

CITY OF FRANKLIN
BOARD OF PUBLIC WORKS AND SAFETY
Meeting Minutes
June 15, 2004

Opening

Mayor Blankenship called the regular meeting of the Board of Public Works and Safety to order at 6:00 P.M. on June 15, 2004 in City Hall Council Room.

Present: Mayor Blankenship, Mr. Joseph Ault and Mr. Stephen D. Hougland were present. Also present was City Attorney Robert H. Schafstall, Deputy Police Chief Steve Hood, City Engineer Mike Buening, Fire Chief Mike Herron, Street Commissioner Richard Hughes, Wastewater Treatment Facility Superintendent Rick Littleton, Planning Director David Weir, and Clerk Treasurer Janet P. Alexander.

Approval of Minutes

The minutes of the previous meeting held May 25, 2004 were approved as distributed. Mayor Blankenship abstained.

Approval of Claims

The following claims were presented. Mr. Ault, seconded by Mr. Hougland made a motion to approve the claims presented by the Clerk Treasurer. The motion carried.

Date	Type	Description	Amount
6-15-04	Payroll	Civil City Payroll 5-14-04	\$248,047.52
6-15-04	Payroll	Civil City Payroll 5-28-04	\$246,905.74
6-15-04	Payroll	Pension (Police & Fire) 5-26-04	\$48,060.26
6-15-04	Payroll	Sewer Payroll 5-14 & 5-28	\$43,923.70
6-15-04	Sewer	Claims #6384-#6395	\$13,696.54
6-15-04	Sewer	Claims #6397-#6450	\$161,627.51
6-15-04	BOW	Vendor Claims #30921-#30935	\$5,716.56
6-15-04	BOW	Vendor Claims #30936-#31082	\$1,208,568.81

OLD BUSINESS

Discussion of additional stop sign at Vaught Street and Adams Street

Ms. Emily Canary a member of the Franklin Community High School Mayors Advisory Council returned and repeated the Advisory Councils' request to add a stop sign at the intersection of Vaught Street and Adams Street. She explained that the request was made because there have

been several students involved in automobile accidents at that intersection. Deputy Chief Hood reported that Chief Borges recommended that the request be denied. City Engineer Mike Buening recommended that the intersection should be made "No Parking from Here to the Corner". There is a visibility issue and this solution would remove vehicles obstructing the visibility. Discussion held. Mr. Ault made a motion to accept the City Engineers recommendation, Mr. Hougland seconded the motion and the motion carried.

Plat and Bond Approval for Deer Trails Section 3

Mr. Steve Williams representing the Deer Trails and New Lifestyle Development requested the Boards approval of the plat. City Engineer Mike Buening explained that the plats overlap 5 or 6 feet between Oak Leaf and Deer Trails. Mr. Buening stated that he recommends that the problem should be addressed by a re-subdivision of the Oak Leaf lot lines. Mr. Buening stated that our zoning ordinance requires that if lot lines are redone, then a plat must be signed by the owners. Mr. Buening does not believe that the property owners are aware of the problem. Mr. Williams responded by explaining that he has already recorded corrections. He explained that his firm prepared the original plat and therefore "it is within his ability" to correct a plat that he prepared. Mr. Schafstall explained that the issue is that Oakleaf Manor has a specific legal boundary that overlaps the boundary in Deer Trails Section 3, and he recommended that the affected lot owners be notified by letter before the next meeting. This would allow the property owners the opportunity to comment and then the Board should consider whether to approve the plat as presented. Mr. Hougland, seconded by Mr. Ault made a motion to table. Tabled.

NEW BUSINESS

Request for an Exemption from the Noise Ordinance to Hold an Outdoor Concert on July 2, 2004 from 6:00 p.m. – 10:00 p.m.

Mayor Blankenship requested approval of the Senior Center Director's request. Mr. Hougland, seconded by Mr. Ault made a motion to approve. The motion carried.

