

CITY OF FRANKLIN
BOARD OF PUBLIC WORKS AND SAFETY
Meeting Minutes
October 18, 2011

Opening

Mayor Paris called the regular meeting of the Board of Public Works and Safety to order at 9:00 a.m. in City Hall.

Roll Call

The roll was called and Mayor Paris, Mr. Joe Ault, and Mr. Dan Murray were present.

Also present were: Police Chief Tim O’Sullivan, Fire Chief Jim Reese, Parks Department Superintendent Chip Orner, Sewer Billing Office Manager Sherry Phillips, Cemetery Sexton and MS4 Coordinator Richard DeWitt, Planning Director Krista Linke, Project Supervisor Todd Wilkerson, Street Commissioner Steve Compton, Clerk-Treasurer Janet P. Alexander, Communications Director Zachary Burton, Administrative Assistant Kathy Cragen and City Attorney Robert H. Schafstall.

Mr. Ault offered an invocation immediately followed by the Pledge of Allegiance.

Public Comments

Resident Jim Admire came forward to request a noise variance for a family Halloween party at 1325 E. King Street on October 29th until 10:00 p.m. Mr. Admire explained that they will have a band. Mr. Ault made a motion to approve the noise variance, seconded by Mr. Murray. A voice vote was taken with all members stating Aye. No members stating Nay. The motion carried.

Resident Ron Collins came forward and asked the Mayor if the public comments could be moved to the end of the agenda, so people have a chance to comment on agenda items. Mayor Paris remarked that public comment had originally been at the end of the agenda however he had received complaints from some who felt that they should not have to wait until the end of the meeting to speak.

Consent Agenda

Mayor Fred Paris presented the consent agenda for approval.

1. Approval of Minutes from meeting held October 4, 2011
2. Approval of Claims
 - Payroll in the amount of \$298,627.74
 - #100811 Sewer Utilities in the amount of \$678,957.85
 - #100711 BOW Utilities in the amount of \$30,292.08
 - #101611 RDC-TIF in the amount of \$3,499.24
 - #101711 BOW-Sewer Utility in the amount of \$11,117.53

- #101811 BOW in the amount of \$146,089.71
- #101111 Buy-Out in the amount of \$2,918.51
- #101511 Sewer Utilities in the amount of \$688.64
- #101411 BOW Utilities in the amount of \$89,274.58

Mr. Ault made a motion to approve the consent agenda as presented, seconded by Mr. Murray. The motion carried.

OLD BUSINESS

Acceptance of Public Right-of-Way Easements on Hudson St. and R.J. Parkway

Mayor Paris asked City Engineer Trent Newport for the results of the coring of Hudson Street and R.J. Parkway. Mr. Newport stating that there is a base of 8” of compacted stone and he recommended moving forward with the paving of the roadway. Mr. Newport stated that he is prepared to issue a request for quotes if the Board decides to move forward with this project. He estimated the resurfacing project would cost the City \$52,000.00 to complete. A discussion was held.

The following business owners from the area addressed the Board including: Jerry Johnson President of Patriot Product, Mr. Rocky Caudill, Mr. Bill Neville owner of Cedar Creek Fence Company and Jeff Smith President of Electro-Spec. Council Member Steve Barnett and State Representative Woody Burton also spoke to the matter.

Mayor Paris made a motion to move forward with this project once the right of way deeds are received from property owners to bring this roadway up to standards, seconded by Mr. Murray. A voice vote was taken with all members stating Aye. No members stating Nay. The motion carried.

Church of God Parking Issues

Mayor Paris explained that the request from the Church of God regarding parking issues was tabled from last meeting to give the Police Department and the Street Department a chance to look over the area in question. Police Chief Tim O’Sullivan stated that the spaces in question are marked for parking, and does not feel that the truck and trailer parked there blocks the vision of people exiting the church. Mayor Paris asked if the City has any rules regulating what types of vehicles may be parked in a street parking space. Planning Director Krista Linke stated that there are restrictions and that she will take a look at the matter from that perspective. Mr. Murray made a motion to deny the request to paint the curb in this location yellow, seconded by Mr. Ault. A voice vote was taken with all members stating Aye. No members stating Nay. The motion carried, and the request was denied.

