

**City of Franklin
COMMON COUNCIL MINUTES**

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

Monday April 12, 2004 @ 7:00 P.M.

Presiding Officer: Mayor Norman P. Blankenship, Jr.

Roll Call: Present

Mr. Joseph R. Ault
Mr. Phillip R. Barrow
Mr. Jeffrey C. Eggers
Mrs. Ann Gordon
Dr. William T. Murphy

Absent: Mr. Stephen Hougland
Mrs. Kay Poynter

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

After the Invocation and the Pledge of Allegiance Dr. Murphy seconded by Mr. Barrow made a motion to approve the minutes of the March 22, 2004. The motion carried.. Clerk Treasurer Alexander requested that a statement in the Council Comments of the March 8, 2004 enrolled minutes be stricken, "Mr. Barrow seconded by Mr. Ault made a motion requesting that the Clerk Treasurer pay the dues and to report back at the next meeting." The motion carried. Motion to strike made by Councilman Eggers, seconded by Mr. Ault. The motion carried.

Petitions and Public Comments

Mayor Blankenship asked whether anyone from the public had any petitions or public comments about matters not on the agenda. No one asked to speak

Proclamations

OLD BUSINESS

Mr. David Weir introduced the resolution, and advised the Council that this request was reviewed by the Economic Development Commission (EDC) in February and March, and the EDC recommended that the Council declare the area an Economic Revitalization Area (ERA) and grant a seven year tax abatement. The expansion at NSK allows for an additional fifteen jobs with an hourly rate between \$15.00 and \$20.00 Mr. Weir requested that the public hearing be placed on the April 12, 2004 Common Council agenda. NSK representatives, Mr. Carl Gildea, Plant Manager, and Keith Remington, Accounting Manager, presented and reviewed a handout prepared for the

Council. Attorneys Karl Sturbaum and R.J. McConnell, of Bose McKinney & Evans, also attended to present on behalf of NSK. Mr. Sturbaum informed the Council that there are two provisions which allow the Council to approve the tax abatement even though the Statement of Benefits was not filed before installation of the production line for which the abatement was being sought. Discussion was held. City Attorney Rob Schafstall summarized a handout he made available to the Council from the City's Economic Incentives Packet.

Resolution No. 04-03 – A Resolution Confirming Resolution No. 04-02 establishing an ERA and designating an ERA and designating A Tax Abatement For NSK Corporation

Ordinance No. 04-06 – An Ordinance Rezoning +/- 10 Acres At The Northwest Corner Of S. R. 144 And Westview Drive (FROM 3-22-04) NOT SHOWN ON THE 4-12-04 AGENDA

Mayor Blankenship stated that Mr. Steve Huddleston, Esq. has requested that this matter be tabled. Mr. David Weir reminded the Council that provisions for rezoning in Indiana statutes require the Common Council to act within ninety days, or the recommendation of the Plan Commission automatically take effect. The time will expire before the May Council meeting. The public hearing was tabled to the next Council meeting.

David Weir

Edc recommendation 7 years

Ault requested visit to NSK to a representative from NSK replied that same, Eggers, Murphy, Tabled eggers, ault 250

Who was that??? Ja contact weir get name and refer information to him and to council members

NEW BUSINESS

INTRODUCTIONS

Ordinance No. 04-05 – An Ordinance authorizing Code Enforcement procedures

Rob Schafstall presented proposed ordinance. Bringing to BOW tomorrow night, returning here in two weeks. Tabled

Ordinance No. 04-07 – An ordinance setting forth definitions and establishing remedies for public nuisances resulting from unkempt property(s) in the City of Franklin, Indiana

Rob Schafstall repeat of 04-05

Budgetary Ordinance 04-02 – Additional appropriation, cemetery overtime

Suzanne Findley request for \$1,750 additional for Cemetery Introduction set for public hearing next meeting 389. Advertise ASAP

Tax Abatement Compliance Reports

David Weir – see list on memo – all found to be in substantial compliance

Motion to approve the CF! Dr. Murphy seconded by Eggers

General Discussion

MS4 Presentation – Rule 13 Federal

532Rick Littleton & Don Larson w/ commonwealth engineers- storm water compliance - IDEM enforcement

NPDES Storm Water – responsibly handle rain water – Clean Water Act.

National Pollution Discharge Elimination Systems

6 minimum control objectives – best management practices

1. Public education
2. Public involvement
3. Illicit discharge
4. Construction site run off controls for 1 acre tracts – requires local permits and inspection set by DNR or IDEM initially.
5. Post construction run off controls – plans must include post construction devises 750
- 6.

New sources of funding – ???

Federal Mandate - Compliance is not optional ended tape 882

Don Larson – IN Code 15-13

a. Notice of Intent

b. baseline characterization due May 3, however requested a 60 day extension due July 3, 2004

Aquatics test –fish population and bug population – compare the stream reach between two waterways. Determine the objectives of the plan – if we have a pollution problem or if we don't have one what our plan is to keep the water clean.

c. Storm Water Quality Management Plan due November 3, but we intend to request an extension due Jan 3, 2005

1227 Funding discussion – EDU fair and equitable

Johnson County can require all non corporate property folks to pay their rates, if we overlap as an existing utility that may create some problems.

Create a storm water utility

Create a separate tax exempt units would be excluded as apposed to households.

Fines statutory \$27,500 for every day in violation

1999

population centers 500 pp per square mile

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RHS – startup costs??? most costs inventory of components, discharges, conveyance systems – of all units, city county state includes INDOT
Consultants? possible soil & water conservation officers
Typically one person hired to manage the program in house. Per Don Larson
Ranges for consultants – \$45,000 - \$60,000 from here to implementation – on going
Possible single employee to coordinate.
2322 Rick Littleton reviewed the beginning of the project using IACT resources

****** Mike Rueter let him know that this is coming up.**

Bargersville & Shelbyville created sep. utilities.
Sample ordinance.

Discussions with other units – County's and City's contiguous units.

House enrolled act 17-98 per Don Larson

Rick 3124 resumes – Mike, Rick & Janet per Dr. Murphy

Dr. Murphy motion to form an ad hoc committee to return at the next meeting with recommendations, Mr. Barrow seconded that motion. Get the other examples from other communities – e-mail IACT. Dr. Murphy to serve obo Council.

Request FOR Proposals from Banks

Review of Council Budget Assignments & prepare the adoption schedule

8:30 p.m

3596

Adjournment

As there was no further business to come before the Common Council the meeting adjourned at 8: 30 p.m.

Respectfully submitted,

Janet P. Alexander, Clerk-Treasurer

Enrolled Date: _____ Approved by Common Council: _____

Norman P. Blankenship, Jr. Mayor