649 Hamilton Avenue Flooding Issue

Property owner Sherri Cook returned to ask the Board for assistance with her flooding problem. She reported that the ditch was sold. Mr. Schafstall stated that this issue appears to be a private landowner's issue. Discussion held. Mr. Ault agreed to visit the property tomorrow with Mr. Littleton and Mr. Buening.

Request No Parking Signs at Knollwood Avenue and Tulip Drive

Petitioner Debra Evans did not appear. Mr. Hougland made a motion to table, seconded by Mr. Ault. Tabled.

Request no parking on both sides of Madison Street from Main Street to Home Avenue on July 31, 2004

Petitioner John M. Moore did not appear. Mr. Hougland seconded by Mr. Ault made a motion to table. Tabled.

Request to Accept Annual Renewal Contract for Simplex Grinnell for \$8,036.50

Police Department Deputy Chief Hood presented a contract between the City of Franklin Police Department and Simplex Grinnell for maintenance of the fire alarms in the Police Station. City Attorney Rob Schafstall reviewed and approved the agreement presented. Mr. Hougland made a motion to allow Chief Borges to sign the agreement, seconded by Mr. Ault. The motion carried.

OTHER BUSINESS

Johnson Industrial Park Lift Station

Mr. Tom Vander Luitgaren, Esq., of Van Valer & Williams and Mr. Ray Johnson appear concerning the Johnson Industrial Park Lift Station. Mr. Vander Luitgaren reported that the seven items which the City Engineer outlined for the Board of Works before the City considered acceptance of the lift station at the February 10, 2004 meeting have been met for the most part:

1. Acceptable as built plans have been provided.
2. Easements for access have been provided.
3. An access drive to the lift station has been provided.
4. Testing of the lift station has been completed.
5. A remote monitoring panel has been ordered and will be installed by DPW.

Mr. Vander Luitgaren stated that in lieu of a maintenance bond, Mr. Johnson requests that the City consider a maintenance guarantee pursuant to an agreement to be worked out between him and our City Attorney and a 15-Year Law Agreement, and the last to meet any additional legal requirements required by City Attorney Rob Schafstall. Mr. Vander Luitgaren explained that Mr. Johnson is unable to obtain a maintenance bond on the seven year old lift station due to its age. He went on to ask the Board to accept the lift station subject to approval of the maintenance agreement / guarantee and the 15-Year Law Agreement. Discussion held. Mr. Buening recommended that the City accept the lift station and a 15-Year Law Agreement. Mr. Ault made a motion, seconded by Mr. Hougland to accept the dedication of the lift station contingent upon City Attorney Robert Schafstall being satisfied with the maintenance guarantees and a 15-Year Law Agreement. The motion carried.

Air Packs – Fire Department Bid

Chief Herron reported that they received two bids for Air Packs on Tuesday, June 8, 2004 from Five Alarm Fire for \$195,720 and Hoosier Fire Equipment for \$184,994. The Chief stated that Five Alarm complied with all bid requirements and that Hoosier Fire Equipment did not comply with two portions of the bid specifications, in which they did not take exceptions or offer explanations for each of those. The City Attorney stated that the options include:

1. Reject any bid that is not responsive to specifications. The Chief identified two areas of non-compliance, and a qualified yes on another. If that is acceptable, Hoosier Fire would be the low bidder and we would be required to accept the bid.
2. If the Hoosier Fire Equipment bid is rejected by the Board, leaving the Five Alarm's bid, making it the only bid.
3. The third option would be to reject both bids and re-bid this project.

The Board Members invited Mr. Rod Pressel, a representative from Hoosier Fire Equipment who was present, to explain the issues with his firm's bid. Mr. Pressel explained that the Air Pack they offered are different from the product built by his competitor, but that his product (Scott) is NFPA compliant and is used in major departments throughout the United States including New York. He answered questions from Chief Herron, and the Board Members. In response to questions, he explained that an "integrated pass" was included in the specifications, the equipment offered is compatible with our tower by use of an adapter, and their bid offered "a three way" to deliver air: 1. Rip connection on the back, 2. Buddy breathing, and 3. Quick fill.

Chief Herron asked Mr. Pressel whether their air pack could be stored in the "ready position?" His answer was "No, MSA does that, we do not do it that way." Discussion held. Mr. Schafstall stated that ultimately it still must be determined whether or not the bid is compliant. Mr. Ault asked to table this matter for review and discussion with Chief Herron. Mr. Ault made a motion to table, seconded by Mr. Hougland. Tabled.

Franklin Community School Corporation

School Board Attorney Ms. Jennifer Auger presented a Memorandum of Understanding between Franklin School Corporation and the City of Franklin. City Attorney Robert Schafstall explained that the Memorandum includes technical specifications locking in standards for construction of streets, sidewalks, and other infrastructures, including sewers. It has been reviewed by the City's technical review board.

Ms. Auger explained that the road extension, the sewer lines, and other improvements will be paid for by the school corporation. Mr. Schafstall stated that his preference would be that the City enters into this agreement prior to the acceptance of the annexation.

Ms. Auger pointed out that the School Board and the Holding Corporation approved the Memorandum at their meeting held last evening. Ms. Auger informed the Board that the school corporation is interested in giving the City of Franklin three acres under a long-term lease for a fire station. The land is along Powell Ditch. The lease would be for \$1.00 per year. She also presented a request for a waiver of construction permit fees which have been estimated to cost the school system \$200,000 or more. Mr. Hougland asked whether the Memorandum is a legally binding document. City Attorney Robert Schafstall explained that he inserted caveats within the Memorandum which will not require that the City annex the property. Discussion held. The waiver of fees and the ability to hook up to the City sewer system hinges on the annexation. Discussion held. Mr. Hougland made a motion to table, seconded by Mr. Ault. Tabled.

Department Status of Tasks

Police Department

Deputy Police Chief Steve Hood reported the following item:

Sgt. Kennedy attended an Alcoholic Beverage Commission meeting and spoke with Mr. Carson about the tables set out by Jeff Street Pub. Mr. Carson believes that this is a City problem. Mr. Weir states that our ordinance prohibits limiting free passage along sidewalks. The ADA requires 36 inches of clear space. The ABC required a barrier between the tables and the walkway. The owners are aware of the City's objection. The owners have been told by Excise to not serve alcohol out-of-doors.

Mayor Blankenship asked for a collective meeting between the owner of Jeff Street Pub, Police Department, Planning Department, and Board of Works Members to advise the property owner(s) that they are in violation of the traffic code and to order them to remove the tables.

City Attorney

City Attorney Robert H. Schafstall reviewed the following items:

1. Eastside Sewer Interceptor Project – He explained that property owner, Russell Irving, requested that the City waive the tap-on-fee and install a lateral. He recommended that the Board approve this request. Mr. Ault made a motion to approve, seconded by Mr. Hougland. The motion carried.
2. He reminded the Board Members that on Tuesday, June 15, 2004 there will be a 1:30 p.m. settlement conference in Indianapolis. Mayor Blankenship will attend.
3. Informed the Board that a tort claim has been filed.

Fire Department

Fire Chief Mike Herron reported the following:

He spoke with Ms. Patton who resides in the Pennington Mobile Home Park about not being able to hear the tornado siren. The existing alarm sounds whenever the lightning hits anywhere within a few miles of the siren which must be reset. He said that the Town of Whiteland activates their siren which is located near their wastewater treatment plant in the event of a warning. He also suggested relocating the siren which is located in the park. The existing sirens are currently located at: 1. Chumbleys Garage, 2. Franklin College Campus Center, and 3. Roof of Station 21 at Main and U.S. 31. The Chief stated that they should move one Northwest – North Pointe and perhaps add a 4th siren. Chief Herron was asked to look for new locations and to report to the Board under staff reports next meeting

Sewer Department

Mr. Rick Littleton had the following reports:

