

The Board of Public Works meeting was held on Tuesday, April 5, 2016 at 5:30 pm 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: Adam Wason – Public Works  
Jason Carnes – Economic Development and  
Sustainability  
Christina Smith – Public Works  
Roy Aten– Planning and Transportation

None

**MESSAGES FROM  
BOARD MEMBERS**

None

**APPROVAL OF  
MINUTES**

None

**PETITIONS &  
REMONSTRANCES**

None

**BIDS ANDS  
QUOTES**

None

**TITLE VI  
ENFORCEMENT**

**NEW BUSINESS**

Adam Wason, director of the Department of Public Works, explained that the Homeward Bound Walk Committee wishes to use city sidewalks for a community charity walk, and parking spaces along S. Lincoln Street as part of the event on Sunday, April 10, 2016. The event is based at Waldron, Hill and Buskirk Park from 12:00 Noon to 4:00 pm with set up and tear down taking place from 8:00 am to 5:00 pm This year will be 14<sup>th</sup> Annual Homeward Bound Walk and will include live music, kid's bounce-house, free chili, water including a dog water station, raffle ticket sale, and food trucks. Food trucks such as the Big Cheeze, Stir Btown, Great White Smoke, and Zeigeist will be parked along S. Lincoln Street next to the park. A noise permit is part of the resolution.

**Resolution 2016-28:  
Use of Public  
Parking Spaces for  
Homeward Bound  
Walk (Sunday, 4/10)**

Boatman asked what the estimated attendance was.

Wason estimated about 200.

Cox Deckard asked if there will be coordination between the food trucks and the event organizers with parking into those spaces because of parking against the flow of traffic.

Wason confirmed.

Castillo-Cullather asked if the food truck is a new addition.

Wason said yes.

Boatman made a motion to approve Resolution 2016-28: Use of Public Parking Spaces for Homeward Bound Walk (Sunday, 4/10).

Castillo-Cullather seconded the motion. The motion passed.  
Resolution 2016-28 approved.

Wason explained the Food Truck Association of Bloomington wishes to hold Food Truck Friday in the Smith's Shoe Center parking lot every Friday from 11:00 am to 9:00 pm during the summer and fall season. They host an assortment of food trucks and offer amplified music in a festival-type atmosphere. Staff is supportive of the noise permit. David White of the Food Truck Association is available for questions.

**Request for Noise  
Permit for 2016  
Bloomington Food  
Truck Friday at  
Smith's Shoe Center  
(April - November)**

Wason explained this is a new event so there is concern of the noise being created near apartment complexes.

White explained the sound is mostly from iPod music from lunch to 5pm and karaoke, and live music from 5pm to 9 pm, but the sound will be on the far end of the parking lot from the apartments in the Southwest corner.

Castillo-Cullather said there is no need for a noise permit from 11am to 4 pm if this is the case.

White explained there will still be amplified sound by definition during that time from the iPod speakers.

Cox Deckard asked if he has spoken with McDonald's to see if they are okay with having amplified sound in their direction.

White explained they are supportive of the event and like the crowd drawn to the area as it supports business. White said other businesses also approve. Enterprise wants to be a sponsor. The increased foot traffic is supported by all.

Steve Smith, property owner of the strip mall, stated all tenants are happy to host the event and all are excited and supportive of the event.

Castillo-Cullather asked how many trucks are expected.

White estimated 10 with some space still available.

Cox Deckard asked how amplified the sound is from 1:30 pm to 4:30 pm.

White explained it really serves as background noise to the event, and isn't as loud as it is in the evening.

Castillo-Cullather made a motion to approve the Request for Noise Permit for 2016 Bloomington Food Truck Friday at Smith's Shoe Center (April - November). Boatman seconded the motion. The motion passed. Noise permit approved.

Wason explained the Chocolate Moose wishes to hold Food Truck Friday in their parking lot every Friday from 3:00 pm to 10:00 pm during the summer and fall season. They host an assortment of food trucks and offer amplified live music in a festival-type atmosphere. Staff is supportive of the noise permit.

