CITY OF FRANKLIN
BOARD OF PUBLIC WORKS AND SAFETY
Meeting Minutes
August 14, 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, Deputy Fire Chief Greg Nelson, Sewer Billing Manager Brenda Poe, Street Commissioner Richard Hughes, City Engineer Mike Buening, WWTP Superintendent Rick Littleton, Planning Director Joseph Csikos, Cemetery Sexton Mark Webb, City Attorney Robert H. Schafstall, Clerk-Treasurer Janet Alexander, and Clerk-Treasurer Assistant Dee Day. The News Media was not present for this meeting.

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

Consent Agenda
Approval and Acceptance of Minutes
Minutes of the Regular Meeting held July 24, 2007.

Accounts Payable Voucher Registers
#072707 in the amount of $23,789.72
#072807 in the amount of $5,835.80
#081307 in the amount of $77,040.55
#081407 in the amount of $194,267.14

Accounts Payable Payroll Vouchers
General Payroll in the amount of $9,984.38
Sewer Payroll in the amount of $54,462.36
Second Quarter 2007 PERF in the amount of $340,518.93
Second Quarter 2007 Co-PERF in the amount of $37,058.90
General Payroll and Pension dated July 26, 2007 in the amount of $622,435.87

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
Introduction of Resolution 07-07: A Board of Works and Safety Resolution Relative to the Financing Operations of the City's Sewage Works

The City Attorney, Robert H. Schafstall, requested that this matter be tabled until the next meeting. Mr. Hougland, seconded by Mr. Ault, made a motion to table this matter. The motion carried and the matter was tabled.

Request for "No Parking" Signage on Franklin Lakes Boulevard near the Main Retention Pond in the Franklin Lakes Subdivision

Mr. Michael Weathers, a representative from the Franklin Lakes Homeowners Association, appeared before the Board to request that "no parking" signs be posted on Franklin Lakes Blvd. near the main retention pond in the subdivision. Mr. Weathers was concerned that Foxtail Drive, Shoreline Lane, and Youngs Creek Drive were too narrow for cars parking along both sides of the roads. A discussion was held. Mr. Hougland, seconded by Mr. Ault, made a motion to have the Police Department take a look at the area and report back to the Board at the next meeting to be held on August 28, 2007. The motion carried and the matter was tabled.

Discussion of Denied Tort Claim and Request for Reimbursement of Damages

The petitioner, Ms. Beverly Bowman, was not present. WWTP Superintendent, Rick Littleton, explained that Ms. Bowman had contacted him concerning the request for reimbursement of damages done to her home due to a sewer back up into her washing machine in the basement of her home located at 301 E. King Street. A discussion was held. Mr. Hougland, seconded by Mr. Ault, made a motion to deny the request for reimbursement. The motion carried and the request was denied.

Request for a "Duck Crossing" Sign to be Placed on Eastview Drive North of the Traditions Apartments and at the Light on State Road 44

The petitioner, Ms. Audrey May, was not present. Mr. Ault, seconded by Mr. Hougland, made a motion to table the request until the next meeting. The motion carried and the matter was tabled.

Request for Variance of the City's Noise Ordinance

Mr. Bill Dever, representative from B Movie Celebration Co., and Ms. Pam Gibson, resident of Franklin, appeared before the Board to request a variance of the city's noise ordinance for August 17 and 18 in order to show movies in Province Park at the Rose Garden. Mr. Dever also requested approval from the Board to place a search light in front of the Artcraft Theatre on August 17, 2007 for the world premier of the Hollywood film "Cry of the Wing Serpent". Mr. Hougland, seconded by Mr. Ault, made a motion to approve the request. The motion carried and the request was approved.

OTHER BUSINESS

The City Attorney, Robert H. Schafstall, reported that the current recycling contract with Best Way Disposal has expired. Best Way has offered to continue to provide collection services but requires that we enter into a temporary agreement which includes higher collection rates. Mr. Schafstall recommended that the Board approve the temporary contract and pay the higher rates until December 31, 2007. A discussion was held. The next steps include the adoption of the proposed ordinance, the development of specifications for bidders, advertising for bids and scheduling a bid opening. The Clerk Treasurer said that she believes that the Board of Works could award the contract at the first meeting in October if everything goes as planned. The consensus of the Board was to have the bid opening to be held on September 25, 2007. Mr. Ault, seconded by Mr. Hougland, made a motion to approve the scheduling of the bid opening. The motion carried. Mr. Hougland, seconded by Mr. Ault, made a motion to approve the temporary price increase. The motion carried.

REPORTS BY DEPARTMENTS

Police Department
Police Chief John Borges reported that the Police Department Evidence Technician, Larry Kephart's short-term disability leave is due to expire August 17, 2007. Chief Borges mentioned that he received a letter from Mr. Kephart's physician stating that he could return to work on September 3, 2007. Chief Borges requested that the Board approve an extension of his leave for ten (10) more working days. A discussion was held. Mr. Ault, seconded by Mr. Hougland, made a motion to approve the extension for ten (10) more working days. The motion carried.

Chief Borges also mentioned that he had visited the new High School and felt that the speed limit signs on Branigin Road and Commerce Drive, currently posted at 45 miles per hour, should be lowered to 30 miles per hour from U.S. Highway 31 to the city limits. A discussion was held. Mr. Hougland, seconded by Mr. Ault, made a motion to endorse the Chief's request and have the necessary signs changed and/or erected. The motion carried.

Fire Department
Deputy Fire Chief Greg Nelson had nothing to report.

Sewer Billing
Sewer Billing Manager Brenda Poe had nothing to report.

