CITY OF FRANKLIN
BOARD OF PUBLIC WORKS AND SAFETY
Meeting Minutes
August 18, 2009

Opening
Mayor Paris called the regular meeting of the Board of Public Works and Safety to order at 9:39 a. m. in City Hall.

Roll Call
The roll was called and members Joe Ault and Dan Murray were present.

Also present were: Police Chief Stan Lynn, Fire Chief Jim Reese, Sewer Billing Office Manager Brenda Poe, DPW Superintendent Rick Littleton, Planning Director Krista Linke, Director of Engineering Todd Wilkerson, Street Commissioner Steve Compton, Cemetery Sexton Richard DeWitt, Parks Superintendent Chip Orner, Clerk-Treasurer Janet P. Alexander, Clerk-Treasurer Assistant Kathy Cragen, and City Attorney Robert H. Schafstall

Mayor Paris offered an invocation immediately followed by the Pledge of Allegiance.

Public Comments
Mayor Paris asked if anyone from the community had anything to bring before the Board that was not on the agenda. No one came forward.

Consent Agenda
1. Minutes of the August 04, 2009 Board of Works Meetings
2. Accounts Payable Voucher Registers
    - #081309 TIF-RDC in the amount of $1,860.00
    - #081109 Sewer Utilities in the amount of $20,795.26
    - #081209 BOW Utilities in the amount of $190,563.85
    - #081809 BOW Meeting in the amount of $359,794.43
    - #081709 BOW Sewer Utility in the amount of $20,229.25

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

OLD BUSINESS

Follow Up on Review of Storage Barn Placement in Utility Easement – Julie Heck-Garzotto
Mayor Paris directed Todd Wilkerson to send Ms. Heck-Garzotto a letter requesting information about how she plans to fix this problem.

Traffic Congestion and alley near 135 N. Morton – Director of Engineering Todd Wilkerson stated that he and Street Commissioner Steve Compton and Deputy Fire Chief Justin Lollar had met with Larry Buck and are working on a plan of action for the alley in question as well as other alleys in this area. Mr. Wilkerson stated that they had not come up with a solution at this time.

Mayor Paris made a motion to table this issue, seconded by Mr. Ault. The motion carried and the matter was tabled.

Proposed Cemetery Fee Schedule – Board member Dan Murray stated that he has talked to some local funeral directors and he shared the following ideas and concerns:

1. Having an option to pre-fund the opening and closing of the grave in advance of at-need.
2. Fifteen percent (15%) of each grave space purchased and each opening and closing of grave, to be placed in a perpetual fund.
3. A committee formed to beautify Greenlawn, and to actively engage in encouraging donations by deed owners.
4. Funeral Homes to call Cemetery before setting funeral time to allow Sexton the courtesy of scheduling.

Cemetery Sexton Richard DeWitt stated that there is no cut off time for a funeral, there is just an extra charge if the funeral is after a certain time of day, to cover expenses of employees working overtime. Street Commissioner Steve Compton stated that he and Mr. DeWitt had discussed cross training some employees of the Street Department to help with the Cemetery workload. Mayor Paris would like to come up with some type of flex schedule that would help with the overtime issues. Mr. Ault stated that it is very difficult to run a flex schedule in this department because sometimes you do not get funeral information until 24 to 48 hours ahead of time. Mayor Paris suggested that we don't charge overtime unless it is after 4:00 or 4:30 p.m. Monday through Friday. Mayor Paris made a motion to direct our legal counsel to change verbiage in this proposal so that people would not be assessed an extra charge until after 4:00 p.m. This motion was seconded by Mr. Ault. The motion carried.

Request for Accommodation – City Attorney Rob H. Schafstall stated that we received the medical information that was requested for Mr. Johnson. Mr. Schafstall stated that the only way Mr. Johnson can be hired is if we can accommodate his medical issue. Chief Reese states that since their job descriptions are multi-tasked, he does not feel that there is any way for his department to accommodate Mr. Johnson's disability. Mr. Johnson stated that he can prove that he is qualified for this position. Chief Reese stated that he has no doubts that in a larger department they would be able to work around Mr. Johnson's disability, but that the Franklin Fire Department is just not big enough to make the accommodations that he believes would be necessary. Mr. Ault made a motion to deny the accommodation, seconded by Mr. Murray. The motion carried.

NEW BUSINESS

Request for noise variance and alley closure for Elk's Annual Luau September 12, 2009 from 6:00 p.m. to 11:00 p.m. - James Houdek came forward to ask permission for the Elk's Club Annual Luau and a noise variance for a band. Mayor Paris asked if the neighbors had been notified of the date and time of this event. Mr. Houdek stated that the neighbors had been notified. Mayor Paris made a motion to approve the alley closure and the noise variance from 6:00 to 11:00 p.m. This motion was seconded by Mr. Ault. The motion carried.

A request for street closure for neighborhood block party on August 23, 2009 from 5:00 p.m. to 7:00 p.m. – Nancy Brutus came forward to ask permission for a street closure at 1140 Hillview Drive for a neighborhood block party. Mayor Paris made a motion to approve this street closure from 5:00-7:00 p.m.; this was seconded by Mr. Ault. The motion carried.

Golf Cart Ordinance – Mayor Paris stated that City Attorney Rob H. Schafstall, Police Captain Bill McCarty, and Deputy Police Chief Tim O'Sullivan have been working together to come up with an ordinance for this issue. Captain McCarty stated that in order for the golf carts to be legally driven they must have turn signals, brake lights, slow moving vehicle signage, flashing lights, and the operator must have a valid driver's license. They also may not be operated on roadways with a speed limit higher then 30 m.p.h. Captain McCarty also told the Board that they are working on a fee schedule for registering the golf carts. These registrations would have to be renewed each year. It was decided that this will be brought back at the next meeting for discussion.

