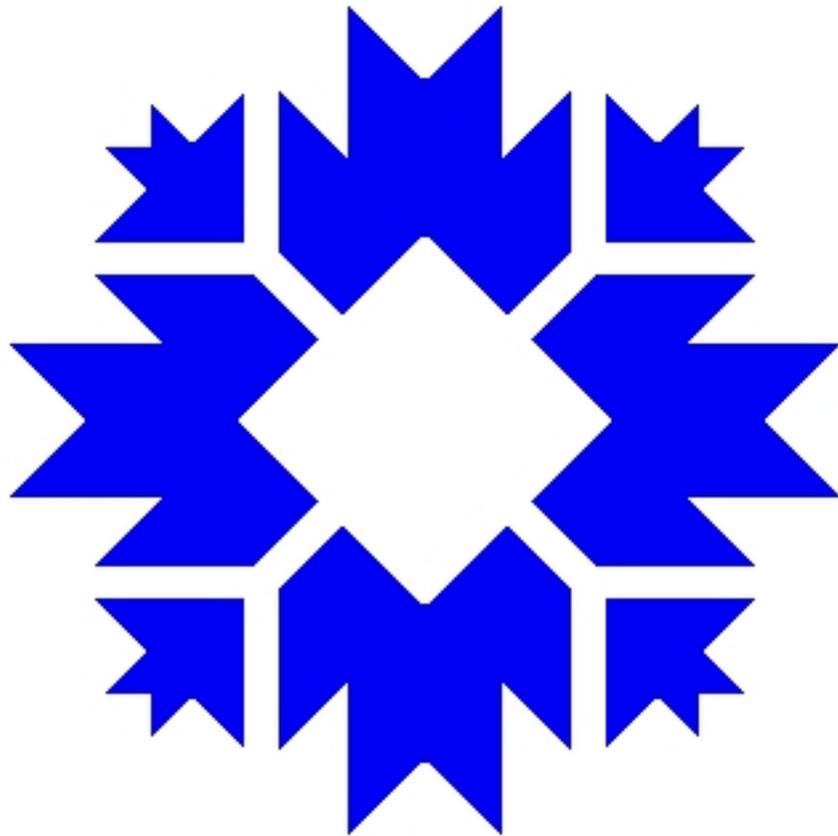


Board of Public Works Meeting

April 23, 2013



AGENDA
BOARD OF PUBLIC WORKS
(This Meeting May be Televised)

A Regular Meeting of the Board of Public Work to be Held Tuesday, April 23, 2013 at 5:30 p.m., in the City Council Chambers of City Hall at Showers, 401 N. Morton Street, Bloomington, Indiana.

- I. **MESSAGES FROM BOARD MEMBERS**
- II. **APPROVAL OF MINUTES** – April 9, 2013
- III. **PETITIONS & REMONSTRANCES**
- IV. **TITLE VI ENFORCEMENT**
- V. **HEARINGS FOR NOISE APPEAL**
 1. 1232 E. Tylers Turn
 2. 707 E. 8th Street
- VI. **OLD BUSINESS**
 1. Memorandum Regarding Bid Procedure
- VII. **NEW BUSINESS**
 1. Resolution 2013-28: Use of Public Streets for the Jill Behrman 5K Walk (Saturday, 10/12)
 2. Request for Noise Permit for Ivy Tech Take Back the Night (Wednesday, 4/24)
 3. Request for Noise Permit for Acoustic Roots Festival (Saturday, 5/11)
 4. Approval of Change Order #1 for Burgess & Niple Bloomington Bikeway Design Contract
 5. Authorization to Advertise for Bids for 2013 Bloomington Bikeway Project
 6. Request from City of Bloomington Utilities Department to Close a Portion of N. Dunn Street for Construction of the Griffy Dam Project
- VIII. **STAFF REPORTS & OTHER BUSINESS**
- IX. **APPROVAL OF CLAIMS**
- X. **ADJOURNMENT**

The Board of Public Works meeting was held on Tuesday, April 9, 2013 at 5:30 p.m. in the Council Chambers of City Hall at Showers, 401 N. Morton Street, Bloomington, Indiana with Charlotte Zietlow presiding.

**REGULAR MEETING
OF THE BOARD OF
PUBLIC WORKS**

Present: Charlotte Zietlow
James McNamara
Frank Hirsomalos

ROLL CALL

City Staff: Susie Johnson - Public Works Director
Adrian Reid – City Engineer
Rick Alexander – Engineering
Miah Michaelsen – ESD
Mike Arnold – HAND
Jackie Moore – City Legal
Joe VanDeventer – Street
Vince ??? – Planning
Mallory ??? – Planning intern
Chris Smith – Public Works
Laurel Archer – Public Works

No messages

**MESSAGES FROM
BOARD MEMBERS**

James McNamara made a motion to approve the minutes from March 26, 2013. Hrisomalos seconded the motion. The motion passed.

**APPROVAL OF
MINUTES**

None

**PETITIONS &
REMONSTRANCES**

Mike Arnold, HAND, introduced himself. Arnold stated the property is located at 1506 N. Kinser Pike. The property has been ticketed four (4) times, February 7, February 14, February 28, and March 28th. The owners or residents have picked up nothing during that time. All three sides have trash around the yard. Staff requested permission to abate the property.

**TITLE VI
ENFORCEMENT**

Zietlow asked if there has been any response. Arnold stated they have paid three of the four tickets, but done nothing in the way of picking up the trash.

McNamara made a motion that staff be authorized to abate the Title VI violations at 1506 North Kinser Pike. Hrisomalos seconded the motion. The motion passed.

None

**HEARINGS FOR NOISE
APPEALS**

OLD BUSINESS

**Request Authorization to
Abate 207 S.
Meadowbrook Lane**

Mike Arnold, HAND, stated this property has had complaints filed by neighbors, and has been abandoned for about 10 years. In February there was an Order to Repair and Seal but mail to the owners was returned undeliverable. On March 12, 2013 the Board of Public Works approved a Resolution to Notify by Publication and was published in the newspaper on March 19 and March 26th. The Orders were also posted on the property a second time. There has been no contact from the owner. HAND staff would like permission to abate the property. The structure has a couple of windows and a door open and some downed power lines in the back yard.

McNamara asked for clarification, that abatement was repairing and sealing the structure. Arnold stated to seal the openings and repair the power lines.

Zietlow asked if the inside would continue to disintegrate. Arnold stated the biggest problem is to keep people out.

McNamara made a motion to authorize staff to abate all violations at 207 S. Meadowbrook Lane, and that the Order to Seal be upheld. Hrisomalos seconded the motion. The motion passed.

Rick Alexander stated Gillate has been contracted to build the new Pavillion Place building at the north west corner of 10th and Walnut. The building will encompass nearly the entire lot. Consequently, there is no room on private property to stage the construction. The construction is scheduled to start immediately and be complete in August. Due to the fact there is no room on the site to build, staff recommends allowing the contractor to utilize the public right of way on the north west corner of 10th and Walnut, on the Walnut side. A Memo of Understanding has been prepared for Mr. Rittmann to sign, which he has. There are adequate pedestrian facilities on the south side of 10th Street and the east side of Walnut to accommodate foot traffic. OSHA recommends separating foot traffic and construction traffic where possible. There are limited options at this site for construction staging.

**Approve Agreement to
Use Public Right of Way
to Construct Pavilion
Place at 601 N. Walnut
Street**

Zietlow asked if the old building was being demolished. Alexander stated it is. Zietlow asked if this would take away a travel lane. Alexander stated it would only take the parking lane.

Rittmann introduced himself. Zietlow asked how long it will last. Rittman stated demolition should start on April 9th with August 6th as the completion date. McNamara asked if this could be staged just using the parking spaces. Rittmann stated it would be difficult but he could. McNamara ask about the trees at the location. Rittmann stated he believed those trees were being taken down and replaced with new trees and tree grates. Hrisomalos asked who owned the property. Rittmann stated Pavilion Properties, the Haufmanns. Questoins were asked about the history and Mr. Rittmann was not sure, but thought the building was about 30 years old.

Zietlow asked if this would be apartments and retail. Rittmann stated retail on the lower level with parking, and two floors of apartments. There will be 16 one bedroom apartments.

McNamara asked Rick Alexander if the removal of the trees would be approved by Planning. Alexander explained when the project is approved by the Plan Commission, all that is included. Rittmann stated the project has received full Planning approval. Zietlow asked if the tress were part of that property.

Rittmann stated the retaining wall at the location would no longer be there. The access into the building will be the alley through the west entrance. The majority of the staging will be on the new concrete slab for the parking garage. The site will be excavated about three (3) feet.

Zietlow asked if this would be covering the entire surface. Rittmann stated yes, the set back on the front is mandated by the City, as well as the set back on the south side of the building, and is congruent with the properties to the east and west.

McNamara made a motion to approve the Agreement to use the Public Right of Way to construct Pavilion Place at 601 North Walnut Street. Hrisomalos seconded the motion. The motion passed. Use of Public Right of Way approved.

After the vote more logistical information was discussed. Noted was that Gentry would be repaved after the project. The utility will be moved by the contractor, not CBU.

Pavilion has received permits to replace the existing building at 601 North Walnut. The new building will have a canopy over the entry at the east end that would encroach into the right of way, but not over the sidewalk. The canopy would extend into the right of way by about 2 feet. It will be at least 14 feet above the grade of the

Resolution 2013-17:
Request to Encroach into
Public Right of Way with
Public Improvements at
601 N. Walnut Street

sidewalk. Planning requires bike racks and street lights and there are two sets of bike racks in the right of way and two street lights will be installed along 10th Street. On Walnut there will be a canopy on the east end of the building, barely extending into the right of way, and 14 feet above the grade of the sidewalk.

Staff has reviewed the request and prepared an encroachment agreement to allow the canopy, street lights, and bike racks to be located in the right of way. A Hold Harmless Agreement has been prepared by staff. Staff recommended approval.

McNamara asked if Pavilion would own the street lights. Chris Smith stated yes, Pavilion would own them. Ms. Smith further explained these lights would be privately owned and maintained street lights. They are a decorative acorn lights, 100 watts, high pressure and sodium vapor, similar to those on South Walnut. Pavilion will pay for the energy usage. Ms. Smith concluded by stating in the event that, for whatever reason, Pavilion could no longer pay for the lights, because they are still in the right of way as an encroachment, the City would have the opportunity to take over the lights if the City chose to do so, or had to. Zietlow asked if this would mean the City would not let them go dark. Smith stated that was correct.

Zietlow asked if any green space would remain. Rittmann stated the green space would remain; there is green space down the north side of the building and there is a pervious paved sidewalk to get to the side entrance and will have pervious pavers, which acts as a water cleansing piece of the project. Pervious pavers will be on the west end of the building as well, instead of asphalt paving. The green space in front of the building will remain the same. Rittmann stated it was his belief that a specific tree grate is required now for trees going into the right of way, and believes this is why the trees are coming out. He added if they are not to come out by plan, they will stay, and will be worked around.

McNamara made a motion to approve Resolution 2013-17, Request to Encroach into Public Right of Way with Public Improvements at 601 N. Walnut Street. Hrisomalos seconded the motion. The Motion parried. Resolution 2013-17 approved.

NEW BUSINESS

Alexander stated the petitioner is Shiel Sexton, a contractor from Indianapolis. Their representative is Ian Prewitt. Sheil Sexton has been hired to build the new hotel at 217 West Kirkwood. The

Approve Agreement to Use Public Right of Way to Construct Hyatt Hotel

property is bordered by Kirkwood (north), 4th Street (south), Gentry (east), and the B-line trail (west). It is between the Wonderlab and Chase Bank. There are businesses along Gentry that are affected by the construction, including Olympus Properties, and one of their tenants, Bloomingfoods' office. The developers are making accommodations for those tenants to park in other areas when the lot is inaccessible. The Hyatt Hotel building will encompass the entire lot. This leaves no room on the property for staging the construction. They have been before the Board before to vacate some right of way. Engineering staff has met with representatives of the owner and contractor to determine how best to provide for the new building. Staff recommended that the contractor be allowed to enclose the area that includes Gentry, Kirkwood, and 4th, as well as the parking area on the southside of Kirkwood, and the parking area on the north side of 4th. The Petitioner has met with the Parks Board and received approval to use the area on the west side of the building, which is controlled by Parks. The B-line trail is not included, but the dirt area to the east of the trail will be included in the fencing. The developers have received approval from the Parks Board. There are adequate sidewalks on the north side of Kirkwood and south side of 4th Street. Staff recommends foot traffic be divided where there is construction. A Memo of Understanding (MOU) has been prepared to allow the use of the right of way. Staff recommended approval provided the Petitioner agrees to the conditions of the MOU. Alexander stated Ian Prewitt was present to answer questions.

