

City of Franklin COMMON COUNCIL MINUTES

City Hall
55 W. Madison St.
Franklin Indiana 46131

Monday, December 10, 2001 @ 7:00 P.M.

Presiding Officer: Mayor Norman P. Blankenship

Roll Call

Members Present: Mr. Stephen D. Hougland, President Pro Tempore
Mr. Joseph R. Ault
Mr. Phillip R. Barrow
Mr. William T. Murphy
Mrs. Katherine L. Poynter
Mr. Lyman A. Snyder

Members Absent: Mr. Jerry B. Maguire

Also Present: City Attorney Robert H. Schafstall & Clerk Treasurer Janet P. Alexander

Mrs. Karen Bridges a correspondent for the Indianapolis Star attended this meeting.

After the Invocation and the Pledge of Allegiance, Dr. Murphy, seconded by Mrs. Poynter, made a motion to approve the minutes of the November 26, 2001 meeting as distributed. The motion carried.

OLD BUSINESS

Ordinance No. 01-35 An Ordinance Adopting Certain Employee Benefits – Mayor Blankenship wrote a letter to the Council concerning this ordinance and read the letter aloud for the record.

“December 10, 2001. Members of the Common Council:

You will recall at the November 26th meeting there were some questions concerning the new Policy Manual. The following are comments and recommendations, which I hope, will address those concerns. This project is far overdue, but it seems Murphy’s Law worked overtime. This document, albeit not perfect, is a result of ten months work by the department heads, city employees, and overseen by an HR Consultant, as directed by the Council. For the first time they, the department heads and employees have ownership in the regulations they must work under. They understand it is their job to enforce and make constant improvements to this document. I encourage you to pass the employee manual as amended, keeping in mind that it is an ordinance subject to your review and alteration”.

The Mayor asked the Council to look at each amendment independently. The original text and the proposed modification follow.

1. Page 40

Payroll is paid on a Bi-weekly basis.

Proposed Amendment - Delete Bi-Weekly. Add: Bi-Monthly.

The Mayor asked the Council to modify this statement to read, “Payroll is paid twenty-six pays (26) per year.” Dr. Murphy, seconded by Mr. Snyder, made a motion to approve. Carried.

2. Page 41 C. Non-exempt (hourly) employees of the City (see provisions of the Fair Labor Standards Act (FLSA)) shall receive overtime pay (or compensatory time off in lieu of overtime payment) for all time authorized and actually worked in excess of forty (40) hours in any work week at a rate of one and one-half (1½) times the employee's hourly base rate of pay. For purposes of calculation of overtime, paid vacation, holidays, and sick leave shall not be included as time worked.

Exempt employees of the City shall receive compensatory time off on a one (1) hour for one (1) hour basis for hours in excess of thirty-seven and one half (37.5) hours up to forty (40) hours, and a one and one-half (1.5) hour for one (1) hour basis in excess of forty (40) hours.

Proposed Amendment Delete Exempt employees of the.... Add – “Non – Mayoral appointed exempt employees of the City.”

Mrs. Poynter, seconded by Mr. Barrow, made a motion to approve. Carried

3. Page 43 B & G

B. Full-time employees of the City shall be entitled to accrue vacation time after completion of one full year of employment:

Proposed Amendment Delete B. Add - Full-time employees of the City shall be entitled to accrue vacation days after six months of employment.

Mr. Hougland seconded by Mr. Ault made a motion to approve. Carried.

G. No employee will be entitled to more than five (5) days of vacation time during the first year of employment.

Proposed Amendment - Delete G.

Dr. Murphy seconded by Mrs. Poynter made a motion to approve the deletion. Motion carried.

4. Page 44 – Reference Funeral Leave A, B, C, & D

A. Bereavement Leave must be arranged with the appropriate Department Head or supervisor through a written request. The employee must execute the request. It must state the relationship between the deceased and the employee, and the length of time needed for the requested absence.

Proposed Amendment – Delete Written request. Add - written request if practical.

Mr. Ault seconded by Mrs. Poynter made a motion to approve the deletion. Motion carried.

B. All regular, full-time employees may be granted a paid leave of up to five (5) days in the event of the death in the employee's immediate family. “Employee's immediate family” for purposes of this Section shall mean an employee's spouse, parent, child, grandparent, grandchildren, sister, brother, corresponding in-laws, uncles, aunts, step-relatives, and other residents of the household of an employee.

Proposed Amendment Delete (entire paragraph). Add - All full time employees may be granted up to a total of 7 days bereavement leave annually, in the event of the death of a family member, loved one or co-resident of the household.

