

CITY OF FRANKLIN
BOARD OF PUBLIC WORKS AND SAFETY
Meeting Minutes
July 24, 2007

Opening

Mayor Brenda Jones-Matthews called the regular meeting of the Board of Public Works and Safety to order at 6:00 p.m. in the City Hall Council Room.

Present

The roll was called and Mayor Brenda Jones-Matthews, Board Members Steve Hougland and Joe Ault were present. Also present were Police Chief John Borges, Fire Chief Jim Reese, Sewer Billing Manager Brenda Poe, City Attorney Robert H. Schafstall, Staff Planner Krista Linke, Clerk-Treasurer Janet Alexander, and Clerk-Treasurer Assistant Mandy Jones. Mr. Michael Malik, a reporter with the Indianapolis Star, was present for this meeting.

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

Consent Agenda

Approval and Acceptance of Minutes

Minutes of the Regular Meeting held July 10, 2007.

Accounts Payable Voucher Registers

#072007 in the amount of \$36, 772.83
#071307 in the amount of \$135,426.43
#071407 in the amount of \$600.39
#072307 in the amount of \$62,846.56

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

NEW BUSINESS

Requesting Permission to Block off Parking Spaces to Allow a Moving Truck to Park in Front of Home

Mayor Brenda Jones-Matthews, on behalf of Nancy and Ron Collins of 60 N. Water Street, requested permission from the Board to block off four parking spaces in August, 2007 in front of their home in order for a moving truck to park while unloading furniture and possessions from their home in Alaska. A discussion was held. Mr. Ault suggested posting no parking signs a few days prior to the 15th. Mr. Ault, seconded by Mr. Hougland, made a motion to approve the request. The motion carried and the request was approved.

Requesting Reimbursement of Duplicate Fees Paid

Ms. Nancy Long, representative from KB Home, appeared before the Board to request reimbursement from duplicate fees paid for Deer Run Lots 62A, 62B, and 70A. Ms. Long

presented documentation for fees of \$2,000 being paid duplicate times on Lots 62A and 62B. Mr. Ault, seconded by Mr. Hougland, made a motion that the Board take the issue under advisement for the Clerk Treasurer and the Planning Department to go over the figures presented by Ms. Long and make sure everything matches by the next scheduled meeting to be held on August 14, 2007. The motion carried.

Request for a “Blind Child” Sign to be Placed in the Cul-De-Sac in the Canary Creek Neighborhood

Ms. Shellie Fox was not present. Mr. Ault, seconded by Mr. Hougland, made a motion to approve the request and have the Street Department contact Ms. Fox. The motion carried.

Requesting Approval of the Firefighters Job Description

The City Attorney, Robert H. Schafstall, presented the City of Franklin Firefighter Job Description and requested approval of the Board. The change removes the requirement of a paramedic certification for new firefighters. A discussion was held. Mr. Schafstall stated that he will bring the official manual with completed description to the next scheduled meeting. Mr. Hougland, seconded by Joe Ault, made a motion to approve the request from the Fire Department regarding the job description of Firefighter/EMT. The motion carried.

Discussion of the City of Franklin Noise Ordinance 01-36

The City Attorney, Robert H. Schafstall presented the City’s current noise ordinance. Mr. Schafstall commented on decibel levels and how there is no easy way to keep track of that. Mr. Hougland suggested that the Council clarify when and for what reason they would grant variances. Mayor Brenda Jones-Matthews referred to a complaint letter she received in reference to construction noise that is starting early in the morning inside City limits. Construction noise is covered in the ordinance. A discussion was held. Mayor Jones-Matthews suggested looking over the existing noise ordinance and allow for Council to make suggestions at the next scheduled meeting to be held on August 14, 2007.

Discussion of the City of Franklin Trash Ordinance 06-11

The City Attorney, Robert H. Schafstall, refers to Section 4 of the City’s Trash Ordinance concerning containers to be used to capacity, with two containers per dwelling. Under the proposal, one structure is limited to two 98 gallon containers. No refrigerators are to be picked up in trash collection unless items are removed and tagged accordingly. The City is now billed on a month-to-month basis, under the same terms as what is stated in the contract for trash collection by Best Way. The City Attorney suggested sending the proposed ordinance to Council and holding a discussion at the next scheduled Council meeting. Mayor Brenda Jones-Matthews mentioned sending a letter to Best Way asking them to continue the month-to-month operating contract.