Alexander further explained the reason for the closing of Gentry is because it is a one way street, and if part was closed then there would be no way to get in and out. There will be limited access to Gentry.

Zietlow asked about access to parking for the bank parking garage that enters from Gentry. Rittmann stated in the site logistics plan there will be a right in and right out. Rittmann explained the access to the garage.

Alexander added there is a sewer line in the way of the building currently, in the north south alley. This sewer line will have to be moved east. At that time Gentry will be closed to install the new sewer line. This will be done in three phases, working from the south to the north. This will accommodate the parking needs along the back of the building for the bank. Staff has heard from Olympus Properties, Bloomingfoods, and Mr. Prewitt has worked with the bank. All parties are aware of the project.

Michael McBride introduced himself, and represented Olympus Properties. Olympus manages the property on the eastside of Gentry

Street. McBride stated they have worked with the owner and Olympus supports the project, but have some concerns about shutting down Gentry. REI has been in contact with Olympus and has been working through these issues. Olympus is pretty satisfied with what has been agreed upon. There was concern about six parking spaces and REI will provide spaces in the garage at Walnut and 4th Street. REI is attempting to get surface spots from the City on 4th Street and Gentry, however, had not been guaranteed at the time of this meeting. Other concerns were about trash and recycling pickup, and those logistical issues are still being worked through. There is also a loading zone area for Bloomingfoods and Midwest Audio, and there is a meeting planned to figure out loading and unloading access times. Also, discussed was the construction dust and the cleaning that might need to take place along the sidewalk, against the building and in the parking area. The developer has agreed to pressure wash as needed. McBride stated overall the coordination has been going well. The construction will be an inconvenience, but also a benefit in the end to have the hotel here in Bloomington.

Zietlow asked if the building would be built up to the B-Line. Ian Prewitt, project manager, representing Shiel Sexton stated no, the green space that is on the west side of the parking lot in between the parking lot and B-line will be restored after construction.

Zietlow asked where hotel parking will be. Prewitt explained the 1st floor will have different hotel amenities. The second floor is a parking garage, as well as the third floor. The guest tower begins at the 4th floor and goes up to the 7th floor.

McNamara stated from the first day this project was discussed, the question was how it would be done. Kudos to staff, REI, Shiel Sexton, and Olympus, for coming together and figuring out a way to cohabitate as easily as possible. McNamara asked about the time frame for the project. Prewitt stated they would begin to start capturing the site the latter part of the week. A fence will be erected. The project should be finished around June 11, 2014.

McNamara made a motion for approval of the Agreement to Use Public Right of Way to construct the Hyatt Hotel at 217 West Kirkwood Avenue. Hrisomalos seconded the motion. The motion passed. Agreement approved.

Jeremy Stepheson with REI introduced himself. He stated he anticipates Gentry Street reopening by the end of the year. Mr. Prewitt had given the date when the hotel will be finished and opened for business.

Resolution 2013-27:
Request to Encroach into
Public Right of Way with
Public Improvements at
217 W. Kirkwood Avenue

Alexander stated there are encroachments that would be included with the building. Jeremy Stepheson is present, representing REI (Bloom HP, LLC), who are the builders of the new Hyatt. They have asked for encroachments that will include signage on the corners, bike racks, canopies, and a meter pit. The building was approved by the Plan Commission and goes from property line to property line leaving no room for the above mentioned items on private property. The signage encroachments are typical of the kind seen in the downtown area in the past. They are all well above the grade of the sidewalk. They will not impede or interfere with pedestrian traffic. The bike rack is a Planning requirement and will be installed on the 4th Street side. An Agreement with the exhibits of the encroachment has been prepared by staff. Alexander thanked Jackie Moore, City Legal, for her help. The Agreement has been approved, and would need to be approved by a representative of the Petitioner. Staff recommended approval of the Encroachment Agreement.

Alexander listed the encroachments as follows:

4th & Gentry Corner there will be a parking sign and canopy below the parking sign.

Kirkwood and Gentry will be the entrance, there will be the Hyatt Place Canopy with the parking sign below it, and small parking sign option above.

4th Street would have a set of bike racks and meter pit. These are in line with the street lights. These will all be outside the walking path. There will be a Hyatt Sign on the south west side.

Encroachments on the west side of the building have been approved by the Parks Board due to the fact they are over the B-line property. Each corner does have its own unique encroachments.

Zietlow asked about the design of the building. Stepheson stated the building is "L" shaped in structure and would front Kirkwood and Gentry with the lower level facing the B-line. This was done with Planning's input to soften the "canyon" effect along the B-Line Trail.

McNamara stated the Board had approved a blanket encroachment agreement if the encroachment was a Planning requirement; therefore he felt the bike rack encroachment had already been approved.

Susie Johnson stated the City would want an encroachment agreement regardless so if there becomes a deficiency with the bike rack the City has the ability to remove it under the provisions outlined in the encroachment. Johnson added she realizes people put bike racks without the proper encroachments, and the City deals with them as they come to staff's attention. Alexander added that if it

were just a bike rack, it could be approved at a staff level.

McNamara made a motion to approve Resolution 2013-27, Request to Encroach in Public Right of Way with Public Improvements at 217 W. Kirkwood Avenue. Hrisomalos seconded the motion. The motion passed. Resolution 2013-27 approved.

McNamara made a motion to table Resolution 2013-29, Agenda Item #3 to the next meeting of the Board. Hrisomalos seconded the motion. Motion passed.

Miah Michaelsen stated for many years the City of Bloomington has celebrated National Bikes Week during the month of May with a series of events produced by Parks and Recreation and the Planning Department. This includes National Bike to Work Day, an event that provides incentives to participants for biking to work. For the past two years Bloomingfoods has complimented the City's Bike to Work Day efforts with an evening celebration at their near west side location. Due to current space constraints on their property, and the desire to expand the size of the celebration they are asking to use the half block on Madison Street adjacent to their store. This is also the identical footprint for the Tuesday Farmers' Market. Hours will be from 3:00 p.m. to 10:00 p.m. on Friday, May 17th, The event hours are 5:30 to 8:30 p.m. The extra time accommodates set up and clean up. Their plans include amplified music and there is a Noise Permit request also. Bloomington likes bikes and staff supported the request.

Mallory Rickbeil, event coordinator for the National Bike to Work Day Block Party Event, as well as an intern with the City of Bloomington in the Planning Department in charge of bike outreach, introduced herself. Rickbeil explained the block party is a celebration and will have food, beverages, as well as vendors with prices and incentives for people who have participated in the City's Bikes Month, Bike to Work event.

McNamara made a motion to approve Resolution 2013-30, Use of Public Streets for National Bike to Work Day Block Party on Friday, May 17th. Hrisomalos seconded the motion. The motion passed. Resolution 2013-30 was approved.

Michaelsen stated this request is for the use of 4th Street for the Women's Exposed art show. They have been sponsoring a benefit art show that supports Middle Way House for the last several years. The

Resolution 2013-29:
Request to Encroach into
Public Right of Way with
Sign by Whitehall
Investments at 500 S.
Liberty Drive

Resolution 2013-30: Use
of Public Streets for
National Bike to Work
Day Block Party (Friday
5/17)

Resolution 2013-31: Use
of Public Streets for
Bloomington Women

Exposed Benefit Art Show (Saturday, 4/27)

event has occurred in a variety of locations. This year the request is to close West 4th Street between Madison and Rogers Street adjacent to the Bloomington Clay Studio which is in the new I. Fell Building at the corner of 4th and Rogers. The event will consist of live music, temporary art exhibits, and festival type entertainment. As part of the event they are also requesting a Noise Permit. The event hours will be between 4:00 p.m. and 10:00 p.m. on Saturday, April 27th. They also request they be allowed to close the street beginning at 2:00 p.m. for set up. They will have the road back open no later than midnight on Saturday after the cleanup. The organizers have notified all businesses and residents on the block and have received enthusiastic permission for the event to proceed. Staff supported the request.

Kathleen Clark, Project Director for this year's Women Exposed, introduced herself. Clark stated the art show will be in a bakery that is right next to the Bloomington Clay Studios which is a very small space. In the street there will be the Bloomington Sumba Troope, Jefferson Street Parade Band, The Dark Side Tribal Belly Dancers, and African drumming.

Zietlow asked if the Clay Studio would be open. Clark stated the Studio would be open and there is also a Gallery Walk that day.

McNamara asked if finding a venue for the art is a challenge, because the location has moved around. Clark stated it was held at the Lodge for about six years. The Lodge went through an issue where they couldn't have as many people in that space at one time because of the doorways. The project director also stepped down last year and it was in new hands and held at Trained Eye Art Center. The group will be able to use the downstairs of the Backdoor which is an appropriate place to house fine art.

Miah explained, from a staff perspective, 4th Street is a festival street, and love what is happening at the Fell Building, the Clay Studio and all the revitalization happening in that area. Staff is happy this area was selected because it will highlight, and hopefully, bring some people down to the Women Exposed Show first and foremost, but also give people a chance to see the other things going on in the area. The Rainbow Bakery will opening in the building soon. It will help introduce that community to the larger community which staff thinks is great.

McNamara made a motion to approve Resolution 2013-31, Use of Public Streets for Bloomington Women Exposed Benefit Art Show on Saturday, April 27. Hrisomalos seconded the motion. The motion passed. Resolution 2013-31 approved.

Miah explained this request is from the City of Bloomington Fire Department. They are participating in a disaster drill from June 11 - June 13th of this year. The intention of the drill is to simulate a tornado disaster at the following locations, 200 East 4th Street, the former post office; 1200 North Jordan, the Phi Kappa Psi Fraternity, and 2700 East 10th Street at 10th & the Bypass. The operation will be a continuous 48 hours from 8:00 a.m., June 11th thru 8:00 a.m. June 13th. The agencies involved will include the Bloomington Fire Department, Indiana National Guard, Indiana Task Force 1, and a group from the Israeli Urban Search and Rescue team. The noise level generated by this event is expected to be what one might encounter at a typical construction site. Staff recommended approval because preparation is important.

**Request for Noise Permit
for the City of
Bloomington Fire
Department Fire Disaster
Drill (Tuesday, 6/11 thru
Thursday, 6/13)**

Zietlow asked Miah if she knew what this would be like. She stated she did not, but felt it would be similar to other drills only a bigger scope.

McNamara stated he had no idea there was a local branch of the Israeli Urban Search and Rescue team. Miah stated she was surprised as well, and did not follow up on the particulars. McNamara would like more information on this group. Miah stated she would get more information for Mr. McNamara.

Zietlow asked if they would be moving from place to place. Miah stated she assumed emergency personnel would be moving from place to place and there will be victims at the different locations.

Zietlow asked if Miah could get more information about this event from the Fire Department. Miah stated she would have them provide a bit more detail for the Board.

McNamara made a motion to approve the Noise Permit for the City of Bloomington Fire Department Fire Disaster Drill on Tuesday, June 11th thru Thursday, June 13th. Hrisomalos seconded the motion. The motion passed. Noise Permit approved.

Miah stated this is a noise permit request on behalf of an event known as Porchfest. The organizers of Porchfest are requesting a noise permit to host front porch concerts at four (4) residential addresses, 1209 E. Hunter, 608 E. 1st Street, 624 S. Fess, and 601 E University. The sound would be comprised of acoustic, some amplified music, vocals, and audience noise, such as applause. Miah stated after consulting with public safety personnel staff has decided not to support this noise permit application on the grounds that the

**Request for Noise Permit
for the Porchfest Concert
(Friday, 4/12)**

locations are in core neighborhoods for which there is little support for additional noise, especially amplified. Miah added the Petitioners are here and will say a few words. Miah concluded by stating staff has had a great dialogue with the petitioners and if, in fact, it is not approved at this meeting, staff would like to continue to work with the group in the hopes that an event can be put together that might work for the neighbors. The challenge with this request was the time frame and not having enough time to reach out to the neighborhoods in an appropriate way. Perhaps reaching out and involving City Council representation could provide some guidance to the students about understanding the issues.

