

BOARD OF PUBLIC WORKS AND SAFETY
Agenda Request Form

(Form B-01-2012)

Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard.

Please make sure that your contact information is accurate in case we need to get in touch with you. The Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.

Date Submitted:	2-20-13	Requested Meeting Date:	3-4-13		
		Confirmed Meeting Date:			
Received by:					
Contact Information: Please provide all requested information in the fields below. (Print or Type)					
On Behalf of Organization or Individual:		Planning and Engineering Department			
Name:	Travis Underhill		Telephone:	736-3631	
Title or Position:	City Engineer				
E-Mail:	tunderhill@franklin.in.gov				
Address:	70 E. Monroe Street				
City:	Franklin	State:	IN	ZIP:	46131
Who will attend the meeting and present the request?					
Name:	Travis Underhill		Telephone:	736-3631	
Title or Position:	City Engineer				
E-Mail:	tunderhill@franklin.in.gov				
Please describe the purpose or title of your presentation.					
Wilson Overlook – Street Lighting					
Supporting documents: All supporting documents should be submitted with the request form.					
1. Memo – Wilson Overlook – Street Lighting					
2. Memo – Wilson Overlook History					
3.					
4.					



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

MEMO

TO: Board of Public Works and Safety

CC: Clerk Treasurer

FROM: Travis Underhill, City Engineer

DATE: February 20, 2013

RE: Wilson Overlook – Street Lighting

Recently the Mayor's office and the Planning and Engineering office have been receiving comments and concerns regarding the above mentioned item.

Staff in the Planning and Engineering office did some research into the matter prior to the last Board meeting (February 4, 2013) and provided a memo (dated January 29, 2013) to the Board regarding that research. Said memo is attached for your reference, this memo also included an excerpt of previous Board meeting minutes.

Recent discussions and research have shown that there is an interest by the original developer to work with the city to properly resolve the situation. Briefly, our understanding is the developer has offered to properly wire the street lights together, install a transformer and meter and other necessary requirements to separate the street lights from the residences and begin paying the electricity bill directly.

While this is a great step towards solving the issue at hand, there are several questions that should be addressed prior to implementation to ensure the city and the residents in this development are satisfied and that the issue is resolved permanently.

Some of these questions include but are not necessarily limited to:

1. The existing poles are on private property and not located in the right of way as is standard. Will easements be provided as necessary?
2. Will the wiring, transformer and meter be installed to Duke Energy standards?
3. The developer should provide an acceptable means of financial guarantee to the city. This guarantee should cover the cost of construction, maintenance, monthly electricity service fees, etc.
 - a. Who will be responsible should the developer leave the community?
4. The existing poles do not meet Duke Energy standards. Should the developer leave the community and the city choose to pass this along to Duke and the city's responsibility, the poles would need to be removed and replaced.
5. Will we be discussing this again should the developer leave the community?

There are likely other questions that could be addressed, though our opinion after considering these leads us to consider another direction.

Currently, based on our understanding, all street lighting within the city is within the right of way, is metered separate from any residence or business, is paid for by the city, and is maintained by Duke Energy as part of their inventory.

Typically, the developer would pay for the installation of a system and material that would be accepted into Duke Energy's inventory with the monthly bills for service then being paid by the city.

We feel that this is the direction we should consider at this time, as ultimately someday this is likely the direction we will be forced to consider.

We think the Board should consider contracting for the installation of proper street lighting, in the proper locations, with an approved transformer and metering devices that will be accepted into Duke Energy's inventory with the service fees being borne by the city.

We feel this is the proper solution for several reasons while these two appear to be the most important:

1. The end result would be in line with common practice throughout the city.
2. This would conclude the matter permanently.

We further recommend that if the developer were interested in assisting in the solution to this matter, perhaps they would continue to work with the city and provide monetary compensation towards this solution in the amount they would have spent to execute the items they've already offered. Since these discussions and negotiations have begun directly between Board members and the developer, it seems logical that these negotiations continue with the same personnel.

