

**City of Franklin Common Council
Regular Meeting Minutes
December 2, 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 Joseph Abban, Joseph Ault, Kenneth Austin, Stephen Barnett, Robert Henderson, and Stephen Hougland answered roll call. Clerk-Treasurer Janet P. Alexander, Clerk-Treasurer's Assistant Kristi Bruther, City Attorney Lynnette Gray were also present.

Mayor McGuinness opened the meeting and asked the Clerk-Treasurer to call the roll. Council Member Robert Henderson led the prayer. Mayor McGuinness led the Pledge of Allegiance.

Consent Agenda

Mayor McGuinness presented the consent agenda for approval.

- Approval of the November 18, 2013 Common Council Minutes

Council President Barnett made a motion to approve the consent agenda as presented, seconded by Councilor Austin. A voice vote was taken with all members stating aye. The motion carried.

Old Business

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

Common Council Ordinance No.: 13-13 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 Hougham Family Trust Annexation)

Mayor McGuinness read Common Council Ordinance No. 13-13 by title only. City Attorney Lynn Gray explained that the public hearing was held on November 18 and that this ordinance is ready for action. Council President Barnett, seconded by Councilor Abban made a motion to approve Ordinance 13-13. A voice vote was taken with all members stating aye. The motion carried.

Common Council Ordinance No.: 13-14 An Ordinance Approving Resolution No.: 13-27 of the City of Franklin, Indiana Plan Commission, Rezoning Certain Property to IL (Industrial Light) (To be known as Hougham Family Trust Rezoning)

Mayor McGuinness read Common Council Ordinance No. 13-14 by title only. City Attorney Lynn Gray explained that the public hearing was held on November 18 and that this ordinance is ready for action. Council President Barnett, seconded by Councilor Abban made a motion to approve Ordinance 13-14. A voice vote was taken with all members stating aye. The motion carried.

New Business

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

Common Council Budgetary Resolution No. 13-12 - A Common Council Budgetary Resolution Authorizing a Transfer from Fire Department 400 Capital to 199 Overtime in the amount of \$38,049.00, and from Fire Department 200 Supplies to 300 Services in the amount of \$14,000.00

Mayor McGuinness read Common Council Budgetary Resolution No. 13-12 by title only. Fire Chief Henderson appeared before the Council to answer questions and explained the shifts have been short due to staffing injuries, which requires overtime. City Attorney Gray explained that the budgetary resolutions were ready for action. Council President Barnett, seconded by Councilor Abban, made a motion to approve Budgetary Resolution 13-12. A voice vote was taken with all members stating aye. The motion carried.

Common Council Budgetary Resolution No.: 13-13 A Common Council Resolution Authorizing a Transfer from Clerk-Treasurer 300 Services to Clerk-Treasurer 200 Supplies in the amount of \$5,000.00

Mayor McGuinness read Common Council Budgetary Resolution No. 13-13 by title only. Clerk-Treasurer Alexander explained that this transfer was for small equipment purchases for the Clerk-Treasurer's office. City Attorney Gray explained that this resolution was ready for action. Council President Barnett, seconded by Councilor Abban, made a motion to approve Budgetary Resolution 13-13. A voice vote was taken with all members stating aye. The motion carried.

Common Council Ordinance No.: 13-15 An Ordinance Concerning the Current Refunding by the City of Franklin, Indiana, of Its Sewage Works Revenue Bonds of 1993, Series A, Sewage Works Revenue Bonds of 1994, Series A, Sewage Works Revenue Bonds of 1994, Series B and Sewage Works Revenue Bonds of 2000; Authorizing the Issuance of Sewage Works Refunding Revenue Bonds for Such Purpose; Providing For the Collection, Segregation and Distribution of the Revenues of the Sewage Works and the Safeguarding of the Interests of the Owners of Said Sewage Works Refunding Revenue Bonds; Other Matters Connected Therewith; and Repealing Ordinances Inconsistent Herewith

Mayor McGuinness read Common Council Ordinance 13-15 by title only. Dennis H. Otten representative from Bose McKinney & Evans, LLP appeared before the Council to answer questions and provide additional information. He explained that the refinancing of the outstanding bond will save the City of Franklin monies due to decrease in interest rates. The payment schedule and terms have not changed. City Attorney Gray explained that Bose, McKinney and Evans, LLP are bond counsel to the City of Franklin and have the City's best interest in mind. She also explained that there is a provision in the law to allow for adoption on the same night as introduction, if desired. A Peters Consulting representative appeared before the Council to outline the savings to the City. The estimated savings is 3.5% or \$155,000 over the life of the bond. The fees to refinance are estimated at \$90,000. Council President Barnett, seconded by Councilor Abban, made a motion to suspend the rules to allow for adoption on the first reading. A roll call vote was taken with Council President Barnett, Councilor Abban, Councilor Ault, Councilor Austin, Councilor Henderson, and Councilor Hougland voting aye. The motion carried. Council President Barnett, seconded by Councilor Abban, made a motion to approve Ordinance 13-15. Mayor McGuinness opened the floor for public comments. No one requested to speak. Mayor McGuinness closed the public comments. It was clarified that this refinance includes

all outstanding bonds. A voice vote was taken with all members stating aye. The motion carried and the ordinance was approved and signed.

Common Council Ordinance No.: 13-16 An Ordinance Approving Resolution Number 13-29 of the City of Franklin, Indiana Plan Commission, Rezoning Certain Property to IL (Industrial Light) and Deletion of GW-OL (Gateway Overlay) (To be Known as Franklin Tech Park Rezoning 2013) - Senior Planner Myers appeared before the Council to present Ordinance 13-16. She explained that this is for introduction only and that it will be presented for public hearing on December 16, 2013.

Other Business

Public Hearing - Joint Council & BOW

Mayor McGuinness provided background information regarding the reason for the joint meeting. City Attorney Gray explained she contacted the Public Access Council regarding logistics. She requested that since each member may represent different interests, that the member clearly identify the interest represented at the time of comments. City Attorney Gray explained that officially only the Mayor's signature is required for approval of this agreement. However, the desire of the Mayor is for public discussion to occur at this meeting and then present a resolution to each governing body (Board of Public Works and Safety and Common Council) at the next meeting to be held on December 16, 2013, authorizing the Mayor to move forward.

Special Joint Meeting of the Common Council & Board of Public Works and Safety Regarding the Proposed SR-44 Relinquishment Agreement between INDOT and the City of Franklin & Documents related to the Proposed SR-44 Relinquishment Agreement between INDOT and the City of Franklin - At 7:00 p.m. Mayor McGuinness called the BOW meeting back in session. Board members Stephen Barnett and Bob Swinehamer answered roll call. City Engineer Underhill appeared before the Board and Council to answer questions. He presented a hard copy map of the route. The map was also displayed on the screens for the public. He stated that he believes that this project will not require funding by the Common Council. A discussion was held.

The meeting was opened for public comments. Mayor McGuinness explained that he has received three to four e-mails – one that asked questions regarding the truck route, one from a resident on King Street who offered support, one questioning the impact on city taxes, and one from Common Council member Richard Wertz, who is unable to attend this meeting but offered support for the proposal. No one from the audience asked to speak. Mayor McGuinness closed the public comments period. Discussion continued among Council members, Mayor and City Engineer. Council member Rob Henderson offered comments in his role as a Redevelopment Commission (RDC) member. He stated that RDC funding is sound and the RDC will likely be involved in funding of future projects, in which the RDC may need to consider long-term options such as bonding to leverage cash. The current estimated funding to be received through the State of Indiana as a result of this agreement is \$15.1M. Mayor McGuinness opened the floor for public comments. A citizen inquired about the roadways around the Needham and Webb Elementary Schools. It was determined that this intersection and area will be addressed and decisions made in conjunction with the school corporation. Mayor McGuinness closed the floor for

public comments. The consensus was to continue to move forward with official action taken based on the resolutions presented at the next meetings to be held on December 16, 2013.

Mayor McGuinness made a motion, seconded by Mr. Barnett to adjourn the BOW meeting. The motion carried.

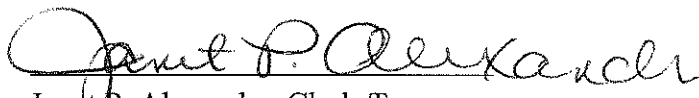
Council Comments

Councilor Hougland communicated his concerns with a recent decision by the Redevelopment Corporation to fund \$2.2M in private sector funding.

Adjournment

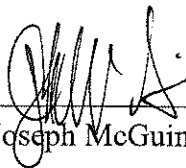
A motion and a second were made to adjourn. As there was no further business to come before the Common Council, the meeting adjourned at 8:09 p.m. The next regular meeting will be held Monday, December 16, 2013 at 6:30 p.m.

Respectfully submitted,



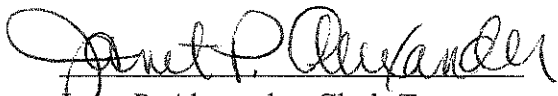
Janet P. Alexander, Clerk-Treasurer

Enrolled: 12-09-13



Joseph McGuinness, Mayor

Attest:



Janet P. Alexander, Clerk-Treasurer