor Blankenship presented both of them with a plaque recognizing them and their organizations. Mr. Walters complimented the volunteers who came to help with the restoration work.

**Discover Historic Franklin Organization**

City Planner Krista Linke and Franklin resident Mr. Craig Wells introduced themselves as officers of a newly formed organization known as Discover Historic Franklin (DHF). Mr. Wells thanked the City of Franklin and the Mayor for the support and encouragement they have received since forming. Mr. Wells explained that they have ten to fifteen people serving on the board and forty-five members. He stated that they have been organized for several months and with the help of generous sponsors they have produced a brochure and have put on the "4th Friday" events providing live music on the courthouse lawn. He also stated that the group is applying for 501C3 Status – as a charitable and/or not-for-profit organization. He also stated that Citizens Organized for Franklin's Future (COFF), a former downtown merchants group, is considering donating their remaining funds to the DHF.

**OLD BUSINESS**

**PUBLIC HEARINGS**

**Budgetary Ordinance No. 04-07 – Additional appropriation to the Fire Department Budget – to purchase Haz-Mat truck**

Deputy Fire Chief Jim Reese presented an additional appropriation for the purchase of a Haz-Mat Truck and the diesel fuel exhaust system. Mayor Blankenship asked if anyone from the Public wished to speak for or against the proposed budgetary ordinance. No one asked to speak.

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There was a motion and a second to read the ordinance by title only. Mr. Ault seconded by Dr. Murphy made a motion to approve the appropriation ordinance. The motion carried and was approved.

**General Fund-101**

Improvements-101-6.00-416.00	\$ 54,000.00	\$ 54,000.00
Machinery & Equipment-101-6.00-444.00	\$ 21,500.00	\$ 21,500.00
TOTAL for General Fund		\$ 75,500.00

The Council was polled and the votes cast were as follows:

Aye: Hougland, Austin, Ault, Barrow, Eggers, Gordon, Murphy

Nay: None

**Budgetary Ordinance No. 04-04 – An Ordinance for Appropriations and Tax Rates**

The Mayor stated that this is the confirmation hearing for Budgetary Ordinance No. 04-04 - An Ordinance for Appropriations and Tax Rates. The public hearing was held August 23, 2004. A motion and a second were offered to read the ordinance aloud by title only. The motion carried. Dr. Murphy seconded by Mr. Hougland made a motion to approve the proposed ordinance. The motion carried and the ordinance was approved. The Council was polled and the votes cast were as follows:

Aye: Hougland, Austin, Ault, Barrow, Eggers, Gordon, Murphy

Nay: None

**Ordinance No. 04-08 – An Ordinance fixing the Salaries of Elected Officials of the City of Franklin, Indiana for Year 2005**

Tabled until October 25, 2004 for advertisement pursuant to I.C. 36-4-7-2 and I.C. 5-3-1

**NEW BUSINESS:**

**INTRODUCTIONS**

**Resolution No. 04-07: A Resolution Approving the 2005 Johnson County Public Library Budget and Property Tax Levy**

Ms. Beverly Martin, Director of the Franklin Johnson County Public Library presented the library budget for 2005. Discussion held. Dr. Murphy seconded by Mr. Eggers made a motion to read the proposed resolution by title only. Mr. Ault seconded by Mr. Barrow made a motion to approve the library budget. The motion carried and the resolution was approved. The Council was polled and the votes cast were as follows:

Aye: Hougland, Austin, Ault, Barrow, Eggers, Gordon, Murphy

Nay: None

**Resolution No. 04-08 – A Resolution for the Deposit of Interest into the General Fund**

Clerk Treasurer Janet Alexander asked the Council to remove this item as Indiana Code IC 5-13-9-6 states that all interest be deposited in the general fund or in any fund the governing board designates, unless otherwise provided by law. Removed.

