

Resolution of the City of Franklin Common Council

RESOLUTION NO.: 2020-07

**A RESOLUTION WAIVING CERTAIN PROCEDURES AND FORMALITIES DURING
DISASTER EMERGENCY PURSUANT TO I.C. 10-14-3-17**

WHEREAS, on March 6th, 2020, the Governor of Indiana declared a public health emergency for Coronavirus Disease 2019 Outbreak ("COVID-19") pursuant to I.C. 10-14-3-12; and

WHEREAS, on March 13th, 2020, the President of the United States declared a national emergency for the same; and

WHEREAS, I.C. 10-14-3-17 gives the City of Franklin the authority to waive procedures and formalities otherwise required by law as a result of the disaster emergency declaration; and

WHEREAS, I.C. 10-14-3-17(j)(5) states, in part, a political subdivision may:

In the event of a national emergency or disaster emergency as provided in section 12 (I.C.10-14-3-12) of this chapter, waive procedures and formalities otherwise required by law pertaining to, among other things "the appropriation and expenditure of public funds."

WHEREAS, I.C. 36-4-8-5 states, in part, a City board or legislative body may allow a claim only at a meeting of the board or legislative body.

WHEREAS, the Common Council for the City of Franklin desires to avoid disruption of City government and essential City services that COVID-19 may create; and

WHEREAS, the Common Council for the City of Franklin recognizes concern for public health due to COVID-19 may prevent the Council from meeting to conduct its business and affairs including the approval of claims required by law;

NOW, THEREFORE, BE IT RESOLVED by the Common Council for the City of Franklin, Indiana, that the procedures to approve claims set forth in I.C. 36-4-8-5 shall be waived in the event the Common Council President or Mayor determines that the Council or the applicable City board is unable to hold a meeting due to public health concerns arising out of COVID-19 at which time the City fiscal officer is hereby authorized by the Council to pay any valid claims that would otherwise have been presented at the meeting.

IT IS FURTHER RESOLVED by the Common Council for the City of Franklin, Indiana, that this Resolution is null and void upon the expiration of the declared public health emergency or any subsequent declared national emergency related to COVID-19.

SO RESOLVED on this 20 day of March, 2020.

DULY PASSED on this 20 day of March, 2020, 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:

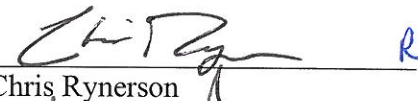

Kenneth Austin, President

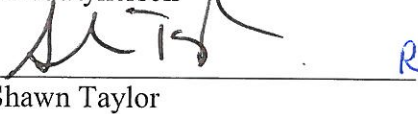

Melissa Jones


Daniel J. Blankenship

Absent
Robert D. Heuchan

Absent
Anne McGuinness


Chris Rynerson


Shawn Taylor

Voting Opposed:

Kenneth Austin, President

Melissa Jones

Daniel J. Blankenship

Robert D. Heuchan

Anne McGuinness

Chris Rynerson

Shawn Taylor

Attest:


Jayne Rhoades
City Clerk-Treasurer

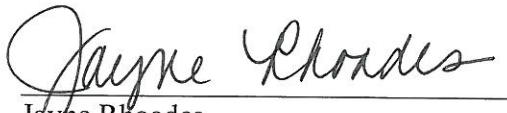
Presented by me to the Mayor of the City of Franklin for his approval or veto pursuant to Indiana Code § 36-4-6-15, 16, this 20 day of March, 2020 at 10:15 o'clock a.m./p.m.


Jayne Rhoades,
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 20 day of March, 2020 at 10:15 o'clock a.m./p.m.


Stephen Barnett
Mayor

Attest:


Jayne Rhoades,
City Clerk-Treasurer

Prepared by: Lynnette Gray
Attorney No.: 11567-41