1. The department acquired the land from the mobile home park. A signed easement has been received, and a temporary construction easement which requires Board signatures and must be recorded by the Clerk Treasurer. Mr. Hougland made a motion to accept, Mr. Ault seconded this motion. The motion carried.
2. Requested permission to bid the project to expand the lift station located behind the Johnson County Juvenile Detention Center. Mr. Ault, seconded by Mr. Hougland made a motion to approve the advertisement for bids to be received July 2, 2004 at 10:00 a.m. and appoint Rick Littleton, Rob Schafstall, and Janet Alexander to accept the bids at that time.
3. Inspection Services Agreement for Windstar (Section 4) prepared by Norm Thomas - Reported that he has a faxed copy of the agreement and recommends approval contingent upon receipt of the original and payment. The Board was reluctant to approve this until the payment and the original are received. Mr. Hougland, seconded by Mr. Ault made a motion to table. Tabled.
4. On behalf of the City Engineer Mike Buening, Mr. Littleton asked if the Board would set a bid date for the East Interceptor Sewer Bid for Tuesday, August, 3 at 2:00 p.m. Mr. Hougland, seconded by Mr. Ault made a motion to approve. The motion carried. Mike Buening left the meeting at 7:45 p.m.

Mr. Littleton thanked Chief Herron and the Fire Department for including them in the Confined Space Training they provided at Camp Atterbury.

Engineering

Mr. David Weir reported the following:

1. Submitted a Sanitary Sewer Easement for Block Buster Video. The easement documents were approved by the City Attorney. Mayor Blankenship made a motion to accept, seconded by Mr. Ault. The motion carried.
2. He provided a letter from Cinergy to the Board concerning Street Light service.

Planning Department

Mr. David Weir stated that the Downtown Revitalization Grant from the State of Indiana requires that the City select and contract with a qualified consultant for the project. They have selected a consultant and the contract will be on the Board's agenda in the near future.

Street Department

Street Commissioner Richard Hughes reported that the material collected by the Street Sweeper, the street sweepings, which contains glass, stone etc., cannot be reused or dumped as done in the past due to EPA Storm Water issues and will need to be hauled off. Best Way will accept them for \$11.50 a yard at the transfer station. The sweeper holds 4.5 - 5 yards. On a daily basis the sweeper will be dumped twice daily.

Clerk/Treasurer

The Clerk-Treasurer's reported the following items to the Board:

1. Workers Compensation – IPEP – The charges have doubled since 2000. The provider explains that this is due to the increased number of staff and the increases in wages. Also, the City has had more large claims which may have driven the costs up.
2. Molloy Documents – Presented three agreements from J.F. Molloy / Principal Financial Group, amending the original agreements because of the change of ownership. City Attorney Robert Schafstall stated that the Board should authorize Mayor Blankenship to sign. Mr. Ault, seconded by Mr. Houglund made a motion to allow Mayor Blankenship to sign the agreements. The motion carried.
3. Provided the Board Members and the City Attorney a copy of the proposed Medical Plan Document prepared by J.F. Molloy.

Board of Works

Mr. Hougland asked Mr. Weir to look at parking issues in the area of Julia Street and Dunn Street.

Mayor Norman P. Blankenship

The Mayor made a general statement on vehicle use. A citizen reported concerns about city employees who drive municipal vehicles being observed leaving the vehicles for long periods of time (30 minutes to 45 minutes) "left locked and running." The Mayor said, "Encourage your folks to shut them off or they may end up losing them. "

Chief Herron

Chief Herron reported that the City will undergo an ISO rating audit this July, which is done for insurance purposes. He also stated that the proposed land for the new station is located 2 miles from Branigin Road. The response time would be 1.35 non-emergency driving minutes to Knollwood. He also stated in the past couple of years, at the request of the Athletic Director, the City ambulances have been sent to all sporting events at the High School.

Adjournment

The meeting adjourned at 8:30 p.m. The next regular meeting will be held on June 29, 2004 at 6:00 p.m. in City Hall.

Respectfully submitted by,
Janet P. Alexander, Clerk Treasurer

Approved by the Board of Works: _____

Norman P. Blankenship, Mayor