FYI, at the time this memo was composed, Planning and Engineering staff had already begun to gain an understanding of the cost of implementing this recommendation would be. If it is made available prior to the establishment of the March 4, 2013 meeting agenda, it will be attached to this document. If not, it will be forwarded to the Board as soon as it is available.



CITY OF FRANKLIN

DEPARTMENT OF PLANNING & ENGINEERING

70 E. MONROE STREET › FRANKLIN, INDIANA 46131 › 877.736.3631 › FAX 317.736.5310 › www.franklin.in.gov/planning

MEMO

To: Mayor McGuinness
CC: Travis Underhill, City Engineer
From: Joanna Myers, Senior Planner
Date: January 29, 2013
Re: Wilson Overlook History

Annexation

- a. May 22, 2001 – Plan Commission forwarded favorable recommendation
- b. June 11, 2001 – City Council Introduction
- c. July 9, 2001 – City Council Public Hearing: approved 7-0
- d. July 23, 2001 – City Council Adoption hearing: approved 6-0

Preliminary Plat

- a. May 3, 2001 – Technical Review Committee reviewed and issued review letter.
- b. June 19, 2001 – Plan Commission continued the case pending inter-local agreement with Johnson County to allow the preliminary plat to be reviewed by the City of Franklin under its Subdivision Control Ordinance while the property was being annexed.
- c. July 9, 2001 – City Council approved inter-local agreement
- d. July 10, 2001 – Board of Works approved inter-local agreement
- e. July 17, 2001 – Plan Commission approved
- f. October 31, 2001 – Board of Works accepted public improvements, maintenance bonds (stone & binder, curbs, storm sewer & sanitary sewer), performance bonds (sidewalks, asphalt surface, & erosion control), check for street signs, and approved the plat.

Street Lights

- a. Subdivision Control Ordinance in effect at the time of the development was adopted January 12, 1987, reprinted June 14, 1999.
Chapter 4.3(I) - Street Lights. "Installation of street lights shall be required in accordance with design and specification standards approved by the City Engineer. Street light standards and fixtures shall also be in accordance with the visual design standards of the City Design Review Board."
- b. Did not find any correspondence from Acting City Engineer, Jerry Ott, Plan Commission, or Board of Works during the review process relating to street lights.
- c. March 12, 2002 – Developer stated to the Board of Works that "he will include decorative lights inside the lots and the homeowners will own, pay and maintain them." Minutes attached.

- d. March 19, 2012 – Mike Buening, resident, requested that the Board of Works review the existing street lights.
- e. April 2, 2012 – Board of Works member Bob Swinehamer reported his findings: lights are currently wired to individual residences and some need maintenance. He stated that the developer has agreed to re-wire all lights privately and pay for the meter. Duke Energy will not accept the current decorative lights as they do not meet their standards and would require the installation of new lights at the cost of the City (approximately \$35,000.00). They would then be added to the City's contract and be added to the monthly fee paid by the City to Duke Energy.

*Current Subdivision Control Ordinance requires street lights to meet standards of City Engineer and electric utility company. (Adopted April 11, 2005)

Vacant Lots

- a. Complaint that the vacant lots are not mowed and are unkempt.
- b. Ten (10) notices of violation for tall weeds & grass issued in 2012 (TRA12-245 thru TRA12-249 and TRA12-419 thru TRA12-423).

Garages

- a. Complaint that garages have been constructed without permits.
- b. ILP 2010-201 issued April 20, 2011 for construction of garage at 933 Wilson Way. Extinguishment of Right-of-Way Easement approved by Board of Works on April 19, 2011 (Inst. #2011-008017).
- c. ILP 2011-110 issued September 9, 2011 for construction of garage at 1087 Wilson Way.

Driveways/Parking Requirements

- a. Complaint that driveways are constructed of gravel.
- b. Zoning Ordinance in effect at the time the building permits were issued for the residences was adopted January 1987, amended as to form August 26, 1991 and reprinted October 1, 1998.

