

The Board of Public Works meeting was held on Tuesday, February 23, 2016 at 5:30 p.m. in the Council Chambers of City Hall at Showers, 401 N. Morton Street, Bloomington, Indiana with Kyla Cox Deckard presiding.

REGULAR MEETING OF THE BOARD OF PUBLIC WORKS

Present: Kyla Cox Deckard
Kelly Boatman
Melanie Castillo-Cullather

ROLL CALL

City Staff: Mike Arnold – Housing and Neighborhood Development
Rick Dietz-Information and Technology Services
Christina Smith – Public Works
Rick Alexander– Planning and Transportation
Roy Aten– Planning and Transportation
Adam Wason – Public Works
Valerie Hosea– Public Works

None

MESSAGES FROM BOARD MEMBERS

Boatman moved to approve the minutes. Castillo-Cullather seconded the motion. The motion passed. The minutes from February 9, 2016 were approved with changes made.

APPROVAL OF MINUTES - February 9, 2016

None

PETITIONS & REMONSTRANCES

BIDS ANDS QUOTES

Cox Deckard opened Sealed Bids for the Purchase of Bituminous Materials.

Open Sealed Bids for the Purchase of Bituminous Materials

Bids were received from the following companies:

E&B Paving, Inc.

20,000 Tons	Hot Mix (Surface #9 or #11)	\$49.00
200 Tons	Binder (Intermediate #8 or #9)	\$45.00
200 Tons	Base (#5)	\$43.00
200 Tons	Cold Mix	\$110.00
8,000 Tons	Recycled Asphalt Product (RAP)	\$ - 6.00

Milestone Contractors

20,000 Tons	Hot Mix (Surface #9 or #11)	\$ 48.00
200 Tons	Binder (Intermediate #8 or #9)	\$45.00
200 Tons	Base (#5)	\$45.00
200 Tons	Cold Mix	\$120.00
8,000 Tons	Recycled Asphalt Product (RAP)	\$ - 6.00

Staff will review the documents and bring a recommendation back to the Board in two weeks after quotes are reviewed.

Cox Deckard opened Sealed Bids for the Purchase of Class ‘A’ Portland Cement Materials.

Open Sealed Bids for the Purchase of Class ‘A’ Portland Cement Materials

Bids were received from the following companies:

Irving Materials (IMI)

Concrete Class A	\$101.50 per cubic yard
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Concrete Class A w/2% Calcium	\$108.50 per cubic yard
Concrete Class A w/Reinforcements	\$108.50 per cubic yard
Minimum Load Fee	\$100.00 (Less than 3 yards)

Staff will review the documents and bring a recommendation back to the Board in two weeks after quotes are reviewed.

Cox Deckard opened Sealed Proposal for the Purchase of Materials for Buskirk-Chumley LED Light Fixtures Upgrades.

Quotes were received from the following companies:

- Mid-America Sound Corporation

Staff will review the documents and bring a recommendation back to the Board in two weeks after proposals are reviewed.

Cox Deckard opened Sealed Proposals for Electrical Services for Buskirk-Chumley LED Light Fixtures Upgrades.

Proposals were received from the following companies:

- Cassady Electrical Contractors
- Alexander Electric, Inc.
- Woods Electrical Contractors, Inc.

Staff will review the documents and bring a recommendation back to the Board in two weeks after proposals are reviewed.

None

Open Sealed Proposals for the Purchase of Materials for Buskirk-Chumley LED Light Fixtures Upgrades

Open Sealed Proposals for Electrical Services for Buskirk-Chumley LED Light Fixture Upgrades

TITLE VI ENFORCEMENT

NEW BUSINESS

Mike Arnold, with Housing and Neighborhood Development, explained that this is property was previously ordered to be sealed on February 14, 2013. There has been some cooperation from the owner in maintaining compliance with the order; however, the order expired February 14, 2015. Staff would like to re-establish an order to seal the structure for more than 90 days in case of any future issues.

Permission to Seal Unsafe Structure at 1906 W. 3rd Street

Boatman said she noticed that the owners were in compliance by the January 31st deadline.

Arnold explained that typically the owners are given two years from the deadline date of the order to do the repairs. Staff is requesting the 2nd Order to Seal for this property because the structure was found open after the 1st one expired.

Boatman made a motion to approve Permission to Seal Unsafe Structure at 1906 W. 3rd Street. Castillo-Cullather seconded the motion. The motion passed. Permission to Seal approved.

