

**Board of Public Works and Safety
Regular Meeting Minutes
September 21, 2015**

The regular meeting of the Board of Public Works and Safety of the City of Franklin, Indiana was called to order at 5:00 p.m. at City Hall, 70 E. Monroe Street, with Mayor Joseph E. McGuinness presiding. Board members Stephen Barnett and Bob Swinehamer answered roll call.

Chief of Police Tim O'Sullivan, Fire Chief Dan McElyea, Parks Department Superintendent Chip Orner, Sewer Billing Office Manager Sherry Phillips, DPW Superintendent Rick Littleton, Community Development Director Krista Linke, City Engineer Travis Underhill, Clerk Treasurer Janet Alexander, Records Clerk Kathy Cragen, and City Attorney Lynnette Gray were also in attendance. Street Commissioner Brett Jones was absent.

Mayor McGuinness led the Pledge of Allegiance.

Public Comments

Mr. Marty Williams Executive Director of Discover Downtown Franklin thanked the Board of Works and the Mayor for their support of all the events held this year.

Consent Agenda

Mayor McGuinness presented the consent agenda for approval.

1. Approval of Minutes from meeting held August 17, 2015
2. Board of Works Claims.
 - Pool Party Rentals Payroll in the amount of \$3,750.00
 - Payroll in the amount of \$349,206.94
 - #082115 BOW Contracts/Utilities in the amount of \$29,011.60
 - #081815 Buy-Out in the amount of \$27,810.80
 - #081915 RDC Contracts/Utilities in the amount of \$2,670.24
 - #082215 Sewer Utilities in the amount of \$6,052.42
 - Pension Payroll in the amount of \$56,912.52
 - #082915 Sewer Utilities in the amount of \$13,962.88
 - #082815 BOW Contracts/Utilities in the amount of \$18,982.49
 - Payroll in the amount of \$331,789.22
 - #090215 RDC Contracts/Utilities in the amount of \$1,118,740.72
 - #090515 Sewer Utilities in the amount of \$44,938.88
 - #090415 BOW Contracts/Utilities in the amount of \$20,924.92
 - #090915 RDC Contracts/Utilities in the amount of \$44,516.26
 - #091215 Sewer Utilities in the amount of \$563.34
 - #091115 BOW Contracts/Utilities in the amount of \$15,833.97
 - Pool Party Rentals Payroll in the amount of \$3,345.00
 - Payroll in the amount of \$341,974.59
 - #091815 BOW Contracts/Utilities in the amount of \$236,873.97
 - #091615 RDC Contracts/Utilities in the amount of \$990.00
 - #091915 Sewer Utility-Utilities in the amount of \$30,409.44

- #092115 BOW General Obligations in the amount of \$310,931.78
- #092015 Sewer Utility Gen. Obligations in the amount of \$42,715.19
- #092315 Buy-Out General Obligations in the amount of \$900.00
- Vacation Payout in the amount of \$499.04

Mr. Barnett made a motion to approve the consent agenda as presented, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye. The motion carried.

Old Business

There was no old business presented.

New Business

Request Approval and Execution of Sewer Service Agreement with Wavier of Rights to Remonstrate Against Annexation – Mr. Brian Luse of 311 N. Creekview Drive located just outside the corporate boundary but within the two mile buffer zone, asked to connect his home to the city sewer service. City Attorney Lynn Gray stated that she had reviewed the documents provided including the city sewer service agreement, the affidavit of compliance, and a certificate of liability insurance naming the City of Franklin as an additional insured. A discussion was held. Mr. Swinehamer made a motion to approve, seconded by Mr. Barnett. A voice vote was taken with all members stating aye. The motion carried.

Requesting Street Closures for 2015 Fall Festival Parade & Trick Your Trunk - Parks Superintendent Chip Orner listed the requested street closures for the Fall Festival to be held Saturday, October 3rd. Mr. Orner also asked the street department to close a portion of Monroe Street Friday, October 2nd at 8:00 a.m. to set up the stage and then re-open the street. For the event “Trick your Trunk” on Saturday, October 24th they asked to close one block of West Madison Street and the 1st block of N. Main Street. Mr. Orner stated that the parade route will be Banta to Walnut St. to Jefferson Street to Home Avenue ending at Parkside Apartments. Mr. Barnett made a motion to approve as presented, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye. The motion carried. It was stated that Mr. Orner will need to notify the Street Department of these events.

Request Approval to Close Sidewalk at 72 E. Jefferson Street – Mr. Dennis Drake requested the City close the sidewalk in front of 72 E. Jefferson Street for approximately four weeks for a façade repair project. He also asked the City to block two parking spots in front of this building which will be re-opened at night. A discussion was held. Mr. Barnett made a motion to approve the request to close the section of sidewalk and block the parking spots, which will be re-opened at night, seconded by Swinehamer. A voice vote was taken with all members stating aye. The motion carried.

Request to Declare Surplus F250 Truck from Cemetery and to Sell at City Auction - Clerk-Treasurer Janet Alexander stated this is a retroactive request, stating that the truck from the cemetery was in parts at the street garage and should have been listed for sale as scrap in our surplus auction. She asked the Board to declare the vehicle as surplus. Mr. Barnett made a motion too declare the truck surplus, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye. The motion carried.

Board of Works Resolution No.: 15-12 A Resolution Approving Amendments to Franklin Police Department's Rules & Regulations - City Attorney Lynn Gray explained that our Police Department is governed by our Police Merit Commission, and this year Chief O'Sullivan in working with their legal counsel as well as the Merit Board members reviewed some of their rules and regulations. During this review they identified items that required amendment. Police Merit Commission Attorney Bill Barrett came forward and stated that the three areas to be amended are: 1. The definition of the term "ex parte" which refers to being from one side or party only. The clarification arose from an event during a recent disciplinary hearing when it became apparent that neither officers nor commissioners were fully apprised of the reality during a disciplinary hearing that an officer and a commissioner should not be talking privately about a pending disciplinary case. Mr. Barrett stated that what they have done is defined what ex parte means. The definition used comes from Indiana's judicial definition. 2. Updated the election rules regarding how the Police Department conducts elections held to select their Merit Commission appointees. 3. Residency rules which state that merit commission members must be City of Franklin residents for three (3) years; Chief O'Sullivan stated that it is their recommendation that this be changed to (1) year. Mr. Barrett stated that this is in essence the changes that they have made in this resolution. Mr. Barnett made a motion to approve, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye. The motion carried.

Request to Ratify the Execution of the Contract Agreement for Acquisition Project- Demolition Phase (07-27-15) and Accept the Payment and Performance Bonds (\$44,005.00) - Senior Planner Joanna Myers stated this contract was approved at the August 17th meeting, and she is asking for ratification of the Mayor's signature at this time. Mr. Barnett made a motion to approve the Mayor signing this contract, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye. The motion carried. Ms. Myers gave an update stating that the contractor will begin the demolitions the first week of October.

Request Additional Changes to Police Dept. SOP 1.7 - Police Chief Tim O'Sullivan explained the items that they would like changed in SOP 1.7. Chief O'Sullivan stated the changes made were: Breathe test waiting time would be changed from 20 to 15 minutes, verbiage stating that they will conference with the on call judge was removed, and "follow protocol to obtain a warrant" was added, and lastly remove page 5, police prosecutor update. Mr. Barnett made a motion to approve, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye. The motion carried.

Request Approval of an Agreement for Administrative Services Between the City of Franklin, Indiana and Franklin Development Corporation to Work with the Facade Grant Recipients to Close Out the Terms and Provisions of the Facade Grant - City Attorney Lynn Gray stated that there are six (6) remaining awnings and the Artcraft marquee yet to be completed. The grant administration has been closed out. Ms. Gray stated they wanted to clearly delineate what is being requested and done by the FDC to complete these projects. All of these projects should be done hopefully by the end of the year. Mr. Barnett made a motion to approve, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye. The motion carried.

Request to Complete Credit Application with Radwell International - DPW Superintendent Rick Littleton stated this credit application would be for repair work at the DPW. Mr. Swinehamer made a motion to approve and allowing Mr. Littleton to sign on our behalf, seconded by Mr. Barnett. A voice vote was taken with all members stating aye. The motion carried.

Request to Apply for Credit Application for Batteries Plus - Parks Superintendent Chip Orner stated after a recent storm the emergency lighting at several city buildings were all non-functioning. They received a quote to replace all of the batteries for \$92.00 a piece. They researched and found the exact batteries at Batteries Plus for around \$4.00 a piece. Mr. Orner would therefore like to fill out a credit application from Batteries Plus in order to purchase all of the needed batteries. Mayor McGuinness made a motion to approve, seconded by Mr. Barnett. A voice vote was taken with all members stating aye. The motion carried.

Other Business

Request to Waive Unkempt Property Fees – Resident Mary M. Jones came forward to request a waiver of unkempt property fees for her rental property at 45 Wayne Avenue. Ms. Jones stated she is disputing the date that the work was done by the street department. A discussion was held. Mayor McGuinness made a motion to deny the request, seconded by Mr. Barnett. A voice vote was taken with Mayor McGuinness & Mr. Barnett stating aye, and Mr. Swinehamer stating nay. The request was denied.

Request to File Liens on Unkempt Property – Mr. Barnett made a motion to approve, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye. The motion carried.

Department Reports / Staff Reports

Parks Superintendent Chip Orner stated that the Fall Festival will be held Saturday, October 3rd. City Engineer Travis Underhill stated that he would strongly suggest that we not allow awnings to be attached to anything except the building. City Attorney Lynn Gray stated this is stated in our ordinance. Mr. Underhill stated that the paving program of alleys should begin soon, and then they will move to roadways. Mr. Underhill stated that the parking lot on Jefferson & Monroe Street has been striped as of today, and landscaping will be completed soon. Mr. Underhill stated that Blue Heron Park parking lot is wrapping up, and that the West Jefferson Street work is on schedule, and hopefully they will finish the underground work by the end of this week. Mr. Underhill stated that they had started the water main work by Walgreens, and that Environmental Remediation Company has started dredging at Young's Creek and will start putting that area back together soon. Mr. Underhill stated that a week ago we received bids for FDR project on Christian Blvd at Knollwood subdivision, and they will be drafting a contract for consideration at the next meeting. This project came in under estimate at \$130,000.00, they would like to get this completed this year but it might be next summer. Mr. Underhill also stated that the rejuvenate contract bids received last week came in under the anticipated amount, and he will have the contract for review, and work will probably be done next spring. Mr. Underhill stated that the Crack Seal engineer estimate was \$50,000.00, and the lowest bid received was \$120,000.00. He will do some research to see why the bids came in so much higher, and that they may have to revise and send out for bids again. Mr. Swinehamer brought up work being done on King Street. Mr. Underhill stated they were doing core drilling for the design project, landscape walls, and pavement design in this area. Police Chief Tim O'Sullivan told the Board that a police officer resigned and that he is seeking his replacement.

Mr. Drew Eggers came forward because residents asked him to speak to the Board about drivers disregarding the signage and making left hand turns from Hospital Rd. onto US 31 North. Residents complain that people are still turning left at this area even though it has been blocked and requested additional signage. Mayor McGuinness stated that there is adequate signage but people are ignoring it.

Adjournment

As there was no further business to come before the Board of Works, a motion and a second were made to adjourn at 5:51p.m.

Respectfully submitted,

Janet P. Alexander, Clerk-Treasurer
Enrolled: 09-29-15

Joseph McGuinness, Mayor

Attest:

Janet P. Alexander, Clerk-Treasurer