

City of Franklin COMMON COUNCIL MINUTES

City Hall
55 W. Madison St.
Franklin Indiana 46131

Monday July 14, 2003 @ 6:00 P.M.

Presiding Officer:	Mayor Norman P. Blankenship
Roll Call:	Mr. Stephen D. Hougland, President Pro-Tempore
	Mr. Joseph R. Ault <i>Absent</i>
	Mr. Phillip R. Barrow
	Mrs. Katherine L. Poynter
	Mr. Jerry B. Maguire <i>Arrived at 6:20 p.m.</i>
	Dr. William T. Murphy
	Mr. Lyman A. Snyder
Also present:	Clerk Treasurer Janet P. Alexander, Robert H. Schafstall, Esq.

Mrs. Karen Bridges a correspondent for the Indianapolis Star and Mr. Scott Hall a reporter for the Daily Journal were present at this meeting.

After the Invocation and the Pledge of Allegiance, Dr. Murphy seconded by Mr. Hougland, made a motion to approve the minutes of the June 23, 2003 meeting. The motion carried.

OLD BUSINESS

Ordinance No. 03-13 – An Ordinance Approving the Board of Public Works and Safety’s Delegation of Authority Relative to Greenlawn Cemetery to the Franklin Parks Board. City Attorney Robert H. Schafstall, Esq. and Mayor Norman P. Blankenship presented the proposed ordinance for approval. A motion and a second were offered to read the proposed ordinance by title only. Mr. Hougland seconded by Dr. Murphy made the motion to approve Ordinance No. 03-13. The motion to approve carried. The council was polled and the votes cast were recorded as follows.

Ayes – 4 Mr. Hougland, Mr. Barrow, Dr. Murphy, & Mr. Snyder

Nays – 1 Mrs. Poynter

Budgetary Ordinance No. 03-10 – Introduction to Salary Ordinance: Mayor Blankenship presented the proposed salary ordinance for 2004. Each Elected Official and Department Head were given an opportunity to review their budget request. The salary ordinance was written using guidelines set by the Mayor which included: an \$800.00 increase for every full time civilian employee, a \$2000 salary increase for each Police Officer and Firefighter, and included two new positions; a full time Assistant City Engineer (\$36,000) within the Board of Works Budget and a new full time dispatcher for the Police Department (\$28,956).

Mayors Office – Mayor Norman P. Blankenship reviewed his departments proposed salaries. The Mayor asked if anyone from the public wished to comment concerning the department’s salary request. No one asked to speak. Dr. Murphy, seconded by Mrs. Poynter made a motion to accept. The motion carried.

Clerk Treasurer – Mrs. Janet P. Alexander told the Council that she followed the Mayors instructions with all full time positions however she increased the part time budget from \$6,000 to \$12,000. The Mayor asked if anyone from the public wished to comment concerning the department’s salary request. No one asked to speak. Mr. Barrow, seconded by Mr. Snyder made a motion to accept. The motion carried.

Board of Works and Safety / Engineering – Mr. Mike Buening presented the request for his salary and the salary of the assistant engineer for 2004. The Mayor asked if anyone from the public wished to comment concerning the department's salary request. No one asked to speak. Mrs. Poynter, seconded by Dr Murphy made a motion to accept. The motion carried.

City Court – no one appeared to present the salary request – The Mayor asked if anyone from the public wished to comment concerning the department's salary request. No one asked to speak. Dr. Murphy seconded by Mrs. Poynter made a motion to accept. The motion carried.

Planning Department –Mr. David Weir presented his department's salary requests for 2004. He proposed an increase above the recommended \$800.00 for two positions, raising the Code Enforcement Official from \$30,000 to \$36,000 and the Office Administrator's salary by \$3,727 from \$26,273 to \$30,000. Discussion held. The Mayor asked if anyone from the public wished to comment concerning the department's salary request. No one asked to speak. Dr. Murphy seconded by Mr. Maguire made a motion to accept the proposal. The motion carried.

Mayor Norman P. Blankenship presented the proposed salaries for the **Fire Merit Commission**, the **Police Merit Commission**, and the **Telecommunications Commission** proposing that each member is paid \$600.00 per year. He also presented a proposal from the **Sewer Billing Office** allocating \$15,000 per year for the City Engineer. The Mayor asked if anyone from the public wished to comment concerning the department's salary request. No one asked to speak. Mr. Snyder, seconded by Mrs. Poynter made a motion to accept the proposals as presented. The motion carried.