**Request for Noise  
Permit for 2016 Food  
Truck Friday at  
Chocolate Moose  
(April - November)**

Cox Deckard asked if this is a renewal permit.

Wason confirmed it is.

Boatman asked if the city notifies that noise permits are expiring.

Wason explained that most permits are only for one-time events, so it isn't typical to notify of expiration, and it is up to the organization to request renewal.

Cox Deckard explained that many renewals would be through departments within the city.

Boatman made a motion to approve the Request for Noise Permit for 2016 Food Truck Friday at Chocolate Moose (April – November). Castillo-Cullather seconded the motion. The motion passed. Noise permit approved.

Wason explained that New Belgium Brewing Company is hosting the Clips Beer and Film Tour on Friday, May 20, 2016 in Bryan Park. As part of the event, they are requesting a Noise Permit for recorded music, stage announcements and the films' audio soundtrack. The event is in its sixth year at Bryan Park and serves as a fundraiser for Open Streets. New Belgium Brewing Company has received permission from the Parks Department to rent the park area for this event.

**Request for Noise Permit for Clips Beer and Film Tour at Bryan Park (Friday, 5/20)**

Boatman asked if there have been any previous issues.

Wason said no, and it allows people to enjoy the park in a new way.

Boatman asked if it conflicts with any other events in the park.

Wason said no.

Castillo-Cullather asked if there is a history of complaints, would that be recorded in the next time they apply for the same event.

Wason explained that information is kept on file, and they are held for when it is taken to the board the next time, and it has happened before for other events.

Castillo-Cullather made a motion to approve the Request for Noise Permit for Clips Beer and Film Tour at Bryan Park (Friday, 5/20). Boatman seconded the motion. The motion passed. Noise permit approved.

Wason explained the Reverse Citizens United Group wishes to hold a demonstration march "Democracy Awakening" on sidewalks around the Monroe County Courthouse on Saturday, April 16, 2016 from 10:45 am to 1:15 pm. As part of the march, amplified sound will be utilized, including a small Dixie Land band.

**Request for Noise Permit for Democracy Awakening Demonstration at Monroe County Courthouse (Saturday, 4/16)**

Boatman asked if this conflicts with any other events.

Wason explained there will be no major organized events on the square that day.

Castillo-Cullather asked if there are any closures.

Wason said no, and the organizers are fully aware of the public right of way laws.

Boatman made a motion to approve the Request for Noise Permit for Democracy Awakening Demonstration at Monroe County Courthouse (Saturday, 4/16). Castillo-Cullather seconded the motion. The motion passed. Noise permit approved.

Jason Carnes, with Economic Development and Sustainability, explained that Linda Lewis has applied to renew her Pushcart

**Resolution 2016-29: Allow Pushcart Vendor to Operate in**

License. It has been determined that when the applicant wants to operate in the right of way that before the permit is issued, permission must be obtained from the Board of Public Works. The Department of Economic & Sustainable Development has reviewed the application and the Board of Public Works' approval to operate in the public right of way is one of the items on the check list that is required before a permit can be issued. ESD will confirm that all rules and regulations have been met prior to a permit being issued.

**the Public Right of Way (Linda Lewis-Rasta Pops Cart #1)**

Lewis is licensing two pushcarts this year. Cart #1 will be licensed from May 1, 2016 through Oct. 30, 2016. Cart #2 will be licensed from April 15, 2016 through Oct. 14, 2016. The business will operate from a pushcart selling homemade ice pops. This application is for 6 months.

Cox Deckard asked if additional information is needed since this is a renewal.

Wason said no, Jason Carnes has all of the information on record.

Boatman commented that both pushcarts are for 6 months, and the dates are staggered purposefully to meet business needs.

Castillo-Cullather made a motion to approve Resolution 2016-29: Allow Pushcart Vendor to Operate in the Public Right of Way (Linda Lewis-Rasta Pops Cart #1) and Resolution 2016-30: Allow Pushcart Vendor to Operate in the Public Right of Way (Linda Lewis-Rasta Pops Cart #2). Boatman seconded the motion. The motion passed. Resolution 2016-29 and Resolution-30 approved.

