

AGENDA RESERVATION REQUEST

CITY OF FRANKLIN COMMON COUNCIL

Please type or print

Date Submitted:	November 28, 2023	Meeting Date:	December 4, 2023
Contact Information:			
Requested by:	Dana Monson		
On Behalf of Organization or Individual:	Public Art Advisory Commission		
Telephone:	317-736-3631		
Email address:	dmonson@franklin.in.gov		
Mailing Address:	70 E. Monroe St., Franklin, IN 46131		
Describe Request:			
Amendment to Ordinance 2020-13			
List Supporting Documentation Provided:			
City Council Memo			
Resolution 2023-23: Amendment to ordinance 2020-13			
Who will present the request?			
Name:	Dana Monson	Telephone:	317-736-3631

The Franklin City Council meets on the 1st and 3rd Monday of each month at 6:00 p.m. in the Council Chambers of City Hall located at 70 E. Monroe Street. In order for an individual and/or agency to be considered for new business on the agenda, this reservation form and supporting documents must be received in the Mayor's office no later than 12:00 p.m. on the Wednesday before the meeting.



CITY OF FRANKLIN

COMMUNITY DEVELOPMENT DEPARTMENT

Memorandum

To: City Council, Mayor Barnett, Lynn Gray
From: Dana Monson
Date: November 28, 2023
Re: Resolution 2023-23:Amendment to ordinance 2020-13

Ordinance 2020-13 established the formation of the Public Art Advisory Commission. This ordinance established the membership of the commission as being from specific organizations that are an integral part of public art and provide a high quality of life to Franklin Residents.

These requirements have been difficult to fulfill due to time constraints and a limited number of members of some of the organizations. Therefore, the staff and the Mayor have recommended the changes shown in Resolution 2023-23, to provide a broader range of individuals that can serve on this board and request approval of this change by the city council.

Attached to this memo are:

1. Ordinance 2020-13
2. Resolution2023-23

If you have any questions regarding this request, please contact me directly at 346-1254.

CITY OF FRANKLIN

ORDINANCE NUMBER 2020-13

AN ORDINANCE ESTABLISHING A PUBLIC ART ADVISORY COMMISSION FOR THE CITY

Whereas, Indiana Code 36-1-3 *et seq.* confers up on units of local government within the State of Indiana such powers as are necessary or desirable to conduct the affairs of the governmental unit; and,

Whereas, Indiana Code 36-4-6-18 authorizes the Common Council of the City of Franklin, Indiana to pass such ordinances, orders, resolutions, and motions as may be necessary and proper for the governmental unit to fulfill and satisfy the responsibilities and duties of said governmental unit; and,

Whereas, public art brings the character of the city and identity together to make the city more appealing to residents and visitors alike; and

Whereas, public art is an integral piece that brings out the aesthetic distinctiveness of a community; residents of that community should therefore have input on where the public art that is purchased by the City is located; and

Whereas, it appears to the Common Council of the City of Franklin, Indiana that it would be in the best interests of the citizens of the City of Franklin, Indiana to establish by ordinance a Franklin Public Art Advisory Commission that will consult with and advise the Mayor on where and what type of new public art should be located in the City;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FRANKLIN, INDIANA:

- 1) Creation of Public Art Advisory Commission:** There is hereby created by this ordinance a public body within the government of the City of Franklin, Indiana, to be known as the City of Franklin Public Art Advisory Commission.
- 2) Duties:** The Public Art Advisory Commission shall be responsible to, and report to, the Mayor of the City of Franklin and shall be facilitated through the Community Development Department with respect to duties, responsibilities, and authority delineated herein.
- 3) Membership:** The membership of the commission shall consist of an 11-person board appointed by the Mayor. Members shall serve without compensation. Members shall be appointed from the following organizations:
 - One member who is a local Artist
 - One member representing The Creative Council of Franklin
 - One member representing Discover Downtown Franklin
 - One member representing Festival Country (tourism)
 - One member representing Franklin College
 - One member representing Franklin Community School Corporation
 - One member representing The Franklin Department of Public Art
 - One member representing Franklin Heritage
 - One member representing The Franklin Parks and Recreation Department
 - One member representing the Johnson County Community Foundation

One at-large member, must be a resident of the City of Franklin

Additionally, the Franklin Public Art Advisory Commission may retain the assistance and services of volunteer members as needed.

- 4) **Term:** The term of the Franklin Public Art Advisory Commission members shall be for a period of two (2) years. However, six of the initial appointments shall be for a three (3) year term to create staggered terms.
- 5) **Powers and Responsibilities:** The Public Art Advisory Commission shall have the following powers and responsibilities:
 - a) To study the beautification needs of the city and explore ways to improve the general aesthetic quality of the City's Public Art.
 - b) To assist members of the public and non-profit organizations in their efforts to improve the general aesthetic quality of the City's public art improvements.
 - c) To develop an Arts Master Plan for the City of Franklin and assist in the development and maintenance of the City of Franklin's Cultural Arts District.
 - d) To make recommendations to the Mayor of the City of Franklin in a timely fashion, as appropriate or as requested.
 - e) The Franklin Public Art Advisory Commission shall, within thirty (30) days after the initial appointments thereto have been made, meet for an organizational meeting and elect such officers and adopt such rules, regulations and bylaws as deemed necessary.
 - f) The Public Art Advisory Commission shall have no authority to incur any debt or pay any per diem not authorized by the City of Franklin's Common Council either through the regular budget process or by way of additional appropriation.
- 6) The recommendations of the Public Art Advisory Commission are advisory only, and the Mayor retains full and final authority to designate where public art will be located within the City.
- 7) **Repeal of Conflicting Ordinances:** All conflicting ordinances are repealed and replaced with this ordinance.
- 8) **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.
- 9) **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.
- 10) **Duration and Effective Date:** This ordinance shall be in full force and effect from and after its passage by the Common Council, approval by the Mayor, and publication according to the laws of the State of Indiana.