Street Department - Motor Vehicle Highway Fund- Mr. Richard Hughes reviewed his proposal to reorganize his department and pay employees based on demonstrated skills and time in service. Mr. Hughes explained that he plans to "grandfather" two employees into the position of Senior Street Maintenance Workers because both men have worked for the Department for many years. The re-organization plan increased the overall personal services for the Street Department by 12% over 2003. The Mayor asked if anyone from the public wished to comment concerning the department's salary request. No one asked to speak. Mr. Barrow seconded by Mr. Maguire made a motion to accept the proposal. The motion carried.

Parks And Recreation – Superintendent Mrs. Suzanne Findley reviewed the salaries proposed for her department. Mrs. Findley explained that she followed the Mayors guidelines.

Community Center – Increased part-time wages by 1.5% The Mayor asked if anyone from the public wished to comment concerning the department's salary request. No one asked to speak. Dr. Murphy seconded by Mr. Hougland made a motion to approve the proposal for the Community Center. The motion carried.

Park Systems – Mrs. Findley explained that it was necessary to equalize some salaries in Park Systems due to the absorption of the former cemetery staff. The salaries of the Grounds Foreman were equalized to \$32,532.00.

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Earlier this year the Park Board approved re-assignment of the Grounds Assistant to Facilities Maintenance Supervisor (indoor maintenance of all facilities) this salary will also be \$32, 532. The Mayor asked if anyone from the public wished to comment concerning the department's salary request. No one asked to speak. Mr. Hougland seconded by Mrs. Poynter made a motion to accept. The motion carried.

Pool – Mrs. Findley explained that the salary ordinance reflects 1.5% increases for all pool staff. She explained that these employees are part-time. The Mayor asked if anyone from the public wished to comment concerning the department's salary request. No one asked to speak. Mrs. Poynter, seconded by Mr. Barrow made a motion to accept as presented. The motion carried.

Senior Center – Mrs. Findley explained that the full time director's salary increased by \$800. All part-time staff wages were increased 1.5%. The Mayor asked if anyone from the public wished to comment concerning the department's salary request. No one asked to speak. Dr. Murphy seconded by Mrs. Poynter, made a motion to accept. The motion carried.

Cemetery – Sexton hours are 37.5 hours & Part-time Clerical. The Mayor asked if anyone from the public wished to comment concerning the department's salary request. No one asked to speak. Dr. Murphy seconded by Mrs. Poynter, made a motion to accept. The motion carried.

Police Department – Chief John Borges presented his department' salary and personnel requests. The Chief requested the council approve a \$2,800 increase for Police Officers. He stated that the Council had committed to giving the Police officers an increase equal to the increase paid last year (\$3,186.00) but that he and the officers would be satisfied if they received \$2,800 (\$2,000 plus the \$800 to be given to the civilian employees) excluding the Chief and the Deputy Chief.

The Chief's also asked the Council to included four new policeman, and 2 new dispatchers. The Mayor explained that the proposed salary ordinance already includes \$2,000 increases for all officers excluding the Chief and the Deputy Chief, one new dispatcher, and no additional police officers.

The Chief requested two dispatchers \$28,956.00 each (rather than one). Mr. Maguire seconded by Mr. Hougland made a motion to amend the proposed ordinance by adding a second dispatcher. This motion passed 6 – 0. The motion carried.

The Chief also asked for additional police officers. The Council agreed to add one police officer at \$39,392. Discussion held. Mr. Maguire made a motion seconded by Mr. Snyder to add one additional police officer. The Council voted 3 in favor and 3 opposed to this motion. Mr. Snyder, Mr. Maguire Mr. Barrow, Aye Mrs. Poynter Dr. Murphy Mr. Hougland Nay. Mayor Blankenship voted in favor of the motion to break the tie. The motion carried.

Public Comment

Captain Gruss asked to speak. Captain Gruss argued that the intent of Councilman Ault's motion last year was to bring Police Officers starting salary to \$40,000.00. He stated that during Mayor Cook's administration police officers pay increases were one percent less than the increase awarded to all other city employees due to longevity pay.

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In response to Captain Gruss's comments, Mayor Blankenship reminded the Council that during this administration the Council had adopted a matrix system between ranks for both Police and Fire. Dr. Murphy commented that Police Officers will have received a \$5,100.00 increase in two years (a 17% increase overall) upon adoption of this ordinance.

Mr. Gruss suggested that if the Council would not honor its prior commitment that the Council should then reinstate longevity.

