

BOARD OF PUBLIC WORKS AND SAFETY
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 Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.

Date Submitted:	12/5/2013	Requested Meeting Date:	12/16/2013
		Confirmed Meeting Date:	
Received by: Lynnette Gray			
Contact Information: Please provide all requested information in the fields below. (Print or Type)			
On Behalf of Organization or Individual:			
Name:	Lynnette Gray	Telephone:	(317) 738-3365
Title or Position:	City Attorney		
E-Mail:	lynng@jgmlawfirm.com		
Address:	63 E. Court Street, PO Box 160		
City:	Franklin	State	IN
ZIP:	46131		
Who will attend the meeting and present the request?			
Name:	Lynnette Gray	Telephone:	(317) 738-3365
Title or Position:	City Attorney		
E-Mail:	lynng@jgmlawfirm.com		
Please describe the purpose or title of your presentation.			
Request approval of Resolution No. 13-06 approving road transfer agreement between the Indiana Department of Transportation ("INDOT") and the City of Franklin			
Supporting documents: All supporting documents should be submitted with the request form.			
1. A Resolution Approving Road Transfer Agreement Between the Indiana Department of Transportation ("INDOT") and the City of Franklin			
2.			
3.			
4.			

RESOLUTION NO.: 13-06

**OF THE CITY OF FRANKLIN, INDIANA'S
BOARD OF PUBLIC WORKS AND SAFETY**

**A RESOLUTION APPROVING ROAD TRANSFER AGREEMENT BETWEEN THE
INDIANA DEPARTMENT OF TRANSPORTATION ("INDOT") and
THE CITY OF FRANKLIN**

WHEREAS, the State of Indiana through the Indiana Department of Transportation (hereinafter referred to as "INDOT") currently exercises exclusive control, authority and jurisdiction over the roadway known as State Road 44 within the City of Franklin;

WHEREAS, the City of Franklin, by and through its representatives have requested that INDOT consider transferring jurisdiction of State Road 44 from State Road 144 to the west ramps of I-65 to the City of Franklin so that the City of Franklin may develop its own downtown pavement and streetscape improvement projects for the benefit of the City and the traveling public; and

WHEREAS, the City of Franklin by and through its Board of Public Works and Safety is willing to accept transfer of this roadway in exchange for the funds INDOT allocated to the roadway and in accordance with the terms and conditions set forth in the Road Transfer Memorandum of Agreement between the Indiana Department of Transportation and the City of Franklin, Indiana, a copy of which is attached hereto and incorporated into this Resolution as Exhibit "A"; and

WHEREAS, INDOT desires to transfer the identified portions of the roadway in accordance with the terms of said Road Transfer Memorandum of agreement and the City of Franklin is willing to accept said transfer in accordance with those terms; and

WHEREAS, IC 8-23-4-10 and IC 8-23-4-12 authorize INDOT and the City of Franklin to enter into such agreement; and

WHEREAS the Mayor of the City of Franklin and as Chief Executive Officer of the City of Franklin is authorized to take such action on behalf of the City of Franklin; and

WHEREAS the City of Franklin by and through its Board of Public Works and Safety and the Common Council conducted a joint public hearing to consider said transfer on December 2nd, 2013 at which time the Board of Public Works and Safety and Common Council received public comment and considered the terms of said transfer; and

WHEREAS, the City of Franklin by and through its Board of Public Works and Safety after public notice and public hearing and after due consideration and deliberation believe that entering into the Road Transfer Memorandum of Agreement with the Indiana Department of Transportation is in the best interest of the citizens of the City of Franklin and desire to authorize the Mayor of the City of Franklin to enter into said memorandum agreement and to take any and all action necessary to fulfill its terms .

BE IT HEREBY RESOLVED the Board of Public Works and Safety approves and supports the Road Transfer Memorandum of Agreement between the Indiana Department of Transportation (“INDOT”) authorizing the City of Franklin to accept transfer of the roadway in exchange for the funds INDOT has allocated and other terms as set forth in the Road Transfer Memorandum of Agreement.

BE IT FURTHER RESOLVED the Board of Public Works and Safety authorizes the Mayor or his designee to take any and all steps necessary to effectuate the terms and conditions of the Road Transfer Memorandum of Agreement.

BE IT FURTHER RESOLVED this Resolution shall be in full force and effect from and after its passage and as provided for by applicable law.

INTRODUCED & APPROVED by the Board of Public Works and Safety of the City of Franklin, Johnson County, Indiana this _____ day of December, 2013.

City of Franklin, Indiana, By its Board of Public Works and Safety:

Voting Affirmative:

Mayor Joseph E. McGuinness

Steve Barnett

Robert Swinehammer

Voting Opposed:

Mayor Joseph E. McGuinness

Steve Barnett

Robert Swinehammer

Attest:

Janet P. Alexander, Clerk Treasurer

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