Tunuka Raj, a sophomore at Indiana University, introduced herself. She explained she has been working with a couple of other students to organize this event. The main issue with this request was time. Event planning began in February with finding bands and houses that would host the events. The committee did decide it could shorten the time period to 1 p.m. to 5:00 p.m. if that would be better for the neighbors. It is during the work week so many of the neighbors would be at work or classes. Before the meeting today approximately 30 signatures of neighbors was collected with their contact information and they are aware of what the event is and are comfortable with being contacted if there are any questions. Also discussed was making all sets acoustic if that would be better for the neighbors. Ms. Raj stated there are no requests to close any streets, and all would be done in the front lawns of the houses. Ms. Raj stated there has been no advertising for the event because no permits were in place. Because there has been no advertising, only 15 to 20 guests are expected at each venue. Two new venues have been added 700 South Park Avenue and 1213 North Washington.

McNamara asked if this was envisioned as a type of gallery walk where participants would go to the different addresses, listen to music, then go to the next venue. Ms. Raj stated yes, there are many musicians you see while walking within Bloomington, it is a college town, and the musicians at Indiana University are valued. The group wanted to showcase that to the neighbors and community of Bloomington.

McNamara commented the event is an intriguing idea. Unfortunately the timing is Elm Heights during Little 500 season which is a bad combination. McNamara added it does open up problems when the City starts opening up noise permits for private parties. McNamara stated Miah is encouraged and encouraged Ms. Raj to keep working with Miah, and stated he would be happy to participate in the discussions.

McNamara made a motion to deny the request for a noise permit for Porchfest Concert on Friday, April 12th. Hrisomalos seconded the motion. The motion passed. Noise Permit denied.

Miah stated she appreciated the students coming to staff and will work with them, and welcomes Mr. McNamara into the dicussions .

Joe VanDeventer, Director of Street Operations, introduced himself. He explained two bids were received, Milestone and Dave O'Mara.

**Award Contract for
Asphalt Materials for
2013**

	Milestone	Dave O'Mara
20,000 Ton Hot Mix	38.40	38.65
200 Ton Binder	36.75	34.65
200 Ton Base	35.25	33.65
200 Ton Cold Mix	105.00	98.00

Milestone's price for Asphalt Hot Mix Surface was \$38.40 per ton. Dave O'Mara was \$38.65 per ton. Milestone's bid came in 25 cents per ton lower, however, they do not have an operational facility at the address they listed on their bid. Therefore, staff recommended awarding the bid to Dave O'Mara at \$38.65 per ton.

Zeitlow asked what is meant by non operational facility. VanDeventer stated it is not functional at this time. Zietlow asked if Milestone was in Green County. VanDeventer stated yes.

Doc Armstrong, Vice President of Milestone, introduced himself. He gave a quick history of Milestone. Milestone started with one employee, himself, and now has over 50. Milestone built the bypass project. When they bid asphalt materials for this project the City was made aware that Milestone was installing an asphalt plant and would be operational by May 6th. It will be at the old Crown Quarry off of Dillman Road, which is across from the waste water treatment plant. Mr. Armstrong stated they have worked diligently to get this site approved through the County. One of the main reasons for this was so the business could quote the City mix. This has been a major investment, and they were the low bid. It is less money for the City to go to Dillman Road, than the competition by 6 cents. Milestone's plant will be operational on May 6th and recommended the bid be awarded to that company as it was the low bid. Mr. Armstrong further stated that two years ago they were a nickel below the competition and the plant was in Bloomfield, where it is now, but the business has decided to bring another plant into Bloomington.

Zietlow asked when the contract would start. VanDeventer stated it

would begin today. Mr. Armstrong stated they had also offered the City a discount of a dollar and a half to come out to the Bloomfield Plant until the Bloomington plant is up and running, which is less money than what will be paid to their competitor.

Susie Johnson addressed the Board. She stated they made this verbal offer to one of the staffer's after the sealed bids were received. This is not a way the City can do competitive bidding. Milestone said the plant would be open May 6th. The City cannot necessarily gamble paving this summer on the hopes that they will open their plant May 6th. Johnson stated she hopes the plant does open and that competitive bidding between Milestone and O'Mara will continue, however, the City plans to start paving on Monday (April 15) if weather permits. There has to be a bid in place so the City can begin to order asphalt.

Armstrong explained he received a call from a city attorney two years ago when he was the low bidder by 5 cents. At that point in time he was asked if Milestone would also be willing to sign a contract in case the competitor couldn't supply the City. Armstrong recommended that both bids be accepted and when the plant is erected, which will be May 6th, then the City comes and buys off the low bidder.

Jackie Moore, City Legal, stated under State Law on competitive bidding the statute says *"the bids must be unconditionally accepted without alteration or correction."* It also states ***"the purchasing agency cannot permit changes in any provision that would be either prejudicial to the government, governmental entity, or to fair competition after the bid opening"*** Conditions are, *"if a bidder inserts additional terms, one of the options of the purchasing agencies is to find that bid unresponsive."* The fact is the bids came in and were evaluated and there was one location sited for Milestone to provide the asphalt from, and that is not a functional site. That can be treated as a non responsive bid.

Jackie Moore added she was not involved in this process a few years ago. She understands there was an awarding of two contracts, though, she did not believe the second contract was ever executed. Milestone may have provided asphalt on one occasion.

Armstrong stated on the bid sheet they had listed Crown Quarry. It also said in the instructions to bidders *"the bidder certifies to the City, he/she, possess or can provide the necessary equipment, facilities, and personnel to fulfill the terms. Should the bidder be unable to supply the necessary materials needed by the City, or to supply the City within an acceptable time frame, the City may select,*

to obtain said necessary materials from another source during those times."

McNamara stated the City of Bloomington, the Street Department of Public Works has no interest in paying anymore than it has to for a legal reliable source of asphalt. Staff are the experts, and he will rely on their expertise. If there is another party that feels there are legal issues involved, then their attorneys can take it up with City attorneys. McNamara concluded by stating he goes with staff recommendation, as it is not his job to try to sort out peculiarities of different competing bids.

McNamara made a motion that the Contract for Asphalt be awarded to O'Mara at the price of \$38.65 for the hot mix. Hrisomalos seconded the motion. Zietlow said she was troubled by this. Given the legal advise received it will be passed, but would certainly want to hear more about this. The vote to approve motion was unanimous. The bid was awarded to Dave O'Mara. Zietlow stated she did not oppose the contract but was troubled by it and would like more information.

Johnson stated she would provide a memo for the Board.

VanDeventer stated there were two bids received for concrete. Irving Materials and Prairie Concrete.

**Award Contract for
Concrete Materials for
2013**

Irving Material Inc

4000 psi Concrete	\$103.00 per cy
4000 psi Concrete w/2% calcium	\$108.00 per cy

Prairie Concrete

4000 psi Concrete	\$85.00 per cy
4000 psi Concrete w/ 2% Calcium	\$90.00 per cy

VanDeventer recommended approving Prairie Concrete Bid for 2013.

McNamara made a motion that the Contract for Concrete be awarded to Prairie Concrete at \$85 per cubic yard for 4000 psi concrete and \$90 per cubic yard for 4000 psi w/ 2% calcium.

Johnson stated previously it was discussed that the Parking Meter Contract would be brought forward at this meeting. Staff is still working on a few minor details, and hope to have it on the agenda for the next meeting.

**STAFF REPORTS &
OTHER BUSINESS**

James asked, if there is any option, to scale down the agenda when

the Parking Meter Contract come before the Board. Johnson stated she and Chris will confer.

Smith stated there were two establishments in Bloomington that have asked for Outdoor Seating Permits and they were read into the minutes:

The Tap, 101 N. College Avenue, Permit #13-001
Dagwood's Deli & Sub Shop, 116 S. Indiana Avenue, Permit #13-002

McNamara made a motion to approve the claims Hrisomalos seconded the motion. Claims were approved.

APPROVAL OF CLAIMS

McNamara made a motion to adjourn. Hrisomalos seconded the motion. Meeting adjourned at 6:51 p.m.

ADJOURNMENT

Accepted by:

Charlotte Zietlow, President

James McNamara, Vice President

Dr. Frank N. Hrisomalos, Secretary

Date:

Attest to:

Appeal of Noise Ordinance Citation #32604

Appellant Information:

Patrick D. Novara
1232 E. Tylers Turn
Bloomington, IN 47401
Date Appealed: 04/08/2013

Citation Information:

Issued: 04/06/2013 at 11:05 p.m.
By: Officer Krystal Harper
Place: 1232 E. Tylers Turn
For: Excessive Loud Noise at a Residence

Officer Harper's description:

On April 6, 2013, at 10:49 p.m. Central Dispatch received a complaint of excessive noise coming from the property located near the complainant's address of 1230 East Tylers Turn. Officer Harper and Sgt. Lovan responded to the complaint, arriving at the scene at approximately 11:03 p.m.

Upon arriving in the area of 1232 East Tylers Turn Officer Harper and Sgt. Lovan parked their vehicle and listened for any music or loud noises. Loud music was heard coming from the residence located at 1232 East Tyler's Turn. Officer Harper and Sgt. Lovan approached said residence from approximately 25-35 feet away and noticed a large group of people standing around a small fire in the back yard area and a female and a male inside the residence talking loudly over music.

Officer Harper and Sgt. Lovan knocked on the door to the residence several times in order to get the occupants' attention. Once the door was finally opened a female identified herself as the mother of one of the residents. At this point Patrick D. Novara removed himself from the group standing by the fire and came to identify himself to Officer Harper and Sgt. Lovan. Mr. Novara identified himself as one of the occupants, he provided his drivers license and a citation for violating the City's Noise Ordinance was issued.

Mr. Novara's roommate Dillon Bocken was also issued a citation.

Mr. Novara filed a timely appeal and as his defense he states that the officers advised him that because it was Little 500 time no warnings were being issued, only citations. Mr. Novara seems to rely greatly upon the fact that it was not Little 500 weekend, that the City's ordinance does not mention Little 500 and that his small gathering of approximately 15 people should have warranted a warning instead of a citation.

While it is true that officers have the discretion to issue a warning, it is equally true that said discretion does not negate the fact that a violation occurred. A neighbor of Mr. Novara's called in a complaint at 10:49 p.m. of loud noise. Fifteen minutes later Bloomington police officers arrived on scene and were able to hear noise being emitted from the property located at 1232 East Tylers Turn from approximately 25-35 feet away from said property. Additionally, while the weekend in question was not Little 500 weekend, Bloomington police officers regularly increase patrol and enforcement of certain laws in the weeks leading up to said event.

Attached for the Board's review are copies of the Call For Service Information Sheet prepared by Central Dispatch and the citation.

Staff Recommendation:

Deny the appeal.

- The police officers received a complaint and when they arrived at the residence 15 minutes after the complaint was received they could hear excessive noise occurring from outside the premises.
 - § 14.09.030(a) defines unreasonable noise in terms of time of day, environment and nature of the noise.
 - § 14.09.030(b) specifies that the following people can violate the noise ordinance:
 - **A Person who makes the unreasonable noise,**
 - **A person who allows the unreasonable noise to be made in or on property occupied by the person, and/or**
 - **A person who allows the noise to be made in or on property controlled by the person.**
- The Appellant was in violation of the noise ordinance and an ordinance citation was written according to the law.



Bloomington Police
 220 E 3rd ST
 Bloomington IN 47401
 (317) 339-4477

BLOOMINGTON POLICE DEPT CFS INFORMATION REPORT

CFS Number
 40613-299
 Date: 04/15/2013
 Page: 1 of 2

CFS# 40613-299 Call Taker: CARSONK DR# _____ Priority: 5

Date/Time Received: 4/6/2013 10:49:47 PM Date/Time Sent: 4/6/2013 10:51:06 PM Date/Time Completed: 4/6/2013 11:13:09 PM

Day: Saturday In Prog: Y Inc.Code: NOISE Ph. Line: _____

Address: 1230 E TYLERS TURN Apt: _____ City: _____

Complainant: CALAHAN,AARON Phone: 812-361-8073

Comp.Address: 1852 S COVEY LANE Res.Phone: _____

Officer Contact: _____ Weapon: _____ How Recvd: P Alarm: _____

Person: HAWKENS,DYLAN Phone: _____

Address: _____ DOB: _____ Age: _____

Race: _____ Hgt: _____ Eyes: _____ DL# _____

Sex: _____ Wgt: _____ Hair: _____ SSN# _____

Person: NOVARA,PATRICK Phone: _____

Address: _____ DOB: _____ Age: _____

Race: _____ Hgt: _____ Eyes: _____ DL# _____

Sex: _____ Wgt: _____ Hair: _____ SSN# _____

Comments: _____

LOUD MUSIC ACROSS THE STREET FROM COMPL ON TYLERS

LOCATION CHANGED TO 1852 S COVEY LN AT 22:52

LOCATION CHANGED TO 1230 E TYLERS TURN AT 22:52

ABOVE IS APPX. ADDRESS NOT SURE WHICH HOUSE IT IS COMING FROM



Bloomington Police
 220 E 3rd ST
 Bloomington IN 47401
 (812) 339-4477

**BLOOMINGTON POLICE DEPT
 CFS INFORMATION REPORT**

CFS Number
 40613-299

Date: 04/15/2013

Page: 2 of 2

MIDT

Zones:

BLOOMINGTON CITY FIRE DEPT GROUP

BLOOMINGTON CITY FIRE ZONES1R1

BLOOMINGTON FIRE DEPT

BLOOMINGTON POLICE DEPARTMENT

BLOOMINGTON POLICE DEPT PATROL

BPD PATROL ZONE

EMERG TRANSPORT GROUP

ETRANSZONE208

IU EMERGENCY TRANS SERVICE

Unit:	Status:	Time:
1476	DISP	11:03:17 PM
1476	AVAIL	11:13:09 PM
1476	ARRIVED	11:03:20 PM
1550	DISP	11:03:17 PM
1550	AVAIL	11:13:09 PM
1550	ARRIVED	11:03:20 PM

Patty Mulvihill

(574) 612-3724

COUNTY OF MONROE
CITY OF BLOOMINGTON
ORDINANCE VIOLATION

NO. 32604

The undersigned having probable cause to believe and being duly sworn upon his/her oath says that on:

Day of Week Saturday	Day 06	Month 04	Year 13	Time 2305
Last Name Novaca			First Patrick	MI D
Street Address 1232 E Tylers LN				D.O.B. 10/05/87
City Bloomington			State IN	Zip Code 47401
Sex M	Race W	SSN/OLN 3520-01-5927		
DID COMMIT THE FOLLOWING OFFENSE:				
<input checked="" type="checkbox"/> Excessive Loud Noise Residence _____ Vehicle _____				
Contrary to the BMC § 14-07-030 at 1232 E Tylers LN, Bloomington, IN.				
Officer's Signature <i>Kristal Harper</i>				I.D. No. 1550
City of Bloomington, Indiana Date 4/16/13				
I promise to appear in the City of Bloomington Legal Department, City Hall, Showers Building, Suite 220, 401 North Morton Street, Bloomington, Indiana, on the 14 day of May, 2013, at 8:30 a.m.				
Signature _____				
Your signature is not an admission of guilt.				
SEE OTHER SIDE FOR ADDITIONAL INFORMATION				

Kristal Harper

Appeal of Noise Ordinance Citation #31752

Appellant Information:

Michael J. Claps
707 East 8th Street
Bloomington, IN 47401
Date Appealed: 04/12/2013

Citation Information:

Issued: 04/06/2013 at 4:32 p.m.
By: Officer Brandon Siniard
Place: 707 East 8th Street
For: Excessive Loud Noise at a Residence

Officer Siniards's description:

On April 6, 2013, at 3:22 p.m. Central Dispatch received an anonymous complaint of excessive noise coming from the area located near 8th Street and Park Avenue. Officers Siniard and Morgan responded to the complaint, arriving at the scene at approximately 4:21 p.m.

Upon arriving in the area both officers noted that music was being played excessively loud from two residences in the area, one of the residences was located at 707 East 8th Street and the other was located south of said address. Loud music was heard coming from the residence located at 707 East 8th Street.

Officers approached both houses at separate times. Upon approaching 707 East 8th Street Officers were able to identify Michael J. Claps as a resident and issued him a citation for violating the City's Noise Ordinance.

The property south of Mr. Claps's property was also cited for violating the City's Noise Ordinance.

Mr. Novara filed a timely appeal and as his defense he states that the party to the south of his was the property in violation of the noise appeal and the reason for the complaint. He asserts that the gathering at his place did not result in excessive noise and no citation should have been issued.

While it is true that Mr. Novara asserts that the property from a different house was louder than his, it is important to note that Officer Siniard recalls both parties being equally loud and both being in violation of the City's Noise Ordinance.

Attached for the Board's review are copies of the Call For Service Information Sheet prepared by Central Dispatch and the citation.

Staff Recommendation:

Deny the appeal.

- The police officers received a complaint and when they arrived at the residence almost an hour after the complaint was received they could hear excessive noise occurring from outside the premises.
 - § 14.09.030(a) defines unreasonable noise in terms of time of day, environment and nature of the noise.

- § 14.09.030(b) specifies that the following people can violate the noise ordinance:
 - **A Person who makes the unreasonable noise,**
 - **A person who allows the unreasonable noise to be made in or on property occupied by the person, and/or**
 - **A person who allows the noise to be made in or on property controlled by the person.**
- The Appellant was in violation of the noise ordinance and an ordinance citation was written according to the law.



Bloomington Police
 220 E 3rd St
 Bloomington, IN 47401
 (812) 339-4477

**BLOOMINGTON POLICE DEPT
 CFS INFORMATION REPORT**

CFS Number
 40613-174
 Date: 04/15/2013
 Page: 1 of 3

CFS# 40613-174

Call Taker: STURGEON

DR#

Priority: 5

Date/Time Received: 4/6/2013 3:22:50 PM

Date/Time Sent: 4/6/2013 3:26:26 PM

Date/Time Completed: 4/6/2013 4:30:01 PM

Day: Saturday In Prog: Y

Inc. Code: NOISE

Ph. Line:

Address: E 8TH ST AND N PARK AVE

Apt: City:

Complainant: ANONYMOUS

Phone: 402-290-2702

Comp. Address:

Res. Phone:

Officer Contact:

Weapon:

How Recvd: C

Alarm:

Person: ALARSHID, ZAID

Address:

Phone:

Race:

Hgt:

Eyes:

DOB:

Age:

Sex:

Wgt:

Hair:

DL#

SSN#

Person: BAKERMAN, DAVID

Address:

Phone:

Race:

Hgt:

Eyes:

DOB:

Age:

Sex:

Wgt:

Hair:

DL#

SSN#

Comments:

LOCATION CHANGED TO E 7TH ST AND N PARK AVE AT 15:22

LOCATION CHANGED TO E 8TH ST AND N PARK AVE AT 15:22

LOUD STEREO

CP SAID HE KEEPS GETTING SHOVED TO IU AND THEN BACK TO US AND WANTS A RESPONSE NOW



Bloomington Police
 220 E 3rd St
 Bloomington IN 47401
 (317) 339-4477

**BLOOMINGTON POLICE DEPT
 CFS INFORMATION REPORT**

CFS Number
 40613-174

Date: 04/15/2013

Page: 2 of 3

CP SAID HE HAS SPOKEN WITH HIS LANDLORD AND WAS ADVISED HE IS IN THE CITY

CP SAID HE DOESNT CARE IF THE NOISE IS COMING FROM SOMEWHERE IN IU JURISDICTION

HE JUST WANTS NOISE TO STOP AT HIS ADDRESS

OVER 100 PEOPLE AT THE PARTY

ADVISED OF CP

Zones:

BLOOMINGTON CITY FIRE DEPT GROUP

BLOOMINGTON CITY FIRE ZONE31R1

BLOOMINGTON FIRE DEPT

EMERG TRANSPORT GROUP

ETRANSZONE206

INDIANA UNIVERSITY

INDIANA UNIVERSITY GROUP

INDIANA UNIVERSITY ZONE

IU EMERGENCY TRANS SERVICE

Unit:

1534

1534

1534

1534

Status:

DISP

EN_ROUTE

EN_ROUTE

AVAIL

Time:

4:16:23 PM

4:16:27 PM

4:16:50 PM

4:30:01 PM



Bloomington Police
 220 E 3rd ST
 Bloomington IN 47401
 (812) 339-4477

**BLOOMINGTON POLICE DEPT
 CFS INFORMATION REPORT**

CFS Number
 40613-174

Date: 04/15/2013

Page: 3 of 3

1534	ARRIVED	4:21:31 PM
1555	DISP	4:16:23 PM
1555	EN_ROUTE	4:16:27 PM
1555	EN_ROUTE	4:16:50 PM
1555	AVAIL	4:30:01 PM
1555	ARRIVED	4:21:31 PM



Bloomington Police
 220 E 3rd ST
 Bloomington IN 47401
 (812) 339-4477

**BLOOMINGTON POLICE DEPT
 CFS INFORMATION REPORT**

CFS Number
 40613-199

Date: 04/15/2013

Page: 1 of 2

CFS# 40613-199

Call Taker: DAVIDSOT

DR#

Priority: 5

Date/Time Received: 4/6/2013 4:32:27 PM

Date/Time Sent: 4/6/2013 4:32:30 PM

Date/Time Completed: 4/6/2013 4:39:54 PM

Day: Saturday

In Prog:

Inc.Code: NOISE

Ph. Line:

Address: 707 E 8TH ST

Apt:

City:

Complainant:

Phone:

Comp.Address:

Res.Phone:

Officer Contact:

Weapon:

How Recvd:

Alarm:

Comments:

CHECKING ANOTHER PARTY

NOISE ORIDANCE TICKET ISSUED

Zones:

BLOOMINGTON CITY FIRE DEPT GROUP

BLOOMINGTON CITY FIRE ZONE31R1

BLOOMINGTON FIRE DEPT

EMERG TRANSPORT GROUP

ETTRANSZONE206

INDIANA UNIVERSITY

INDIANA UNIVERSITY GROUP

INDIANA UNIVERSITY ZONE



Bloomington Police
 220 E 3rd St
 Bloomington IN 47401
 (812) 339-4477

**BLOOMINGTON POLICE DEPT
 CFS INFORMATION REPORT**

CFS Number
 40613-199

Date: 04/15/2013

Page: 2 of 2

IJ EMERGENCY TRANS SERVICE

Unit:	Status:	Time:
1534	DISP	4:33:28 PM
1534	AVAIL	4:39:54 PM
1534	ARRIVED	4:33:30 PM
1555	AVAIL	4:39:54 PM
1555	ARRIVED	4:32:30 PM



Bloomington Police
 220 E 3rd ST
 Bloomington, IN 47401
 (812) 339-4477

BLOOMINGTON POLICE DEPT CFS INFORMATION REPORT

CFS Number
 40613-152

Date: 04/15/2013

Page: 1 of 2

CFS# 40613-152

Call Taker: LANTZE

DR#

Priority: 5

Date/Time Received: 4/6/2013 1:57:34 PM

Date/Time Sent: 4/6/2013 1:57:51 PM

Date/Time Completed: 4/6/2013 2:00:29 PM

Day: Saturday In Prog: Y

Inc.Code: NOISE

Ph. Line:

Address: E 7TH ST AND N PARK AVE

Apt: City:

Complainant: REFUSED

Phone:

Comp.Address:

Res.Phone:

Officer Contact:

Weapon:

How Recvd: P

Alarm:

Comments:

LOCATION CHANGED TO E 7TH ST AND N PARK AVE AT 13:57

HOUSE PARTY IN THE AREA

LOCATION CHANGED TO 800 E 7TH ST AT 13:58

LOCATION CHANGED TO E 7TH ST AND N PARK AVE AT 13:58

GIVEN TO IUPD

Zones:

BLOOMINGTON CITY FIRE DEPT GROUP

BLOOMINGTON CITY FIRE ZONE31R1

BLOOMINGTON FIRE DEPT

EMERG TRANSPORT GROUP

ETRANSZONE206



Bloomington Police
 220 E 3rd ST
 Bloomington, IN 47401
 (812) 339-4477

**BLOOMINGTON POLICE DEPT
 CFS INFORMATION REPORT**

CFS Number
 40613-152

Date: 04/15/2013

Page: 2 of 2

INDIANA UNIVERSITY

INDIANA UNIVERSITY GROUP

INDIANA UNIVERSITY ZONE

IU EMERGENCY TRANS SERVICE

Unit:

Status:

Time:

COUNTY OF MONROE
 CITY OF BLOOMINGTON
 ORDINANCE VIOLATION

NO. 31752

L

The undersigned having probable cause to believe and being duly sworn upon his/her oath says that on:

Day of Week Saturday	Day 06	Month 04	Year 2013	Time 4:32p
Last Name Claps			First Michael	MI J
Street Address 707 East 8th St				D.O.B. 6-1-90
City Bloomington			State IN	Zip Code 47401
Sex M	Race White	SSN/OLN 324-86-4298		

DID COMMIT THE FOLLOWING OFFENSE:

\$50

Excessive Loud Noise
 Residence _____ Vehicle _____

Contrary to the BMC § 14.09.030
 at 707 East 8th St, Bloomington, IN.

Officer's Signature B. G. L. I.D. No. 1555
 City of Bloomington, Indiana
 Date 4/06/13

I promise to appear in the City of Bloomington Legal Department, City Hall, Showers Building, Suite 220, 401 North Morton Street, Bloomington, Indiana, on the 9 day of April, 2013, at 8:30 a.m.

Signature Michael Claps

Your signature is not an admission of guilt.

SEE OTHER SIDE FOR ADDITIONAL INFORMATION



Board of Public Works Staff Report

Project/Event: Public Purchasing Using Competitive Bidding Process

Petitioner/Representative: Public Works/Legal Department

Staff Representative: Jackie Moore

Meeting Date: April 23, 2013

The Memo provides information regarding state law relevant to the awarding of the 2013 Contract for Bituminous Material (asphalt) to Dave O'Mara Contractor, Inc., who was determined to be the lowest responsible and responsive bidder.

MEMORANDUM

TO: Members of the City of Bloomington Board of Public Works

FROM: Jackie Moore, Assistant City Attorney

SUBJECT: Statutory Requirements Regarding Public Purchasing Using the Competitive Bidding Process

DATE: April 23, 2013

On April 9, 2013, the Board awarded the 2013 Contract for Bituminous Material (asphalt) to Dave O'Mara Contractor, Inc., as the lowest responsible and responsive bidder. A second bid had been submitted by Milestone Contractors, LP. That bid was determined to be an unresponsive bid because Milestone's bid provided the address of a plant on Dillman Road from which the asphalt would be provided. No asphalt plant exists at this site. Following the receipt and public opening of the bids, Milestone contacted City employees and explained their intention to build the plant on Dillman Road and anticipated it would be operational by the middle of May 2013. Therefore, the Department of Public Works recommended that the Board award the contract to O'Mara. Because Milestone's bid did not provide a facility from which it could supply the asphalt, that bid was considered unresponsive.

The Indiana Code provides a variety of avenues by which the City can purchase materials. Each year Public Works follows the process contained in Ind. Code 5-22-7, chapter entitled Competitive Bidding, to invite bids for the provision of asphalt to meet the City's paving needs. Following are citations to statutes relevant to the 2013 invitation for bids process and the decision to award the 2013 contract to O'Mara.

Pursuant to I.C. § 5-22-7-7 bids must be unconditionally accepted without alteration or correction, except as provided in sections 11-13, and bids must be evaluated based on the requirements provided in the invitation for bids.

The invitation for bidders contained a document entitled Instruction to Bidders. The instruction numbered 6 states, in part: The Bidder certifies to the City that he/she possesses or can provide the necessary equipment, facilities and personnel to fulfill the terms of the bid at time of submission, contract award and all times thereafter. Milestone was not able to fulfill the terms of the bid at the time their bid was submitted or at the time the Board awarded the contract to O'Mara.

I.C. § 5-22-7-11 prohibits a purchasing agency from permitting changes in bid prices or other provisions of bids prejudicial to the City's interest or to fair competition.

Milestone's statements were considered prejudicial to fair competition because the explanation that the plant location would not be operational until the middle of May 2013 was not contained in their bid, was made after bid opening, and was considered a change in a provision of their bid.



Board of Public Works Staff Report

Project/Event: Jill Behrman 5K Color the Campus Run
Petitioner/Representative: Indiana University Recreational Sports
Staff Representative: Miah
Meeting Date: April 23, 2013

Indiana University Recreational Sports is sponsoring the 14th Annual Jill Behrman 5K Color the Campus Run October 12 from 10:30 – noon. Funds raised support the Jill Behrman Emerging Leader Scholarship and are used to fund assault awareness and self-defense workshops. The run begins at the SRSC and traverses the following public streets which comprise three “color zones”: N. Fee Lane, E. 7th Street, Indiana Avenue, N. Union Street, and E. 10th Street. Security for the race will be provided by IUPD.

A parade permit has been issued by BPD pending approval of this request by the Board of Public Works.

Recommend **Approval** **Denial by** Miah Michaelsen

RESOLUTION 2013-28
JILL BEHRMAN 5K COLOR THE CAMPUS RUN

WHEREAS, the Board of Public Works is empowered by I.C. 36-9-6-2 to supervise city streets; and

WHEREAS, Indiana University Campus Recreational Sports has requested use of city streets to conduct the a 5K race, which provides support for the Jill Behrman Emerging Leader Scholarship and funds assault awareness and self-defense workshops; and

WHEREAS, Indiana University Campus Recreational Sports has agreed to provide any traffic control as deemed necessary and as instructed by Bloomington Engineering Department and/or Bloomington Police Department and to incur the complete cost; and

WHEREAS, Indiana University Campus Recreational Sports, herein after “Sponsors”, have agreed to execute the “Release, Hold Harmless and Indemnification Agreement” regarding the use of the City of Bloomington’s property as described on Attachment “A” and has agreed to provide the city with a Certificate of Insurance which names the City of Bloomington as an additional insured.

NOW, THEREFORE, BE IT RESOLVED:

- 1) That the City of Bloomington Board of Public Works agrees that City streets may be utilized to conduct the Jill Behrman 5K Color the Campus Run between the hours of 10:30 and Noon on Saturday, October 12, 2013.
- 2). The City of Bloomington Board of Public Works agrees that vehicular traffic may be restricted for short periods of time on sections of city streets as per the map shown on Attachment “B” of this resolution, during the hours of the event.
- 3) The sponsors agree to be responsible for setting up barricades as instructed by City of Bloomington Engineering or the Bloomington Police Department.
- 4) The sponsors shall be responsible for obtaining any and all required permits as well as being responsible for all legal and financial expenditures, and to obtain from the appropriate entity for permission to use Indiana University property.
- 5) The sponsors shall be responsible for all clean-up that may be necessary as a result of the event to be completed by 2:00 p.m. Saturday, October 12, 2013.
- 6) The sponsors shall be responsible for notifying all emergency services, transit companies and local cab companies by written notice and to the general public by notice to the press well in advance of the event. Signs should be installed on routes as directed by City staff to inform the general public of possible delays on the day of the event. Notice and signs shall include date and time of the event and the fact that vehicular traffic may be temporarily delayed at times.

Resolution 2013-28

7) _____, by signing this agreement, represents that he/she has been fully empowered by proper action of the entity to enter into the agreement and has authority to do so.

ADOPTED THIS ____ DAY OF _____, 2013.

BOARD OF PUBLIC WORKS:

Charlotte Zietlow, President

James McNamara

Dr. Frank N. Hrisomalos

Terms of the Resolution 2013-28 are accepted and agreed to:

Indiana University Campus Recreational Sports

Signature

Printed Name

Position

Date

Attachment A

Resolution 2013-28

Board of Public Works
Resolution 2013-28

RELEASE, HOLD HARMLESS AND
INDEMNIFICATION AGREEMENT
JILL BEHRMAN 5K COLOR THE CAMPUS RUN

WHEREAS, the undersigned, Indiana University Campus Recreational Sports, hereinafter referred to as "Releasers" is sponsoring a Run on October 12, 2013, and

WHEREAS, in connection with Run, the Releasers seek to use the public property of the City of Bloomington, specifically: N. Fee Lane, E. 7th Street, Indiana Avenue, N. Union Street, and E. 10th Street; and

WHEREAS, the Releasers seek permission by the City of Bloomington Board of Public Works to use the described property, and in partial consideration of such permission, agrees to execute this Release, Hold Harmless and Indemnification Agreement; and

NOW THEREFORE, in consideration of permission from the City of Bloomington Board of Public Works for use of the described property, the Releasers hereby agree to release, hold harmless and indemnify the City of Bloomington, its officers, employees, agents and assigns from any and all claims, causes of action, suits, proceedings or demand which may arise as a result of Releasers' use of the described property. This includes, but is not limited to, claims for personal injury, property damage, and/or breach of contract, whether brought by the Releasers', their employees or agents, or any third party.

IN WITNESS WHEREOF, the undersigned has executed this Agreement with full knowledge of its significance and with the intent to be bound by it.

INDIANA UNIVERISTY CAMPUS RECREATIONAL SPORTS

Signature

Date

Printed Name

Position

City of Bloomington

PARADE PERMIT APPLICATION

The purpose of this application is to promote and protect the safety of both the general public and parade participants.

Organization name and mailing address: IU Campus Recreational Sports
WIC 290, 1025 E. 7th St, Bloomington, IN 47405

Contact person and phone number: Christine Geary cgeary@indiana.edu
812.855.0636

Information regarding proposed parade:

Date: 10/12/2013

Time of commencement: 10:30 am

Expected duration: 90 minutes on race route

Proposed route of Parade - commencement point, route, ending point:

See attached

Expected number of participants: 2500-3000

Please describe general make-up of the parade, including such information as Vehicles used, floats, bands, animals, etc.

The Jill Behrman 5K Color the Campus Run starts and ends at
the SRSC on Law Lane and encompasses 3 color zones and entertainers
along the race route.

Traffic control shall be supplied by IUPD

At the following points on the parade route: _____

IUPD determines coverage points. Additional race volunteers
are placed at all other intersections and major parking lot
entrances/exits.

NEXT PAGE

The organization requesting the permit is responsible for traffic control.

Law Enforcement Agency providing traffic control:

IUPD

Confirmation received from Law Enforcement agency providing parade route traffic control: _____ (date).

Signature of Person requesting Permit

Permit Granted _____ **Permit Denied** _____

Chief of Police, Bloomington, Indiana Date

Action taken by Police Department:

The permit is granted _____, with the following conditions:

The permit is denied _____
For the following reasons:



Board of Public Works Staff Report

Project/Event: Take Back the Night Noise Permit

Petitioner/Representative: Ivy Tech - Bloomington

Staff Representative: Miah Michaelson

Meeting Date: April 23, 2013

Event Date: Wednesday, April 24, 2013

Ivy Tech – Bloomington is hosting on a Take Back the Night (TBTN) event on Wednesday, April 24th from 6 p.m. to 9 p.m on the Monroe County Courthouse Lawn consisting of rally-type activities which will include amplified remarks.

TBTN is a conscious-raising event that began in the U.S. in the 1970s, and its primary goals are two-fold: 1) to raise awareness about sexual violence against women, and 2) to encourage women to literally “take back the night” (as opposed to remaining in the private sphere for fear of being attacked) by having an evening walk.

Staff recommends approval of the request.

Recommend **Approval** **Denial by** Miah Michaelson



NOISE PERMIT

City of Bloomington
401 N. Morton St., Suite 120
Bloomington, Indiana 47404
812-349-3418

Application and Permit Information

This is an application for a permit for relief from Chapter 14.09 (Noise Control) of the Bloomington Municipal Code. Any permit granted by the City of Bloomington must contain all conditions upon which said permit shall be effective. The City may prescribe any reasonable conditions or requirements it deems necessary to minimize adverse effects upon the community or the surrounding neighborhood.

Once a completed application is submitted to the City, it will be reviewed by the Board of Public Works. If the permit is approved, the holder must still abide all other city, state, and federal laws.

Contact Miah Michaelsen with any questions: (812) 349-3418 or michaelm@bloomington.in.gov

Event and Noise Information

Type or Name of Event:						
Location of Event:						
Date of Event:		Time of Event:	Start:		End:	
Description of Noise:						
Source of Noise:	<input type="checkbox"/> Live Band	<input type="checkbox"/> Instrument	<input type="checkbox"/> Loudspeaker	Other:		
Will Noise be Amplified?	<input type="checkbox"/> Yes <input type="checkbox"/> No					

Applicant Information

Name:						
Organization:				Title:		
Physical Address:						
Email Address:				Phone Number:		
Signature:				Date:		

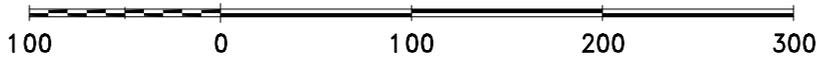
FOR CITY OF BLOOMINGTON USE ONLY

In accordance with Section 14.09.070 of the Bloomington Municipal Code, We, the Board of Public Works, the designee of the Mayor of the City of Bloomington, hereby waives the City Noise Ordinance for the above mentioned event.

