

The Board of Public Works meeting was held on Tuesday, May 31, 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

**ROLL CALL**

City Staff: Rick Routon – Information and Technology Services  
Dave Williams – Parks and Recreation  
Neil Kopper– Planning and Transportation  
Rick Alexander – Planning and Transportation  
Adam Wason – Public Works  
Barry Collins – Public Works

None

**MESSAGES FROM  
BOARD MEMBERS**

**APPROVAL OF  
MINUTES**

Boatman motioned for approval. Cox Deckard seconded. Motion passed. Minutes for May 4, 2016 approved.

May 4, 2016

None

**PETITIONS &  
REMONSTRANCES**

**BIDS ANDS  
QUOTES**

Cox Deckard said there were no quotes received for Solar Panel and Roof Evaluation Design Services. The Board therefore rejected the quotes as not received. The Board approved for the Department of Public Works to be authorized to enter into an agreement for the work in the open market. Boatman seconded the motion and motion passed.

**Open RFP for Solar  
Panel and Roof  
Evaluation Design  
Services for Various  
City Buildings**

Natural Pet Foods:

Total - \$27,821.64

Credit - \$12,480.00

**Open RFP for Animal  
Shelter Pet Food  
Partnership**

Adjusted - \$15,391.64

None

**TITLE VI**  
**ENFORCEMENT**

**NEW BUSINESS**

Deputy Mayor Mick Renneissen of the City of Bloomington presented Resolution 2016-51: Confirm Mayor John Hamilton's Appointment of Adam Wason as Director of the Department of Public Works to the Board. See staff report for further details.

**Resolution 2016-51:  
Confirm Mayor John  
Hamilton's  
Appointment of Adam  
Wason as Director of  
the Department of  
Public Works**

Boatman made a motion to approve Resolution 2016-51: Confirm Mayor John Hamilton's Appointment of Adam Wason as Director of the Department of Public Works. Cox Deckard seconded the motion. The motion passed. Resolution 2016-51 approved.

Rick Alexander of Planning and Transportation presented the Resolution 2016-53: Use of Public Street for 3<sup>rd</sup> Annual Summerfest (Saturday, 8/27) to the Board. See resolution for further details. Alexander stated that the petitioner was available for questions.

**Resolution 2016-53:  
Use of Public Street for  
3<sup>rd</sup> Annual Summerfest  
(Saturday, 8/27)**

Boatman thanked staff and the petitioner for gaining further approval of the location.

Boatman made a motion to approve Resolution 2016-53: Use of Public Street for 3<sup>rd</sup> Annual Summerfest (Saturday, 8/27). Cox Deckard seconded the motion. The motion passed. Resolution 2016-53 approved.

Alexander presented Resolution 2016-54: Use of Public Street for Open Streets (Sunday, 6/26) to the Board. See resolution for further details. Alexander stated that the petitioner was available for questions.

**Resolution 2016-54:  
Use of Public Street for  
Open Streets (Sunday,  
6/26)**

Boatman asked if the negative response to the closure was from someone who would be directly affected by the closure.

John Lawrence of the Bryan Park Neighborhood Association said that the person who responded negatively lived three blocks away, and that the negative response was a general comment on street closures. He stated he has received positive responses from more than half of those directly affected by the street closure.

Matt Flaherty of Open Streets Bloomington commented that the letter sent out to locations included details about the Board meeting to make public comment, as well as contact information.

Boatman appreciated the time taken to notify property owners. She added that street closures are a common occurrence and advises Open Streets to get involved with these other events.

Boatman made a motion to approve Resolution 2016-54: Use of Public Street for Open Streets (Sunday, 6/26). Cox Deckard seconded the motion. The motion passed. Resolution 2016-54 approved.

Alexander presented Resolution 2016-61: Use of Public Streets for Race for Literacy 5K Run (Saturday, 6/11) to the Board. See resolution for further details. Alexander stated that Michael Shermis was available for comments.

**Resolution 2016-61:  
Use of Public Streets  
for Race for Literacy  
5K Run (Saturday,  
6/11)**

Shermis of the Bloomington Rotary Club explained the purpose of the event.