Mr. Ault seconded by Mrs. Poynter made a motion to approve the deletion. Motion carried.

C. In the event of the death of a family member not in the immediate family, an employee may be granted up to three days per year of funeral leave upon request.

Proposed Amendment Delete.

Mr. Hougland seconded by Mr. Snyder made a motion to approve the deletion of item C. Motion carried.

D. In exceptional circumstances, the employee may request an additional five working days of funeral leave. The department head must apply to the Mayor on behalf of the employee.

Proposed Amendment – Delete (entire paragraph) Add - In exceptional circumstances concerning the deaths of family members the employee may request additional bereavement leave over the 7 day annual limit. The request must be communicated to the department head outlining the circumstances and the amount of time requested. The department head must apply to the Mayor or his or her representative for approval on behalf of the employee.

Dr. Murphy seconded by Mr. Snyder made a motion to approve the deletion and to add the proposed paragraph. Motion carried.

5. Page 46 G. The employee will not be required to use the personal days before the end of the year. However, at the end of the calendar year the City will pay the employee for any unused personal days up to a total of 3-days. The employee will not be allowed to carry unused days into the next calendar year.

Proposed Amendment – None - Concerning the payment of unused personal days or any other unused benefit, i.e. Fire Department sick days etc. Based on conversations with a State Board of Accounts representative, as long as the benefit is in the form of a written policy, enacted by appropriate authority, you may do anything you wish. Thus, I proposed not change in this section.

Mr. Snyder seconded by Mr. Ault made a motion to read Ordinance 01-35 An Ordinance Adopting Certain Employee Benefits by title only. Motion carried. Mayor Blankenship read the Ordinance aloud by title. Mr. Barrow seconded by Mr. Ault made a motion to approve Ordinance 01-35. Motion carried. The Council was polled and the votes cast were as follows, Mr. Hougland - Aye, Mr. Ault - Aye, Mr. Barrow - Aye, Dr. Murphy - Aye, Mrs. Poynter - Aye, and Mr. Snyder - Aye. Number voting in favor of the action 6. Number voting opposed 0. Motion carried. Approved.

NEW BUSINESS

Ordinance No. 01-36 of the City of Franklin Indiana, An Ordinance Repealing Ordinance No. 00-33 And Enacting New Provisions Regulating Noise and Sound Emissions – City Attorney Robert H. Schafstall introduced the ordinance and summarized the provisions. Mr. Hougland seconded by Mr. Barrow made a motion to table to January 14, 2002. Tabled.

Ordinance No. 01-18 of the City of Franklin Indiana, An Ordinance Repealing 96-20 and Enacting Curfew Regulations City Attorney Robert H. Schafstall introduced the proposed ordinance and the state laws relevant to curfew. Mr. Hougland seconded by Mr. Ault made a motion to table this to January 14, 2002. Tabled.

Resolution No. 01-36 A Resolution Authorizing the City of Franklin, Indiana To apply for a Brownfield Assessment Grant from the State of Indiana (To be known as the Central L & M Lumber and Supply Brownfield Grant) Mr. Weir introduced the proposed resolution. Grants up to \$50,000.00 are available from the State of Indiana annually. Mr. Hougland seconded by Mr. Ault made a motion to read. Dr. Murphy, seconded by Mr. Barrow made a motion to approve the resolution. Motion carried. Approved.

The Clerk Treasurer asked the Council to approve various financial resolutions.

- ☐ **Resolution No. 01-34 – A Resolution Authorizing A Franklin City Court Budget Transfer. Request to transfer \$2600 from 101-8-210 Office Supplies to 101- 8-443 Office Equipment.**
- ☐ **Resolution No. 01-39 – A Resolution Authorizing Board of Works Budget Transfers. Request to transfer \$293.74 from Professional Services 309 to Gasoline 216, to transfer \$4,987.98 from Improvements 416 to Rumpke 311, to transfer \$13,380.38 from 50/50 Sidewalk 424 to Rumpke 311, to transfer \$1,619.62 from 50/50 Sidewalk 424 to Hydrants 335, & transfer \$7,816.83 from Computer Upgrade 433 to Hydrants 335.**

- ❑ **Resolution No. 01-40 – A Resolution Authorizing a Fire Department Budget Transfer. Request to transfer from Travel & Training 320 to Office Equipment 215 - \$154.54, to Rentals 337 - \$240.52, to Promotions & Special Events 340 - \$175.27, and to Communication Equipment 446 - \$92.40. Total Transfer \$2882.50**
- ❑ **Resolution No. 01-41 – A Resolution Authorizing a Clerk Treasurers Budget Transfer. Request to transfer from Dues & Subscriptions 315 to Office Supplies 210 - \$26.50**
- ❑ **Resolution No. 01-43 – A Resolution Authorizing a City Hall Budget Transfer. Request to transfer from Improvements 416 to Contractual Services 358 - \$14,547.59**