Greenlawn Cemetery
Greenlawn Cemetery Sexton Mark Webb had nothing to report.

Street Department
Street Commissioner Richard Hughes had nothing to report.

WWTP
WWTP Superintendent Rick Littleton requested approval for payment of two engineering invoices from Commonwealth Engineering for the ATAD Project. Invoice #21218 in the amount of $539.13 and Invoice #21219 in the amount of $197.88. Mr. Ault, seconded by Mr. Hougland, made a motion to approve the request. The motion carried.

Engineering Department
City Engineer Mike Buening provided the Board with a memorandum dated August 14, 2007 with status updates concerning:

<u>2007 Paving Program</u>

- Milestone has advised they plan to begin construction activities on 8/20/07

- The sidewalks to be placed along Banta that were discussed at the 7/19/07 Board meeting are now proposed to be installed along the south side of Banta. Staff requests Board concurrence that placing new walks does fall under our sidewalk replacement program and would not include contributions from homeowners.
- Work at the Commerce Drive bridge approaches will require closure of Commerce Drive. Staff will provide notice in advance of the closure.

Mr. Ault, seconded by Mr. Hougland, made a motion to approve the City Engineer's request. The motion carried.

The City Engineer asked the Board to consider revising the Musicland Drive / Arvin Drive Intersection to a 4-way stop. He explained that in his opinion, traffic at this location is not predominant on Arvin Road west of the intersection. The primary movement is following the truck route of Arvin Road to Musicland Drive. A discussion was held. This request will be discussed at the next meeting.

Planning Department

Planning Director Joe Csikos provided the Board with a memorandum dated August 14, 2007 with status updates concerning:

<u>450 East King Street – Unsafe Structure Violation No. 07-038</u>

Department staff has posted the structure as an unsafe structure after the fire that gutted the home. Staff visited the site on July 24, 2007and found that demolition work in the interior of the home had been continuing as well as placement of shingles on the newly constructed roof. The residence was scheduled and inspected for a structural rough-in inspection Monday August 13, 2007. The structure was found to be structurally stable, and the unsafe structure placard was removed while the Condemned Placard remains. Building Inspector David Parsley has provided a memorandum regarding the findings of the inspection which is attached to this report.

Mr. Csikos also mentioned that Joanna Myers, the Zoning Administrator, had a baby boy, named Alexander Morgan, this morning. Ms. Myers was requesting short-term disability. Mr. Csikos mentioned that Ms. Myers would be back to work on September 24, 2007. The Clerk-Treasurer, Janet P. Alexander, mentioned that short-term disability is 30 days. Mr. Csikos asked for an additional 13 days of disability. Mr. Ault, seconded by Mr. Hougland, made a motion to approve the City Planner's request. The motion carried.

The Clerk-Treasurer, Janet P. Alexander, mentioned that Ms. Myers has filed for FMLA and requested approval of the request from the Board. Mr. Ault, seconded by Mr. Hougland, made a motion to approve the request for Family Medical Leave. The motion carried.

CLERK TREASURER

The Clerk-Treasurer, Janet P. Alexander, mentioned that Ms. Nancy Long, from A-1 Expeditors, had come before the Board requesting a refund of $6,000.00 in duplicate fees paid for Deer Run lots 62A, 62B, and 70A. Mr. Hougland, seconded by Mr. Ault, made a motion to approve the refunding of overpayments to A-1 Expeditors. The motion carried.

Ms. Alexander also mentioned that she received a letter from Sam's Club stating they could not change the names on the accounts as requested. Ms. Alexander requested Board approval to cancel the Parks Department and Police Department accounts with Sam's Club and Sam's Club Direct, and request the departments re-apply in the City of Franklin name. Mr. Ault, seconded by Mr. Hougland, made a motion to approve the request of the Clerk-Treasurer. The motion carried.

Ms. Alexander mentioned that Central Collections Bureau has collected $6,066 in debt thus far for fire medic services. Ms. Alexander stated that there is approximately $23,000 in debt that will need to be written off by the City. She will discuss that process with the City Attorney and bring that back to the Board at a later date.

Council Member Steve Hougland asked how the City's amnesty program was working out. Clerk-Treasurer Assistant, Dee Day, stated that the Clerk's office has received quite a few payments since the advertisement. Mayor Brenda Jones-Matthews asked when "the list" would be published. Ms. Day stated that the list would appear in the Daily Journal Saturday, August 25, 2007.

Mayor Jones-Matthews mentioned that Developer Mike Waugh had appeared before the Board requesting a refund of $3,500. The Board referred back to the minutes of July 24, 2007 and noted that the minutes stated that he requested $75,000 which was determined to be a typographical error. City Engineer Mike Buening stated that Mr. Waugh was requesting a reimbursement of $3,500 for inspection testing agreements on a set of plans for development that Mr. Waugh would plat off into two sections; however, Mr. Buening does not have the two sets of plans. Mr. Buening recommended that the Board not approve the reimbursement to Mr. Waugh due to reasons stated.

Attorney Comments
City Attorney, Robert H. Schafstall, recommended that the Board compromise and settle a $25,000 lawsuit with Fred and Ruth Brown. Mr. Schafstall suggested the settlement should be paid out of the sewer improvement fund. Mr. Hougland, seconded by Mr. Ault, made a motion to approve the request. The motion carried.

Adjournment
The meeting adjourned at 6:53 p.m. The next regular meeting is scheduled for August 28, 2007 at 6:00 p.m. in City Hall.

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

Enrolled: <u>August 20, 2007</u>

Approved by the Board of Works: <u>August 28, 2007</u>