Arnold explained this is a structure that was found not in compliance with Title 17 of the Municipal Code on June 23, 2015. It was partially collapsed with a tree lying on top of it. The owner indicated he was going to remove the structure after he allowed some (fire or police department) training to occur inside of it. The training never occurred. The owner agreed to sell the structure, but did not. The results of a drive-by inspection on, January 4, 2016, showed that the structure has been removed but debris was left. A letter was sent to the owner requesting that the debris be

Uphold Order to Remove Unsafe Structure at 2326 W. Vernal Pike

addressed. It has not addressed and there has been no response from the owner. Staff is requesting permission to do the work (which may involve contractors) necessary to remove the debris from the property and to obtain a warrant of entry from the courts.

Cox Deckard asked what debris is considered in HAND Department as it relates to an Unsafe Structure.

Arnold explained it is considered a part of the structure.

Boatman asked if the Order to Remove has a deadline.

Arnold said the initial order was for August 25th and was extended to the end of the year. The owner is now in violation of that order.

Castillo-Cullather made a motion to approve Uphold Order to Remove Unsafe Structure at 2326 W. Vernal Pike; obtain a warrant of entry and contractors necessary to complete this work. Boatman seconded the motion. The motion passed. Permission to Uphold Order approved.

Rick Dietz, with Information and Technology Services, explained he is requesting the reappointment to the BDU Advisory Committee for terms starting Jan 31, 2016 for the following individuals currently serving:

- Michelle Cole, Chief Operations Officer of Envisage Technologies
- Matt Davy, Principal Solution Architect at Tallac Networks and Former InCNTRE Director & Chief Network Architect, Indiana University
- Dr. Michael Sullivan, Associate Director of Health Sciences for Internet2

He explained that he believes these individuals should continue their strong contributions to the City's technology deliberations and related infrastructure initiatives through service on the BDU Advisory Committee. Dietz thanked the Board for their consideration of these recommendations. Dietz provided a brief background for each member.

Boatman asked how long the terms are for this Advisory.

Dietz said they are 2 years.

Cox Deckard asked if they have served prior to this.

Dietz said they have.

Boatman made a motion to approve the Appointment of Michelle Cole, Matt Davy, and Dr. Michael Sullivan, to Bloomington Digital Underground Advisory Committee. Castillo-Cullather seconded the motion. The motion passed. Appointment approved.

Dietz explained the City of Bloomington has agreed to provide two strands of single mode dark fiber optics to Smithville Fiber in exchange for additional forty (40) Megabits of Enterprise Premium Bandwidth to our existing services today.

Dietz explained this exchange will allow Smithville Fiber to provide services to Lotus Education & Arts Foundation at 109 South Rogers Street, without the need of construction in the right of way.

**Confirm
Appointments to the
Bloomington Digital
Underground
Advisory Committee**

**Approve Fiber Optic
Exchange Agreement
with Smithville Fiber
Company**

Dietz explained this agreement will be in service for as long as Lotus Education & Arts Foundation utilizes Smithville's services provided over the City of Bloomington owned fiber optic network between the Telecom Hotel (behind Scotty's) and 109 South Rogers Street Bloomington, Indiana.

Castillo-Cullather asked what the value would be for the additional 40-megabits of bandwidth.

Dietz explained in a number of cases the City exceeds its bandwidth and Smithville has not penalized us for that so far. He said he could find out what the exact cost to Smithville would be for the bandwidth increase to the City.

Castillo-Cullather asked Dietz to explain section 1.2 of the contract.

Dietz explained the contract's specific terms and language for that section. He said this is just a use agreement for infrastructure that the City maintains ownership of.

Castillo-Cullather asked if Smithville will charge Lotus for services.

Dietz said he wasn't sure.

Boatman commented the term "Telecom Hotel" is interesting.

Dietz said it is a segment of a very large building. It is a meeting point for a few telecom providers. There are racks, servers, and network gear in a large structure.

Boatman made a motion to Approve the Fiber Optic Exchange Agreement with Smithville Fiber Company. Castillo-Cullather seconded the motion. The motion passed. Contract approved.

Adam Wason, with Public Works, explained Monroe County Solid Waste District manages the Adopt A Road Program that started in 1996 which includes City Streets and has requested that the following street sections be added to the program:

North Woodlawn Avenue between East 7th Street and East 12th Street

East Cottage Grove between North Washington Street and North Walnut Grove Avenue

East 12th Street between North Walnut Street and North Forrest Avenue

North Grant Street between East 3rd Street and East 12th Street

North and South Rogers Street between West 2nd Street and West 11th Street

Wason said the Woodlawn Avenue street section is a request from Sigma Lambda Upsilon, Senioritas Latinas Unidas Sorority, Inc and Rogers Street is a request from the African American Arts Institute. The remaining three sections will be placed into the program for future adoption.