Chapter 4.15 – Parking Requirements does not state that residential driveways/parking is required to be paved. Therefore, gravel was permitted. However, it does state that all commercial & business uses, places of assembly, and industrial developments parking areas are required to be paved.

*Current Zoning Ordinance requires residential driveways/parking to be paved/concrete. (Adopted May 10, 2004)

Ornamental Street Lights for Wilson Overlook - Mr. Fred Paris appeared and informed the Board that he was withdrawing his request for the installation of City street lighting. Mr. Paris foresees moving other homes into the addition and was concerned that permanent street lighting might have to be moved frequently to accommodate these additions. Rather he will include decorative lights inside the lots and the homeowners will own, pay and maintain them. Mr. Paris asked the Board to consider another issue concerning a homeowner in Paris Estates that not install sidewalks and has planted trees in the easement where the sidewalks were required. Mr. Paris told the Board that as the developer he would pay for the installation of the sidewalks but he asked the City to require the resident to comply. Mr. Weir stated that the Occupancy Permit was issued so the City has no recourse. Mr. Paris asked whether or not the trees could be removed. The Mayor asked David Weir the Planning Department Director to research this matter and put it on the agenda for the next meeting.

Monitoring Alarms for Private Industry – In January Chief Borges informed the Board that during the Police Departments’ conversion to the countywide radio system he began to question the liability and practicality of monitoring security for individual companies. For many years a Honeywell alarm panel has been located in the Police Dispatch area connected by special circuits to various companies and agencies throughout the City. When an alarm sounds it is very loud making it difficult for the dispatchers to hear or be heard over the radio system. Chief John Borges and Mayor Blankenship informed the Board that letters were sent on behalf of the Board of Works to seventeen companies whose private security / fire alarms sound in the Police dispatch area asking what impact they would experience if removed from direct monitoring by the City. Six (6) companies responded to the Mayor’s letter. A second letter was sent out March 7th to follow-up with the companies who did not respond to the first letter. The Mayor shared these responses with the Board:

1. One respondent stated that to their knowledge they had never been connected to the City and had been paying a private monitoring company for this service.
2. Mutual Bank responded that the change would cost the bank \$3,500.00 and they would require up to 60 days to arrange and convert to an alternative system.
3. The Franklin United Methodist Community reported that they were already in the process of converting to a private system.

Mr. Ault made a motion to send a letter to all of the companies involved except the Parks Department and the Franklin Senior Center informing them that the City would not continue to maintain these monitoring systems and that they should make other arrangements within 90 days. Mr. Hougland seconded this motion. Motion carried.

Proposed Speed Zones on U.S. 31 South - INDOT - The City received a letter from INDOT dated February 18th proposing changing the speed zones along U.S. 31. The changes included: Reduce speed from 50 mph to 45 from Nineveh Road to Hospital Road, establish 40 mph as the limit from Hospital Road to the Wal-Mart / Matlock Ford signal & establish 50 mph as the allowed speed from Simon Road to Whiteland Road. Neither the Planning Director nor City Engineer had any objections to this proposal. Mr. Hougland seconded by Mr. Ault made a motion to approve. Motion carried. Approved

Request to Close Alley – South of Artcraft on 3-22-02 – Chief Borges stated that the Police Department had received a request to close the alley south of the Artcraft theater on March 22, due to a concert featuring a well known and popular blue grass musician, Ralph Stanley. Mr. Ault, seconded by Mr. Hougland made a motion to approve this request. Approved

Amend HVAC Agreement w/ Perfection Inc. – Assistant Police Chief Steven Hood requested that he Board modify the agreement between the City of Franklin and Perfection (HVAC systems maintenance firm) by allowing the company to bill for their services semi-annually. Mr. Hougland seconded by Mr. Ault made a motion to modify the contract from monthly payments to semi annually for the total amount of \$8,090.00. Motion carried. Mr. Hood informed the Board that Perfection has obtained the construction “as built” drawings of the building.