Cox Deckard acknowledged that the early timing is beneficial to business operations.

Boatman asked if there have been previous issues.

Shermis said no, but this new route that started last year avoids hilly areas where people had gotten lost in the past.

Boatman asked if the adjacent neighborhood would be able to get out.

Shermis said these are all apartment complexes with other exits available that aren't affected by the closure.

Cox Deckard clarified that this is not a closure, but an extended use of public streets.

Boatman made a motion to approve the Resolution 2016-61: Use of Public Streets for Race for Literacy 5K Run (Saturday, 6/11). Cox Deckard seconded the motion. The motion passed. Resolution 2016-61 approved.

Neil Kopper of Planning and Transportation presented the Request for Partial Street Closure from Indiana University for E. 17<sup>th</sup> Street Pedestrian Circulation Safety Improvements Project (June-August) to the Board. See staff report for further details. Kopper stated that from IU were present for questions.

**Request for Partial  
Street Closure from  
Indiana University for  
E. 17<sup>th</sup> Street  
Pedestrian Circulation  
Safety Improvements  
Project (June-August)**

Boatman asked if pedestrians can still pass through the 10<sup>th</sup> street construction.

Kopper said yes.

Boatman asked if pedestrians could still get through the 17<sup>th</sup> street if it is just a partial closure.

Bill Riggert of Riggert James explained that they don't have a way to accommodate for pedestrians as they are creating the access for them that does not currently exist, but they would have access along Fee Lane and within the parking lots.

Kopper added that currently, pedestrians are walking through grass. Construction would not change that.

Boatman requested information on the IU Credit Union's response to the construction.

Riggert explained that their only concern was access to the ATM at night. Riggert said they can accommodate for that and have reached out to them further.

Boatman asked if the IU Credit Union owned all the buildings on the corner of Dunn and 17<sup>th</sup>.

The logistics of access to the IU Credit Union were discussed.

Adam Wason of the Department of Public Works added that the project has been discussed thoroughly, and stressed the importance of completing this project in a timely fashion.

Boatman requested that staff informs the public of all the major construction being performed East and West across town.

Boatman made a motion to approve the Request for Partial Street Closure from Indiana University for E. 17<sup>th</sup> Street Pedestrian Circulation Safety Improvements Project (June-August). Cox Deckard seconded the motion. The motion passed. Request approved.

Kopper presented Approve Consulting Services Agreement with Shrewsberry & Associates for E. 10<sup>th</sup> Street Sidewalk Project to the Board. See resolution for further details.

**Approve Consulting Services Agreement with Shrewsberry & Associates for E. 10<sup>th</sup> Street Sidewalk Project**

Boatman asked if other parties are interested in participating in this project.

Kopper explained that MCCSC and INDOT have both expressed interest in contributing. INDOT is discussing offering a pedestrian hybrid beacon. MCCSC is discussing contributing flashing signals. He explained the function of the hybrid beacon.

Boatman asked what conditions would be without these two additions.

Kopper explained that there would still be a significant improvement to crossing conditions.

Cox Deckard asked about this being the first part of a series of changes.

Kopper said yes, pending budget approval further construction would exist in the summer of 2017.

Boatman explained the importance of this construction.

Boatman made a motion to table Approve Consulting Services Agreement with Shrewsbury & Associates for E. 10<sup>th</sup> Street Sidewalk Project. Cox Deckard seconded. The motion passed. Agreement Approved.

Mike Young of Fleet Maintenance presented Resolution 2016-60: Approve Special Purchase Determination, Authorize Staff to Acquire Equipment & Services and Approve Agreement with PEI Maintenance & Contracting for City's Fuel Sites to the Board. See resolution for further details.

**Resolution 2016-60:  
Approve Special  
Purchase  
Determination,  
Authorize Staff to  
Acquire Equipment &  
Services and Approve  
Agreement with PEI  
Maintenance &  
Contracting for City's  
Fuel Site**

Wason added he has permission to proceed from Purchasing and the Controller and explained the benefit to the use of this vendor.

Boatman asked if this vendor did previous work on the fuel sites.

Young said yes. There was repair and replacement. At the time they were not treated as a special purchase.