Introduced and filed on this 21 day of September, 2020.

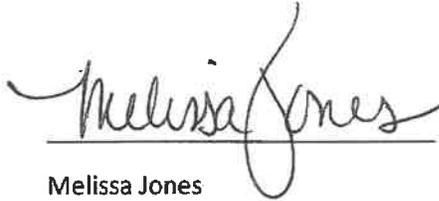
DULY PASSED on this 5 day of October, 2020, by the Common Council of the City of Franklin, Johnson County, Indiana, having been passed by a vote of 7 in Favor and 0 Opposed.

City of Franklin, Indiana By its Common Council:

Voting Affirmative:



Kenneth Austin, President



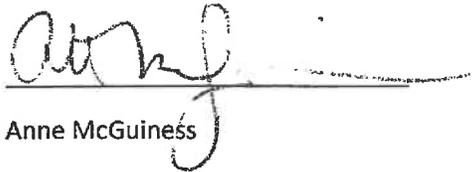
Melissa Jones



Daniel J. Blankenship



Robert D. Heuchan



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

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, this 5 day of October, 2020

At 6:10 o'clock a.m./p.m.

Jayne Rhoades

Jayne Rhoades,

City Clerk-Treasurer

This ordinance having been passed by the legislative body and presented to me and approved by me and duly adopted, pursuant to Indiana Code 36-4-6-16 (a)(1). This 5 day of October, 2020 at 6:10 o'clock a.m./p.m.

Stephen Barnett

Stephen Barnett

Mayor

Attest:

Jayne Rhoades

Jayne Rhoades,

City Clerk-Treasurer

Prepared by: Dana Monson

RESOLUTION 2023-23
AMENDING ORDINANCE 2020-13
OF THE CITY OF FRANKLIN
COMMON COUNCIL

RESOLUTION AMENDING ORDINANCE 2020-13 ESTABLISHING A PUBLIC ART ADVISORY COMMISSION
AND AMENDING REQUIREMENTS FOR COMMISSION MEMBERSHIP

This resolution adopted on the ___ day of December 2023 by the City of Franklin Common Council is intended to amend Ordinance 2020-13 establishing a public art advisory commission and amending the requirements for commission membership.

WHEREAS, the City of Franklin, Indiana previously adopted Ordinance 2020-13 establishing a Public Art Advisory Commission; and

WHEREAS, Ordinance 2020-13 provided that the commission must consist of an 11-person board, and providing that membership of the commission must be appointed from the following organizations:

- One member who is a local artist
- One member representing The Creative Council of Franklin
- One member representing Discover Downtown Franklin
- One member representing Festival Country (tourism)
- One member representing Franklin College
- One member representing Franklin Community School Corporation
- One member representing The Franklin Department of Public Art
- One member representing Franklin Heritage
- One member representing The Franklin Parks and Recreation Department
- One member representing The Johnson County Community Foundation; and

WHEREAS, it is determined that the number of members of the commission should be listed as a range of members and that members should be appointed by the mayor who are supportive and involved in arts programming, and quality of life endeavors for the City of Franklin:

NOW, THEREFORE, the City of Franklin Common Council does hereby amend Ordinance 2020-13 as follows:

1. 3) MEMBERSHIP: The board membership of the commission shall consist of at least 9 members but no more than 11 members to be appointed at the sole discretion of the Mayor.
2. All other provisions of Ordinance 2020-13 not specifically amended herein shall remain in full force and effect.

BE IT THEREFORE RESOLVED the City of Franklin, by and through its Common Council, does hereby adopt the aforementioned as findings of fact and establishes the aforementioned requirements for membership of the Public Art Advisory Commission.

INTRODUCED AND APPROVED by the Common Council of the City of Franklin, Johnson County, Indiana this _____ day of November, 2023.

City of Franklin, Indiana by its Common Council:

Voting Affirmative:

Voting Opposed:

Kenneth Austin, President

Kenneth Austin, President

Jennifer Price

Jennifer Price

Robert D. Heuchan

Robert D. Heuchan

Anne McGuinness

Anne McGuinness

Irene Nalley

Irene Nalley

Josh Prine

Josh Prine

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, 16, this _____ day of December 2023 at _____ o'clock a.m./p.m.

Jayne Rhoades
City Clerk-Treasurer

This resolution 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 36-4-16(a)(2)}, this _____ day of December 2023 at _____ o'clock a.m./p.m.

Stephen Barnett
Mayor

Attest:

Jayne Rhoades,
City Clerk-Treasurer

Prepared by:

Dana Monson
Community Development Specialist