

AGENDA RESERVATION REQUEST

CITY OF FRANKLIN COMMON COUNCIL

Please type or print

Date Submitted:	March 7, 2013	Meeting Date:	March 18, 2013
Contact Information:			
Requested by:	Chip Orner, Director of Parks and Recreation		
On Behalf of Organization or Individual:		Park Board	
Telephone:	317-736-3689		
Email address:	corner@franklin-in.gov		
Mailing Address:	396 Branigin Blvd. Franklin, IN 46131		
Describe Request:			
Request for an additional appropriation of 2007 insurance settlement funds for the Recreation Center – Roof Replacement project			
List Supporting Documentation Provided:			
Council memo			
2007 Park Board minutes			
2007 insurance settlement documents			
Budget Ordinance 13-06 Additional Appropriation to Park & Rec 300 series			
Who will present the request?			
Name:	Chip Orner	Telephone:	317-736-3689

The Franklin City Council meets on the 1st and 3rd Monday of each month at 6:30 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.



396 Branigin Boulevard, Franklin, Indiana 46131 ♦ Telephone 317-736-3689 ♦ Fax 317-736-6200

PARKS ♦ RECREATION

To: Mayor McGuinness
Common Council Members
Janet Alexander, Clerk-Treasurer

From: Chip Orner, Director 
Franklin Parks & Recreation Department

Re: Additional Appropriation for Recreation Center Roof Replacement

Date: March 7, 2013

We are seeking your support an additional appropriation of \$12,899.99 to be used towards the replacement of the Recreation Center roof.

This money represents an insurance settlement that was agreed to by the Park Board back in May of 2007. The Park Board directed that this insurance settlement be placed in the Park General Fund and earmarked to go towards the replacement of the Recreation Center roof. I have attached the Park Board minutes from May 2007 and other related documentation.

Please let me know if you have any questions regarding this additional appropriation.

Thank you in advance for your support.

**Park Board Meeting
May 21, 2007**

APPROVED

The Franklin Park Board met Monday, May 21, 2007 at 7:00 p.m. at the Franklin Cultural Arts and Recreation Center with President Pam Ault presiding.

Those present were Pam Ault, Margaret Beeson, Dr. William Province II, Ted Server, Suzanne Findley, Chip Orner, Attorney Andy Woods, and Pam Barnhizer-Briggs.

All claims were approved and signed.

A motion was made by Ted Server and seconded by Margaret Beeson to adopt the agenda. The board unanimously approved.

A motion was made by Ted Server and seconded by Dr. William Province to approve the minutes of the previous meeting. The board unanimously approved.

Reports:

Superintendent

- The Franklin Memorial Swimming Pool will be opening Sunday, May 27th. Two positions will need to be filled due to lack of re-certification. The pool is damaged on the bottom and needs to be professionally re-finished in 2008, prior to opening. Suzanne stated that she had added that maintenance need to the pool budget for 2008.
- Cicoa contract, for use of the Senior Center and food preparation, was presented for approval. The motion was made by Dr. Province and seconded by Margaret Beeson to approve the contract.
- E-mail received from a local minister to request reserving the Senior Center on a weekly basis for church services. The motion was made by Pam Ault and seconded by Ted Server to prohibit continual reservations for church services so that others have the opportunity to rent the facility. The board unanimously approved.

President of the Board:

Nothing to report.

Other Board Members:

Ted Server had a question about the Farmers Market being held downtown. Downtown Franklin will be sponsoring a Farmers Market on Wednesdays from 3:00 p.m. to 6:00 p.m. on East Court Street. We have been discussing the two markets and the use of both places.

Old Business:

1. Roof Report and Recommendation: Attorney Andy Woods reported that the inspection report from American Structurepoint Engineers has indeed indicated the damage on the Cultural Arts and Recreation Center roof was not due to hail damage, but was due to defective shingles. His recommendation was to accept the \$12,899.99 compensation offer. The motion was made by Ted Server and seconded by Dr. Province to accept the \$12,899.99 check and place it in the Park General Fund earmarked towards roofing when the time comes to do so, and that the present type of shingles not be used in the future. The board unanimously approved.
2. Boys and Girls Club Long Range Plan: A long range plan handout was given to the board for their review.

New Business:

1. 2008 Budget Approval: The motion was made by Dr. William Province and seconded by Margaret Beeson to approve the preliminary 2008 budget (excluding salaries) including an additional \$10,000.00 in Community Center extra help to cover additional custodial services needed at the Wonder Five Center. This will eliminate having to add a full time person in that area. The board unanimously approved. (See attached.)
2. Staff Safety and Training Awards: The motion was made by Dr. Province and seconded by Margaret Beeson to approve an awards program as part of the safety and training of the various department areas. The award will be 3-5 T-Shirts and/or sweatshirts for those going thru the training programs. The training must be validated on a training form and given to the Administrative Assistant for filing. The board unanimously approved.

The motion was made by Dr. Province and seconded by Margaret Beeson to adjourn the meeting with no further business to discuss. The board unanimously approved.

The next meeting is scheduled for Monday, June 18, 2007 at 7:00 p.m.

396 Branigin Blvd.
Franklin, IN 46131
Phone: 317.736.3689
Fax: 317.736.6200
Website: www.franklinparks.org

Franklin Parks and Recreation

FAX

To: Sue

From: Suzanne

Fax: 736-7244

Date: 5-22-07

Phone:

Pages: 3

Re: Roof/Shingle Reimbursement cc:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments

Sue,

Park Board accepted this agreement w/
CertainTeed for faulty shingles & reimbursement
of such. \$12,889.99 check will be sent by
company.

Park Board, May 21st, 2007 - Motion made
to accept reimbursement and that those funds
be deposited in Park General Fund, earmarked
for future roof replacement usage. (per Janet)
Call if questions. Thanks! Suzanne

CertainTeed Corporation
Roofing Products Group
Technical Service Department
1400 Union Meeting Road • P.O. Box 1100
Blue Bell, PA 19422
Tel: (800) 346-1145 • Fax: (610) 341-6212
www.certainteed.com



April 11, 2007

Ms. Pam Ault
Franklin Parks & Recreation
396 Branigin Blvd.
Franklin IN 46131

Dear Ms. Ault:

We have completed the evaluation of your roofing claim.

Based upon our evaluation of the claim, a determination has been made to provide a reimbursement for the shingles according to the terms and conditions contained in the published Limited Asphalt Shingle Warranty, which provides a prorated settlement based on the shingle value per square with credit for months remaining on the warranty.

Please keep in mind that there are many factors *beyond* the manufacturer's control which may account for the shingles not lasting the entire warranty period. For example, Hail storms, high winds, misapplication, etc. Despite these factors, CertainTeed is still extending a settlement based on the terms of the warranty. You may be entitled to additional consideration from your insurance carrier for some of the factors mentioned above.

CertainTeed understands that the reimbursement amount does not cover the total re-roofing costs, however, this limited warranty is based on material only and unfortunately does not include labor or tear-off costs etc.

The following information is used to determine the settlement amount:

Type of shingle	CI Horizon Prairie Wood@Av
Number of months used	86
Number of squares (1 square=100 sq.ft.)	450

Enclosed is a self-explanatory "Release" form requiring a signature along with a self-addressed envelope for your convenience. Once we have received the signed "Release" form, the settlement check will be issued and mailed. Please allow approximately 2-3 weeks from receipt of the signed "Release" form for the settlement check to be issued.

Although replacing a roof and what roofing contractor you choose is a personal choice, CertainTeed does offer a service that will help identify *Credentialed Roofing Contractors* in your area. This service can be found by logging onto www.certainteed.com and clicking on our "Locate a Contractor" feature or by calling 1-800-782-8777.

Sincerely,
Technical Service Department
Roofing Products Group

If you should have any further questions regarding this information please contact the Technical Service Department at the address or phone number on this letterhead.

CertainTeed Corporation
Roofing Products Group
Technical Service Department
1400 Union Meeting Road • P.O. Box 1100
Blue Bell, PA 19422
Tel: (800) 345-1145 • Fax: (610) 341-6212
www.certainteed.com

CertainTeed

THIS RELEASE CANCELS AND SUPERSEDES ANY AND ALL PREVIOUS RELEASES.

File # 00326288

KNOW ALL MEN, THAT Pam Ault, Franklin Parks & Recreation, owning the property at 396 Branigin Blvd., Franklin IN, 46131 in consideration of \$12,889.99 all by CertainTeed Corporation, a Delaware Corporation with offices at Valley Forge, Pennsylvania, the receipt whereof is hereby acknowledged by the Undersigned, do/does hereby remise, release, and forever discharge the said CertainTeed Corporation, its officers, agents or employees, and its predecessors, successors and assigns, of and from any and all manner of actions, causes of action, suits, proceedings, debts, including attorneys fees and consultant fees, sums of money, accounts, bonds, bills, covenants, contracts, agreements, damages, including property damage and personal injuries, judgments, executions, claims and demands of every nature whatsoever, in law or in equity, which against the said CertainTeed Corporation the Undersigned ever had, now has/have or which may hereafter arise, or which the predecessors, successors, heirs, executors, administrators or assigns of the Undersigned ever had, can, shall or may have for or by reason of any matter, cause or thing whatsoever, connected with or growing out of the purchase, application or use of either the CertainTeed, GS, Bird, or Celotex Roofing Shingles, applied to the above-referenced property on or about Aug 20, 1999.

It being understood that the sum/product named herein is the sole and only consideration for this Release.

It being understood and agreed by the Undersigned that receipt of the consideration set forth herein is not to be construed as an admission of liability by CertainTeed that any products involved herein are defective, and in fact, CertainTeed expressly denies that any such products are defective, but it has agreed to provide the aforementioned consideration to resolve a disputed claim.

It is further understood that any money paid, materials provided or credit issued by CertainTeed is intended to serve as an offset of any money paid or materials the Undersigned, a/k/a the insured(s), may recover or receive or may be entitled to recover or receive from an insurer.

The Undersigned agrees to keep all terms of this Release confidential. The Undersigned shall not disclose any terms of this Release to any persons except pursuant to an order of a court of law. CertainTeed reserves the right to seek appropriate damages from the Undersigned for any breach of this provision.

IN WITNESS WHEREOF, the Undersigned has/have hereunto set his/her/their hand this

21 day of May, 2007

By: Pamela I. Ault
Owner or Authorized Representative

By: [Signature]
Witness or Co-Owner (if applicable)

THIS DOCUMENT IS TO BE USED FOR SETTLEMENT PURPOSES ONLY AND IS NOT AN ADMISSION OF LIABILITY BY CERTAINTEED CORPORATION. THIS DOCUMENT DOES NOT NEED TO BE NOTARIZED

CITY OF FRANKLIN, INDIANA

BUDGETARY ORDINANCE No.: 13-06

ADDITIONAL APPROPRIATION ORDINANCE

WHEREAS, it has been determined that it is now necessary to appropriate more money than was appropriated in the Park & Recreation Department 2013 annual budget for Other Services and Charges expenditures from a 2007 insurance settlement for the remainder of the year; now therefore:

Sec.1. Be it ordained by the Common Council of City of Franklin, Indiana that for the expenses of the taxing unit the following additional sums of money are hereby appropriated out of the funds named and for the purposes specified, subject to the laws governing the same:

	AMOUNT REQUESTED	AMOUNT APPROPRIATED
Park & Recreation Fund 204		
Park & Rec Services – 204 001 300	<u>\$12,899.99</u>	<u>\$12,899.99</u>
TOTAL for Park & Recreation Fund	\$12,899.99	\$12,899.99

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Introduced and Filed on the _____ day of _____, 2013.

DULY PASSED on this _____ day of _____, 2013, by the Common Council of the
City of Franklin, Johnson County, Indiana, by a vote of _____ in Favor and _____ Opposed.

Voting Affirmative:

Voting Opposed:

Stephen D. Barnett, President

Stephen D. Barnett, President

Joseph P. Abban

Joseph P. Abban

Joseph R. Ault

Joseph R. Ault

Kenneth W. Austin

Kenneth W. Austin

Robert D. Henderson

Robert D. Henderson

Stephen D. Hougland

Stephen D. Hougland

Richard Wertz

Richard Wertz