OTHER BUSINESS

Mayor Brenda Jones-Matthews suggested that sidewalk paving and drainage gutters be installed along Banta Street and that the City would pay for the improvements rather than the residents. The old Franklin High School s being remodeled into a middle school and therefore more students may walk to school. A discussion was held. Mr Hougland suggested having the City Engineer Mike Buening present project costs to the Board.

REPORTS BY DEPARTMENTS

Police Department

Police Chief John Borges had nothing to report.

Fire Department

Fire Chief Jim Reese reported that Station 22 was treated for termites and that in order for the warranty to be good for two (2) years; a contract would need to be signed for \$1,600, with two (2) annual renewal payments of \$160.00. The City Attorney reviewed the contract. Mr. Hougland, seconded by Mr. Ault, made a motion that the Board authorize the Mayor to sign the contract for \$160.00 termite control of Station 22, Franklin Fire Department. The motion carried.

Greenlawn Cemetery

Greenlawn Cemetery Superintendent Mark Webb had nothing to report.

Street Department

Street Commissioner Richard Hughes had nothing to report.

Sewer Billing

Sewer Billing Manager Brenda Poe had nothing to report.

WWTP

WWTP Superintendent Rick Littleton had nothing to report.

Planning Department

Staff Planner, Krista Linke, on behalf of City Planner Joe Csikos, provided the Board with a memorandum dated July 24, 2007 with status updates concerning:

1. 450 East King Street – Unsafe Structure Violation No. 07-038

Department staff has posted the structure as an unsafe structure after the fire that gutted the home. Mr. Ron Witt, property owner, has been cooperating with the Department of Planning. Staff visited the site on July 24, 2007 and found that demolition work in the interior of the home is continuing, as well as placement of shingles on the newly constructed roof. Mr. Witt, appeared before the Board to report on the demolition progress. Mr. Witt mentioned that he plans to raise and level the house Friday, July 27, 2007 due to water damage on the southeast corner. This will be followed by the installation of new windows. Mr. Witt also stated that construction is thirty days ahead of schedule. Mayor Brenda Jones-Matthews requested that the house be secured at all levels before workers leave the house for the day.

2. 349 West Jefferson Street

Because of concerns about the safety of this property Department of Planning had coordinating with other agencies in order to arrange an inspection of the premises. City personnel have inspected the property and submitted an additional letter of violation to the property owners. Later on staff met with the property owners and they reached an agreement to begin needed repairs. The property owners have obtained a residential remodel permit, and have begun work.

Mr. Chris Schmidt, resident of 365 W. Jefferson St., appeared before the Board to comment on the residence at 349 W. Jefferson St. The house has recently been condemned, but Mr. Schmidt said that it is now only partially repaired and the owner is re-renting it. Mr. Schmidt commented that his taxes have risen substantially, while property next to him has received the same tax bill but has not paid last years taxes. He asked how the owner will get work done that he is asked to do by the City. The Mayor explained that she and City Inspectors met with the owner, Mr. Allen last Friday and he was given a list of things to do to be able to rent one apartment. As of July 23, 2007, he had things on the list done per Mr. Csikos, and has been allowed to rent out the upstairs apartment. He now must finish other tasks to be able to rent the other two apartments. Mr. Joe Allen, owner of 349 W. Jefferson St., rents out three apartments where items on the second floor are to be sealed off and stabilized per the Mayor's request.

Engineering Department

Staff Planner, Krista Linke, on behalf of the City Engineer Mike Buening, provided the Board with a memorandum dated July 24, 2007 with status updates concerning:

RSW Industrial Subdivision

- The 7/17/07 Plan Commission meeting granted preliminary plat approval.
- Developer Mike Waugh has requested to begin construction at the end of July, 2007.
- Staff has yet to review and approve the construction plans. These will be reviewed in the next couple of weeks.
- Mr. Waugh has inspection and testing agreements that require Board acceptance. The following have been prepared for submittal:
 1. Storm & Sanitary Inspection Services Agreement - \$5,400.00
 2. Earthwork & Paving Inspection Services Agreement - \$4,000.00
 3. Earthwork & Paving Testing Services Agreement - \$6,300.00
- Staff requests acceptance of the agreements with construction to begin when approved plans are completed.

Mr. Hougland, seconded by Mr. Ault, made a motion that the Board accept the agreements for storm, sanitary, earthwork, paving and testing services. The motion carried.

Mr. Waugh asked for reimbursement of \$75,000.00 that the City has and will hold for three (3) years. The Board's consensus is to table this matter until the next scheduled meeting so that the City Engineer could participate in the discussion.

2007 Paving Program

The bid opening was held at 10:00 am 7/19/07. Milestone Contractors was low bidder with a bid of \$926,347.80.

Staff requests the Board accept Milestones bid and grant the Mayor the authority to sign the contract on 7/30/07. This will allow Milestone to move forward and not have to wait until 8/14/07.

Mr. Ault, seconded by Mr. Hougland, made a motion that the Board approve the bid of Milestone Contractors in the amount of \$926,347.80. The motion carried.

OTHER COMMENTS

Mr. Hougland commented that golf carts are being driven on city streets. A discussion was held.

ATTORNEY COMMENTS

The City Attorney, Robert H. Schafstall, presented a letter concerning a part-time civilian paramedic, Stephanie Burton. A discussion was held. Mr. Hougland, seconded by Mr. Ault, made a motion to dismiss Ms. Burton from the City of Franklin's employment for falsifying her employment application, which violates the policy and procedure manual. The motion carried.

Mr. Schafstall also discussed that a Mr. Larry Nunn would like twelve to fifteen dead trees to be removed from his property on Westview Drive at the City's expense. A claim was denied by the insurance provider due to allegations that the City applied wrong chemicals. The City Attorney, Robert H. Schafstall, suggested that the City settle the case and take on the costs of around \$10,000 for the tree removal. Mr. Ault, seconded by Mr. Hougland, made a motion to approve the payment of the cost of the tree removal. The motion carried and the request was approved.

The Clerk-Treasurer, Janet P. Alexander, requested that the monies come from the BOW 300 series drainage to be processed and released by Friday with the understanding that Mr. Nunn will provide a W-9 prior to receiving the settlement.

The City Attorney also mentioned to the Board that the Don & Donna's lawsuit against the City will go to trial on Monday, July 30, 2007 in Superior Court 3.

Mr. Schafstall discussed the Eastside Sewer Interceptor Project. The City required easements from the landowners crossed for the project. The City has not settled on a price from the Fred and Ruth Brown Trust represented by Jack Rogers. The appraisal to start is valued at \$7,000, the courts appraisal is \$9,000, and Mr. Schafstall believes the case can settle for \$18,000. The trial is set to be held on August 12th. The City Attorney requested the he be granted permission to close the gap with Mr. Rogers and report back to the Board. Mayor Brenda Jones-Matthews granted this permission.

Mayor Brenda Jones-Matthews commented on a letter of complaint she received from Mr. George Stillabower concerning the placement of stop signs at East Jefferson and Elm Street. The Mayor read the letter aloud requesting that the stop sign be removed from the area. Mr. Stillabower had commented that at a previous Board of Work's meeting, the City Engineer, Mike

Buening, was not in favor of putting stop signs at this location. However, a traffic study was done and it was determined that a sign was needed to reduce speeds. Stop signs were then placed at the intersections. Mr. Hougland suggested placing a double-sign in the area and to have the Street Department redesign the posting of the signs to make them more visible.

CLERK TREASURER

The Clerk-Treasurer, Janet P. Alexander, mentioned that a fire hydrant has been placed on Morton Street across from Mallory Parkway, at the location of the old high school, new middle school project. The Fire Chief, Jim Reese, asked if the hydrant is municipally owned or if the school owns the hydrant; as he believes it belongs to the high school and should be private as the City made the school district push U.S. Highway 31 back. Chief Reese will review who the real owner of the hydrant is and contact the water company.

Adjournment

The meeting adjourned at 7:20 p.m. The next regular meeting will be held on August 14, 2007 at 6:00 p.m. in City Hall.

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

Enrolled: August 10, 2007

Approved by the Board of Works: August 14, 2007