

City of Franklin Common Council
Regular Meeting Minutes
April 15, 2013

The regular meeting of the Common Council of the City of Franklin, Indiana was called to order at 6:30 p.m. at City Hall, 70 E. Monroe Street, with Mayor Joseph E. McGuinness presiding. Council members Kenneth Austin, Stephen Barnett, Robert Henderson, and Richard Wertz answered roll call. Clerk-Treasurer Janet P. Alexander, Records Clerk Kathy Cragen, City Attorney Lynnette Gray were also present. Council members Joseph Abban, Joseph Ault, & Stephen Hougland were absent.

Mayor McGuinness opened the meeting and asked the Clerk-Treasurer to call the roll. Mr. Wertz offered an invocation, which was followed by a recitation of the Pledge of Allegiance.

Consent Agenda

Mayor McGuinness presented the consent agenda for approval.

- Approval of the March 16, 2013 Minutes of the joint Council & BOW meeting.
- Approval of the April 1, 2013 Minutes

Council President Barnett made a motion to approve the minutes of the prior meeting, seconded by Councilor Henderson. A voice vote was taken with all members stating aye. The motion carried.

Announcements & Presentations

There were no announcements or presentations.

Old Business

Council President Barnett made a motion to read all items listed under new business by title only, seconded by Councilor Austin. A voice vote was taken with all members stating aye. The motion carried.

Public Hearing(s)

Common Council Budgetary Ordinance No.: 13-04 An Additional Appropriation Ordinance from General Fund 101 to Planning Department Code Compliance Official 118 in the amount of \$13,500.00 (Re-Advertised) – Mayor McGuinness stated that this ordinance which was approved last month had to be re-advertised and a public hearing held because the initial public hearing was not properly advertised. The Mayor opened the floor for a public hearing. No one asked to speak. Council President Barnett made a motion to approve, seconded by Councilor Austin. A voice vote was taken

with all members stating aye. The motion carried.

Common Council Budgetary Ordinance No.: 13-07 An Additional Appropriation Ordinance from Motor Vehicle Highway Fund 201 to MVH Capital Outlays 201 001 400 in the amount of \$800,000.00 – Mayor McGuinness opened the floor for a public hearing. Mr. Ron Collins came forward and stated that he thought this was a step in the right direction as a department head and a citizen. No one else asked to speak. The Mayor closed the public hearing. Council President Barnett stated that projects undertaken using these funds should be agreed upon through discussion between the Board of Works & Common Council. Councilor Wertz made a comment that in the Board of Works meeting it was discussed that this ordinance does not include Hurricane Road. A discussion was held. Councilor Wertz made a motion to approve, seconded by Council President Barnett. A voice vote was taken with all members stating aye. The motion carried.

Request for Tree Board Funding / Budget – Tree Board member Debbie Swinehamer came forward to request \$17,250.00 for the purchase of replacement street trees. A discussion was held. Council President Barnett made a motion to designate \$5,000 from within the Board of Works Professional Services budget to be designated for use this year by the Tree Board, seconded by Councilor Wertz. A voice vote was taken with all members stating aye. The motion carried.

New Business

Council President Barnett made a motion to read each Tax Abatement Compliance Report by title only, seconded by Councilor Wertz. A voice vote was taken with all members stating aye. The motion carried. Mayor McGuinness read **Tax Abatement Compliance Reports (#C2013-17 through #C2013-38)** - Community Development Specialist Rhoni Oliver stated that the EDC approved the compliance reports at their meeting held April 9th meeting, and forwarded them to the Council with a favorable recommendation.

- **C 2013-17: Tube Forming Systems, Inc. d/b/a Overton Industries (Resolution 2005-19)**
Councilor Austin made a motion to approve, seconded by Council President Barnett. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-18: Overton Industries International (Resolution 2010-02)**
Councilor Austin made a motion to approve, seconded by Council President Barnett. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-19: Tube Forming Systems, Inc. d/b/a Overton Industries (Resolution 2012-17)**
Councilor Austin made a motion to approve, seconded by Council President Barnett. A voice vote was taken with all members stating aye. The motion carried.

- **C 2013-20: Dualtech, Inc. (Resolution 2008-03)**
Councilor Henderson made a motion to approve, seconded by Councilor Austin. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-21: Laugle Properties - Formerly McWilliams Realty (Resolution 2005-14)**
Council President Barnett made a motion to approve, seconded by Councilor Austin. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-22: Laugle Properties (Resolution 2008-06)**
Councilor Austin made a motion to approve, seconded by Council President Barnett. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-23: Laugle Properties (Resolution 2008-07)**
Councilor Henderson made a motion to approve, seconded by Council President Barnett. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-24: Indiana Hydraulic Equipment Corp. - Formerly Nishina (Resolution 2006-08)**
Councilor Austin made a motion to approve, seconded by Council President Barnett. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-25: Trussway, Ltd. (Resolution 2005-13)**
Councilor Austin made a motion to approve, seconded by Councilor Henderson. A voice vote was taken with Councilors Austin & Henderson voting aye. Council President Barnett and Councilor Wertz voting nay. A discussion was held. Councilor Austin made a motion to table until May 6th meeting, seconded by Councilor Wertz. A voice vote was taken with all members stating aye. Tabled.
- **C 2013-26: Mitsubishi Heavy Industries Climate Control, Inc. (Resolution 2008-08)**
Councilor Austin made a motion to approve, seconded by Council President Barnett. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-27: Mitsubishi Heavy Industries Climate Control, Inc. (Resolution 2010-10)**
Council President Barnett made a motion to approve, seconded by Councilor Austin. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-28: Mitsubishi Heavy Industries Climate Control, Inc. (Resolution 2012-10)**
Councilor Austin made a motion to approve, seconded by Council President Barnett. A voice vote was taken with all members stating aye. The motion carried.

- **C 2013-29: KYB Americas Corporation (Resolution 2006-02)**
Council President Barnett made a motion to approve, seconded by Councilor Austin. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-30: KYB Manufacturing North America (Resolution 2006-09)**
Council President Barnett made a motion to approve, seconded by Councilor Wertz. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-31: Tippmann Realty Partners (Resolution 2004-06 and 2008-13)**
Council President Barnett made a motion to approve, seconded by Councilor Austin. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-32: Tippmann Realty Partners (Resolution 2011-08)**
Councilor Austin made a motion to approve, seconded by Council President Barnett. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-33: NSK Precision America Inc. (Resolution 2005-04)**
Councilor Austin made a motion to approve, seconded by Council President Barnett. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-34: NSK Precision America Inc. (Resolution 2005-10)**
Councilor Austin made a motion to approve, seconded by Council President Barnett. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-35: NSK Corporation (Resolution 2005-18)**
Councilor Austin made a motion to approve, seconded by Council President Barnett. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-36: NSK Corporation (Resolution 2010-19)**
Councilor Austin made a motion to approve, seconded by Council President Barnett. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-37: Nitrex, Inc. (Resolution 2011-02)**
Councilor Austin made a motion to approve, seconded by Council President Barnett. A voice vote was taken with all members stating aye. The motion carried.
- **C 2013-38: CTC Casting Technologies (Resolution 2012-02)**
Councilor Austin made a motion to approve, seconded by Council President Barnett. A voice vote was taken with all members stating aye. The motion carried.

Introductions

Common Council Ordinance No.:13-04 - An Ordinance Repealing and Replacing Ordinance 05-24 Amending the Sale & Use of Fireworks - City Attorney Gray presented an ordinance repealing and replacing the current fireworks ordinance. She explained that the Police Department has encountered enforcement issues related to the existing ordinance. Those issues involve the age of children using fireworks and the absence of a requirement for adult supervision. Restrictions on how late at night they can be shot off and the amount of insurance required for private / public displays. Ms. Gray stated that all of these items are addressed in the proposed ordinance. Mayor McGuinness stated that it is being introduced tonight and will be set for a public hearing during the May 6th meeting.

Resolution No.13-14 A Resolution Authorizing Mayor to Submit a Joint Application for an Industrial Recovery Tax Credit – Mayor McGuinness stated that Ray’s Trash Service has purchased a building at 800 Industrial Drive. The Mayor would like Council’s approval to apply for a special tax credit through the State of Indiana for the business to offset the cost of the repairs to the building. This resolution authorizes the Mayor to apply for the tax credit. A discussion was held. Council President Barnett made a motion to approve the Mayor’s request to apply for tax credit, seconded by Councilor Austin. A voice vote was taken with all members stating aye. The motion carried.

Budgetary Resolution No.: 13-01 - A Common Council Budgetary Resolution Authorizing a Transfer From the General Fund of \$986,895.85 to the Rainy Day Fund – Mayor McGuinness stated that the \$986,895.85 is unexpended general fund appropriations from the 2012 budget. Council President Barnett made a motion to approve, seconded by Councilor Wertz. A voice vote was taken with all members stating aye. The motion carried.

Common Council Budgetary Ordinance No.:13-08 - Reduction of Appropriations of Non-Tax Supported Funds – Mayor McGuinness stated that this ordinance prepared by the Clerk Treasurer would allow the Clerk Treasurer to reduce the appropriations within several non-taxable funds to the amount of funds currently held in the account. This matter will be advertised and set for public hearing on May 6th.

Other Business

MVH Capital Expenditure Notification to Council Procurement of New Cab & Chassis – Mayor McGuinness stated that this memo was submitted by the Street Commissioner Ron Collins to notify the Council about the planned purchase of a replacement street department truck for one that was recently wrecked. A discussion was held.

Councilor Wertz stated that the RDC will meet this Thursday at 8:00 a.m. Councilor Henderson congratulated Gateway Services on their 50 year anniversary. Mayor McGuinness reminded the members that there will be a joint City Council and Franklin School Board meeting held Thursday, April

25th at 6:30 p.m. The Mayor also mentioned that the "Remember Blake" car show will be held August 10, 2013.

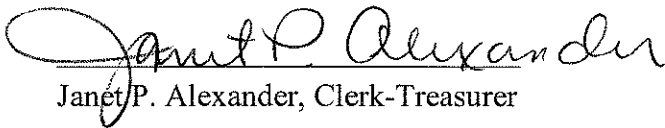
City Attorney Gray told the Council about the new Inter-local Video Services agreement with Franklin School system, in which they will film and edit public service announcements for the Police Department and the City.

Council President Barnett encouraged all of the members to attend the joint Council & School Board meeting.

Adjournment

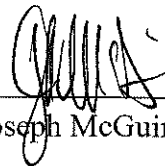
A motion and a second were made to adjourn. As there was no further business to come before the Common Council, the meeting adjourned at 7:51 p.m. The next regular meeting will be held Monday, May 6, 2013 at 6:30 p.m.

Respectfully submitted,



Janet P. Alexander, Clerk-Treasurer

Enrolled: May 2, 2013



Joseph McGuinness, Mayor

Attest:



Janet P. Alexander, Clerk-Treasurer