

**Monday, September 20, 2010 @ 6:30 p.m.**

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Presiding Officer: Mayor Fred Paris

Members Present: Dr. William T. Murphy, President  
Mr. Joseph Abban  
Mr. Kenneth W. Austin  
Mr. Stephen D. Barnett  
Mrs. Ann Gordon  
Mr. Stephen D. Hougland

Members Absent: Mr. Joseph Ault

Also Present: City Attorney Robert H. Schafstall, Clerk Treasurer Janet Alexander and  
Clerk Treasurer's Assistant Kathy Cragen

Mayor Paris opened the meeting and asked the Clerk-Treasurer to call the roll. Dr. Murphy offered the invocation, which was followed by a recitation of the Pledge of Allegiance.

## **CONSENT AGENDA**

Mayor Paris presented the consent agenda for approval.

- o Approval of the Common Council Minutes for meetings held August 11, and August 16, 2010

Dr. Murphy seconded by Mr. Austin, made a motion to approve the consent agenda as presented. The motion carried and the consent agenda was approved.

## **OLD BUSINESS**

### **Common Council Ordinance No.: 10-11 – An Ordinance Establishing a Fire-Watch Fee**

City Attorney Rob H. Schafstall recommended that this matter be tabled. Dr. Murphy made a motion to table, seconded by Mr. Barnett. The item was tabled.

## **NEW BUSINESS**

### **Resolution 10-17 – A Resolution Waiving Non-Compliance with Respect to Corporate Capital Development, LLC's Tax Abatement Compliance Requirements**

Planning Director Krista Linke stated that Corporate Capital Development, LLC had originally committed to hiring 60 employees and to invest \$2.2 million into their new facility. She reported that they currently have 107 employees. Ms. Linke introduced Mr. John Hoyt who appeared on behalf of CCD. Mr. Austin, seconded by Dr. Murphy made a motion to read the ordinance aloud by title only. The motion carried. A discussion was held. Dr. Murphy made a motion to approve, seconded by Mr. Austin. The motion carried. Mr. Austin made a motion to find Corporate Capital Development, LLC in compliance. This motion was seconded by Mr. Abban. The motion carried.

**Resolution 10-15 – A Resolution Establishing an Economic Revitalization Area and Designating a Tax Abatement for Caterpillar Reman Powertrain Indiana LLC (EDC 2010-06)**

Planning Director Krista Linke told the Council that the EDC recommended approval of this ERA and tax abatement. Ms. Diana Bilgen with Ernst and Young representing Caterpillar gave a PowerPoint presentation highlighting Caterpillar's national and local presence. She explained that the Reman division refurbishes and restores used machinery. She stated that \$13 million will be invested in this facility if the proposed tax abatement is approved. A discussion was held. Mr. Barnett made a motion to approve, seconded by Mr. Austin. The motion carried and the tax abatement was approved. The motion carried. The confirmation hearing for the ERA will be held at the October 4, 2010 meeting.

**Presentation regarding a new Johnson County Public Library Branch**

Mr. Jeff Owen of JOwen Media representing the Johnson County Public Library presented a PowerPoint outlining the Library Board's plan and information concerning a proposed new Franklin facility. A discussion was held. No further action on the part of the Franklin City Council is required.

**Ordinance 10-13 – An Ordinance Authorizing the Creation of a Cash Change Fund for the Clerk Treasurer's Office for \$50.00 and Ordinance 10-14 – An Ordinance Authorizing the Creation of a Cash Change Fund for the Planning Department for \$50.00**

Clerk Treasurer Janet P. Alexander introduced both proposed ordinances explaining that the purpose of the ordinances is to comply with State Board of Accounts general accounting standards. She explained that a cash change fund is used only to make change. Both ordinances are presented for introduction only this evening. Mr. Barnett made a motion to suspend the rules and consider both ordinances on the date of introduction. The motion to suspend was seconded by Mr. Austin. The motion carried. Mayor Paris introduced both ordinances for Public Hearing and asked if anyone from the public wished to comment on either proposed ordinance. No one asked to speak. Dr. Murphy made a motion to approve both Ordinance No.: 10-13 and Ordinance No.: 10-14. The motion was seconded by Mrs. Gordon. The motion carried and both proposed ordinances were approved.

**Budgetary Ordinance 10-12 – A Common Council Budgetary Ordinance authorizing an additional appropriation for Grant Fund 230-003-200- Supplies (\$3,000)**

Mr. Hougland made a motion seconded by Mrs. Gordon to read the proposed ordinance aloud by title only. The motion carried. Mayor Paris read the ordinance aloud by title only. Deputy Police Chief Tim O'Sullivan came forward to explain that these funds would be used for the "If You Say Yes" educational illegal drug awareness program. The matter will be advertised and set for public hearing at the next regular meeting.

**Budgetary Ordinance 10-11 – An Additional Appropriation of Johnson County Citizens Against Substance Abuse Grant for Narcotics Unit (JCCASA) (\$9,500)**

Dr. Murphy made a motion to read the proposed ordinance by title only, seconded by Mr. Austin. Mayor Paris read the title aloud. Deputy Chief Tim O'Sullivan explained that this money would be used to lease one vehicle for the undercover Narcotics Officers. The matter will be advertised and set for public hearing at the next regular meeting.

**Ordinance 10-12 – An Ordinance Establishing a Drug-Testing Fee and Creating a Fund for the Administration of Same**

City Attorney Rob H. Schafstall explained that the police evidence technician is often required to test marijuana confiscated by law enforcement and that the information is supplied to the Johnson County Prosecutors office. Currently there is no fee for providing this service. The Clerk Treasurer stated that she is in favor of the ordinance but she objects to the creation of a separate fund. Dr. Murphy seconded by Mr. Abban made a motion to amend the ordinance allowing income generated to be deposited into the General Fund. The motion carried. The amended ordinance will be brought back for a public hearing on October 4, 2010.

**Resolution 10-14 – A Resolution Authorizing Application Submission and Local Match Commitment for an Office of Community and Rural Affairs Planning Grant**

Planning Director Krista Linke and Franklin Development Corporation Executive Director Craig Wells presented a grant application for a \$50,000 CDBG Planning Grant available through Indiana Office of Community and Rural Affairs which requires a resolution signed by the City Council agreeing to the required match of \$5,000. Dr. Murphy made a motion to read the proposed resolution aloud by title only, seconded by Mr. Austin. Mayor Paris read the title aloud. The Mayor asked if the council had any questions or if there was any further discussion. Dr. Murphy seconded by Mr. Austin made a motion to approve the resolution. The motion to approve carried.

**Ordinance 10-15 – An Ordinance Prohibiting the Sale and/or Use in Public Places of Substances Containing Synthetic Cannabinoids**

Council Members Joe Abban and Ken Austin explained that they are in favor of a local ordinance controlling the sale and use of this substance due to the dangers it poses to children and teens. A discussion was held. This matter will be set for public hearing October 4, 2010.

**OTHER BUSINESS**

Mr. Barnett read a letter aloud from an unnamed correspondent who had requested financial information from the Franklin Development Corporation (FDC). Mr. Barnett asked Mr. Wells the Executive Director of the FDC to provide monthly reports concerning the activities of the FDC to the Council.

**PUBLIC COMMENTS**

Franklin resident Gary Moody of 299 ½ E. Madison Street reported that he had submitted a petition with 42 signatures supporting brick streets. He also stated that state law requires the Mayor to appoint a Civil City Engineer and stated that the current employee is unqualified.

Mayor Paris reminded everyone present that the B - Movie Festival will take place this weekend. He also spoke about the official visit by a delegation from our sister city Kuji Japan. This visit is to commemorate the 50 years of friendship between the City of Franklin and the City of Kuji Japan. The visit coincides with the Fall Festival.

**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 8:15 p.m. The next regular meeting will be held Monday, October 4, 2010 at 6:30 p.m.

Respectfully submitted,  
Janet P. Alexander, Clerk-Treasurer

Enrolled: 9/29/10

Approved by Common Council: 10/4/10