

**COMMON COUNCIL
Agenda Request Form**

(Form B-01-2012)

Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard. Please make sure that your contact information is accurate in case we need to get in touch with you. The Common Council meets on the 1st and 3rd Monday of each month at 6:00 p.m. in City Hall located at 70 E. Monroe Street.

Date Submitted:	07.29.2020	Meeting Date:	08.03.2020
Contact Information:			
Requested by:	Lynnette Gray		
On Behalf of Organization or Individual: City of Franklin			
Telephone:	317-738-3365		
Email address:	lynng@jgmlawfirm.com		
Mailing Address:	63 E. Court St., P.O. Box 160, Franklin, IN 46131		
Describe Request:			
Approval of Ordinance 20-11 of Common Council repealing Ordinance 97-36 creating an Insurance Trust Fund.			
List Supporting Documentation Provided:			
Ordinance 20-11			
Ordinance 97-36			
Who will present the request?			
Name:	Lynnette Gray, City Attorney	Telephone:	317-736-3365

In order for an individual and/or agency to be considered for new business on the Common Council agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 4:00 p.m. on the Wednesday before the meeting.

**ORDINANCE NUMBER 20-11
OF THE CITY OF FRANKLIN, INDIANA**

An Ordinance Repealing Ordinance Number 97-36 Creating An Insurance Trust Fund

WHEREAS, the Clerk Treasurer of the City of Franklin, Indiana, with approval of the City Common Council did request the creation of an Insurance Trust Fund for the purpose of maintaining funds for use in unusual, emergency, or extraordinary situations to fund unexpected insurance claims as set forth by Ordinance Number 97-36; and

WHEREAS, at the time of adoption of Ordinance Number 97-36 the Clerk Treasurer of the City of Franklin, Indiana; the Common Council and Mayor did create such general fund to address potential needs considered at said time; and

WHEREAS, the current Clerk Treasurer of the City of Franklin, Indiana; the Mayor and Common Council deem that the need for such separate Insurance Trust Fund no longer exists and that the purpose of said fund was originally intended to address is now more appropriately funded through the City's existing general fund accounts; and

WHEREAS, the Insurance Trust Fund known as Funds 712 currently has a balance in said account of \$548,588.38 as of the 31st day of July, 2020 which the Clerk Treasurer, Mayor and Common Council deem should be returned to the City's Group Insurance Account Fund #713.

NOW, THEREFORE, THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA, DOES FIND, ORDAIN AND AUTHORIZE THE FOLLOWING:

1. Ordinance Number 97-36 of the City of Franklin, Indiana creating an Insurance Trust Fund and all other Ordinances in conflict with the provisions of this Ordinance are no longer in force or effect, and are now hereby repealed;
2. The Clerk Treasurer of the City of Franklin, Indiana is authorized to close the Insurance Trust Fund known as Fund 712 and transfer all sums of money in said Fund to the Group Insurance Account Fund #713 of the City of Franklin, Fund Number #713.
3. 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;
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 on day of the passage and adoption of this Ordinance by signature of the executive in the manner prescribed by Indiana Codes 36-4-6-15.

Introduced and Filed on the ____ day of August, 2020.

DULY PASSED on this ____ day of August, 2020 by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of ____ in Favor and ____ opposed.

City of Franklin, Indiana, By its Common Council:

Voting Affirmative:

Voting Opposed:

Kenneth Austin, President

Kenneth Austin, President

Melissa Jones

Melissa Jones

Daniel J. Blankenship

Daniel J. Blankenship

Robert D. Heuchan

Robert D. Heuchan

Anne McGuinness

Anne McGuinness

Chris Rynerson

Chris Rynerson

Shawn Taylor

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 and 16, this _____ day of August, 2020.

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) this _____ day of August, 2020.

Steve Barnett
Mayor

Attest:

Jayne Rhoades,
City Clerk-Treasurer

Prepared by: Lynnette Gray

Fund 712 balance
\$ 548,588.38

**ORDINANCE NUMBER 97-36
OF THE CITY OF FRANKLIN, INDIANA**

AN ORDINANCE CREATING AN INSURANCE TRUST FUND

WHEREAS, the Clerk-Treasurer of the City of Franklin, Indiana has determined that the City does not have an appropriate general fund account to maintain funds for use in unusual, emergency, or extraordinary situations, and said official recommends that the Common Council and the Mayor authorize and create a new general fund account to be referred to as the "Insurance Trust Fund" for that purpose.

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

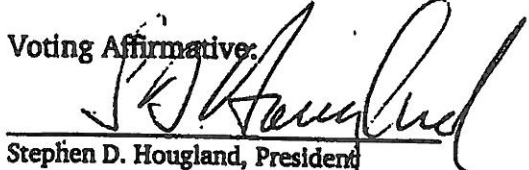
- 1) A new general fund account, to be referred to as the "Insurance Trust Fund", is created for use by the Clerk-Treasurer as said official deems necessary and appropriate in order for the City to maintain funds in unusual, emergency, or extraordinary situations.
- 2) **Construction of Clause Headings.** 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 § 36-4-6-15, 16.


Introduced and Filed on the 8 day of Dec 1997. A motion to consider same on the First Reading or day of introduction was [not offered] [sustained by a vote of 7 in Favor and 0 Opposed, pursuant to Indiana Code § 36-4-6-13.]

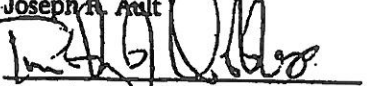
DULY PASSED on this 8th day of Dec 1997, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of 7 in Favor and 0 Opposed.

CITY OF FRANKLIN, INDIANA, BY ITS COMMON COUNCIL:


Voting Affirmative:


 Stephen D. Hougland, President


 Joseph R. Ault


 Timothy J. Dobbs

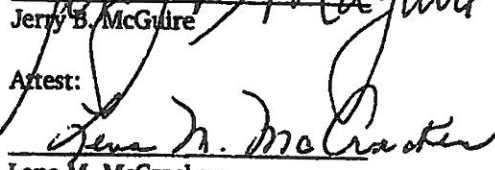

 Donald M. Goeb


 Dr. William T. Murphy



 Tony Jarvis



 Jerry B. McGuire

Attest:



 Lena M. McCracken,
 City Clerk-Treasurer


Voting Opposed:


 Stephen D. Hougland, President



 Joseph R. Ault


 Timothy J. Dobbs

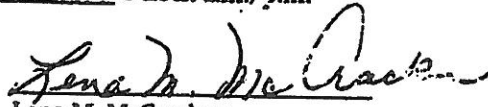

 Donald M. Goeb


 Dr. William T. Murphy

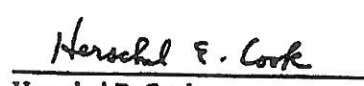

 Tony Jarvis


 Jerry B. McGuire


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 8 day of Dec 1997 at 7:15 o'clock a.m./p.m.


 Lena M. McCracken,
 City Clerk-Treasurer

This ordinance having been passed by the legislative body and presented to me is [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 8 day of Dec 1997 at 7:15 o'clock a.m./p.m.


 Herschel E. Cook,
 Mayor of the City of Franklin, Indiana

Attest:


 Lena M. McCracken,
 City Clerk-Treasurer