This agenda item was addressed with Resolution 2016-29: Allow Pushcart Vendor to Operate in the Public Right of Way (Linda Lewis-Rasta Pops Cart #1).

**Resolution 2016-30:  
Allow Pushcart Vendor to Operate in the Public Right of Way (Linda Lewis-Rasta Pops Cart #2)**

Carnes explained that David Howard has applied for a Mobile Vendor License. It has been determined that when the applicant wants to operate in the right of way that before the permit is issued, permission must be obtained from the Board of Public Works. The Department of Economic & Sustainable Development has reviewed the application and the Board of Public Works' approval to operate in the public right of way is one of the items on the check list that is required before a permit can be issued. ESD will confirm that all rules and regulations have been met prior to a permit being issued.

**Resolution 2016-31:  
Allow Mobile Vendor to Operate in the Public Right of Way (David Howard-La Pablana)**

The business will operate from a food trailer selling burritos. This license is for 1 year. Staff is supportive of approval.

Cox Deckard asked where he plans on operating typically.

David Howard, with La Pablana, said he will participate in Food Truck Fridays. He is usually at Cardinal Spirits. He plans on moving downtown in the evenings later in the summer. He has been in business since last February.

Boatman asked if he operates in Michigan as that is where the plates on the truck are registered.

Howard explained that he is originally from Michigan and still owns a construction company in Michigan, It is easier to keep all registrations in one state.

Boatman made a motion to approve Resolution 2016-31: Allow Mobile Vendor to Operate in the Public Right of Way (David Howard-La Pablana). Castillo-Cullather seconded the motion. The motion passed. Resolution 2016-31 approved.

Roy Aten of Planning and transportation explained that Vectren Energy Delivery of Indiana, Inc., is requesting a gas line easement across the northwest corner of the Bloomington Fire Station #3 lot. As the Woodlawn Railroad Crossing Project moves forward, a portion of that work will be the relocation of existing utilities. In particular, the existing 8 inch steel natural gas pipeline will be located to the south in order to accommodate for changes in the proposed road grade. Due to the physical constraints of the site, as well as geometric constraints of the gas line, the new line location will need to cross the northwest corner of the lot at 810 North Woodlawn Avenue. Vectren is seeking a 948 square foot permanent easement in order to facilitate the installation. Staff recommends approval.

**Approve Request for a Gas Line Easement from Vectren Energy at 810 N. Woodlawn Avenue (Fire Station #3)**

Cox Deckard asked if the size of the easement is typical.

Aten said it is.

Wason explained this is all for the Woodlawn construction involving the railroad crossing that is being worked on closely with the university.

Boatman asked if the property to the west owned by IU.

Aten confirmed it is.

Boatman wanted to make sure both properties will be approved in order for the project to work.

Aten said he believes Vectren has already secured the easement with IU.

Castillo- Cullather asked if they will be closing off the streets.

Aten explained the timeframe is still being worked on. Vectren wants a full closure for two weeks. In May, once construction begins, the intersection of 12<sup>th</sup> and Woodlawn will be closed throughout the summer.

Boatman referred to the picture to confirm where the easement would take place. She asked if the department is aware of this project.

Aten confirmed they are.

Castillo-Cullather made a motion to Approve Request for a Gas Line Easement from Vectren Energy at 810 N. Woodlawn Avenue (Fire Station #3). Boatman seconded the motion. The motion passed. Easement approved.