NEW BUSINESS

Quarterly Report for Ray's Trash Service - Britter Matthews-Cook

Mayor Paris made a motion to table the quarterly report from Ray’s Trash Service since Ms. Matthews-Cook was not present; this was seconded by Mr. Ault. The matter was tabled to the next meeting.

Award Demolition Contract for 400 Hemphill St.

Senior Planner Joanna Myers presented proposals from Brusco and Beaty Construction for the demolition of 400 Hemphill Street. Ms. Myers requested that the Board award the bid to the

lowest bidder, Beaty Construction. Mayor Paris made a motion to award the bid to Beaty Construction, seconded by Mr. Murray. A voice vote was taken with all members stating Aye. No members stating Nay. The motion carried.

Contract for East Sewer Relocation

Mayor Paris made a motion to table the contract for east sewer relocation, seconded by Mr. Murray. A voice vote was taken with all members stating Aye. No members stating Nay. The matter was tabled.

Discussion on Construction Progress on Fire Station #22

Chief Reese gave an update on the construction progress on Fire Station #23, and stated that they have a meeting set up with the architect concerning outstanding issues. Chief Reese also stated that they are working on tree replacement at Station #22, and that some of the concrete in front needs replaced. Mayor Paris stated that we have received an inquiry from a bonding company asking whether station #22 is complete. City Attorney Rob H. Schafstall stated it is not 100% complete, and that we should hold the bond. Mayor Paris made a motion to table this matter, seconded by Mr. Murray. A voice vote was taken with all members stating Aye. No members stating Nay. The matter was tabled.

Proposal for Use of Former Street Department - Franklin Heritage, Habitat for Humanity and Lord's Cupboard

Mr. Rob Shilts of Franklin Heritage (FHI) speaking on behalf of FHI, Habitat for Humanity and the Lords Cupboard came forward and stated that they have been developing a plan on how they can collaborate and use the former street department garage. The group stated that they have been talking to other not for profit groups also. Mr. Shilts provided an overview of the services currently provided to the community by the three (3) non-profits. He explained that they believe that the former garage would be a great location for all three of their businesses. They stated that they would like to lease the property from the City.

A discussion was held. In regard to the sale of the buildings, Mayor Paris stated that the first 60 day timeframe to advertise this property for sale has passed. The Mayor also stated that he has received some verbal offers on these buildings at this time but that none of the offers are near the appraisal price due to the gas tanks located on this property. A discussion was held concerning the value of the non-profits to the community. Mayor Paris believes that the non-profits should pay for insurance and maintenance if it were leased to them. The Mayor also would like to know whether property taxes would need to be paid as well. Mayor Paris asked the Board if they would like to attempt to sell these properties using a commercial broker. At the conclusion of 6 months if they are not sold consider other options, or if they should go ahead and lease the property at this time. Mayor Paris made a motion to table this matter to research property taxes and other questions, seconded by Mr. Ault. A voice vote was taken with all members stating Aye. No members stating Nay. The matter was tabled.

Memorandum of Understanding Authorizing Planting of Public Street Trees

City Arborist Jim Farr came forward and gave an overview of the Memorandum of Understanding (MOU) authorizing the planting of public street trees. Mr. Farr explained that this MOU would allow the City to plant a tree in a resident's yard and take care of it for the first year. A discussion was held. Mr. Murray made a motion to approve, seconded by Mr. Ault. A voice vote was taken with all members stating Aye. No members stating Nay. The motion carried. Clerk-Treasurer Janet P. Alexander asked that the form be marked approved by the Board of Works on today's date, and that any future modifications would have to come back to the Board for approval.

Proposal from Wessler Engineering for Storm & Sanitary Sewer Mapping & Inspection

City Attorney Rob H. Schafstall stated that he and DPW Superintendent Rick Littleton had read this proposal and they believe it is ready for approval. Mr. Murray made a motion to allow the Mayor to sign this contract, seconded by Mr. Ault. A voice vote was taken with all members stating Aye. No members stating nay. The motion carried.

Request Approval of SOP 1.27 - Custodial Interrogation

Police Chief Tim O'Sullivan explained that the proposed SOP 1.27 – Custodial Interrogation was to ensure compliance with the Indiana Supreme Court's amended Rules of Evidence. Mayor Paris made a motion to approve, seconded by Mr. Ault. A voice vote was taken, with all members stating Aye. No members stating Nay. The motion carried.

OTHER BUSINESS

Mutual Savings Bank Mortgage Foreclosure Case Involving City of Franklin Sewer Liens

City Attorney Rob H. Schafstall advised the Board that he was involved in filing a foreclosure lawsuit that named the City of Franklin as a defendant for the payment of outstanding sewer bills. He explained this has happened in the past, and that the end result is the City will receive their money.

Conflict of Interest form for Frank Schumacher

A Uniform Conflict of Interest Form from Frank Schumacher was presented to the Board. Mayor Paris made a motion to accept, seconded by Mr. Ault. A voice vote was taken with all members stating Aye. No members stating nay. The motion carried.

Discussion Regarding Hiring a Commercial Real Estate Broker for Old Street Garage and Old Fire Station

The Board engaged in a discussion regarding the hiring of a commercial real estate broker to handle the sale of the Former Street Department Garage and Old Fire Station #22. Mayor Paris explained that if the City wanted to keep accepting offers on these properties we would need to re-advertise for another 60 days. The Mayor stated that the City could put out a request for proposals for brokers to make presentations on how they would market the property if that is what the Board would like to do. Mayor Paris made a motion to re-advertise for offers on the Former Street Department Garage and Old Fire Station 22 and for brokers to market the properties, seconded by Mr. Ault. A voice vote was taken with all members stating Aye. No members stating Nay. The motion carried.

Department Reports / Staff Reports

Police Chief Tim O'Sullivan stated that on November 9th the emergency alert system will undergo a test, and he wanted to make sure citizens are aware that this will be happening.

Fire Chief Jim Reese told the Board that they had a fire engine that needs repairs that are not under warranty.

Cemetery Sexton Richard DeWitt requested that the Board approve the contract for the repair of the chapel. Mr. Ault made a motion to approve, seconded by Mr. Murray. A voice vote was taken with all members stating Aye. No members stating Nay. The motion carried.

Street Commissioner Steve Compton stated that they have an opportunity to buy trees from the same company as last year. Mr. Compton also stated that they were beginning leaf pickup this week. Mayor Paris asked Mr. Compton about debris that was removed from sewers, and stated that he had received complaints of items being removed from sewer, and then left on the street. Mayor Paris told Mr. Compton that he would get with him to discuss this issue later.

Clerk-Treasurer Alexander told the Board that she had received a phone call from Travelers Insurance regarding risk assessments, and that Mr. Larry Atwood will be visiting the Police Department, Fire Department, DPW, Parks and the Street Department, and that each department needs to make sure someone is available to meet with Mr. Atwood tomorrow.

Mayor Paris acknowledged the service members from Atterbury in the audience who are heading out to Kosovo, and thanked them for their service to our country. Mr. Ault wished them a safe and secure mission.

ADJOURNMENT

As there was no further business to come before the Board of Works a motion was made and seconded to adjourn. The meeting adjourned at 10:36 a.m.

Respectfully submitted,

Janet P. Alexander
Clerk Treasurer

Enrolled: 11/04/2011

Approved by the Board of Works: