

**CITY OF FRANKLIN
BOARD OF PUBLIC WORKS AND SAFETY**

Meeting Minutes
October 14, 2003

Opening

Mayor Norman P. Blankenship called the regular meeting of the Board of Public Works and Safety to order at 6:00 p.m. on October 14, 2003 in City Hall.

Regular Meeting

Present: Mayor Norman P. Blankenship, Jr., Mr. Joseph Ault and Mr. Stephen D. Hougland were present. Also present was Clerk Treasurer Janet P. Alexander, City Attorney Robert H. Schafstall, Police Chief John Borges, City Engineer Mike Buening, Fire Chief Mike Herron, Street Commissioner Richard Hughes, and Planning Director David Weir.

Approval of Minutes

The minutes of the previous meeting held September 23, 2003 and the minutes of the Executive Session held October 6, 2003 were approved as distributed.

Approval of Claims

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

Date	Type	Description	Amount
9-26-03	Civil City	Payroll - Pension	48,793.40
		Total Civil City Payroll Claims	48,793.4
10-14-03	Civil City	Vendor Claims #29326 – 29343	10,843.39
10-14-03	Civil City	Vendor Claims #29344 - 29538	3,440,938.84
		Total Civil City Vendor Claims	3,451,782.23
10-14-03	Sewer	Vendor Claims #5870-5938	157,687.13
		Total Sewer Utility Vendor Claims	157,687.13

Clerk-Treasurer Alexander requested that the Board specifically approve the payment of two invoices from Expanets of Indiana, LLC for the purchase of six (6) Cisco Routers for \$22,448.40 to be paid out of the Sewer Improvement Fund, Account 812-1.00-100.00. Mr. Ault made a motion, seconded by Mr. Hougland, to approve the claims as presented by the Clerk-Treasurer. The motion carried.

Old Business

Telecommunications Bid Award: Mr. Frank Schumacher the Chairman of the City's Telecommunications Council and Mr. Paul Johnson of Paul Johnson and Associates Consulting returned to review the bids. The City Attorney and Frank and Paul Johnson recommended that the City award Part I Voice Systems to the low, responsive and responsible bidder, Expanets of Indiana, LLC. The City Attorney recommended that the City discard the Part II bids and obtain vendor quotes for that part of the project. Mr. Hougland made a motion to accept Expanets bid for Part I and to toss and reject all Part II bids, seconded by Mr. Ault. Paul Johnson referred to Page 11 in his bid specifications concerning project financing. He recommended that the City enter into a lease to purchase agreement but to plan to pay the lease off after thirtyseven (37) months.

Solid Waste Curbside Recycling Contract Bid Opening: City Attorney Robert H. Schafstall opened and read the bids aloud. The bids submitted were from Best Way Disposal and Rumpke of Indiana LLC.

Best Way Disposal proposed the following:

Service	Solid Waste	Curbside Recycling	Commercial Service	Total
Annual Total	\$517,968.00	\$167,112.00	\$16,632.00	\$701,712.00
Total Contract 24 Months	\$1,035,936.00	\$334,224.00	\$33,264.00	\$1,403,424.00

Rumpke of Indiana LLC proposed the following:

Solid Waste Collection	\$45,474.00 Per Month
Curbside Recycling Collection	\$13,200.00 Per month
Monthly Total*	\$58,674.00

Annual Contract Amount \$704,088.00

*Based on 6,600 units at \$8.89 per unit per month.

Alternate Bid #1

Solid Waste Collection	\$44,418.00 Per Month
Curbside Recycling Collection	\$13,200.00 Per month
Monthly Total*	\$57,618.00

Annual Contract Amount \$691,416.00

*Based on 6,600 units at \$8.73 per unit per month.

Alternate Bid #2

Solid Waste Collection	\$54,318.00 Per Month
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Curbside Recycling Collection	\$13,200.00 Per month
Monthly Total*	\$67,518.00
Annual Contract Amount	\$810,216.00

*Based on 6,600 units at \$10.23 per unit per month.

After reading the bids received aloud, the City Attorney asked if anyone in the audience had any comments or questions. No one spoke up. Mr. Schafstall stated that they would take the bids under advisement and the decision concerning the award would be announced at the next regular meeting to be held on October 28, 2003.

Rumpke Report

Ms. Teri Littleton presented the monthly report for September 2003 and was available to answer questions.

Discussion of Board of Works Line Items 335, 337, and 339: The Board discussed the need to request an additional appropriation for Board of Works Line Items 335, 337 and 339. Mr. Hougland, seconded by Mr. Ault, made a motion that the Clerk-Treasurer prepares an ordinance for introduction to the City Council requesting an additional appropriation. The motion carried.

New Business

Heritage Trails Section 1 – Final Plat and Bonds: Mr. Steve Williams of Franklin Engineering presented the final plat for Heritage Trails Section 1. David Weir, Planning Director, stated that the plat is in conformance with the Plan Commission guidelines. Mr. Buening, City Engineer, stated that the Subdivision Plat has been reviewed and meets all requirements.

The following guarantees issued by Mutual Savings Bank to the developer RSW of 1195 N. Morton Street, Franklin, Indiana, 46131 were presented:

Sanitary Sewers Maintenance	A-1	\$9,351.70
Storm Sewers Maintenance	A-2	\$3,585.80
Asphalt Paving & Stone Maintenance	A-3	\$6,500.00
Curb Maintenance	A-4	\$2,223.00
Sub-Grade Stabilization Maintenance	A-5	\$1,450.00
Road Sub-grade Maintenance	A-6	\$1,750.00
Future Trail Connection Performance	A-7	\$3,225.00
Erosion Control Performance	A-8	\$23,000.00

The City Attorney reviewed the bonds and stated that they were acceptable. Mr. Ault, seconded by Mr. Hougland, voted to approve the final plat and accept the Letters of Credit submitted. The motion carried. The plat was approved.

Mr. Buening presented a Cinergy street light proposal for the Heritage Trails Subdivision Section 1. Mr. Hougland, seconded by Mr. Ault, voted to approve the lighting plan.

Traffic issue on Acorn Drive in Oak Leaf Manor: Chief John Borges explained that he met with the petitioner Christy Lowhorn regarding her concerns about the safety of the intersection of Acorn Drive and Galaxy Drive. He recommended that the two way stop be modified into a 3-way stop. There were no objections to this change from the Planning Department, Engineering Department or Street Department. Mayor Blankenship suggested that this should be a double stop sign. Mr. Ault made a motion to approve, seconded by Mr. Hougland. The motion carried. Approved.

Variance from Noise Ordinance: Mr. Frank Schumacher a resident of Green Court requested permission to block off the Court Saturday October 18, 2003 for a neighborhood block party with a bonfire (they have a permit from the fire department for the bonfire) and a D.J. from 6:30 p.m. – 12 Midnight. Mr. Ault made a motion to approve, seconded by Mayor Blankenship. The motion carried. Approved.

Heritage (Brookhaven) Section 1 – Final Plat: Mr. Darren Pittman with Schneider Engineering Corp. presented the final plat for the Heritage Subdivision (formerly known as Brookhaven). The developer submitted performance bonds for the planned improvements.

Sanitary Sewers	\$420,027.60
Storm Sewers	\$651,091.20
Streets	\$776,901.18
Grading	\$503,506.50
Signs	\$16,920.00
Monuments	\$20,280.00
Landscaping	\$129,600.00
Developer Walks & Paths	\$114,361.82
Erosion Control	\$150,434.71

The City Attorney reviewed and approved the bonds presented. The City Engineer Mr. Buening recommended that the Board accept the Bonds and reported that the subdivision plat was reviewed by the Planning and Engineering departments and meets all requirements. A discussion was held concerning the name selected for the subdivision. The Board Members expressed concern about the similarity between Heritage and Heritage Trails that is another subdivision currently being developed. Mayor Blankenship made a motion to approve, seconded by Mr. Ault. Mr. Hougland voted nay. The motion carried. Approved.

Branigin Blvd. Addressing: The Planning Director David Weir referred to a memorandum prepared by Krista Linke recommending that all addresses on S. State Street and the roadway known as Old Highway 31 be renumbered and the street be renamed Branigin Boulevard. The Mayor stated that if this recommendation includes the section of road beyond the intersection of South Street and South State Street he would veto the ordinance. Mr. Hougland made a motion to consider changing the name of State Street to Branigin Boulevard from Jefferson Street to the intersection of South and State Streets. Mr. Ault seconded. The motion carried.

Fire Station/Equipment Issues: Fire Chief Mike Herron shared information with the Board of Works concerning equipment needed for the Fire Department. Chief Herron initiated a dialogue with the Board concerning several issues. Chief Herron stated that the new fire station should be equipped with a multi-purpose fire engine that includes a tank, an aerial and ladder storage. The City Attorney stated that no progress had been made in the negotiations with a local landowner for the purchase of land for the fire station. Chief Herron also stated that the condition of the department's existing aerial is very poor and repairs over the last several years have been costly. Board Member Joe Ault stated that he accompanied Fire Chief Herron to

Florida to look at aerals that were available. Mr. Ault stated that he acknowledges that there have been serious problems with the aerial, but believed that it could be repaired if he could locate a mechanic with the proper expertise. The Indianapolis Fire Department has indicated that the main frame is bent affecting the torque box resulting in problems, but stated that the bottom line is that we have a truck that needs fixed and is at the end of its useful life and he is now leaning toward the purchase of a second fire truck with an aerial. The truck that they looked at in Florida costs \$545,000 and Chief Herron suggested that it could be purchased using Fire Medic Fund dollars or financed over time. Mayor Blankenship stated that the ideal balance in the Fire Medic Fund would be around \$250,000. The current balance in the Fire Medic Fund is \$183,000. The discussion turned to the purchasing process. The Board discussed the following possible scenarios:

1. Declare an emergency to avoid the bid process;
2. Bid the equipment as a stock unit with optional bells and whistles;
3. Mr. Ault asked the City Attorney to look into the State Law which allows a government unit to make a special purchase without bidding if it is determined that the equipment can be acquired at a substantial savings.

Mayor Blankenship asked Chief Herron to make his recommendation to the Board. Chief Herron asked the Board to declare an emergency to purchase the equipment. The Board asked the City Attorney to look into all of the City's options to decide on the appropriate purchase procedure in order to cut the delivery time to a minimum. Mayor Blankenship recommended that the matter be tabled to allow the City Attorney to review the applicable statutes. He stated that if necessary a special meeting could be called to discuss the purchase. Tabled.

STAFF REPORTS

Planning Department

Planning Director David Weir referred the Board to his status of tasks memorandum titled Board of Works Status Report dated October 14, 2003. He also informed the Board that the developer of Northpointe Commercial Subdivision Section 1, Mr. David Dowden, posted a letter of Credit with the City of Franklin to record the final plat for section one of the development. The letter of credit was the financial guarantee accepted for the construction of the developments street, storm sewer and erosion control measures. These improvements have not been made to the site and the developer has provided a new letter of credit extending the time of the financial guarantee. He told the Board that to date the developer has not added any buildings or structures on the site. He also stated that if the Board accepted the new letter of credit, the previous letter should be returned to the issuing bank.

The City Attorney reviewed the letter of credit titled Irrevocable Letter of Credit Number DWD-102 for an amount not to exceed \$50,000.00 for Street Construction, Storm Sewer, & Erosion Control. Mr. Hougland made a motion to accept the new letter of credit and to release the original letter, seconded by Mr. Ault. The motion carried. Approved.

Engineering

Mr. Mike Buening provided the Board of Works his Status Report dated October 14, 2003. He reported specifically about the following matters.

East Interceptor Project - Jerry Ott, Civil & Environmental Consultants, Inc., has submitted plans & specifications. Comments of the plans and specs were reviewed with Jerry Ott on 8/12/03. Mr. Ott submitted revised plans and specifications on 10/13/03. The City Engineer requested

the plans be submitted to IDEM, Johnson County Commissioners and Johnson County Drainage Board for approval.

2003 Paving Program – An eight (8) inch gas main relocation is required along the south SR 44 right-of-way. Cost sharing with Vectren will be required. The Redevelopment Commission has given approval to use TIF funds to pay for this work. Mr. Hougland made a motion, seconded by Mr. Ault, to allow Mayor Blankenship to sign an agreement with Vectren for cost sharing. The motion carried. Approved.

Cinergy Easement - Cinergy has requested that the City grant a 40 ft x 10 ft underground line easement just east of the railroad under the existing overhead electric easement on the Linville parcel north of Commerce Drive. Mr. Hougland, seconded by Mr. Ault, made a motion to grant the easement. Approved.

Branigin Boulevard – Mr. Buening submitted Change Order 2 for Board approval. The Change order deletes all or part of 20 pay items and adds 15 new pay items that were needed to properly proceed with the project. The new items include 5 brick embossed concrete crosswalks and the 2" conduit for the streetlights. The change order is for a decrease of \$7,289.68 to the contract. Mr. Ault, seconded by Mr. Hougland, made a motion to approve the Change Order. Approved.

Jefferson Street Downtown Lighting - INDOT is currently putting together plans to resurface SR44 and have asked whether or not we wish to have them include any conduits in the plans. Installation of conduits under Jefferson Street has been discussed to provide electric service below grade for future "Acorn" style streetlights. In Mr. Buening's discussions with INDOT, they indicated that the City would have to pay them to provide the conduits. Mr. Buening provided estimates for the possible costs:

Jackson Street – Water Street	\$13,000 - \$17,000
Water Street – Home Avenue	\$7,000 - \$9,000
Walnut Street – Jackson Street	\$11,500 - \$15,500
Total all areas	\$31,500 - \$41,500

Discussion held. The Board discussed possible partnerships with the Chamber of Commerce, the Historical Society and an organization referred to as CAW. Mayor Blankenship made a motion to allow the City Engineer to contact INDOT and inform them that the City wants the conduit installed along Jefferson Street. Mr. Ault seconded the motion and the motion carried. Tabled.

Mr. Hougland asked Engineer Buening to look into the damage to the curbs along Jefferson Street and at the area where a large pit had been dug, filled in, and resurfaced which has sunk several inches below the road grade on Henry Street. He believes that contractors working on the Jefferson Street Bridge Project caused both problems.

Police Department

Police Chief John Borges had no reports; however, Mayor Blankenship congratulated Chief Borges on his recent marriage.

City Attorney's Report

Robert H. Schafstall, Esq. reported that pursuant to Board instructions he had made an offer to the Cooley Estate for \$20,100 for the purchase of an easement for the Eastside Sewer Interceptor Project. The owners replied that they would accept the offer as long as the City also agreed to allow them to tap on to the sewer system. They also agreed to waive remonstrance in the event that the City elects to annex their property. Concerning the Hougham Family Trust, he

stated that he has not made any offer for the purchase of their land pursuant to the Boards direction. Tabled

The City Attorney reported on the status of the City of Franklin vs. Jim Jachimiak. Attorney Schafstall reported that the home on Edwards Street has been sold to Franklin College and he asked the Board whether or not to pursue the matter any further. Mr. Hougland made a motion to dismiss the case, seconded by Mr. Ault. The motion carried and was approved.

Clerk Treasurer's Reports

The Clerk Treasurer Janet P. Alexander reported on the following matters

Clerk Treasurer Alexander asked the Board of Works to advise her as to their preference concerning the amount to be billed to Access Johnson County and Senior Services for gasoline used for the months of July and August. The Clerk explained that around that time the pumps failed causing the fuel usage reports to be inaccurate. It is due to this problem that the Clerk has been unable to obtain accurate information regarding the exact quantity of gasoline dispensed. Access Johnson County's records could be used to prepare an estimated bill however Senior Services records do not appear to be complete.

The Clerk Treasurer also requested that the Board reassign the responsibility for preparing bills for the gasoline dispensed. Discussion held. Mayor Blankenship agreed to reassign the responsibility to determine the exact amount due for gasoline dispensed and stated that he would discuss the matter with Mr. Littleton. He suggested that Mr. Littleton could present the Clerk Treasurer with a monthly statement that would specify the amount to be billed to each agency each month. Discussion held. Board Members stated that it would be important that the billing is accurate and the data used is reliable.

The Clerk Treasurer reminded the Board about the information included their packets regarding an IRS ruling that municipalities must pass a Resolution to allow employees to make a pre-tax contribution to their annuity account through the Public Employees' Retirement Fund. The Mayor asked the City Attorney to contact Jody Woods with IACT to discuss possible legal issues. The Mayor stated that he would contact PERF and invite them in to make a presentation. Tabled.

Mayor's Reports

Mayor Blankenship stated that the November 11, 2003 meeting falls on Veterans Day and therefore the Board will need to decide whether to hold the regular meeting. No action was taken. The Mayor also informed the Board that progress has been made toward a design plan for industrial signage.

Adjournment

The meeting adjourned at 8:30 p.m. The next regular meeting will be held October 28, 2003 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