Wason explained that Title 6 (BMC 6.06) does primarily two things: (1) prohibits properties in Bloomington from being littered with garbage; and (2) prohibits properties in Bloomington from having grass or weeds that exceed the height of eight inches. When property owners in Bloomington do not comply with this regulation after all options are exhausted, HAND issues fines and occasionally deems it necessary to ask this Board for permission to take corrective action through abatement of the violation. HAND sought bids through

**Approve Abatement Services Agreement with 4 U Lawn and Landscape for BMC 6.06 Violations**

requests for proposals to 6 known companies who provide abatement services within the City's jurisdiction with only one timely submitted response which is acceptable to HAND. The following contract is for one year and has a maximum expenditure not to exceed \$10,000.00. The City seeks this Board's approval to enter into this agreement with the responsive service provider who will be the sole abatement provider for the City from April 6, 2016 through to and including April 5, 2017.

If the Board awards this agreement, the City will use 4 U Lawn and Landscape for any and all abatements it needs performed in the next year. Individual properties to be abated will be presented to this Board for individual approval.

Wason explained these abatement cases are extremely rare, but a contract does need to be in place in case it is needed.

Castillo-Cullather asked if the city used 4 U Lawn before.

Wason said yes.

Wason explained that 4 U Lawn charges are based on per-hour of labor for varying services.

Boatman said as a preference, it would be appreciated if a representative from HAND was available to answer any potential questions. Boatman confirms that this was the only respondent in the request for quotes.

Wason said this is most likely due to the minimal amount of work.

Boatman asked why this service is not done by companies who do other lawn care services for the city.

Wason said it is due to the trash removal aspect of the work. Further because this is concerning a department other than Parks and Recreation, a new contract would need to be drawn up.

Wason reviewed regulations concerning lawn care and trash.

Boatman made a motion to Approve Abatement Services Agreement with 4 U Lawn and Landscape for BMC 6.06 Violations. Castillo-Cullather seconded the motion. The motion passed. Resolution Agreement approved.

Wason congratulated Joe VanDeventer for his recognition for his leadership and management of the Street Department from his staff at the Union Labor Force. Wason was happy to see the mayor out and working with the street crew, and explained some potential improvements. Wason thanked the rest of the street crews for their help dealing with extensive wind damage.

## **STAFF REPORTS & OTHER BUSINESS**

Wason noted yard waste pickup has begun on recycling days.

Wason explained the Controller's Office has reviewed payroll and sees no need for changes. There is nothing out of the ordinary in the payroll period.

## **PAYROLL CLAIMS**

Boatman asked how many open positions are available.

Wason said there are still some positions open to fill but is relatively typical. They are looking to pick up some seasonal staff.

Castillo-Cullather moved to approve payroll claims for 3/14/16 to 3/27/16 in the amount of \$361,774.53 on April 5, 2016. Boatman seconded the motion. The motion passed. Payroll claims approved.

Wason explained that the total claims amount is \$232,901.44. Staff approves the claims. He noted there are more detailed descriptions of the invoices being paid. Some training and registration fees were paid for staff. Many claims are for Fleet Maintenance as this is a busy time of year for them.

**APPROVAL OF CLAIMS**

Boatman asked about the Health Club and Massage Reimbursements.

Wason explained that there are city programs that allow for the reimbursement of health and wellness, as covered under the city insurance plan.

Boatman noted that she saw a line item for trash can replacement and asked when we would replace a container.

Wason explained that sometimes, Sanitation may cause damage to someone's trash container and the city will replace it in the event that does happen.

Boatman asked about the system for providing recycling bins.

Wason said there is a number to call to request a bin.

Castillo-Cullather asked if the city commission submits a city budget for programs and projects.

Wason said they are usually submitted to the Community and Family Resource Department. Their budget will outline budgets to the various commissions.

Castillo-Cullather asked if this low claims is typical around April.

Wason said yes.

Boatman moved to approve claims for 3/14/16 to 3/27/16 in the amount of \$232,901.44. Castillo- Cullather seconded the motion. The motion passed. Claims approved.

Cox Deckard called for adjournment. Meeting adjourned at 6:31 p.m.

**ADJOURNMENT**

Accepted by:

\_\_\_\_\_  
Kyla Cox Deckard, President

\_\_\_\_\_  
Kelly Boatman, Vice-president

\_\_\_\_\_  
Melanie Castillo-Cullather, Secretary

Date:

Attest to: