

**Board of Public Works and Safety
Regular Meeting Minutes
November 4, 2013**

The regular meeting of the Board of Public Works and Safety of the City of Franklin, Indiana was called to order at 5:00 p.m. at City Hall, 70 E. Monroe Street, with Mayor Joseph E. McGuinness presiding. Board members Stephen Barnett and Bob Swinehamer answered roll call.

Chief of Police Tim O’Sullivan, Fire Chief John Henderson, Parks Department Superintendent Chip Orner, Sewer Billing Office Manager Sherry Phillips, DPW Superintendent Rick Littleton, Community Development Director Krista Linke, City Engineer Travis Underhill, Interim Street Commissioner Andrew Duckworth, Clerk Treasurer Janet Alexander, Records Clerk Kathy Cragen, and City Attorney Lynnette Gray were also in attendance.

Mayor McGuinness called for a moment of silence and then led those assembled in a recitation of the Pledge of Allegiance.

Public Comments

Ms. LeAnn Wilbur, Executive Director of Habitat for Humanity came forward and asked the City to close Walnut and Adams streets from 10:00 a.m. till 1:00 p.m., November 16, for a home dedication at 250 W Adams Street. This particular project was a “Women’s Build”. Mr. Swinehamer made a motion to approve, seconded by Mayor McGuinness. A voice vote was taken with all members stating aye. The motion carried.

Consent Agenda

Mayor McGuinness presented the consent agenda for approval.

1. Approval of Minutes from meeting held October 21, 2013
2. Board of Works Claims.

- Pension Payroll in the amount of \$58,476.03
- #102613 Sewer Utilities in the amount of \$2,543.30
- #102313 Buy-Out in the amount of \$90.00
- #102513 BOW Utilities in the amount of \$41,281.06
- #102213 Contracts/Utilities in the amount of \$19,147.36
- Payroll in the amount of \$304,494.42
- #110313 Sewer Utility Gen. Obligations in the amount of \$45,328.57
- #110413 BOW Gen. Obligations in the amount of \$59,079.65
- #110213 Sewer Utilities in the amount of \$330.28
- #110113 BOW Utilities in the amount of \$11,148.21
- #110513 RDC Contract/Utilities in the amount of \$282,512.21

Mr. Barnett made a motion to approve the consent agenda as presented, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye. The motion carried.

Old Business

There was no old business presented.

New Business

Request Street Closures for Downtown Holiday Lighting - Ms. Tricia Bechman, the Director of the Franklin Chamber of Commerce came forward to request permission to block East & West Court Streets from 4:00- 9:00 p.m., on December 7. The parade line up will be 4:30 p.m. - 5:30 p.m. in the Oren Wright parking lot. She also requested that the City authorize the placement of the Santa Shack in the first two parking spaces on East Court Street. Mr. Barnett made a motion to approve, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye. The motion carried.

Board of Works Budgetary Resolution No.: 13-01 A Resolution Authorizing a Transfer Between Series in Sewer Utility Fund – DPW Superintendent Littleton stated that he needed to transfer money within his budget. Mr. Swinehamer made a motion to approve, seconded by

Mr. Barnett. A voice vote was taken with all members stating aye. The motion carried.

Request Board of Works to Accept Waiver of Liability from Property owner of "Lowe's Pond" - Fire Chief Henderson stated that his department would like to be allowed to do water training on this property. City Attorney Gray stated that she will work with the city's insurance agent before moving forward with the requested waiver. Mayor McGuinness made a motion to table the request until the next meeting, seconded by Mr. Barnett. A voice vote was taken with all members stating aye. The matter was tabled.

Other Business

Discuss Alley Project Schedule - City Engineer Underhill reported that the contractor awarded the Artcraft alley renovation project is having difficulty getting the work scheduled before winter, and requested that the project be postponed until spring. Mr. Underhill, stated that this would not impact the contract terms and that the contractor agrees. A discussion was held.

Discuss Hurricane Road Project - City Engineer Underhill stated that due to cooler temperatures the fog seal road curing process will not work. He requested the BOW authorize the use of the more expensive concrete cure process. The modification will increase the project cost by \$4,398.86. A discussion was held. Mr. Barnett made a motion to approve change order #1 for \$4,398.86, and authorize the Mayor to sign the change order, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye. The motion carried.

Police Department Repairs Project - City Engineer Underhill explained that additional damage due to the April 17 hail storm was found and reported to the insurance company. Further the workmen also informed the department that the framing of the garage windows (located in the ceiling) had deteriorated and were not stable. The original insurance estimate had specified only the replacement of window panes. The department proposed authorizing the contractor to replace the frames and windows. Mr. Underhill stated that the additional work would be paid for from the insurance proceeds as the contractor's initial bid for the identified works was less than the insurance had paid for damages. A discussion was held. City Attorney Gray explained that pursuant to Indiana Code 36-1-12-18, the use of change orders is permitted on public works projects if it becomes necessary to alter the original specifications. In the case of an emergency, the board must make a declaration stating the nature of the emergency. She also stated that the

code stipulates that the total of all change orders related to the original public work project may not exceed twenty percent (20%) of the amount of the original contract. Mayor McGuinness stated that in his opinion the emergency is based on the fact that the windows are located in the ceiling of the garage and that winter is approaching. The Mayor made a motion to approve the change order and to authorize the Mayor to sign on behalf of the Board. This motion was seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye. The motion carried.

Ray's Trash Reports

The Mayor stated that a representative from Rays came to the last meeting and offered apologies for service issues and complaints received. A discussion was held.

Department Reports / Staff Reports

Parks Superintendent Orner stated that there was a tree planting held over the weekend in the new urban forest and a dedication for the memorial trail. Mr. Orner also stated that there would be new trees planted in the cemetery and in Province Park. Mr. Orner stated that 2000 people came downtown for "Trick your Trunk".

DPW Superintendent Littleton requested permission to transfer a conference table and four chairs to the Clerk-Treasurer's office. Mr. Littleton also stated that he would like to have crack sealing done at the Sewer Utility office while it is being done around town. Mr. Littleton stated that he could pay for the work using unappropriated funds. Mayor McGuinness made a motion to approve, seconded by Mr. Barnett. A voice vote was taken with all members stating aye. The motion carried.

City Engineer Underhill stated the Hurricane Road project has begun. They widened the road by trenching and the "full depth" reclamation process will start Wednesday. He speculated that the majority of that process could be completed by the end of next week. Additionally some patching will be needed on the northern half of this project, which will begin once the trenching is completed. Dave O'Mara Contractors, the 2013 Paving Program contractor will start tomorrow on Jackson Street and will work north to catch everything adjacent to Jackson to and through Maple Lane. The Knollwood addition paving is a top priority once the drainage project

is completed. The crack seal contractor is working quickly through town and the rejuvenation contractor is currently working on Johnson County roads but his next stop will be Franklin. Mr. Underhill stated that Franklin has received a \$4,400 grant from federal highway railroad funding contractor at no cost to the city, to freshen up the railroad markings at all railroad crossings in the city. He also reported that the Indianapolis MPO has approved our application for "A Safe Route School" Study Grant of up to \$6,000.00. A discussion was held.

Clerk-Treasurer Alexander stated that she learned of a December OSHA training deadline for all municipal employees. She explained that this requirement is related to the new international labeling standards and the new SDS sheets for commercial chemicals. She was concerned that this requirement was not known to other city officials or department heads. A discussion was held.

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 5:57 p.m.

Respectfully submitted,

Janet P. Alexander, Clerk-Treasurer

Enrolled: 11-13-13

Joseph McGuinness, Mayor

Attest:

Janet P. Alexander, Clerk-Treasurer