

City of Franklin
COMMON COUNCIL MINUTES

City Hall
55 W. Madison St.
Franklin Indiana 46131

Monday, March 10, 2003 @ 7:00 P.M.

Presiding Officer:	Mayor Norman P. Blankenship
Roll Call:	Mr. Stephen D. Houglan, President Pro-Tempore
	Mr. Joseph R. Ault
	Mr. Phillip R. Barrow
	Mr. Jerry B. Maguire
	Mr. William T. Murphy
	Mrs. Katherine L. Poynter Absent
	Mr. Lyman A. Snyder
Also present:	Deputy Clerk Treasurer Sue Midkiff, Mr. Robert Schafstall, Esq.

Mrs. Karen Bridges a correspondent for the Indianapolis Star was present at this meeting.

After the Invocation and the Pledge of Allegiance, Mr. Houglan seconded by Dr. Murphy, made a motion to approve the minutes of the February 24, 2003 meeting as distributed. The motion carried.

OLD BUSINESS

Resolution Number: 2003-04 A Resolution Adopting A Fiscal Plan Of Services For The Annexation of Certain Territory (to be known as the Brookhaven Residential PUD Annexation) Mr. Robert Schafstall City Attorney introduced Resolution 2003-04 adopting the fiscal plan of the Brookhaven Residential PUD Annexation, and stated the resolution must be passed before Ordinance 2003-02 is passed. Mr. Houglan seconded by Mr. Barrow made a motion to read the proposed Resolution by title only. Motion carried. The Council was polled and the votes cast were recorded as follows:

Ayes – 6, Nays – 0 **Ayes:** Mr. Houglan, Mr. Ault, Mr. Barrow, Mr. Maguire, Dr. Murphy, & Mr. Snyder

Nays: None

Ordinance Number: 2003-02 An Ordinance Approving A Resolution Of The City Of Franklin, Indiana Plan Commission, And Annexing Certain Property Contiguous To The Franklin Corporate Limits (To Be Known As The Brookhaven Residential PUD Annexation)

Mayor Blankenship stated that the public hearing was held on February 24, 2003, and that this is the adoption hearing concerning the petition of Mann Properties LLP to annex property along Hurricane Road. Mr. Robert Schafstall, City Attorney, instructed the Council that this ordinance must be voted on tonight due to Indiana Code. Council President Stephen Houglan requested Mr. Stephen P. Huddleston, Esq., representing the developer, to update the Council on commitments presented at the last council meeting. Mr. Huddleston presented those commitments and also presented new commitments from the developer as a result of a tour taken since the last meeting. Mayor Blankenship stated that anyone from the public with new information would be allowed to speak. The following people spoke to the Council in opposition to the project as presented. Mr. Bill Liverett of Somerset Drive, Mr. Sam Yount the Council appointed representative to the Economic Development Commission, Mr. Steve Starek, a property owner adjacent to the planned development, Mrs. Sharon Acton of Hurricane Road, and Dr. William Province, a member of the City Plan Commission. A motion was made to read Ordinance 03-02 as amended by title only by Mr. Houglan, seconded by Mr. Barrow. The motion carried. A motion was made to accept Ordinance 03-02 as amended by Mr. Houglan, seconded by Mr. Barrow. Comments were made by Council members prior to the poll of votes.

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Mr. Maguire stated, "Zoning laws are what enables a community to plan for the future and maintain stability and value for existing properties. The leaders of this municipality should act with caution so that they do not allow land speculators and developers to dictate our city's direction. Residential zoning brings many things to consider. It shifts all responsibility back to the municipality. It gives the city the added costs of maintaining streets, sidewalks, signage, and trash collection. This in turn brings up the future costs of the upkeep of all the before mentioned items. Maintenance would include the future paving of the streets and all curb restorations. Aside from roads and walks there are things to consider like extra public safety and the extra demands that would be put on our school corporation. Industrial zoning is much more efficient. Any potential tenant on an industrial lot would have to build and maintain all of their on-site roadways and parking lots. Things like recreational areas, equipment, trash pickup, and waste removal would also be done privately. Under this zoning there are less demands for public safety. There is also a large tax base that is created. This zoning would also open up more jobs for the people of this community." Comments were also made by Mr. Murphy, Mr. Ault and Mr. Barrow. The Council was polled and the votes cast were recorded as follows:

Ayes – 4, Nays – 2 **Ayes:** Mr. Hougland, Mr. Ault, Mr. Barrow, & Mr. Murphy

Nays: Mr. Maguire & Mr. Snyder

NEW BUSINESS

Introductions

Ordinance Number 03-05 Of The City Of Franklin, Indiana An Ordinance Approving Resolution Number 2002-43 Of The City of Franklin, Indiana Plan Commission Rezoning Certain Property Within The City of Franklin (to be known as the Cumberland Commons Rezoning) – Mr. Joe Csikos, Planning Department, presented the proposed ordinance which had a favorable recommendation by the Plan Commission, although not a unanimous vote. Discussion held. Mayor Blankenship tabled this ordinance for public hearing on March 24, 2003.

Ordinance Number 03-06 Of The City Of Franklin, Indiana An Ordinance Approving A Resolution Of The City of Franklin, Indiana Plan Commission, And Annexing Certain Property Contiguous To The Franklin Corporate Limits (to be known as the Simon Farm development access annexation) – Mr. Joe Csikos, Planning Department, presented the proposed ordinance which had a favorable recommendation by the Plan Commission. Discussion held. Mayor Blankenship tabled this ordinance for public hearing on March 24, 2003, and confirmation hearing on April 14, 2003.

Ordinance Number 03-07 Of The City Of Franklin, Indiana An Ordinance Approving Resolution Number 2002-46 Of The City of Franklin, Indiana Plan Commission, Rezoning Certain Property Within The City Of Franklin (to be known as the Ennis Company Rezoning) – Mr. Joe Csikos, Planning Department, presented the proposed ordinance which had a favorable recommendation by the Plan Commission. Discussion held. This matter is set for public hearing on March 24, 2003.

GENERAL DISCUSSION:

Mayor Blankenship announced the 2004 Budget Council Appointments as follows:

Police and Fire – Mr. Ault and Mr. Murphy; Street and Cemetery – Mr. Hougland and Mr. Barrow; Planning and Park – Mrs. Poynter and Mr. Maguire; Mayor, Clerk/Treasurer and Board of Works – Mr. Snyder.

PETITIONS AND PUBLIC COMMENTS

Mayor Blankenship asked whether anyone from the public had any petitions or public comments.

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Mr. Donald Brummett, a resident on Graham Rd. and also owns property on Earlywood Dr. Mr. Brummett would like to see this area developed. The area was annexed approximately ten (10) years ago, and he was told he would get a sewer hook up, but that has never happened. Mr. Brummett did not get anything in writing at the time of annexation stating his claim. Discussion held between the Mayor, the Planning Department staff and the Council.

REPORTS

Clerk Treasurer's Comments

Deputy Clerk Treasurer Sue Midkiff presented a Uniform Conflict of Interest Disclosure for Mr. Stuart Bridges, and requested Council approval. A motion was made by Mr. Hougland and seconded by Mr. Snyder. The motion carried. Mayor Blankenship signed the disclosure.

Council Comments

Mr. Murphy requested that a card be sent to Council Member Kay Poynter who is in the hospital with pneumonia.

Mayors Comments

Mayor Blankenship reported that the Park & Recreation staff has requested that eye care coverage be considered as an addition to the benefits package next year.

As there was no further business to come before the Common Council, the meeting adjourned at 8:02 p.m.

Respectfully submitted,

Janet P. Alexander, Clerk-Treasurer

Enrolled Date: _____ Approved by Common Council: _____

Norman P. Blankenship, Jr. Mayor