

ORDINANCE NUMBER 15-12
OF THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA
AN ORDINANCE AUTHORIZING THE BENEFIT PAID TO THE SURVIVING
SPOUSES OF DECEASED MEMBERS OF THE 1925 POLICE PENSION FUND AND
THE 1937 FIRE FIGHTERS PENSION FUND

WHEREAS, Indiana Code 36-8-6 and Indiana Code 36-8-7 indicate that the primary basis for benefit calculations for members of the 1925 Police Pension fund and 1937 Firefighters Pension fund; who did not convert to the 1977 plan; is the salary of a first class patrolman plus longevity for the 1925 plan; and the salary of a first class firefighter plus longevity for the 1937 plan, and

WHEREAS, Indiana Codes 36-8-6 and 36-8-7 provide instructions for arriving at the minimum amount to be paid to each surviving spouse. Indiana Code statutes allow for additional amounts to be paid to surviving spouses on the condition that the additional amounts are approved by ordinance, and

WHEREAS, both the Fire Pension Board and the Police Pension Board of the City of Franklin have a policy that provides that retirees or their surviving spouses would receive raises when City employees received raises, and

WHEREAS, this policy was formerly applied in the course of the annual budget process without the benefit of a specific enabling ordinance.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA,
ORDAINS AND ENACTS THE FOLLOWING:

1. The City Clerk Treasurer is hereby authorized to increase the benefit paid to surviving spouses of deceased members of the 1925 Police Pension Fund and the 1937 Fire Fighters Pension Fund equal to the average percentage raises afforded to full time employees;
2. **Construction of Clause Headings.** The clause headings appearing in this ordinance have been provided for convenience and reference, and do not purport and will not be deemed to define, limit, or extend the scope or intent of the clauses to which the headings pertain;
3. **Repeal of Conflicting Ordinances.** The provisions of all other ordinances in conflict with the provisions of this ordinance are of no further force or effect, and are now repealed;
4. **Severability of Provisions.** If any part of this ordinance is held to be invalid, such part will be deemed severable and its invalidity will have no effect upon the remaining provisions of this ordinance;
5. **Duration and Effective Date.** The provisions set forth in this ordinance become and will remain in full force and effect (until their repeal by ordinance) on day of the passage and adoption of this ordinance by signature of the executive in the manner prescribed by Indiana Code §§ 6-4-6-15, 16, retroactive to January 1, 2014.


Introduced and Filed on the 19 day of October, 2015. A motion to consider same on the First Reading or day of introduction was ~~not offered~~ [sustained by a vote of 5 in Favor and 0 Opposed, pursuant to Indiana Code § 36-4-6-13.]

Duly Passed on this 19 day of October, 2015, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of 5 in Favor and 0 Opposed.

City of Franklin, Indiana, By its Common Council:

Voting Affirmative:


Stephen Barnett, Council President

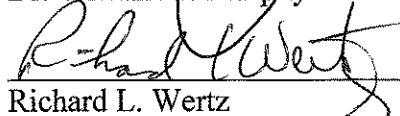

Kenneth W. Austin, Vice President


Joseph P. Abban

Absent
Joseph R. Ault

Absent
Stephen D. Hougland


Dr. William T. Murphy


Richard L. Wertz

Voting Opposed:

Stephen Barnett, Council President

Kenneth W. Austin, Vice President

Joseph P. Abban

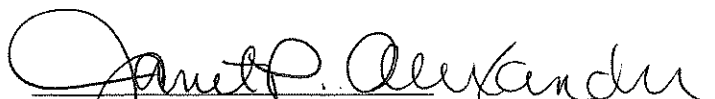
Joseph R. Ault

Stephen D. Hougland

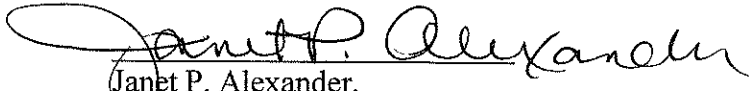
Dr. William T. Murphy

Richard L. Wertz


Attest:


Janet P. Alexander
City Clerk-Treasurer

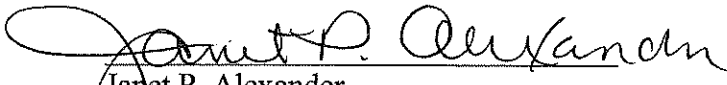
Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15, 16, this 19 day of October, 2015 at 6:12 pm o'clock a.m./p.m.


Janet P. Alexander,
City Clerk-Treasurer

This ordinance having been passed by the legislative body and presented to me [Approved by me and duly adopted, pursuant to Indiana Code § 36-4-6-16(a)(1)] [Vetoed, pursuant to Indiana Code § 36-4-6-16(a)(2)], this 19 day of October, 2015 at 6:12 o'clock a.m./p.m.


Joseph E. McGuinness
Mayor

Attest:


Janet P. Alexander,
City Clerk-Treasurer

Prepared by:

Janet P. Alexander
Clerk Treasurer – City of Franklin