Boatman made a motion to approve Resolution 2016-60: Approve Special Purchase Determination, Authorize Staff to Acquire Equipment & Services and Approve Agreement with PEI Maintenance & Contracting for City's Fuel Sites. Cox Deckard seconded the motion. The motion passed. Resolution 2016-60 approved.

Joe VanDeventer of Street Department presented Approve Asphalt Pavement Millings Service Agreement with Milestone Contractors to the Board. See staff report for further details.

**Approve Asphalt  
Pavement Millings  
Service Agreement  
with Milestone  
Contractors**

Cox Deckard confirmed that the amount of this service is what would be expected.

Boatman made a motion to approve Asphalt Pavement Millings Service Agreement with Milestone Contractors. Cox Deckard seconded the motion. The motion passed. Agreement approved.

Jason Carnes of Economic and Sustainable Development Department presented Resolutions 2016-62: Allow Mobile Vendor to Operate in the Public Right of Way (Steven Carver-Barisgo, LLC) to the Board. See resolution for further details. Carnes stated that Steven Carver of Barisgo, LLC. was available for questions.

**Resolution 2016-62:  
Allow Mobile Vendor  
to Operate in the  
Public Right of Way  
(Steven Carver-  
Barisgo, LLC)**

Cox Deckard asked about the extended amount of time requested to operate.

Carver said the times of operation would change from day to day.

Boatman made a motion to approve Resolutions 2016-62: Allow Mobile Vendor to Operate in the Public Right of Way (Steven Carver-Barisgo, LLC). Cox Deckard seconded the motion. The motion passed. Resolution 2016-62 approved.

Carnes presented Resolutions 2016-64: Allow Mobile Vendor to Operate in the Public Right of Way (Tara Workman-Wagon Wheel, Inc) to the Board. See resolution for further details. Carnes stated that Tara Workman of Wagon Wheel was available for questions.

**Resolutions 2016-64:  
Allow Mobile Vendor  
to Operate in the  
Public Right of Way  
(Tara Workman-  
Wagon Wheel, Inc)**

Cox Deckard asked what time they plan on operating.

Workman said they are not sure yet, they are mostly interested in operating at events, but want to have approval in case they do decide to operate in the public right of way.

Boatman made a motion to approve Resolutions 2016-64: Allow Mobile Vendor to Operate in the Public Right of Way (Tara Workman-Wagon Wheel, Inc). Cox Deckard seconded the motion. The motion passed. Resolution 2016-64 approved.

Carnes presented Resolutions 2016-65: Allow Pushcart Vendor to Renew License to Operate in the Public Right of Way (Samuel Sveen-Uel Zing) to the Board. See resolution for further details. Carnes stated that Samuel Sveen of Uel Zing was available for questions.

**Resolution 2016-65:  
Allow Pushcart Vendor  
to Renew License to  
Operate in the Public  
Right of Way (Samuel  
Sveen-Uel Zing)**

Boatman asked if there have been any prior issues.

Carnes said no.

Boatman asked what days they operate.

Sveen said the cart is just for special events, but during the school year, they try to be out on sunny days during the day from about 9am to 2pm.

Boatman made a motion to approve Resolutions 2016-65: Allow Pushcart Vendor to Renew License to Operate in the Public Right of Way (Samuel Sveen-Uel Zing). Cox Deckard seconded the motion. The motion passed. Resolution 2016-65 approved.

Lynne Darland of Planning and Transportation presented the Request for Vacation of Public Right of Way from Duke Energy to Construct a Substation at W. 11<sup>th</sup> Street & N. Rogers Street to the Board. See staff report for further details.

**Request for Vacation  
of Public Right of Way  
from Duke Energy to  
Construct a Substation  
at W. 11<sup>th</sup> Street & N.  
Rogers Street**

Boatman referred to a map to confirm the usage of the streets adjacent to the substation.

Darland explained the street usage.

Wason explained that this meeting is the first step in a series of steps in the approval process.

Boatman asked if the public is aware of the vacation plan.

Bill Beggs of Bunger and Robertson spoke on the behalf of Duke Energy. He explained Duke's intent to meet a public need for energy. It is part of a 1907 plan created by the Bloomington Public Council. He presented the written plan to work with AT&T. He said owners are well aware of the plan.

Boatman asked if he knows where the AT&T has their lines running in the area.

Glenn Hauser of AT&T provided a map of the location of the easements.

Boatman asked if it ran underground or overhead.

Hauser said overhead.

Hauser provided an explanation of what a substation is. He provided a map representing the noise pollution coming from the substation.

Cox Deckard asked about the closest residents to the area and how they would be affected.

Boatman asked about the distances from the transformer.

Hauser confirmed the distances. He added that these are peak noise levels which are infrequent.

Boatman asked if the existing substations were made with regular noise emitting equipment.

Hauser said yes, they are noisier and increase in noise with age.

Cox Deckard asked why this site was selected and not others that were considered.

Tony Platz of the Planning Department for Duke Energy explained their analysis and long term advantages of using this location.

Boatman asked why not expand the capacity of the existing stations.

Platz explained that the two main substations are not in a position to be expanded for this new load. The additional station allows increased reliability.

Boatman asked if the other two stations will remain in service.

Platz said yes. They are being worked on.

Cox Deckard asked about the expansion work being done.

Platz said this is primarily being devoted to the hospital.

Cox Deckard asked when they expect the substation to be in operation.

Platz said this substation would be needed in about two years. Construction would take about a year and a half.

Boatman brought up the interest in where the energy to the town is coming from. She asked where lines to the substation would be placed.

Platz said he doesn't know for sure, but they would prefer to utilize existing lines.

Hauser presented a map and photos of current state and future state of the development of the area where the substation would be built.

Boatman asked how tall the highest piece of equipment would be.

Hauser said 55 ft.

Cox Deckard asked what the SouthWest corner would look like in terms of water runoff.

Hauser said it will be a rain garden.

Boatman asked if the existing public right of ways are not being maintained by the city.

Wason said no.

Boatman observed that the site was very compact and asked what other uses the land parcel would serve.

Hauser said the goal is to keep the footprint to a minimum, and the space will be used primarily for vegetation and berms to be used as screening.

Cox Deckard opened the floor for public comment. Three minutes were allowed for each public comment.

Dan Forsland of the Maple Heights Neighborhood said that he has a lot of questions and comments, but that many of them may be better suited for the discussion of this topic at the City Council hearings. He did express disbelief that Duke was not already certain how the distribution lines would enter and exit the proposed substation.

He went on to state that he felt that this proposed substation would be closer to more single-family residences than eight other substations combined, and that this should be considered.

Mr. Forsland did request that although the Board of Public Works focus is narrower than the City Council, that the Board considers adding language to any approvals that this is not an endorsement of the project location.

Susan Hathaway spoke next and addressed two points with the Board that Duke brought up. She first addressed the peak noise calculations and that the berms may create more of an amphitheater effect. She also mentioned that the Railroad has treated the trees lining the corridor as only temporary and has in the past done large-scale removals. Ms. Hathaway concluded by also asking the Board to not endorse the proposed location.

Jan Sorby spoke next and spoke of her shock in this location. She noted that she thought that in the next twenty to thirty years that this area will be very important to the City. She went on to state that this seems to be a suburban solution to an urban location.

Ms. Sorby also stated the issues that the Carlisle plant has had on the Bryan Park Neighborhood. She noted that she feels this is a quality of life issue for the neighborhood and Bloomington. She stated that a longer-term vision should be taken. She pleaded with the Board to take more time on this issue.

Joanna Woronkiewicz noted that Duke has acknowledged the need to minimize the impacts on the neighborhood in this location, which should lead them to look for alternative locations. She said that although the location is economical for Duke that the cost to the neighborhood will be significant, noting that she feels it will effect property values. She also stated that she feels that there has been a lack of transparency by Duke. She finished by echoing the other speakers in requesting the Board not endorse the site, even if the Board approves the vacation of right-of-way.

Chung-chieh Shan spoke next and wanted to address the impact of the noise. He said he feels that further questions need to be answered regarding the decibel noises, and that a simulated recording of what the noise will be would be helpful.

Jane Goodwin spoke next and echoed the neighbors in asking for the Board to not endorse the project. She noted the locational differences from this proposed substation to the 13<sup>th</sup> Street substation and then the distance to the new hospital site. She concluded that based on this analysis a substation should not need to be this close to the downtown to service the downtown. She went on to point out that when Monroe Hospital was built, a substation was sited adjacent to the property and that this should be done with the new hospital freeing up capacity at the 13<sup>th</sup> Street substation to serve the downtown.

A second point she wanted to make is that this location is only going to increase in visibility as the trade district develops and that the City's published plan for the site is for future commercial or office uses and that the alleys may be necessary in the future for this type of use.

Jon Lawrence, Chair with the Council of Neighborhood (CONA) Associations, informed the board about concerns addressed at the last CONA meeting regarding the look and feel of the proposed substation. He then read a statement that received unanimous support from CONA that is paraphrased as follows.

CONA supports the Maple Heights Neighborhood Association in that if a substation must be located at this site, that it be constructed in a such a way to offer a positive impact on the neighborhood and that it have more of an urban feel to it.

Sophia Hauserman spoke next and asked who is supposed to protect the core neighborhoods. She noted recent developments and projects that have impacted the near west side. She stressed the need for a different location or format for the substation that will protect the core neighborhoods.

Boatman stated that the Board has had an opportunity to go over all of the details of this request and she wanted to express her appreciation of everyone's time, input, information, and answering all of their questions. She also stated that the Board of Public Works' jurisdiction is very narrow and only pertains to the public right of way. She stressed that the Board does not have any purview over site design, noise, landscape, tree removal or any other amenities of the project. She reiterated that the Board's role is very narrow in scope; however, she appreciates everyone's comments and involvement in the process.

Cox Deckard stated that she has given this vacation request a lot of thought, visited to the site, and surrounding neighborhood. While she commends Duke's efforts in going through the public process to acquire the property for their new substation, she hopes that there will be more opportunities for the neighborhood to be involved. She also stated that she had an opportunity to take a look at the neighborhood's Facebook page and was very impressed with some of their ideas on how this project could be approached. She declared that there is a public need to have proper electricity service and the Board is looking forward to watching this process as it develops, hopes there is ongoing, very active discussion between the community as a whole and between Duke Energy and the neighborhood.

Boatman made a motion to approve the Request for Vacation of Public Right of Way from Duke Energy to Construct a Substation at W. 11<sup>th</sup> Street & N. Rogers Street with the addition of the following stipulations to the motion: Duke is to work with AT&T on providing an easement for existing services within the public right of way on the site; recommend as this moves forward to City Council that this approval is contingent upon on the entire process to be completed and project receiving ultimate approval; if that were not be the case, the approval of the vacation request will not stand; and because we have a limited scope, the Board would never consider endorsing or not endorsing a particular use of the property; this is strictly a vote on whether we are using the right of way for the city's need for it and be able to vacate it and not have any impact on the existing and future use of it. Cox Deckard seconded the motion. The motion passed. Request approved.

**STAFF REPORTS &  
OTHER BUSINESS**

Wason explains that only the civil city employees are included in the payroll, which does not include Parks.

PAYROLL CLAIMS

Boatman moved to approve payroll claims for 5/ 27/ 16 in the amount of \$367,152.67 on May 31, 2016. Cox Deckard seconded the motion. The motion passed. Payroll claims approved.

Wason explained the claims are for 5/24/2016-6/03/2016 in the amount of \$349,381.64.

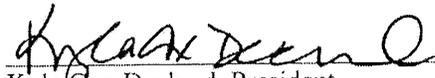
APPROVAL OF CLAIMS

Boatman moved to approve claims for 5/24/2016-6/03/2016 in the amount of \$349,381.64 on May 31, 2016. Cox Deckard seconded the motion. The motion passed. Claims approved.

Cox Deckard called for adjournment. Meeting adjourned at 7:46 p.m.

ADJOURNMENT

Accepted by:

  
Kyla Cox Deckard, President

  
Kelly Boatman, Vice-president

\_\_\_\_\_  
Kyla Cox Deckard, Secretary

Date: 5/31/16

Attest to: 