

**Board of Public Works and Safety  
Regular Meeting Minutes  
August 20, 2018**

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 Steve Barnett presiding. Board members Lisa Jones and Bob Swinehamer answered roll call.

Deputy Chief Chris Tennell, 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 Mark Richards, Street Commissioner Brett Jones, Clerk Treasurer Jayne Rhoades, Clerk Treasurer's Assistant Stephanie Shepherd, and City Attorney Lynnette Gray were also in attendance.

Mayor Barnett led the Pledge of Allegiance.

**Announcements, Presentations & Public Comments**

There were no announcements, presentations or public comments.

**Consent Agenda**

Mayor Barnett presented the consent agenda for approval.

1. Approval of Minutes from meeting held August 6, 2018
2. Board of Works Claims.
  - #081018 BOW Contracts/Utilities in the amount of \$159,349.94
  - #080818 RDC Contracts/Utilities in the amount of \$169.13
  - #081118 Sewer Utility-Utilities in the amount of \$74.60
  - Regular/Monthly Payroll in the amount of \$420,751.29
  - #081918 Sewer Utility General Obligations in the amount of \$80,481.16
  - #082018 BOW General Obligations in the amount of \$86,868.54
  - #081718 BOW Contracts/Utilities in the amount of \$13,171.71
  - #081518 RDC Contracts/Utilities in the amount of \$696,991.17
  - #081818 Sewer Utility-Utilities in the amount of \$12,854.33

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

**Old Business**

**Request Board Approval & Execution of Utility Reimbursement Agreement**

City Engineer Mark Richards stated that we are waiting on a response from Duke Energy regarding concerns by the City Attorney with the language in the agreement. The recommendation is to table the request until the next meeting. City Attorney Lynn Gray explained the agreement and the needed changes to the agreement. Mr. Swinehamer made a

motion to table the utility reimbursement agreement until the next regular meeting, seconded by Ms. Jones. A voice vote was taken with all members stating aye. The motion carried.

**Request Approval for the Franklin Trail Project Change Order 6: Unapproved Subcontractor E&B Paving - City Engineer, Mark Richards**

City Engineer Mark Richards stated the change is a requirement. The federal highway will not pay for work performed by unapproved subcontractor. This requires a change order to remove the federal participation and state from local dollars in the amount of \$58,073.16. The change order does not change total contract price. It changes the City's responsibility. A discussion was held. Ms. Jones made a motion to approve the change order, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye. The motion carried.

**New Business**

**Request to Close off Uitz Street on Sunday, September 2nd from 3:00 p.m. to 11:00 p.m. for Neighborhood Block Party**

Arlene Andrews came forward and stated this is the same request as in previous years to close Uitz Street & the alley for their annual block party on Sunday, September 2<sup>nd</sup> from 5:00 p.m. to 11:00 p.m. A discussion was held. Mayor Barnett made a motion to approve, seconded by Ms. Jones. A voice vote was taken with all members stating aye. The motion carried.

**Request to Close Alley on South End of 150 N. Main St. on Friday, October 5th for Law Firm Party/Open House**

Mitch Westerman, Operations manager at Baldwin Kyle and Kamish, 150 North Main Street came forward and stated request for alley closure on Friday, October 5<sup>th</sup> for open house. After discussion with office earlier, they are no longer needing the closure of the alley space. The request is to have a noise variance from 6-10pm on their property. No noise variance needed. A discussion was held. Mr. Westerman withdrew request to close alley way.

**Request to Dismiss Code Violation for 852 E. Jefferson Street**

Nanci Rogers came forward to request dismissal of a code violation for unkempt property at 852 East Jefferson St. New tenants moved in and placed items out for heavy pickup. Property tagged during period when new tenant was in hospital having a baby. City collected extra items not collected by the trash service. A discussion was held. Mr. Swinehamer made a motion to deny the request, seconded by Mayor Barnett. A voice vote was taken with all members stating aye. The motion carried.

**Request to Dismiss Code Violation for 3263 Compass Dr.**

Charlie Evans and Larry Lamb came forward to request dismissal of a code violation for unkempt property at 3263 Compass Dr. Mr. Evans and Mr. Lamb volunteered to help with estate of owner who attended their church. Result of the violation is due to Mr. Lamb being out of town for month of July and did not receive the notification. Mowing services was contracted. A misunderstanding occurred about mowing services no longer being needed after property sold. Services have restarted the owing cycle. City Attorney Lynn Gray spoke with code enforcement

violation and the owner was deceased and no prior history of any violations. The notice was received after the death of the home owner. Proper notice was not given due to the circumstances. A discussion was held. Mr. Swinehamer made a motion to dismiss the code violation at 3263 Compass Dr., Ms. Jones seconded. A voice vote was taken with all members stating aye. The motion carried.

#### **Request from Franklin College for Street Closures & Parking Restrictions During home Football Games**

Steve Leonard came forward to request approval of street closures, and parking restrictions beginning on Saturday, September 1<sup>st</sup> for an evening game from 3pm -10 pm and for the next 5 scheduled home games. If a playoff game comes to the home field the restrictions would be in place for that game. Ms. Jones made a motion to approve all dates requested, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye. The motion carried.

#### **Request Approval of Blanket Right-of-Way Permit and Waiver of Fee**

Brad Gentry came forward and provided members with a handout. Mr. Gentry stated he is currently working with Amphenol Corporation and US EPA to develop a work plan to do additional sampling in the project area. Plan and locations have not been finalized. Anticipate several samples to be taken in right-of ways. Requesting the blanket bond to be proactive and be able to move forward in a quicker manner. Plan is not finalized due to no current request from EPA. No response can be given to an unofficial request. Constant communication with EPA is ongoing. Anticipate the request for a work plan from EPA in the next week or two. A discussion was held. Right-of-way permit requirements regarding insurance and restoration in accordance of ordinance 15-02. Senior Planner, Joanna Myers mentions the process is similar to the project with Metronet. A discussion was held. Ms. Jones made a motion to approve blanket right-of-way permit and waiver of fees as presented by Brad Gentry with IWM Consulting Group, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye. The motion carried.

#### **Request Changes Needed to Protect Homeowners Rights and Wishes Regarding Work on Trees/Shrubs by the City**

Don Haddock of 100 N. Water Street came forward to provide suggestions regarding removal of trees/shrubs by the City of Franklin Street Dept. Mr. Haddock is asking for help for other residents in the future. Information was provided to help with effect of the removal of trees and shrubs. Mr. Haddock is asking for communication with the workers and the homeowners and to require a notification of doing tree work/street work. Training and a standard operating procedure for trimming in the right of way to be provided to workers. A discussion was held. All concerns have been addressed. Only item to be addressed is to implement a notice procedure to the homeowners. The Board will ask the Street Department Commissioner to look at current policies.

#### **Request Approval of Scope and Fee Proposal for Space Planning at the DPW/Police Department Building**

City Engineer Mark Richards came forward with the request by Mayor Barnett to consult with Cripe for space planning to move City Court and some additional record storage to the Police

Department. The contract cost is \$4,500.00 and will consist of design meetings with various groups involved. Work would begin immediately upon notice to proceed and completed in 4 to 6 weeks. Detailed cost of the project is not part of the scope of the consulting. A discussion was held. Professional services agreement provided by City Attorney Lynn Gray. Mr. Swinehamer made a motion to approve scope and fee proposal for space planning at the DPW/Police Department Building as requested by the City Engineer, seconded by Ms. Jones. A voice vote was taken with all members stating aye. The motion carried.

**Request Approval of Additional Language to Article I 8(G) of the Franklin Department Rules and Regulations Pertaining to "Early Run" Code**

Fire Chief Dan McElyea came forward to request approval of additional language in rules and regulations regarding an early run. Adding drop down box in Kronos for early run. Current rules and regulations allows a late run and did not allow for bringing in employee for an early run. For recordkeeping for the Clerk Treasurers office. No change to pay. Ms. Jones made a motion to approve the request, seconded by Mr. Swinehamer. A voice vote was taken with all members stating aye. The motion carried.

**Request Approval and Execution of Franklin Gateway Development Covenants and Restrictions - Senior Planner, Joanna Myers**

Senior Planner Joanna Myers stated with the proposed project on the east side of the City discussions regarding uses. The document presented is the covenants and restrictions entered into by all parties that own current property. Ms. Myers is requesting approval and execution of the covenants and restrictions. A discussion was held. Mr. Swinehamer made a motion to approve the request, seconded by Ms. Jones. A voice vote was taken with all members stating aye. The motion carried.

**Request for Economic Development Agreement between and among the Redevelopment Commission, the Board of Public Works and Safety, the Franklin Development Corporation, and the Franklin Gateway Development, LLC**

Community Development Director Krista Linke stated the agreement needed corrections and clarifications. Mr. Swinehamer made a motion to approve the agreement, seconded by Ms. Jones. A voice vote was taken with all members stating aye. The motion carried.

**Request Approval of Change Order #1, #2 and #4 for the Upper Shelbyville Road Eastview Drive Roundabout Project**

City Engineer Mark Richards presented change order #1, #2 and #4. Change order #1 is a reduction in price through consultation with Franklin Schools. To delete the demolition and reconstruction of the masonry sign at Needham school. Instead to demolish and salvage the limestone blocks. Net reduction to change order by \$43,547.90. Change order #2 is a change to the portable message signage asking contractor for additional signs at the interstate exit ramps and along I65. A net increase of \$15,309.68. Change order #4 is change to the maintenance of traffic on king street. Left turn lane for west bound traffic at Milford was closed. Left lane relocated to left lane of the west bound lanes. A net increase of \$1,581.85. Mr. Swinehamer made a motion to approve change orders #1, #2 and #4, seconded by Ms. Jones. A voice vote was taken with all members stating aye. The motion carried.

**Request Approval to Saw Cut Paved City Street Resurfaced Less than Five Years Ago (ROW Ordinance 5-02/Section 07/Open Cuts) Water Main to be Bored and Tapped - City Engineer, Mark Richards**

City Engineer Mark Richards stated the request is from Mr. Hill with Whalen Construction. Mr. Hill present to answer any questions. Location is at Hurricane Road at Baskin Logan. City ordinance states if an open cut is less than 5 years, need BOW approval. A discussion was held. Mr. Swinehamer made a motion to approve, seconded by Ms. Jones. A voice vote was taken with all members stating aye. The motion carried.

**Other Business**

There was no other business presented.

**Department Reports / Staff Reports**

Community Development Director Krista Linke announced that the Discover Downtown Franklin Hops and Vines Festival on Saturday. A quarterly business meeting for downtown merchants on Monday, August 27, 2018 in Council Chambers at 8:30am.

City Engineer Mark Richards stated Duke Energy drilled through a storm culvert on US 31 at Adams Street, few weeks ago. Duke Energy will need to relocate the pole in order to get the pipe repaired. Mr. Richards requests to receive emergency approval to hire contractor to make repairs to the pipe once pole has been removed. All cost will be recovered from Duke Energy. A discussion was held. Mr. Swinehamer made a motion to grant emergency expenditure as presented by City Engineer Mark Richards, seconded by Ms. Jones. A voice vote was taken with all members stating aye. The motion carried.

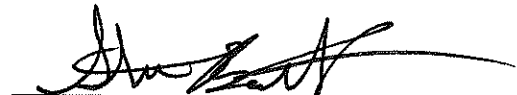
City Engineer Mark Richards asks BOW to consider a special BOW meeting on September 4<sup>th</sup>, 2018 following a special Council meeting to award contracts for road way work and other road repairs. Mr. Swinehamer made a motion to approve, seconded by Ms. Jones. A voice vote was taken with all members stating aye. The motion carried.

**Adjournment**

As there was no further business to come before the Board of Works, a motion and a second were made to adjourn at 6:04 p.m.

Respectfully submitted,

  
Jayne Rhoades, Clerk-Treasurer  
Enrolled: 9/12/18

  
Steve Barnett, Mayor

Attest:

  
Jayne Rhoades, Clerk-Treasurer