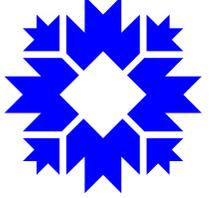
BOARD OF PUBLIC WORKS	
_____ Charlotte T. Zietlow, President	_____ James McNamara
_____ Date	_____ Dr. Frank N. Hrisomalos



By: smithc
18 Apr 13

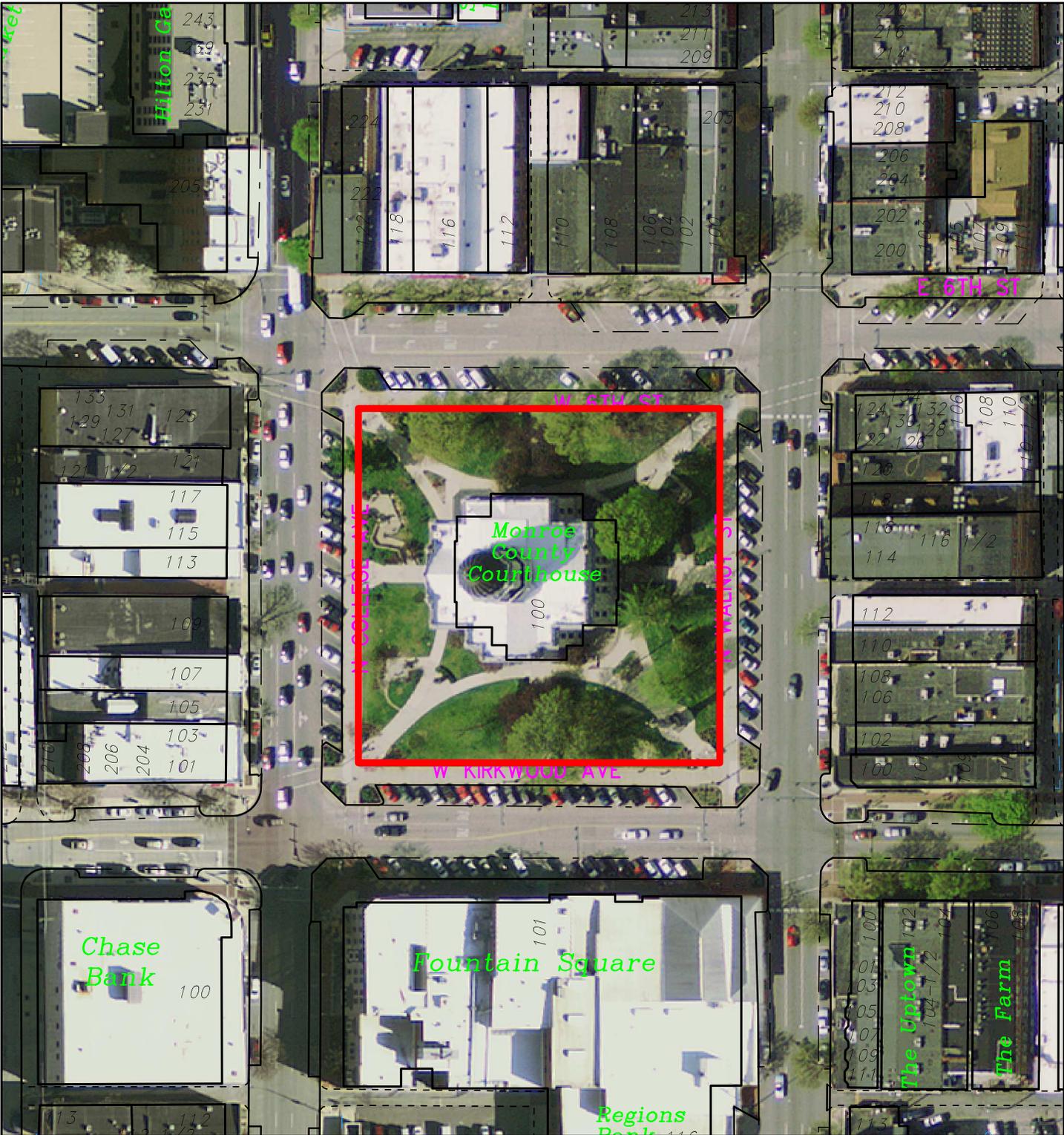


City of Bloomington
Public Works

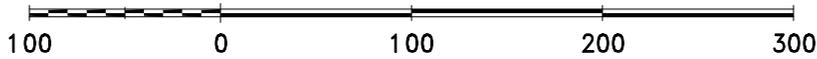


Scale: 1" = 100'

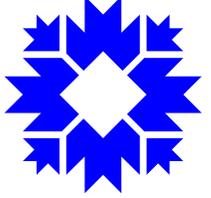
For reference only; map information NOT warranted.



By: smithc
18 Apr 13



City of Bloomington
Public Works



Scale: 1" = 100'

For reference only; map information NOT warranted.



Board of Public Works Staff Report

Project/Event: Noise Permit for WFHB Fundraiser at Upland Brewing Company

Petitioner/Representative: WFHB

Staff Representative: Miah

Meeting Date: April 23, 2013

Report: WFHB is holding its 6th Annual Acoustic Roots Musical Festival at Upland Brewing Company on Saturday, May 11, from 3:00 to 11:00 p.m. This is a fundraiser for Bloomington Community Radio that will focus on the rich heritage of American acoustic roots music.

It is a great showcase of local and regional acoustic roots artists. This year's festival features two stages with artists like Josh Latham, Tim Grim & Jan Lucas, White Lightning Boys, and Jason Wilber.

At some point, the Board began the policy of adjusting the end time for noise permits to be 10:00 p.m. in residential neighborhoods. While Upland is located within the downtown zone, there is a residential neighborhood to the north of the property. Following the same practice as last year, notices will be distributed to the residents prior to the date of the event. Public Works has not received any objections to the event or the timeframe. Staff feels that it's fine to approve this noise permit to end at 11:00 p.m.

Staff recommends approving this request.

Recommend **Approval** **Denial** by Miah Michaelsen



CITY OF BLOOMINGTON

NOISE PERMIT

City of Bloomington
 401 N. Morton St., Suite 120
 Bloomington, Indiana 47404
 812-349-3418

Application and Permit Information

This is an application for a permit for relief from Chapter 14.09 (Noise Control) of the Bloomington Municipal Code. Any permit granted by the City of Bloomington must contain all conditions upon which said permit shall be effective. The City may prescribe any reasonable conditions or requirements it deems necessary to minimize adverse effects upon the community or the surrounding neighborhood.

Once a completed application is submitted to the City, it will be reviewed by the Board of Public Works. If the permit is approved, the holder must still abide all other city, state, and federal laws.

Contact Miah Michaelson with any questions: (812) 349-3418 or michaelm@bloomington.in.gov

Event and Noise Information

Type or Name of Event:	WFHB Acoustic Roots Festival		
Location of Event:	Upland Brewing Company 350 W. 17th		
Date of Event:	Sat May 11, 2013	Time of Event:	Start: 13pm End: 11pm
Description of Noise:	Acoustic music amplified by PA.		
Source of Noise:	<input checked="" type="checkbox"/> Live Band	<input type="checkbox"/> Instrument	<input checked="" type="checkbox"/> Loudspeaker Other:
Will Noise be Amplified?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

Applicant Information

Name:	Jim Manion	
Organization:	WFHB	Title: MUSIC DIRECTOR
Physical Address:	108 West 4th Street	
Email Address:	music@wfhb.org	Phone Number: 323-1200
Signature:	<i>Jim Manion</i>	Date: 4/18/13

FOR CITY OF BLOOMINGTON USE ONLY

In accordance with Section 14.09.070 of the Bloomington Municipal Code, We, the Board of Public Works, the designee of the Mayor of the City of Bloomington, hereby waives the City Noise Ordinance for the above mentioned event.

BOARD OF PUBLIC WORKS	
Charlotte T. Zietlow, President	James McNamara
Date	Dr. Frank N. Hrisomalos



Board of Public Works Staff Report

Project/Event: Approval of Supplement Fee Proposal for Burgess & Niple, Bloomington Bikeway Design Contract

Petitioner/Representative: Burgess & Niple

Staff Representative: Roy Aten

Date: 04/23/2013

Report:

In December of 2012 the City entered into a contract with Burgess & Niple for engineering design services and the development of construction drawings for our 2013 Bikeways Projects. The original contract was for \$98,920.00 and will cover the design of five bikeway projects throughout the City. In March of 2013, the Engineering Department conducted an audit of the original scope of work for that contract and discovered that a few of the original contracted elements have changed. Some of these changes included additional design work for the intersection of Longview and Pete Ellis, and corrections to the Allen Street Corridor that reflects the work completed in 2012. This proposed supplement has been developed to re-align the original contract to the current scope of work. The attached additions and deductions have resulted in an add to the contract price of \$6,470.00 for a total contract price of \$105,390.00.

Recommendation and Supporting Justification: Staff recommends approval of the Supplement Fee Proposal for Burgess & Niple.

Recommend **Approval** **Denial** by _____

BURGESS & NIPLE

251 North Illinois Street | Capital Center Suite 920 | Indianapolis, IN 46204 | 317.237.2760

Mr. Adrian Reid, PE
City of Bloomington, Indiana
401 N. Morton Street
Suite 130, PO Box 100
Bloomington, IN 47402

-Re- Supplemental Fee Proposal
Bloomington Bikeways Design Services
Phase 1

April 3, 2013

Dear Mr. Reid,

Please find two copies of the supplemental agreement for the above referenced project. The supplemental work includes revisions to the construction plans per our original scope (Bloomington Bikeways Implementation Plan):

IM1	\$5,760.00
IM6	-\$870.00
IM7	\$620.00
CST1 Allen-Covenanter Plan Revisions	<u>\$960.00</u>
Total	\$6,470.00

This will increase the contract amount from \$98,920.00 to \$105,390.00. Additional narrative explanation and summaries for justification of fees are attached.

Thank you for allowing Burgess & Niple, Inc. (B&N) to continue to serve you on these challenging projects. Please do not hesitate to call Josh Cook with any questions or concerns (317-237-2760). Please return one signed agreement along with a Notice to Proceed to B&N.

Sincerely,



Scott Sondles, PE
Division Director, Vice President



Josh Cook, PE
Project Manager

cc: Scott Sondles
Kim Pitcher
File 51890

CELEBRATING
100
YEARS
1912 - 2012

B&N
burgessniple.com

SUPPLEMENTAL AGREEMENT FOR BLOOMINGTON BIKEWAYS IMPLEMENTATION PLAN

The supplemental work scope and fee is as described below:

IM1 7th Street/Longview Avenue: Adams Street to Smith Road: This shared lane markings and bike lanes project provides east west commuting that links the near west side with downtown, IU, and the East 45/46 Bypass and College Mall Road areas. West of downtown, it is a neighborhood greenway style facility while through downtown, the project uses bike lanes. Through IU, the route connects with the campus bike/pedestrian network and then connects back to E. 7th Street at Union Street. From here, the route would stay on East 7th Street and proceed east to the new SR 46 underpass and proceed to Longview Avenue.

Length: 3.48 miles Original Design Fee: \$55,400

Supplement: The work consists of replacing 430' of sidewalk with a multi-use path and providing a multi-use path crossing on Pete Ellis Drive, north of Longview Avenue resulting in an additional \$5,040.00. Shared lane markings were also added to Morningside Drive from Smith Street to SR 46 resulting in an additional fee of \$720.00.

Supplemental Design Fee: $\$55,400 + \$5,040.00 + \$720 = \$61,160$ (+\$5,760)

IM6 Clifton/Union Neighborhood Greenway: Maxwell to Law Lane: The north-south neighborhood greenway connects with the IM1 7th Street/Longview route, LT6 10th Street, and other existing bikeways in the vicinity of IU. On Union Street, bike lanes are recommended north of 7th Street and neighborhood greenway and traffic calming south of 7th Street. On Clifton and Anita Streets, neighborhood greenway is the recommended facility type.

Length: 0.95 miles Original Design Fee: \$14,850

Supplement: B&N had completed 50% of the original project before the decision was made to revise the route to Rose Avenue. The subsequent change resulted in a reduction of 0.28 miles for overall project length. The difference between the work provided and the necessary revisions to include Rose Ave is an overall reduction of \$870.00.