At the conclusion of these comments, Mayor Blankenship asked for a motion to accept the Police Department's salary. Dr. Murphy made a motion to approve the department's proposal as amended and presented. Mr. Mr. Barrow seconded the motion. The motion carried.

Chief Borges concluded his presentation by thanking the Council

Fire Department – Chief Mike Herron thanked Chief Borges for his leadership and assistance. Chief Herron shared his concerns about the large number of fire and medic runs, and challenge of scheduling staff. He also thanked the Council for adding the second dispatcher. Mr. Hougland and Chief Herron discussed the proposed 3rd fire station and how it ideally would be staffed and equipped. The Chief explained that at minimum nine (9) new firefighters should be hired to allow him to assign 3 firefighters per shift (minimum staffing).

The Chief reviewed his department's salary requests. All firefighters received an increase of \$2000, the secretary's salary increased by \$800.00. The Chief and Deputy Chief's salaries were increased \$800.00 each. The Mayor asked if anyone from the public wished to comment concerning the department's salary request. No one asked to speak.

Mayor asked for a motion to approve the salary ordinance as presented and amended. Dr. Murphy seconded by Mrs. Poynter made a motion to read by title only, the salary ordinance as presented and amended. Mr. Hougland made a motion to approve the salary ordinance as presented and amended. Mr. Barrow seconded this motion. The motion to approve carried. The council was polled and the votes cast were recorded as follows. Polled 6 – 0

Ayes – 6 Mr. Hougland, Mr. Barrow, Mr. Maguire, Dr. Murphy, Mrs. Poynter & Mr. Snyder

Nays – 0

Ordinance No. 03-11 – An Ordinance vacating A Portion of Overstreet Avenue In the City of Franklin Indiana (to be known as the Franklin Power Products street vacation): Planning Director David Weir introduced the proposed ordinance. Franklin Power Products representative Jeff Copland explained that they want to install a cooling tower system on a pad located in the alley area. This proposed ordinance was advertised and a letter sent to adjacent property owners. The Mayor asked if anyone from the public wished to speak for or against the proposed alley vacation. No one asked to speak. A motion and a second were made to read. Mr. Mr. Barrow seconded by Mr. Hougland made a motion to approve. The motion carried. The Council was polled and the votes cast are as follows.

Ayes – 6 Mr. Hougland, Mr. Barrow, Mrs. Poynter, Mr. Maguire, Dr. Murphy, & Mr. Snyder

Nays – 0 None

Ordinance Number 03-12 of the City of Franklin, Indiana An Ordinance Declaring Dormant Funds And Transferring Balances To Active Funds Clerk Treasurer Janet Alexander presented the ordinance declaring four funds dormant and transferring the balances to other active funds. Fund #399 – Police & City Court Construction – Balance \$7,447.90 – transfer the balance to the Municipal Bond Fund # 307; Fund #498 – Mitsubishi D.O.C. – Balance \$9,558.62 – transfer the balance to the General Fund #101; Fund #499 – Park Construction – Balance \$4,562.02 – transfer the balance to the Park Bond Fund #312; and Fund #900 – Payroll – Balance \$6,819.22 – transfer the balance to the General Fund #101. Mayor Blankenship stated that this is the public hearing and asked whether anyone from the public wished to speak for or against the proposed ordinance. No one asked to speak. A motion and a second were offered to read. Mr. Barrow, seconded by Mr. Snyder, made a motion to approve. The motion carried. The Council was polled and the votes cast were as follows.

Ayes – 6 Mr. Hougland, Mr. Barrow, Mrs. Poynter, Mr. Maguire, Dr. Murphy, & Mr. Snyder
Nays – 0 None

NEW BUSINESS

Insight Communication Contract for Cable Services Mr. Robert H. Schafstall, Esq., City Attorney reported that the Telecommunications Commission has been meeting with the cable provider for 18 months and presented a proposed contract to the Council for their review which is currently under consideration by the commission. Mr. Schafstall pointed out that Mr. Frank Schumacher, Mr. David Sievertson of the Telecommunications Council, and Mr. Tom Flora from Insight Communications, and Mr. Matt Sprout and Mr. Ray Jones from Franklin Community School Corporation were present at this meeting.

Mr. Schafstall referred to the following sections of the agreement that he thought would be of particular interest to some members of the Council.

Section 23 addressed the matter of what television stations and categories will be provided by Insight and the Public Access channel called the PEG channel (Public Educational and Governmental channel). He explained that under this proposal, Insight will provide some equipment to the Franklin Community School Corporation, who in turn will assist the City to get quality content on the Public Access channel.

Section 31 deals with the length of the agreement. The last agreement signed in 1996 was a five year agreement which expired two years ago. This proposal is an eight year agreement with a possible seven year extension. Mr. Schumacher explained that Insight has agreed to allow both Franklin Schools and Franklin College to maintain their hookup – allowing two points of access. He stated that some of the additional equipment to be provided is outside the agreement.

Sections 37 and 38 address customer service requirements. Examples include: how quickly Insight will respond to customer inquiries and what type of notice must be given to subscribers

Mayor Blankenship explained that this contract would be presented as City of Franklin Ordinance 03-15. This will be on the Council agenda for a Public Hearing at the meeting to be held July 28th.

Ordinance No. 03-09 – Of the City of Franklin, Indiana An Ordinance Approving Resolution Number 2003 -15 of the City of Franklin Plan Commission, Amending Chapters IV & V of the Subdivision Control Ordinance Mr. Joe Csikos, the Staff Planner, introduced the update to the subdivision control ordinance revising the construction standards for new subdivisions. Mr. Csikos stated that the changes made will bringing the City up to the standards currently adopted by the City of Greenwood and Johnson County. The changes addressed include new standards for: pavement, right of ways, passing blisters, signs, drainage, monuments, inspection and testing, and performance and maintenance guarantees. Mr. Csikos reported that the Plan Commission voted unanimously to forward this proposal to the City Council with a favorable recommendation. This matter was tabled and set for Public Hearing July 28th, 2003.

Budgetary Resolution No. 03-17 – Resolution to transfer funds from the 400 series to 300 series within the Motor Vehicle Highway: Mr. Richard Hughes presented his request to transfer \$12,000 between major categories within his Motor Vehicle Highway budget. Mrs. Poynter seconded by Mr. Barrow made a motion to approve. The motion carried.

Budgetary Resolution No. 03-16 – Transfer of funds from the 400 series to 200 series within the Planning budget: Mr. David Weir presented his request to transfer \$3,000.00 between major categories within his Planning Department budget. A motion and a second to read were offered. Dr. Murphy seconded by Mr. Barrow made a motion to approve. The motion carried.

Codification Professional Services Proposal – LexisNexis: The Clerk Treasurer Janet Alexander asked that this be removed from the Council agenda as it should properly be heard by the Board of Works and was placed on the wrong agenda. Removed.

OTHER BUSINESS

PETITIONS AND PUBLIC COMMENTS

Mayor Blankenship asked whether anyone from the public had any petitions or public comments. No one asked to speak.

REPORTS

Clerk Treasurer / City Attorney / Common Council Members Comments

The Clerk Treasurer stated that she and Mayor Blankenship had been discussing potential uses of the Cumulative Capital Improvement Fund. The Mayor asked her to share information with the Council concerning the fund and possible uses. She explained that the Cumulative Capital Improvement Fund (CCI) is a fund where Indiana Cigarette Tax revenue is deposited. Indiana Code IC 6-7-1-31.1 stipulates how the money in this fund may be used. Uses include construction or improvement of city owned property; purchase computer hardware and or software; and, communications access systems used to connect computer networks. It may also be used to pay for the services of full-time or part-time computer maintenance employees. The fund currently has a balance of \$496,705.55.

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The Cumulative Capital Development Fund (CCD) a property tax supported fund was also discussed. Several years ago the Common Council approved a tax levy for a CCD fund to pay for a planned detention pond on the North-side of Franklin and for other drainage improvements. That fund currently has a balance of \$956,240.21 and the project is still pending.

Councilman Snyder stated that he would be absent from the next meeting July 28th.

Mayor Blankenship's Comments

Mayor Blankenship announced that Saturday July 12th was declared Franklin Heritage Day. He also stated that the Police Department will hold a reception August 25, 2003 at 2:00 p.m. at the Franklin Cultural Arts Center for Jeanne Hodler, a dispatcher who is retiring from the Police Department. He also said that upon completion of the Skate Park the Common Council will need to revise the existing skateboarding ordinance. Lastly he reported that the Police Department received a Grant for \$5000.00 for bullet proof vests.

As there was no further business to come before the Common Council, the meeting adjourned at 9:10 p.m.

Respectfully submitted,

Janet P. Alexander, Clerk-Treasurer

Enrolled Date: 7-23-03 Approved by Common Council: _____

Norman P. Blankenship, Jr. Mayor