**Budgetary Ordinance No. 04-09 – Additional Appropriation in the Police Department**

Police Chief John Borges introduced his request for an additional appropriation. The Police Chief explained that the reason behind the request is that the department has received money from various sources including travel expense reimbursements, grants, awards, and their share of a federal forfeiture from United States Customs Service. Discussion held.

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**General Fund-101:**

Overtime-101-7.00-199.00	\$ 6,512.35	\$ 6,512.35
Operating Supplies-101-7.00-215.00	\$ 1,387.00	\$ 1,387.00
Travel & Training-101-7.00-320.00	\$ 1,970.51	\$ 1,970.51
TOTAL for General Fund		\$ 9,869.86

**Police Forfeiture Fund-497**

Federal Forfeiture Expense-497-1.00-100.00	\$ 40,433.00	\$ 40,433.00
TOTAL for Police Forfeiture Fund		\$ 40,433.00

Mayor Blankenship stated that this is the introduction of the proposed ordinance and that this matter shall be set for public hearing on September 27, 2004. Tabled.

**Ordinance No. 04-16 – An Ordinance Creating the “Fire Department – Public Education Fund”**

Captain Jason Ramey introduced the proposed ordinance establishing a designated fund for donations and gifts to be used for the purchase of supplies and materials for the department’s community public education program. Captain Ramey explained that his goal is to raise enough money from the community to provide public education without spending tax dollars. Mayor Blankenship stated that this is the introduction of the proposed ordinance and that this matter will be set for public hearing on September 27, 2004. Tabled.

**Ordinance No. 04-17 – An Ordinance Declaring the Cemetery Fund a “Dormant Fund” and transferring the balance of same to the General Fund as of December 31, 2004**

Clerk Treasurer Janet Alexander introduced a proposed ordinance declaring the Cemetery Fund dormant. The Clerk Treasurer explained that this ordinance would provide funding for the cemetery budget through the General Fund as approved by the Common Council during the public hearing on the proposed City Budget. The Clerk Treasurer also stated that the Cemetery fund balance is \$349,244. The Mayor stated that this matter will be set for public hearing on September 27, 2004. Tabled.

**OTHER BUSINESS**

**CLERK/TREASURER COMMENTS**

Clerk Treasurer Janet Alexander reported that when researching the procedure to add the City Judge to the Public Employees Retirement Fund (PERF) (as directed by the Common Council), it was determined that the enrolling resolution, City of Franklin Resolution No. 80-26 (approved June 23, 1980 effective date January 1, 1981) specifically named the position of Mayor, Clerk Treasurer, and City Judge as covered positions under the plan. Representatives from PERF requested that the City immediately fund the City Judge’s account pursuant to the terms of the resolution. The Clerk Treasurer explained that she prepared an additional appropriation ordinance to fund the account out of the City Court budget in the amount of \$19,500. The Clerk Treasurer also stated that at her request Attorney Lynnette Gray reviewed the enrollment resolution and concurs with PERF. Mayor Blankenship stated that this is the introduction and that this ordinance will be set for public hearing September 27, 2004. Tabled.

**CITY ATTORNEY, COMMON COUNCIL COMMENTS**

Council Member Jeff Eggers stated that Mr. Wells’ comments reminded him that in March he reported that Mr. Lyman Snyder, a member of a local organization COFF, had explained that COFF had unexpended money which they would consider returning to the City since the organization is no longer active. According to the Minutes of March 8, 2004, the Council asked Mr. Weir to prepare a petition to COFF in care of Mr. Snyder. Discussion held. Mr. Barrow stated that the money held by COFF originally came from the State of Indiana as Revenue Sharing dollars and because of that the City should have input on how it is used. The other members agreed.

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**Adjournment**

As there was no further business to come before the Common Council the meeting adjourned at 7:50 p.m. The next meeting will be held September 27, 2004 at 7:00 p.m.

Signed copies available at the Clerk-Treasurer's Office:  
55 W. Madison  
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