Supplemental Design Fee: $\$14,850 - \$870 = \$13,980$ (-\$870)

IM7 3rd Street: Dunn to SR 45/46: The route connects with the Dunn Street/Indiana Ave. bikeway. Since 3rd Street is one way in the west bound direction, Hunter Avenue, a signed bike route, serves the east bound bicyclists along this stretch. Buffered bike lanes are recommended along East 3rd Street in the west bound direction.

Length: 0.91 miles Original Design Fee: \$14,820

Supplement: The section from Jordan Avenue to Rose Street was 30% complete prior to given the notice to stop work along this route. The section between Rose Avenue and High Street is now included in the construction plans. The adjustment to the construction plans nets a reduction of \$3,220.

The proposed treatment of the bus stop located on 3rd Street, west of Jordan Avenue is an additional fee of \$2,880.00. To include the other pull-off bus stop on 3rd Street (between Woodlawn Avenue and Faculty Drive), would be an additional \$960. The total additional fee to include the bus stops is \$3,840.

Supplemental Design Fee = $\$14,820 - \$3,220 + \$3,840 = \$15,440$ (+\$620)

SUPPLEMENTAL AGREEMENT FOR BLOOMINGTON BIKEWAYS IMPLEMENTATION PLAN

CST1 – Allen Street/Covenanter Drive Neighborhood Greenway: Patterson Drive to College Mall Road:

The neighborhood greenway project provides east-west connectivity from the near west side, B-Line, Bryan Park, Southdowns and Sheridan Drive, and to the College Mall by way of Covenanter Drive. Construction began in 2011 with signage improvements and the addition of an intersection diverter at Allen and Walnut Streets. The diverter increases bicycle safety by allowing right turns only by automobiles to and from Allen Street and removal of southbound Walnut left turn. A new section of multiuse trail on Allen Street between Morton and Madison may be added in the future. Until that time, users of the neighborhood greenway will use an alley south of the proposed Allen Street multiuse trail between Morton and Madison Streets.

Supplement: Remove Walnut Street diverter from construction plans, adjust quantities and cost estimate. The adjustment to the construction plans resulting in an additional fee of \$960.

Supplemental Design Fee = \$0 + \$960 = \$960 (+\$960)

Summary

IM1	\$5,760.00
IM6	-\$870.00
IM7	\$620.00
CST1 Allen-Covenanter Plan Revisions	<u>\$960.00</u>
Total	\$6,470.00

This supplement is subject to all of the conditions of the original agreement with the expanded scope of work and modified fees outlined in this supplement.

BURGESS & NIPLE, INC.

City of Bloomington Board of Public Works



E. Scott Sondles, PE
Vice President

Charlotte Zietlow, President

Attest:

Attest:



Josh Cook, PE
Project Manager

Mark Kruzan, Mayor



Board of Public Works Staff Report

Project/Event: Request to Advertise for Greenways Project Bids
Petitioner/Representative: n/a
Staff Representative: Justin Wykoff
Meeting Date: 04/23/2013

Report:

The City of Bloomington has been working with Burgess and Niple Engineering and ALTA Planning on the completion of the Greenways Implementation Plan. At this time final coordination is nearing completion, and the following projects are planned to be implemented in 2013;

Allen Street / Covenant Drive Bicycle Boulevard (Patterson Drive to College Mall Road)

7th Street Bicycle Boulevard (Adams Street to 45/46 Bypass)

3rd Street Bicycle Lanes (High Street to Dunn Street)

3rd/5th/Adams Bicycle Lanes (Landmark Avenue to 7th Street)

Highland Avenue / Hawthorne Avenue Bicycle Boulevard

Clifton Avenue / Union Street Bicycle Improvements

Recommendation and Supporting Justification: Staff recommends approval of this request to advertise for bids for Greenways projects and after the bids are opened at a public meeting, we will present the bids to the Board of Public Works with a recommendation for award.

Recommend Approval Denial by

A handwritten signature in black ink that reads "Justin D. Wykoff". The signature is written in a cursive style and is contained within a rectangular box.



Board of Public Works Staff Report

Project/Event: Request from City of Bloomington Utilities Department to Close a Portion of N. Dunn Street for the Construction of the Griffy Dam Project.

Petitioner/Representative: Mike Hublar, Dave O'Mara Contractor

Staff Representative: Roy Aten

Date: 04/23/2013

Report: The City of Bloomington Utilities Department has given the notice to proceed to Dave O'Mara Contractors to begin the Lake Griffy Dam Improvements Project. The project will consist of repairs to the existing dam and the installation of a new tower and lake drian pipe. Due to the installation of the new pipe, the size of the staging area and the scale of the proposed construction traffic, the Utility Department is requesting the closure of North Dunn Street from West Lakewood Drive to Old State Road 37. The proposed road closure will begin on or after April 24th, 2013 and reopen October 1st, 2013. A detour route has been planned that will redirect traffic to North Walnut Street.

Recommendation and Supporting Justification: Staff has reviewed the proposal and recommends that the Board approve the closure of North Dunn Street for the Lake Griffy Dam Improvements. The detour route along North Walnut Street should have no problem handling the additional traffic generated by the closure.

Recommend Approval Denial by _____



Dave O'Mara Contractor, Inc.
1100 East O & M Avenue, PO Box 1139
North Vernon, Indiana 47265
www.daveomara.com

Phone: 812.346.4135

Fax: 812.346.6305

April 5, 2013

Roy Aten
City of Bloomington
Department of Public Works
401 North Morton Street, Suite 130
Bloomington, IN. 47402

Re: Lake Griffy Dam Improvements
Road Closure Notice

Roy,,

Enclosed is the Street Closure Application for Dunn Street associated with the Lake Griffy Dam Improvements project for your approval. Also included are the traffic control details for the closure, suggested detour route and the nature trail closure. If you have any questions, or need any additional information, please feel free to contact me.

Thanks,

Mike Hublar
Dave O'Mara Contractor
Cell: 812-592-9315

Cc; File



City of Bloomington
Department of Public Works
401 North Morton Street, Suite 130
Phone (812) 349 3411 Fax (812) 349-3520

Mailing Address:
P.O. Box 100
Bloomington, IN 47402

Street or Traffic Lane Closure Application

Please Note: It shall be the responsibility of the party closing a street, traffic lane, parking lane, bike lane, or sidewalk to provide all necessary signage and traffic control devices. All signage and traffic control devices must adhere to, and be placed in accordance with, the Manual of Uniform Traffic Control Devices (MUTCD). It is also the responsibility of the party requesting the closure to make all appropriate notifications to Emergency Services, and any organization designated by the City of Bloomington Public Works Department. A notification list is available from the Public Works Department.

Street(s) : DUNN STREET

Starting at : LAKEWOOD DRIVE
(Address or block where closure or restriction begins)

Ending at : OLD STATE ROAD 37
(Address or block where closure or restriction ends)

Type of Closure (check all that apply) : [X] Complete street closure [] One traffic lane [] Alley
[] 2 or more traffic lanes [] Parking lane [] Sidewalk [] Bike lane

Reason for Closure : [X] Utility Work [] Work in Street [] Loading or Unloading
[] Work on Sidewalk [] Special Event [] Work on Private Property
[] Other :

Date(s) of Closure : From 4/10/13 to 10/1/13 Start time : 9 a.m. p.m.

Overnight Closure Required : [X] Yes [] No End time : a.m. / p.m.

Responsible Party Information

Name or Organization : DAVE OMARA CONTRACTOR INC.

Contact Person : JEFF MC CAIN Contact Phone No. : 812-345-6106

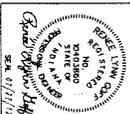
Contact Email : jeffmc@daveomara.com

Signature : Michael D. Hubler Date : 4/5/13

Printed Name : MICHAEL D. HUBLER

For Office Use

Approved By : Dept. : Date :



