City of Franklin
COMMON COUNCIL

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

Monday, May 2, 2011 @ 6:30 p.m.

Presiding Officer:	Mayor Fred Paris
Members Present:	Dr. William T. Murphy, President Mr. Joseph Abban Mr. Joseph Ault Mr. Kenneth W. Austin Mr. Stephen D. Barnett Mrs. Ann Gordon (arrived at 6:33 p.m). Mr. Stephen D. Hougland
Also Present:	City Attorney Robert H. Schafstall, Clerk Treasurer Janet Alexander and Clerk Treasurer's Assistant Kathy Cragen

Mayor Paris 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.

Mayor Paris stated that he is very grateful to the men and women of the United States Military for their service to our country. This statement was prompted by the announcement by the President Barack Obama's report to the nation that the Al Qaeda terrorist leader Osama Bin Laden, who was responsible for the death of thousands of Americans on September 11, 2001, was killed in a raid conducted by Navy Seals the day before this meeting.

CONSENT AGENDA

Mayor Paris presented the consent agenda for approval.

- Approval of the April 18, 2011 Common Council Minutes

Dr. Murphy, seconded by Mr. Barnett made a motion to approve the consent agenda as presented. The motion carried and the consent agenda was approved.

OLD BUSINESS

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 offered to read the proposed ordinance aloud by title only.

Mayor Paris read the title aloud and asked if the members of the Council wanted to discuss the proposed ordinance.

City Engineer Trent Newport explained the required process which enables the City to receive reimbursement of expenses from the federal grant. He stated that the work must be done by the State of Indiana / INDOT in order for the City of Franklin to receive grant funding. A discussion was held.

The Mayor stated that this is a Public Hearing and asked if anyone from the public wished to speak on the matter. No one came forward.

Dr. Murphy made a motion to approve Budgetary Ordinance No.: 11-02 Request Additional Appropriation of $275,400.00 from MVH Fund for Sign Replacement Grant. Mr. Abban seconded the motion. A voice vote was taken with all members stating Aye. No members stated Nay. The motion carried.

Budgetary Ordinance No.: 11-03 Request Additional Appropriation of $250,000.00 from Local Road and Street Fund for the 2011 Paving Project

A motion and a second were offered to read the proposed ordinance aloud by title only.

Mayor Paris read the title aloud and asked if the members of the Council wanted to discuss the proposed ordinance.

A discussion was held. Street Commissioner Steve Compton, City Engineer Trent Newport and Project Supervisor Todd Wilkerson answered questions posed by members of the Council.

The Mayor stated that this is a Public Hearing and asked if anyone from the public wished to speak on the matter.

Residents Ron Collins, Fran Leeper, and Gary Moody spoke. No other members of the public asked to speak.

Dr. Murphy made a motion to approve Budgetary Ordinance No.: 11-03 Request Additional Appropriation of $250,000.00 from Local Road and Street Fund for the 2011 Paving Project. Mr. Barnett seconded the motion. A voice vote was taken with all members stating Aye. No members stated Nay. The motion carried.

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 offered to read the proposed ordinance aloud by title only.

Mayor Paris read the title aloud and asked if the members of the Council wanted to discuss the proposed ordinance.

A discussion was held.

The Mayor stated that this is a Public Hearing and asked if anyone from the public wished to speak on the matter. No one came forward.

Mr. Hougland made a motion to approve Budgetary Ordinance No.: 11-04 Request Additional Appropriation of $9,500.00 from Police Grant Fund for operations of the Narcotics Unit. Mr. Abban seconded the motion. A voice vote was taken with all members stating Aye. No members stated Nay. The motion carried.

NEW BUSINESS

Discussion Concerning the Tax Abatement for Cooper Tire & Rubber Company, KYB, & NSK

Planning Director Krista Linke introduced representatives from Cooper Tire, Mr. Steve Bihn and Kevin Pfarr, and from NSK, Daryl Laface present in the audience appearing at the request of the Council Members. A discussion was held.

Ms. Linke read aloud from a letter received from KYB explaining that their primary products including ATV recreational vehicles was considerably impacted as their market shrank. All representatives answered questions concerning their businesses. The recent earthquake and tsunami in Japan has impacted both NSK and KYB's operations. Cooper Tire representatives explained the challenges they are facing in their ongoing effort to fill open positions in their facility.

Ms. Linke reported that the Economic Development Commission (EDC) had voted in favor of these three companies. Dr. Murphy seconded by Mr. Austin made a motion to accept the compliance reports submitted by Cooper Tire, NSK and KYB. A voice vote was taken with all members stating Aye. No members stated Nay. The motion carried.

City Attorney Rob H. Schafstall made a statement to the Council regarding his concerns about their vote to revoke Trussway's property tax abatement. He explained that the basis of this tax abatement was the construction of a "spec" building on unimproved ground. Employment was not a condition of the abatement. They built the building and they are paying property taxes on the property. He stated that it is his opinion that if Trussway files a lawsuit against the City in this matter, the City would incur costs associated with defending the suit and would likely lose in court. A discussion was held. He further stated that the council should adopt a resolution stipulating the termination of the abatement.

Mr. Hougland made a motion seconded by Mr. Ault to send a certified letter to Trussway and request that they come to the next regular meeting. A voice vote was taken with all members stating Aye. No members stated Nay. The motion carried.

OTHER BUSINESS

Krista Linke stated that the Planning Department's Annual Report is posted on the City's website and is available for public viewing.

ANNOUNCEMENTS, PRESENTATIONS & COUNCIL MEMBER COMMENTS

The Mayor asked if anyone from the public wished to speak on any matter not on the regular agenda.

Resident Fran Leeper asked about progress on the Canary Ditch and drainage issues. The Mayor stated that plans have been submitted through the flood mitigation process to DNR and IDEM.

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 7:37 p.m. The next regular meeting will be held Monday, May 16, 2011 at 6:30 p.m.

Respectfully submitted,
Janet P. Alexander, Clerk-Treasurer

Enrolled: 5/11/2011 Approved by Common Council: 5/16/2011