The District ask organizations to complete up to four (4) litter clean ups each year and commit to keeping the adopted roadway clean for two years. The District also furnishes safety training, equipment, and arranges for collection and disposal of the litter after each scheduled clean up. City Risk Management Division has evaluated these street sections and did not find any liability

Request by Monroe County Solid Waste District to Add Sections of Public Streets to the Adopt A Road Program

issues that would prohibit them from being included into the program.

Tom McGlasson, Monroe County Solid Waste District, explained participation has increased over the years with the program. They are requesting streets that have not been specifically requested to adopt yet, so that they may be available in the future.

Wason reiterated there is a list of all of the adopted roads in the packet. The roads are cleaned quarterly by the organizations that have adopted them.

Cox Deckard asked if the Solid Waste Management District provides the materials for their groups to use during cleanup.

McGlasson said yes.

Castillo-Cullather asked if there is safety orientation.

McGlasson said yes.

Boatman asked how many tons of litter this program cleans up yearly.

McGlasson estimated about 7-8 tons last year for the county.

Boatman asked if there is a separation for recycling and solid waste.

McGlasson said the group sorts it and takes it down to sanitation and it goes from there. There is some turnover with the groups due to the student population, but not a high rate.

Boatman asked if the streets are marked with “adopted” signs.

McGlasson said the signs are placed after the groups complete at least one cleanup.

Boatman made a motion to approve the Request by Monroe County Solid Waste District to Add Sections of Public Streets to the Adopt A Road Program. Castillo-Cullather seconded the motion. The motion passed. Request approved.

Wason thanked staff for their efforts with processing the events on the administrative side of things.

Rick Alexander, with Planning and Transportation, explained The YMCA is sponsoring the 40th annual Spring Run on April 2nd, 2016 and is requesting that they be allowed to use city streets as they have in the past. There will be a 5K and a 10K Run. Streets will remain open with traffic control at each intersection for the safety of the participants. Set up starts at 5:00 a.m., with the run starting at 8:00 a.m., with anticipated completion of the event by noon. The event petition includes a request for a noise permit.

**Resolution 2016-11:
Use of Public Streets
for Monroe County
YMCA 5k & 10K
Spring Run
(Saturday, 4/2)**

Alexander explained this event has approximately 400 participants and raises several thousand dollars for their Youth Scholarship Program. BPD has issued Parade Permits for these events pending the Board’s approval.

Alexander explained the event uses both a security firm and police to control traffic and assist runners at intersections. Staff has not

received complaints or had other concerns in previous years. The organizers are experienced and staff supports their request.

Cox Deckard asked if the organization covers the costs of the security and police staffing, expenses related to barricades.

Alexander said yes.

Castillo-Cullather asked if there are other approvals needed from the City.

Alexander said there were none other than the Board of Public Works approval.

Castillo-Cullather asked if the organizers will post signs to about the race to warn commuters about the potential slowed traffic.

Alexander said no.

Boatman asked what incidences should noise ordinances be waived and when one should be granted as part of the resolution.

Alexander said if there is no amplified noise, there is no need for a noise waiver.

Wason said organizers may ask for a noise ordinance waiver if the event will last beyond 10p.m.

Boatman made a motion to approve Resolution 2016-11: Use of Public Streets for Monroe County YMCA 5k & 10K Spring Run (Saturday, 4/2). Castillo-Cullather seconded the motion. The motion passed. Resolution 2016-11 approved.

Alexander explained The IU chapter of Habitat for Humanity is sponsoring a 5K run on Saturday, April 23rd, 2016, and they would like to use city streets for this event. The organizers have the Sycamore shelter in Lower Cascades Park reserved for the event and are requesting the use of Old State Road 37 and Clubhouse Drive for the race. The request is to start setting up at 8:00 am with the race beginning at 9:00 am and ending by noon. They are also requesting a noise waiver. The streets will remain closed throughout the event for participant safety. Roads will be reopened to traffic as soon as the event is complete. The race is planned to begin on Old St Rd 37 near the shelter, proceed north nearly to North Walnut, turn back south to Gourley Pike and back north to the shelter house.

**Resolution 2016-12:
Use of Public Streets
for IU Habitat for
Humanity 5K Run
(Saturday, 4/23)**

Alexander explained the event requires approval from the Parks Department, insurance showing the city as insured and approval from the BPW. The event is a fund raising event and the proceeds go to Habitat for Humanity. This event was held in 2015 with the same route and start time and staff received no complaints.

Maria Khan, IU Habitat for Humanity, explained they are aiming for 100 runners. The event is open to anyone who wants to register.