Johnson County Partnership for Water Quality MOU – Richard DeWitt stated that City Attorney Rob H. Schafstall, and City Director of Engineering Todd Wilkerson have reviewed the Memorandum of Understanding (MOU) and explained that there is no cost to the City. Mayor Paris made a motion to approve the MOU, seconded by Mr. Ault. The motion carried.

Request for approval and acceptance of the Replat of Lots 7 & 8 of Highland Place – Planning Director Krista Linke stated that this is a simple replat moving the lot line 4 feet. Ms. Linke recommends that this plat be approved. Mr. Murray made a motion to approve the replat of lots 7 & 8 of Highland Place, seconded by Mr. Ault. The motion carried.

Budget Resolution 09-02 requesting a transfer from Other Services 300 to Supplies 200 to cover the cost of necessary expenses for remainder of the year – Sewer Billing Manager Brenda Poe stated that they will be ordering new billing forms and that she has the money in her budget to cover this transfer. Mr. Murray made a motion to approve the transfer of funds, seconded by Mr. Ault. The motion carried**.**

Approval of application and certificate of payment #4 to MacDougall Pierce for Fire Station #23 in the amount of $144,285.05 – Clerk Treasurer Janet P. Alexander brought this item before the Board for approval of payment for work on Fire Station 23. Mayor Paris made a motion to approve the payment. The motion was seconded by Mr. Murray. The motion carried.

OTHER BUSINESS

Premier Healthway fee increase – Clerk Treasurer Janet P. Alexander stated that this is the heart benefit coverage for employees that we have through St. Francis Hospital. She explained that the fees are increasing by 5 cents per employee. The Clerk Treasurer requested the Board's approval of the rate change. Mr. Ault made a motion to approve the increase, and approve the Mayor to sign any necessary documents, seconded by Mr. Murray. The motion carried.

Clarification on ambulance billing waivers and reductions – Clerk Treasurer Janet P. Alexander has a memorandum from Fire Captain Matt Culp requesting that MedBill be authorized to send accounts over 120 days to collections. A discussion was held. Mayor Paris made a motion to approve turning items over to collections that are over 120 days, seconded by Mr. Ault. The motion carried.

The Clerk Treasurer also told the Board that there is some confusion regarding the billing of city employees for ambulance services. She explained that the city is self insured and when MedBill sends a bill for one of our employees we are basically paying ourselves and incurring a fee. Chief Reese stated that these issues were discussed in past committee meetings and it was decided at that time that employees would be billed the same as any other citizen. A discussion was held. Mayor Paris would like to document how many ambulance runs were for city employees.

Flood issues (Hurricane Industrial Park and Paris Estates areas) – Mayor Paris stated that he had received complaints about drainage issues in the Hurricane Industrial Park and in Paris Estates. A discussion was held. Mr. Ault stated that he has gotten complaints about the Jackson Street area also. Resident David Stahl told the Board that his neighborhood recently flooded as almost as badly as it had on June 7, 2008. Mayor Paris stated that he has a file on these complaints, and asked Mr. Stahl to send him information about his neighborhood.

Mayor Paris stated that he has gotten a lot of e-mails from people who are complaining about the Boards decision to turn down the Run for Rex. He would like to meet with the people trying to set up this run, and see if they can come up with a committee to meet with the Parks Department and the Police Department, and see if there is some way to resolve this issue. The Mayor stated that the Board is not against the run, but that certain issues need to be resolved first.

Mayor Paris stated that there had been an executive session this morning in reference to a sewer department employee. Mayor Paris made a motion that Judy Welke will be given the option to resign if she does not resign, then she will be terminated, seconded by Mr. Murray. The motion carried.

REPORTS BY DEPARTMENTS

Fire Department
Fire Chief Jim Reese asked the board for permission to fill a vacancy in this department. The board gave its approval.

Planning Department
Planning Director Krista Linke told the Board that the new Associate Planner Rachel Pendleton starts tomorrow.

Street Department
Street Commissioner Steve Compton told the Board that the railroad has given them permission to hire a private contractor to work on the ditch line by the railroad. Mr. Compton stated that his contractor could start on this project this Thursday. Mr. Compton told the Board that he had received two applications for a forester. Mayor Paris asked Mr. Compton about the plan to mulch street trees and stated that this needed to be started ASAP.

Clerk-Treasurer
Janet P. Alexander noticed on the Department Head report for the Police Department that Lt. Jim Hoeing volunteered to direct the drug and alcohol training through JMH. Ms. Alexander also told the Department Heads that if there were any other types of training that they would be interested in to please let her know. The Clerk-Treasurer told the Board that she had been looking at 6 Sigma for the Clerk Treasurer office. She also shared the Principal Financial – Employee Medical Plan Monthly Experience Report with the Board stating that we are staying under budget per employee.

Mr. Murray stated that Parks Superintendent Chip Orner needs to be commended on his department status report.

Adjournment
Mayor Paris made a motion to adjourn; seconded by Mr. Ault. The motion carried, and the meeting adjourned at 11:07 a.m. The next meeting will be held Sept. 8, 2009 at 9:30 a.m.

Respectfully submitted by,
Janet P. Alexander, Clerk-Treasurer

Enrolled: 09-03-09 Approved by the Board of Works: 09-08-09