NO.	REVISIONS	DATE																			

PROJECT NUMBER	SCALE	DATE																				

731 Shadeland Station
 Indianapolis, Indiana 46256
 © 2012, 2011, 2010, 2009, 2008, 2007, 2006, 2005, 2004, 2003, 2002, 2001, 2000, 1999, 1998, 1997, 1996, 1995, 1994, 1993, 1992, 1991, 1990, 1989, 1988, 1987, 1986, 1985, 1984, 1983, 1982, 1981, 1980, 1979, 1978, 1977, 1976, 1975, 1974, 1973, 1972, 1971, 1970, 1969, 1968, 1967, 1966, 1965, 1964, 1963, 1962, 1961, 1960, 1959, 1958, 1957, 1956, 1955, 1954, 1953, 1952, 1951, 1950, 1949, 1948, 1947, 1946, 1945, 1944, 1943, 1942, 1941, 1940, 1939, 1938, 1937, 1936, 1935, 1934, 1933, 1932, 1931, 1930, 1929, 1928, 1927, 1926, 1925, 1924, 1923, 1922, 1921, 1920, 1919, 1918, 1917, 1916, 1915, 1914, 1913, 1912, 1911, 1910, 1909, 1908, 1907, 1906, 1905, 1904, 1903, 1902, 1901, 1900, 1899, 1898, 1897, 1896, 1895, 1894, 1893, 1892, 1891, 1890, 1889, 1888, 1887, 1886, 1885, 1884, 1883, 1882, 1881, 1880, 1879, 1878, 1877, 1876, 1875, 1874, 1873, 1872, 1871, 1870, 1869, 1868, 1867, 1866, 1865, 1864, 1863, 1862, 1861, 1860, 1859, 1858, 1857, 1856, 1855, 1854, 1853, 1852, 1851, 1850, 1849, 1848, 1847, 1846, 1845, 1844, 1843, 1842, 1841, 1840, 1839, 1838, 1837, 1836, 1835, 1834, 1833, 1832, 1831, 1830, 1829, 1828, 1827, 1826, 1825, 1824, 1823, 1822, 1821, 1820, 1819, 1818, 1817, 1816, 1815, 1814, 1813, 1812, 1811, 1810, 1809, 1808, 1807, 1806, 1805, 1804, 1803, 1802, 1801, 1800, 1799, 1798, 1797, 1796, 1795, 1794, 1793, 1792, 1791, 1790, 1789, 1788, 1787, 1786, 1785, 1784, 1783, 1782, 1781, 1780, 1779, 1778, 1777, 1776, 1775, 1774, 1773, 1772, 1771, 1770, 1769, 1768, 1767, 1766, 1765, 1764, 1763, 1762, 1761, 1760, 1759, 1758, 1757, 1756, 1755, 1754, 1753, 1752, 1751, 1750, 1749, 1748, 1747, 1746, 1745, 1744, 1743, 1742, 1741, 1740, 1739, 1738, 1737, 1736, 1735, 1734, 1733, 1732, 1731, 1730, 1729, 1728, 1727, 1726, 1725, 1724, 1723, 1722, 1721, 1720, 1719, 1718, 1717, 1716, 1715, 1714, 1713, 1712, 1711, 1710, 1709, 1708, 1707, 1706, 1705, 1704, 1703, 1702, 1701, 1700, 1699, 1698, 1697, 1696, 1695, 1694, 1693, 1692, 1691, 1690, 1689, 1688, 1687, 1686, 1685, 1684, 1683, 1682, 1681, 1680, 1679, 1678, 1677, 1676, 1675, 1674, 1673, 1672, 1671, 1670, 1669, 1668, 1667, 1666, 1665, 1664, 1663, 1662, 1661, 1660, 1659, 1658, 1657, 1656, 1655, 1654, 1653, 1652, 1651, 1650, 1649, 1648, 1647, 1646, 1645, 1644, 1643, 1642, 1641, 1640, 1639, 1638, 1637, 1636, 1635, 1634, 1633, 1632, 1631, 1630, 1629, 1628, 1627, 1626, 1625, 1624, 1623, 1622, 1621, 1620, 1619, 1618, 1617, 1616, 1615, 1614, 1613, 1612, 1611, 1610, 1609, 1608, 1607, 1606, 1605, 1604, 1603, 1602, 1601, 1600, 1599, 1598, 1597, 1596, 1595, 1594, 1593, 1592, 1591, 1590, 1589, 1588, 1587, 1586, 1585, 1584, 1583, 1582, 1581, 1580, 1579, 1578, 1577, 1576, 1575, 1574, 1573, 1572, 1571, 1570, 1569, 1568, 1567, 1566, 1565, 1564, 1563, 1562, 1561, 1560, 1559, 1558, 1557, 1556, 1555, 1554, 1553, 1552, 1551, 1550, 1549, 1548, 1547, 1546, 1545, 1544, 1543, 1542, 1541, 1540, 1539, 1538, 1537, 1536, 1535, 1534, 1533, 1532, 1531, 1530, 1529, 1528, 1527, 1526, 1525, 1524, 1523, 1522, 1521, 1520, 1519, 1518, 1517, 1516, 1515, 1514, 1513, 1512, 1511, 1510, 1509, 1508, 1507, 1506, 1505, 1504, 1503, 1502, 1501, 1500, 1499, 1498, 1497, 1496, 1495, 1494, 1493, 1492, 1491, 1490, 1489, 1488, 1487, 1486, 1485, 1484, 1483, 1482, 1481, 1480, 1479, 1478, 1477, 1476, 1475, 1474, 1473, 1472, 1471, 1470, 1469, 1468, 1467, 1466, 1465, 1464, 1463, 1462, 1461, 1460, 1459, 1458, 1457, 1456, 1455, 1454, 1453, 1452, 1451, 1450, 1449, 1448, 1447, 1446, 1445, 1444, 1443, 1442, 1441, 1440, 1439, 1438, 1437, 1436, 1435, 1434, 1433, 1432, 1431, 1430, 1429, 1428, 1427, 1426, 1425, 1424, 1423, 1422, 1421, 1420, 1419, 1418, 1417, 1416, 1415, 1414, 1413, 1412, 1411, 1410, 1409, 1408, 1407, 1406, 1405, 1404, 1403, 1402, 1401, 1400, 1399, 1398, 1397, 1396, 1395, 1394, 1393, 1392, 1391, 1390, 1389, 1388, 1387, 1386, 1385, 1384, 1383, 1382, 1381, 1380, 1379, 1378, 1377, 1376, 1375, 1374, 1373, 1372, 1371, 1370, 1369, 1368, 1367, 1366, 1365, 1364, 1363, 1362, 1361, 1360, 1359, 1358, 1357, 1356, 1355, 1354, 1353, 1352, 1351, 1350, 1349, 1348, 1347, 1346, 1345, 1344, 1343, 1342, 1341, 1340, 1339, 1338, 1337, 1336, 1335, 1334, 1333, 1332, 1331, 1330, 1329, 1328, 1327, 1326, 1325, 1324, 1323, 1322, 1321, 1320, 1319, 1318, 1317, 1316, 1315, 1314, 1313, 1312, 1311, 1310, 1309, 1308, 1307, 1306, 1305, 1304, 1303, 1302, 1301, 1300, 1299, 1298, 1297, 1296, 1295, 1294, 1293, 1292, 1291, 1290, 1289, 1288, 1287, 1286, 1285, 1284, 1283, 1282, 1281, 1280, 1279, 1278, 1277, 1276, 1275, 1274, 1273, 1272, 1271, 1270, 1269, 1268, 1267, 1266, 1265, 1264, 1263, 1262, 1261, 1260, 1259, 1258, 1257, 1256, 1255, 1254, 1253, 1252, 1251, 1250, 1249, 1248, 1247, 1246, 1245, 1244, 1243, 1242, 1241, 1240, 1239, 1238, 1237, 1236, 1235, 1234, 1233, 1232, 1231, 1230, 1229, 1228, 1227, 1226, 1225, 1224, 1223, 1222, 1221, 1220, 1219, 1218, 1217, 1216, 1215, 1214, 1213, 1212, 1211, 1210, 1209, 1208, 1207, 1206, 1205, 1204, 1203, 1202, 1201, 1200, 1199, 1198, 1197, 1196, 1195, 1194, 1193, 1192, 1191, 1190, 1189, 1188, 1187, 1186, 1185, 1184, 1183, 1182, 1181, 1180, 1179, 1178, 1177, 1176, 1175, 1174, 1173, 1172, 1171, 1170, 1169, 1168, 1167, 1166, 1165, 1164, 1163, 1162, 1161, 1160, 1159, 1158, 1157, 1156, 1155, 1154, 1153, 1152, 1151, 1150, 1149, 1148, 1147, 1146, 1145, 1144, 1143, 1142, 1141, 1140, 1139, 1138, 1137, 1136, 1135, 1134, 1133, 1132, 1131, 1130, 1129, 1128, 1127, 1126, 1125, 1124, 1123, 1122, 1121, 1120, 1119, 1118, 1117, 1116, 1115, 1114, 1113, 1112, 1111, 1110, 1109, 1108, 1107, 1106, 1105, 1104, 1103, 1102, 1101, 1100, 1099, 1098, 1097, 1096, 1095, 1094, 1093, 1092, 1091, 1090, 1089, 1088, 1087, 1086, 1085, 1084, 1083, 1082, 1081, 1080, 1079, 1078, 1077, 1076, 1075, 1074, 1073, 1072, 1071, 1070, 1069, 1068, 1067, 1066, 1065, 1064, 1063, 1062, 1061, 1060, 1059, 1058, 1057, 1056, 1055, 1054, 1053, 1052, 1051, 1050, 1049, 1048, 1047, 1046, 1045, 1044, 1043, 1042, 1041, 1040, 1039, 1038, 1037, 1036, 1035, 1034, 1033, 1032, 1031, 1030, 1029, 1028, 1027, 1026, 1025, 1024, 1023, 1022, 1021, 1020, 1019, 1018, 1017, 1016, 1015, 1014, 1013, 1012, 1011, 1010, 1009, 1008, 1007, 1006, 1005, 1004, 1003, 1002, 1001, 1000, 999, 998, 997, 996, 995, 994, 993, 992, 991, 990, 989, 988, 987, 986, 985, 984, 983, 982, 981, 980, 979, 978, 977, 976, 975, 974, 973, 972, 971, 970, 969, 968, 967, 966, 965, 964, 963, 962, 961, 960, 959, 958, 957, 956, 955, 954, 953, 952, 951, 950, 949, 948, 947, 946, 945, 944, 943, 942, 941, 940, 939, 938, 937, 936, 935, 934, 933, 932, 931, 930, 929, 928, 927, 926, 925, 924, 923, 922, 921, 920, 919, 918, 917, 916, 915, 914, 913, 912, 911, 910, 909, 908, 907, 906, 905, 904, 903, 902, 901, 900, 899, 898, 897, 896, 895, 894, 893, 892, 891, 890, 889, 888, 887, 886, 885, 884, 883, 882, 881, 880, 879, 878, 877, 876, 875, 874, 873, 872, 871, 870, 869, 868, 867, 866, 865, 864, 863, 862, 861, 860, 859, 858, 857, 856, 855, 854, 853, 852, 851, 850, 849, 848, 847, 846, 845, 844, 843, 842, 841, 840, 839, 838, 837, 836, 835, 834, 833, 832, 831, 830, 829, 828, 827, 826, 825, 824, 823, 822, 821, 820, 819, 818, 817, 816, 815, 814, 813, 812, 811, 810, 809, 808, 807, 806, 805, 804, 803, 802, 801, 800, 799, 798, 797, 796, 795, 794, 793, 792, 791, 790, 789, 788, 787, 786, 785, 784, 783, 782, 781, 780, 779, 778, 777, 776, 775, 774, 773, 772, 771, 770, 769, 768, 767, 766, 765, 764, 763, 762, 761, 760, 759, 758, 757, 756, 755, 754, 753, 752, 751, 750, 749, 748, 747, 746, 745, 744, 743, 742, 741, 740, 739, 738, 737, 736, 735, 734, 733, 732, 731, 730, 729, 728, 727, 726, 725, 724, 723, 722, 721, 720, 719, 718, 717, 716, 715, 714, 713, 712, 711, 710, 709, 708, 707, 706, 705, 704, 703, 702, 701, 700, 699, 698, 697, 696, 695, 694, 693, 692, 691, 690, 689, 688, 687, 686, 685, 684, 683, 682, 681, 680, 679, 678, 677, 676, 675, 674, 673, 672, 671, 670, 669, 668, 667, 666, 665, 664, 663, 662, 661, 660, 659, 658, 657, 656, 655, 654, 653, 652, 651, 650, 649, 648, 647, 646, 645, 644, 643, 642, 641, 640, 639, 638, 637, 636, 635, 634, 633, 632, 631, 630, 629, 628, 627, 626, 625, 624, 623, 622, 621, 620, 619, 618, 617, 616, 615, 614, 613, 612, 611, 610, 609, 608, 607, 606, 605, 604, 603, 602, 601, 600, 599, 598, 597, 596, 595, 594, 593, 592, 591, 590, 589, 588, 587, 586, 585, 584, 583, 582, 581, 580, 579, 578, 577, 576, 575, 574, 573, 572, 571, 570, 569, 568, 567, 566, 565, 564, 563, 562, 561, 560, 559, 558, 557, 556, 555, 554, 553, 552, 551, 550, 549, 548, 547, 546, 545, 544, 543, 542, 541, 540, 539, 538, 537, 536, 535, 534, 533, 532, 531, 530, 529, 528, 527, 526, 525, 524, 523, 522, 521, 520, 519, 518, 517, 516, 515, 514, 513, 512, 511, 510, 509, 508, 507, 506, 505, 504, 503, 502, 501, 500, 499, 498, 497, 496, 495, 494, 493, 492, 491, 490, 489, 488, 487, 486, 485, 484, 483, 482, 481, 480, 479, 478, 477, 476, 475, 474, 473, 472, 471, 470, 469, 468, 467, 466, 465, 464, 463, 462, 461, 460, 459, 458, 457, 456, 455, 454, 453, 452, 451, 450, 449, 448, 447, 446, 445, 444, 443, 442, 441, 440, 439, 438, 437, 436, 435, 434, 433, 432, 431, 430, 429, 428, 427, 426, 425, 424, 423, 422, 421, 420, 419, 418, 417, 416, 415, 414, 413, 412, 411, 410, 409, 408, 407, 406, 405, 404, 403, 402, 401, 400, 399, 398, 397, 396, 395, 394, 393, 392, 391, 390, 389, 388, 387, 386, 385, 384, 383, 382, 381, 380, 379, 378, 377, 376, 375, 374, 373, 372, 371, 370, 369, 368, 367, 366, 365, 364, 363, 362, 361, 360, 359, 358, 357, 356, 355, 354, 353, 352, 351, 350, 349, 348, 347, 346, 345, 344, 343, 342, 341, 340, 339, 338, 337, 336, 335, 334, 333, 332, 331, 330, 329, 328, 327, 326, 325, 324, 323, 322, 321, 320, 319, 318, 317, 316, 315, 314, 313, 312, 311, 310, 309, 308, 307, 306, 305, 304, 303, 302, 301, 300, 299, 298, 297, 296, 295, 294, 293, 292, 291, 290, 289, 288, 287, 286, 285, 284, 283, 282, 281, 280, 279, 278, 277, 276, 275, 274, 273, 272, 271, 270, 269, 268, 267, 266, 265, 264, 263, 262, 261, 260, 259, 258, 257, 256, 255, 254, 253, 252, 251, 250, 249, 248, 247, 246, 245, 244, 243, 242, 241, 240, 239, 238, 237, 236, 235, 234, 233, 232, 231, 230, 229, 228, 227, 226, 225, 224, 223, 222, 221, 220, 219, 218, 217, 216, 215, 214, 213, 212, 211, 210, 209, 208, 207, 206, 205, 204, 203, 202, 201, 200, 199, 198, 197, 196, 195, 194, 193, 192, 191, 190, 189, 188, 187, 186, 185, 184, 183, 182, 181, 180, 179, 178, 177, 176, 175, 174, 173, 172, 171, 170, 169, 168, 167, 166, 165, 164, 163, 162, 161, 160, 159, 158, 157, 156, 155, 154, 153, 152, 151, 150, 149, 148, 147, 146, 145, 144, 143, 142, 141, 140, 139, 138, 137, 136, 135, 134, 133, 132, 131, 130, 129, 128, 127, 126, 125, 124, 123, 122, 121, 120, 119, 118, 117, 116, 115, 114, 113, 112, 111, 110, 109, 108, 107, 106, 105, 104, 103, 102, 101, 100, 99, 98, 97, 96, 95, 94, 93, 92, 91, 90, 89, 88, 87, 86, 85, 84, 83, 82, 81, 80, 79, 78, 77, 76, 75, 74, 73, 72, 71, 70, 69, 68, 67, 66, 65, 64, 63, 62, 61, 60, 59, 58, 57, 56, 55, 54, 53, 52, 51, 50, 49, 48, 47, 46, 45, 44, 43, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, 30, 29, 28, 27, 26, 25, 24, 23, 22, 21, 20, 19, 18, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2, 1

