City of Franklin
COMMON COUNCIL

City Council Chambers
70 E. Monroe St.
Franklin, Indiana 46131

Monday, April 18, 2011 @ 6:30 p.m.

Presiding Officer:	Dr. William T. Murphy, President
Members Present:	Mr. Joseph Abban Mr. Joseph Ault Mr. Kenneth W. Austin Mr. Stephen D. Barnett Mrs. Ann Gordon Mr. Stephen D. Hougland
Members Absent:	Mayor Fred Paris
Also Present:	City Attorney Robert H. Schafstall, Clerk Treasurer Janet Alexander

Dr. Murphy opened the meeting and asked the Clerk-Treasurer to call the roll. Dr. Murphy offered the invocation, which was followed by a recitation of the Pledge of Allegiance.

Consent Agenda

Dr. Murphy presented the consent agenda for approval.

- Approval of the April 4, 2011 Common Council Minutes

Mr. Barnett made a motion to approve the consent agenda as presented. Mr. Abban seconded. The motion carried.

Old Business

Ordinance 11-04: An Ordinance Approving Resolution No.: 11-04 of the City of Franklin, Indiana Plan Commission, Rezoning Certain Property to Industrial; Business Development (IBD) (To Be Known as the Hurricane Industrial Park)

Senior Planner Joanna Myers presented Ordinance 11-04 for approval. Mr. Ault made a motion to read by title only, second by Mr. Barnett. The motion carried and the ordinance was read by title only. Attorney Steve Huddleston appeared to represent Style Dance Academy and relevant parties. Ms. Myers explained that the Plan Commission forwarded this to the Council with a favorable recommendation, unanimously. Mr. Huddleston emphasized that mixed use in that area would be the future for development. City Attorney Rob Schafstall advised the Council to adopt the new version of the commitments as Exhibit A. Mr. Abban, seconded by Mr. Hougland, made a motion to adopt the Ordinance including the amendments. The motion carried and the Ordinance was approved and signed.

New Business

Acceptance of Tax Abatement Compliance Reports

Planning Director Krista Linke appeared before the Council to present yearly tax abatement compliance reports for acceptance or revocation. The recommendations from the Economic Development Commission (EDC) included the following: 1. Substantial compliance with favorable recommendation for acceptance; 2. Not in compliance due to circumstances beyond the Company's control, and recommended to be accepted; and 3. Recommended for revocation. City Attorney Rob Schafstall suggested acting on them according in the identified three groups.

The EDC found the below listed tax abatement compliance reports to be in substantial compliance and forwarded them to the City Council with favorable recommendations. Mr. Abban, seconded by Austin, made a motion to accept the following listed tax abatement compliance reports with the exception of 2011-34 (KYB Manufacturing North America):

- C 2011-05 Overton Industries International (Resolution 2010-20)
- C 2011-23 Tippmann Realty Partners (Resolution 2004-06)
- C 2011-24 Tippmann Realty Partners (Resolution 2008-13)
- C 2011-27 Electro-Spec (Resolution 2008-04)
- C 2011-28 Amcor Rigid Plastics (Resolution 2005-05)
- C 2011-29 Amcor Rigid Plastics (Resolution 2006-06)
- C 2011-30 Precision Cutoff of Indiana (Resolution 2008-09)
- C 2011-32 GROK Enterprises (Resolution 2000-18)
- C 2011-34 KYB Manufacturing North America (Resolution 2006-09)
- C 2011-35 Electro-Spec (Resolution 2003-14)
- C 2011-40 NSK Corporation (Resolution 2005-18)

The motion carried and the tax abatement compliance reports were accepted, except for 2011-34. Mr. Barnett noted that KYB was short on employee projections. Krista Linke said that she would request that KYB attend the next meeting.

The below list of tax abatement compliance reports were found to be in non-compliance due to circumstances beyond their control. Primarily, the reason for non-compliance is the economy. The EDC recommends their approval by the City Council. Discussion held.
Mr. Barnett, seconded by Ault, made a motion to accept the following listed tax abatement compliance reports with the exception of 2011-38 (CCD 1-65 LLC) and 2011-39 (NSK Corporation):

- C 2011-08 Premium Composite Technology North America (Resolution 2009-02)
- C 2011-26 Mitsubishi Heavy Industries (Resolution 2008-08)
- C 2011-33 KYB Manufacturing North America (Resolution 2006-03)
- C 2011-36 CTC Casting Technologies (Resolution 2007-08)
- C 2011-37 CTC Casting Technologies (Resolution 2008-11)
- C 2011-38 CCD I-65 LLC (Resolution 2008-17)
- C 2011-39 NSK Corporation (Resolution 2004-03)

The motion carried and the tax abatement compliance reports were accepted, except for 2011-38 and 2011-39. Krista Linke stated that she would request that Cooper Tire and NSK attend the next meeting.

The EDC recommended that that tax abatement for Trussway, Ltd. be revoked for non-compliance. Krista Linke noted that a representative had requested the matter be tabled until next meeting, when a representative could be present. Mr. Austin, seconded by Mr. Barnett, made a motion to revoke the tax abatement:

- C 2011-31 Trussway, Ltd. (Resolution 2005-13)

The motion carried and the tax abatement was revoked. Trussway, Ltd. may still attend the next meeting.

Introductions

Budgetary Ordinance No.: 11-02 Request Additional Appropriation of $275,400.00 from MVH Fund for Sign Replacement Grant
A motion and a second were made to read Budgetary Ordinance 11-02 by title only. Dr. Murphy read by title and introduced the ordinance. The matter will be set for a public hearing on May 2, 2011.

Budgetary Ordinance No.: 11-03 Request Additional Appropriation of $250,000.00 from Local Road & Street Fund for the 2011 Paving Project
A motion and a second were made to read Budgetary Ordinance 11-03 by title only. Dr. Murphy read by title and introduced the ordinance. The matter will be set for a public hearing on May 2, 2011.

Budgetary Ordinance No.: 11-04 Request Additional Appropriation of $9,500.00 from Police Grant Fund for operations of the Narcotics Unit
A motion and a second were made to read Budgetary Ordinance 11-04 by title only. Dr. Murphy read by title and introduced the ordinance. The matter will be set for a public hearing on May 2, 2011.

Other Business

Mr. Abban recognized the Fire Department for their efforts at fighting two recent fires in Knollwood Farms.

Mr. Austin noted that he appreciated prayers for his sister-in-law.

Mr. Barnett thanked the Council and citizens for their condolences upon the death of his father.

Announcements and Public Comments

Franklin College student Dylan Hodges appeared before the Council to request a noise variance. Mr. Ault noted that he needed to appear before the BOW. He agreed to send Zach Burton an email and discuss the matter with Joe Ault since he would be unable to appear personally at the meeting.

ADJOURNMENT

A motion and a second were made to adjourn. As there was no further business to come before the Common Council, the meeting adjourned at 7:22 p.m. The next regular meeting will be held Monday, May 2, 2011 at 6:30 p.m.

Respectfully submitted,
Janet P. Alexander, Clerk-Treasurer

Enrolled: 4/29/2011 Approved by Common Council: 5/2/11