Boatman asked if the playground would be accessible to pedestrians or bicyclists during the race.

Khan said she's been in touch with the Parks Department to ensure the playground is accessible. It will also open back up as soon as the last runner has passed by.

Cox Deckard asked if the funds raised support the local Habitat for Humanity.

Khan said they will go toward sponsoring a house in Monroe County.

Boatman made a motion to approve Resolution 2016-12: Use of Public Streets for IU Habitat for Humanity 5K Run (Saturday, 4/23). Castillo-Cullather seconded the motion. The motion passed. Resolution 2016-12 approved.

Alexander explained Curry Auto Center is requesting closure of a section of S. Auto Mall Road from E. Buick Cadillac Road to 845 S. Auto Mall Road on Saturday, June 4th 2016 from 9:00 a.m. – 2:00 p.m. for their 4th annual automobile show. Events will include viewing of vintage and other specialty automobiles, food trucks, and other street festival activities. The event is open to the public. The location and layout are the same as they have used in past years. Staff has not received complaints or concerns about this event in previous years.

**Resolution 2016-13:
Use of Public Street
for Curry
Automobile Show
(Saturday, 6/4)**

Alexander explained event planners have contacted adjacent businesses, and they are supportive of the event. Access to businesses such as Pier One and The ReStore will be maintained through the event. Staff finds the request to be acceptable and recommends approval.

Castillo-Cullather made a motion to approve Resolution 2016-13: Use of Public Street for Curry Automobile Show (Saturday, 6/4). Boatman seconded the motion. The motion passed. Resolution 2016-13 approved.

Wason explained Bloomington Municipal Code Chapters 4.16 (*Solicitors*), 4.28 (*Mobile Food Vendors*), and 4.30 (*Pushcarts*) regulates mobile retail activity. In these chapters, location restrictions for mobile retailers are placed around certain functions, events and occurrences, which are called "Special Events".

**Resolution 2016-14:
Approve Special
Events for 2016
Calendar Year**

Alexander explained the designation of a function, event or occurrence as a "Special Event" prohibits solicitors, mobile food vendors and/or pushcarts from operating within a one-block radius of said "Special Event" unless prior approval has been granted by either the operator of the "Special Event" or the Board of Public Works.

Alexander explained this resolution declares certain annual events as being "Special Events" as called for in Municipal Code; other events which staff believe warrant similar designation will come forward to the Board periodically also designated a "Special Event". These events will enjoy the same ability to restrict mobile retail activity as annual events do.

Alexander listed the events for 2016, including:

City of Bloomington Farmers' Market;
City of Bloomington Holiday Market;
The Taste of Bloomington;
Lotus World Music & Arts Festival;
The Fourth Street Festival;
Arts Fair on the Square;

*Strawberry Festival;
Canopy of Lights; and
Fourth of July Parade.*

Staff recommends approval of Resolution 2016-14.

Wason explained organizers are also able to make agreements with food vendors of their choosing for participation at their events, without additional approval from the Board for those events.

Wason is requesting this resolution stand until any further Special Events are added.

Boatman made a motion to approve Resolution 2016-14: Approve Special Events for 2016 Calendar Year. Castillo-Cullather seconded the motion. The motion passed. Resolution 2016-14 approved.

Roy Aten, with Planning and Transportation, explained The Woodlawn RR Crossing Project is scheduled to be let on April 4th, 2016. This project will install a new railroad crossing at the intersection of North Woodlawn Avenue and the Indiana Railroad tracks. The Project is partially funded by federal funds and the construction contract will be administered through INDOT. At the June 16th, 2015 Board of Public Works meeting, the City entered into a Memorandum of Understanding with Indiana University for the design, construction, and funding of this project. At the August 25th, 2015 meeting of the Board, the City entered into an LPA-INDOT agreement for the construction of this crossing. As a part of implementing construction, those portions of the project that will become the responsibility of Indiana Railroad and that fall within the Indiana Railroad right-of-way will be constructed by Indiana Railroad crews. This agreement will establish a force account to be administered by INDOT for the work done by the Railroad. The estimate for this work is \$527,893.49 and will be paid to the Railroad through INDOT and the City by funds deposited by Indiana University into the escrow account established by the MOU agreement. These estimated funds are part of the original construction estimate, no further funding is being requested with this agreement.

**Approve Installation
Services Agreement
with Indiana
Railroad for the
Woodlawn RR
Crossing Project**

Castillo-Cullather commented this is an agreement between IU, the City, and INDOT. This is a project that Aten has brought before the Board on three occasions for different components.

Boatman commented on the agreement's language about the City's responsibilities, in comparison to the other parties' responsibilities.

Boatman made a motion to Approve Installation Services Agreement with Indiana Railroad for the Woodlawn RR Crossing Project. Castillo-Cullather seconded the motion. The motion passed. Contract approved.

Aten explained in an effort to be compliant with the Indiana Department of Natural Resources Indiana Bat restrictions, the City has solicited quotes for the removal of 12 potential bat nesting trees in the vicinity of North Dunn Street and Old State Road 37 North. By removing the trees prior to the April 1st deadline, the

**Award Tree Removal
Services Contract
with JR Ellington
Tree Expert
Company for Old SR
37 and Dunn**

City may avoid any delays to the 37 and Dunn Project that is scheduled to begin in early spring 2016.

The Planning and Transportation Department solicited quotes from four tree service companies on 02/04/2016 and received two responses by the deadline of 02/10/2016. Quote #1 from Neal's Tree Service was in the amount of \$6,800, and quote #2 from J.R. Ellington Tree Experts was in the amount of \$2,700. Both C&H Landscaping and Fowler Tree Service had expressed a desire to submit a quote, however both companies were unresponsive to the February 4th solicitation.

Aten said staff recommends that the Board awards the 'Tree Removal at Old SR 37 and Dunn Street' agreement to J.R. Ellington Tree Experts in the amount not-to-exceed \$2,700. Funding for this agreement will be provided from City construction funds that have been budgeted for the project.

Aten explained an illustration of the project's parameters and plans, and the project's relation to City limits.

Aten explained the Indiana Department of Natural Resources Bat Restrictions requires that construction not disturb an endangered species habitat. It also required the City work with the local Urban Forester, Lee Huss, to determine which trees should be removed. The Indiana Bat's habitat is in caves until April 1. No more than 12 trees will be taken down and they must be removed by March 31.

Boatman asked what happens to the wood from the Ash Trees once they are removed.

Aten said he will work with the urban forester to determine where the Ash Trees will be placed.

Castillo-Cullather asked how long the construction project will take to complete.

Aten estimated about a completion date of Fall/Winter.

Cox Deckard asked if drivers should expect any road closures during the tree removal.

Aten said there have not been any road closure requests at this time.

Boatman asked if the construction contract has yet to come.

Aten explained the construction contract will be led through INDOT and they will open up bids on the project on April 6. That will determine the contractor and the final price.

Boatman made a motion to Award Tree Removal Services Contract with JR Ellington Tree Expert Company for Old SR 37 and Dunn Intersection Improvement Project. Castillo-Cullather seconded the motion. The motion passed. Contract approved.

Wason thanked Christina Smith for all of her work with the staff being so short-handed. He also announced there will be a new job posting in the Public Works Department within the next week.

**STAFF REPORTS &
OTHER BUSINESS**

Wason explained the Board approves the City of Bloomington payroll for all Civil City Departments. The only departments that are not included in the payroll are: the Police, Fire, Parks and Recreation, and Utilities Departments.

PAYROLL CLAIMS

Wason summarized the approval review and approval process for the timesheets from the front line employee, to the supervisor, to the department head, to the Controller's Office, to the Board of Public Works.

Boatman moved to approve the payroll claims for 2/19/16 in the amount of \$381,300.34. Castillo-Cullather seconded the motion. The motion passed. Payroll claims approved.

Wason explained the Board approves claims for the same departments as the payroll.

APPROVAL OF CLAIMS

Wason explained staff is working with the Controller's Office to develop a system of notation for claims that are associated with contracts versus those from regular purchases.

Wason addressed several high claims amounts, including claims paid to: Monroe County Public Library, materials contracts claims, and fleet maintenance department claims.

Cox Deckard expressed her appreciation for the staff's work to identify all of the specific claims associated with the contracts.

Cox Deckard and Wason discussed the format and representation of the illustration's layout for the claims.

Cox Deckard asked about the deadline for applying grants for Martin Luther King Day 2017.

Wason said it is typically at the end of the year. Boatman and Castillo-Cullather asked Wason to give background information for certain claims, including: Buskirk-Chumley Theater Management, Inc. Grant, American Planning Association, and Cleaning Services for City Facilities for February 2016.

Castillo-Cullather moved to approve claims for 2/10/16 to 2/26/16 in the amount of \$436,789.37. Boatman seconded the motion. The motion passed. Claims approved.

Cox Deckard called for adjournment. Meeting adjourned at 7:08 p.m.

ADJOURNMENT

Accepted by:

Kyla Cox Deckard, President

Kelly Boatman, Vice-president

Melanie Castillo-Cullather, Secretary

Date:

Attest to: