CITY OF FRANKLIN
BOARD OF PUBLIC WORKS AND SAFETY
Meeting Minutes
January 24, 2006

Opening

Mayor 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

Mayor Jones-Matthews and board members Joe Ault and Steve Hougland were present. Also present was Police Chief John Borges, Fire Chief Jim Reese, Sewer Billing Manager Brenda Poe, WWTP Superintendent Rick Littleton, City Engineer Mike Buening, Planning Director David Weir, Street Commissioner Richard Hughes, City Attorney Robert H. Schafstall, Clerk Treasurer Janet Alexander, and Clerk Treasurer Assistant Kristi Bruther.

An invocation and the Pledge of Allegiance were offered.

Special Announcements

None

Public Comments

None

Presentations

None

Consent Agenda

Mr. Ault seconded by Mr. Hougland made a motion to approve the consent agenda items.

1. Minutes of the meeting held January 10, 2006
2. Approval of Claims presented by the Clerk Treasurer.

The motion carried and the consent agenda was approved.

Old Business

None

New Business

Request for Return of Performance Bond in the Amount of $408,302.40 for the Bartram Extension Phase 2

Kevin McGinnis, Franklin Tech Park Associates representative, appeared before the Board to request the release of performance bonds for Franklin Tech Park Section 2 Bartram Parkway Extension and accept the issuance of maintenance guarantees. City Engineer Mike Buening referred to his status report dated January 24, 2006 in which he reported that the following maintenance guarantees have been submitted for acceptance: Bond #104614254 – Sanitary Sewers - for $66,166.00, #104614255 - Storm Sewers and Underdrains- for $36,975.00, #104614256 – Curbs – for $11,536.00, #104614257 – Asphalt, Stone & Sub-grade – for $49,812.00, #104614258 – Concrete Swales – for $6,250.00, #104614259 – Signs & Monuments – for $1,250.00; performance guarantee submitted for acceptance: Bond #104614264 – Erosion Control – for $21,875.00. He also listed the following performance guarantees which the developer has asked be released: LOC #003105 for $480,302.40 and LOC #003106 for $38,295.60. Mr. Buening recommended that the Board approve the request to release the performance bonds and accept the maintenance bonds. City Attorney, Rob Schafstall, concurred with the City Engineer's recommendation. Mr. Hougland made a motion to approve the recommendation of the City Engineer and accept maintenance bonds in lieu of performance bonds, seconded by Mr. Ault. The motion carried and the request was approved.

Request to Waive Building & Sewer Permits for 999 Creekwood Lane
Mr. Mike Gorman and Mr. Doug Grant, petitioners for Habitat for Humanity, were not present. Mr. Hougland made a motion to table the request, seconded by Mr. Ault. The motion carried and the matter was tabled.

Request of Wrecking & Building Permits for a Home in Knollwood Farms
Mr. Mike Gorman and Mr. Doug Grant, petitioners for Habitat for Humanity, were not present. Mr. Hougland made a motion to table the request, seconded by Mr. Ault. The motion carried and the matter was tabled.

Request Approval of the Final Plat for The Estates at the Legends
Mr. Steve Huddleston, Esq. appeared before the Board to request the approval of the final plat for the Estates at the Legends. Mr. Buening recommended approval of the plat explaining that the final plat includes all planning and engineering comments, that an offsite drainage easement and covenants will need to be recorded concurrently with the plat, and that $6,000 performance guarantee has been submitted to guarantee completion of the common perimeter drain. The City Attorney concurred with the engineer's recommendation. Mr. Hougland made a motion to approve the request, seconded by Mr. Ault. The motion carried and the plats were approved and signed.

Request for an Additional Building for Heather Glen at the Legends
Mr. Steve Huddleston, Esq., attorney for the developer, appeared before the Board to request an additional building (this would make a third building) within Heather Glen portion of the Legends. The developer said that the building would not be occupied or utilized until the plat has been recorded. Mr. Weir stated that this is not an uncommon request and recommended the request be approved. Mr. Hougland made a motion to approve the request, seconded by Mr. Ault. The motion carried and the request was approved.

Discussion of Unsafe Structures at the former Wright Farm, 398 W. Madison St., 351 Yandes St., and 198 S. Main St.

Planning Director David Weir provided a memo to the Board listing four structures that his department believes to be unsafe and requested the Board tell him what actions they want taken to remedy the problem. A discussion was held.

<u>1058 E State Road 144 (aka Wright Farm)</u>
Mr. Weir explained that this property was tagged as unsafe on October 3, 2005 and that the property owners have contracted with Wallace Construction to demo the property, however, they are waiting until the ground freezes in order to enter the property and complete the demolition. Mr. Hougland, seconded by Mr. Ault, made a motion to allow the property owners 30 days to tear down the property, and failure to do so would result in the City moving forward with filing a lien on the property and tearing it down.

<u>398 W. Madison Street</u>
Mr. Weir explained that this structure was damaged by a fire a few years ago. He said that the property owner, Mr. Brad Crowe, had come in to get a building permit to repair the home, but all he has done is board it up. The permit has expired. Mr. Weir suggested they get a building official to tag it as an unsafe structure and get an estimate to restore the property for occupancy, and fine the owner.

<u>351 Yandes Street</u>
Mr. Weir explained that this structure was also damaged by a fire and that the current property owner has a valid building permit. He explained that the new property owner purchased the fire damaged home with the intention of turning it into apartments, which violates the zoning ordinance. Once he learned that it could not be used for multi family housing, nothing further has been done to repair the home.

Mr. Weir said that the City boarded up the structure for safety. He suggested that they have the property inspected and declared unsafe.

<u>198 South Main Street</u>
Mr. Weir said that the department has spoken with the property owner; Mr. Emery Miller has stated that he is in the process of getting a loan to repair the home. However Mr. Weir believes that he has not followed through.

Mr. Hougland inquired about the possibility of the Plan Commission addressing unsafe properties. Mr. Weir stated that currently unsafe structures fall under the Municipal Code. Mr. Hougland recommended that an ordinance be drafted to hold property owners accountable for maintaining their property within the City. Mr. Hougland recommended that Mr. Weir meet with Mr. Shilts to look at sample language for a proposed ordinance. Mr. Weir explained that he has ample direction and will continue to keep the Board informed.

Mayor Brenda Jones-Matthews stated that she met with one of the County Commissioners regarding the three boarded up houses on Wayne Street and that the County has agreed to remove the items stored within the buildings and demolish the buildings. Director Rob Shilts from Franklin Heritage said that he would like an opportunity to tour the homes before they are demolished. A discussion was held.

Other Business
None

Reports by Departments

Police Department
Chief John Borges had nothing to report.

Fire Department
Chief Reese had nothing to report.

Sewer Billing
Ms. Brenda Poe had nothing to report.

WWTP
Mr. Rick Littleton presented an annual maintenance agreement for the gas pumps and requested that the Board approve the contract and authorize the Clerk-Treasurer to pay for the service pursuant to the contract. The current contract expires Feb 6, 2006. The new agreement is for one year, with a cost of $2,050.00 annually. Mr. Hougland, seconded by Mr. Ault made a motion to approve the request. The motion carried and the contract was approved and signed.

Engineering
City Engineer Mike Buening referred to his memorandum dated January 24, 2006 and reported on the following items:

1. Commerce Drive – US 31 Traffic Signal
   INDOT is currently preparing construction plans for the new signal to be built at this intersection. INDOT has requested that the Board approve the installation of traffic signal infrastructure within the roadway, drainage and utility easements on lots 3 and 4 of Franklin Commerce Park subdivision. Mr. Hougland inquired about the time frame of completion, in which Mr. Buening indicated that it should be completed by the end of the year and prior to the completion of the new high school. Mr. Hougland made a motion to approve the request of INDOT, seconded by Mr. Ault. The motion carried and the request to approve the installation of a traffic signal infrastructure was approved.

2. Commerce Drive – US 31 Traffic Signal
   Sandor Development has posted a $15,000 performance guarantee to be applied to the costs of the traffic signal as part of their approval of the Wal-Mart Plaza Section 3 development. INDOT's Traffic Section has advised that they would rather the City perform the upgrades to Commerce Drive pavement with this performance guarantee and not

include separate funding with the traffic signal project. Sandor is agreeable to cooperate with funding a City improvement to Commerce Drive. Mr. Buening requested permission to proceed with the process of determining work limits and obtaining quotes to upgrade Commerce Drive. Mr. Ault made a motion to approve the City Engineer's request to move forward with the process of making improvements to Commerce Drive, seconded by Mr. Hougland. The motion carried and the request was approved.

3. Heritage Section 4

   Cinergy has submitted a lighting agreement for 11 street lights at a monthly charge of $5.28 per light. The locations stipulated have been reviewed and corrections made. Mr. Hougland, seconded by Mr. Ault made a motion to approve the contract with Cinergy. The motion carried and the contract was approved and signed by Mayor Jones-Matthews.

Planning Department
Mr. Weir had nothing else to report.

Street Department
Street Commissioner Richard Hughes reported that they are out cleaning the gas tanks and no fuel will be available tomorrow during this process.

Clerk-Treasurer
Clerk-Treasurer Janet Alexander notified the Board that a St. Paul Travelers claim adjuster has contacted her office in regard to the portable basketball goal that was hit by a snow removal truck this winter. Ms. Alexander requested that Mr. Buening and Mr. Hughes review the complaint and provide information so that she may follow-up with the adjuster.

At this point in the meeting, Mr. Emery Miller, the property owner of an unsafe home located at 198 S. Main St., arrived and asked the Board what he needs to do to prevent the Board from pursing legal actions against him. Mr. Weir told him that the roof needs to be replaced and the porch needs to be secured. The City Attorney remarked that the Board has imposed a thirty day period in which the required improvements need to be made, or a daily fine will be imposed. Mr. Miller inquired about the type of work that is expected. The Board stated that the first repair should be the roof. Mr. Miller agreed to make some improvements and report back to the Board in approximately thirty days. Mr. Hougland indicated that the next meeting, approximately thirty days out, is February 28, 2006. The Board directed Ms. Alexander to send Mr. Miller a reminder of the meeting at the address of 1059 N. Matthews Road, Greenwood, IN 46143.

City Attorney
City Attorney Rob Schafstall had nothing to report.

Board Members
Mayor Jones-Matthews reported that the Franklin Township Trustee, Cecilia Campbell and the Township Advisory Board have submitted a signed contract for fire protection services for Franklin Township in the amount of $40,000 for January 1, 2006 through December 31, 2006. Mr. Ault made a motion to approve the contract with the Franklin Township Trustee, seconded by Mr. Hougland. The motion carried and the contract was approved and signed.

Mayor Jones-Matthews referred to an email from Cinergy that was distributed by the Clerk-Treasurer to Board members and department heads regarding the upcoming increases. Cinergy has estimated that electric bills will increase anywhere from 18 to 33% this year.

Mayor Jones-Matthews also read a letter she received from the Johnson County Juvenile Detention Center recognizing and commending Fire Inspector Ed Daugherty.

Adjournment
The meeting adjourned at 7:00 p.m. The next regular meeting will be held on February 14, 2006 at 6:00 p.m. in City Hall.

Respectfully submitted by,
Janet P. Alexander, Clerk Treasurer

Approved by the Board of Works: 2-14-06