Mr. Snyder made a motion to approve the Resolutions No. 34, 39, 40, 41 & 43 submitted by the Clerk Treasurer, seconded by Mr. Ault. Motion carried

Year End 2001 Budget Encumbrances Mrs. Janet P. Alexander, the Clerk Treasurer reported the 2001 budget encumbrances submitted by all City Departments total \$442, 643.83. The Clerk Treasurer stated that this total might be reduced upon closer inspection of the purchase orders but that the year-end budget encumbrances will not exceed this amount. Mr. Hougland seconded by Dr. Murphy made a motion to approve the encumbrance report submitted by the Clerk Treasurer. Motion carried.

CAGIT Distributions and Property Tax Replacement Credit History Mrs. Janet P. Alexander, the Clerk Treasurer gave each Council Member and the Mayor a report summarizing the annual receipts of CAGIT monies and Property Tax Replacement Credit since 1996. The 2002 CAGIT / Certified Shares are expected to be \$4,347,115.00.

Ordinance Number 01-37 of The City of Franklin Indiana, An Ordinance Creating the Record Perpetuation Fund City Attorney Robert H. Schafstall introduced the proposed ordinance. This is set for Public Hearing January 14, 2002. Tabled.

Resolution Number 01-37 A Resolution Authorizing the Clerk Treasurer to Segregate Financial Records City Attorney Robert H. Schafstall summarized the proposed resolution. Mr. Hougland made a motion to read, seconded by Mr. Barrow. Mrs. Poynter made a motion to approve seconded by Mr. Ault. Motion carried. Approved.

Common Council Meeting Schedule for 2002 Mayor Blankenship provided his proposed meeting list and stated that three meetings fell on three legal holidays: Memorial Day May 27, Columbus Day October 14th, and Veterans Day November 11th. A discussion was held and the Council agreed by consensus to schedule meetings on these dates and as the dates draw nearer consider canceling or rescheduling at that time.

PETITIONS AND PUBLIC COMMENT

Mayor Blankenship asked whether there were any petitions or public comments. No one asked to speak.

CITY ATTORNEY'S COMMENTS

Mr. Schafstall responded to the Council's questions concerning refinancing our existing obligations and the Fire Station building project.

1. Refinancing the existing bonds – the City's current obligations have low rates. His review indicates that the City would not benefit by re-financing at this time.

2. The Fire Station building project - pursuant to the Indiana State Constitution, the City may only borrow up to 2% of its assessed evaluation. Total payments for principal and interest cannot exceed the 2% limit. Using available figures Mr. Schafstall believes the City may borrow up to 4 million dollars, however this is reduced by the existing Park Bond and Police and City Court Bonds. One option available to the City would be to create a Building Corporation, which could borrow the money, build the stations and lease the building(s) back to the City. Mr. Schafstall suggested that the City's next step would be to engage an architect and an accountant to begin developing plans and cost estimates.

COUNCIL MEMBERS COMMENTS

Mr. Ault reported that he and Mr. Hougland have looked at the ceiling in the restroom in City Hall and believe that the problem should be repaired as it poses a public health / safety risk. Mr. Ault stated that this area is very small and could be repaired independently of the rest of the roof. Mayor Blankenship agreed and said that when the weather clears up he will have someone look at this problem and the roof in general.

MAYORS COMMENTS

The Mayor made several comments

1. The Mayor thanked Mrs. Poynter for her contribution to the Veterans display.
2. The Veterans Memorial Dedication held December 7th was very nice and was well attended.
3. The Lords Cupboard celebrated it's 30th Anniversary on December 7th.
4. The sidewalk program was well received and will continue this spring. The sidewalks in the area of the Lord's cupboard need attention.
5. The Mayor has contributed \$4000 from the City to the Holiday Lighting Project.
6. The Mayor thanked the Council Members and the Clerk Treasurer and her staff for their work this year.

Dr. Murphy on behalf of the Council thanked the Mayor for all he has done for the City.

As there was no further business to come before the Common Council, the meeting adjourned at 8:15 p.m.

Respectfully submitted,

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

Enrolled Date: 6/28/11

Approved by Common Council: _____

Norman P. Blankenship, Jr. Mayor