

Board of Public Works Meeting

September 27, 2022



The City will offer virtual options, including CATS public access television (live and tape-delayed) and

Public comments and questions will be encouraged via Zoom or bloomington.in.gov rather than in person

AGENDA
BOARD OF PUBLIC WORKS
September 27, 2022

A Regular Meeting of the Board of Public Work will be held Tuesday, September 27, 2022 at 5:30 p.m. in the Council Chambers (Rm #115) of City Hall at the Showers Building, 401 N. Morton Street, Bloomington, Indiana and via Zoom by using the following link: <https://bloomington.zoom.us/j/86743419838?pwd=NUZkUUFGalgrWXB4VXO4K0NoMXREZz09>

Meeting ID: 867 4341 9838 Passcode: 367367

The City offers virtual options, including CATS public access television (live and tape- delayed). Comments and questions will be encouraged via Zoom or bloomington.in.gov rather than in person.

Auxiliary aids for people with disabilities are available upon request with adequate notice. Please call 812-349-3411 or email public.works@bloomington.in.gov.

I. MESSAGES FROM BOARD MEMBERS

II. PETITIONS AND REMONSTANCES

1. **Appeal Notices of Violation #s 52045 and 52046 at 530 S. Washington**

III. CONSENT AGENDA

1. **Approval of Minutes September 13, 2022**
2. **Adopt-A-Roundabout Partnership with 4 Good Reasons Roofing**
3. **Resolution 2022-75; New Mobile Vendor Arepa's Burgers**
4. **Resolution 2022-76; IU Homecoming 5K Run/Walk**
5. **Resolution 2022-77; Breast Cancer Awareness Walk**
6. **Resolution 2022-78; Parks & Recreation Holiday Market**
7. **Agreement to Transfer Monthly Costs of Street Lights in B-Line (Trail View) Subdivision**
8. **Outdoor Lighting Service Agreement with Duke Energy for E. Discovery Parkway**
9. **Noise Permit for Community Worship Night**
10. **Approval of Payroll**

IV. NEW BUSINESS

1. **Request from Renascent Inc. for Lane Closures and Night-time Work on W 2nd Street (October 3-4, 2022)**
2. **Change Order #1 for the Dunn St Sidewalk Improvement Project**
3. **Approve LPA-Consulting Contract with WSP USA Inc. for Preliminary Engineering Services for the West 2nd Street Modernization and Safety Improvements Project**
4. **Request from Strauser Construction for Right-of-Way Use along E 19th St from N Lincoln St to N Dunn St (Through August 8, 2023)**
5. **Request from Reed and Sons Construction for Full Street Closure on N. Bryan St. from E. 5th St. to E. 7th St. (October 3-7, 2022)**
6. **Request from FA Wilhelm for Sidewalk Closure along the South Side of W. Allen St. West of S. Strong Dr. (September 28, 2022-January 22, 2023)**
7. **Request from AEG for Right-of-Way use along E Atwater Ave, E 1st St, S Fess Ave, and S Mitchell St. October 4, 2022-November 4, 2022)**
8. **Contract with Express Employment Professionals for Parking Enforcement Specialists (2 Positions)**
9. **Contract with MSI Security for School Crossing Guard Positions**
10. **Contract with Strauser Construction for Lower Level Renovation at Fire Station #2**
11. **Change Order #2 for the Lower Cascades Project with E&B Paving**

V. STAFF REPORTS & OTHER BUSINESS

VI. APPROVAL OF CLAIMS

VII. ADJOURNMENT

STAFF REPORT
NOV APPEAL

Appellant Information:

Name: Joseph Davis
Address: 530 S. Washington St.

Date Appealed: 9/14/2021

NOV Information:

Date Issued: 5/10/2021
By: Rob Council, compliance officer
Where: 530 S. Washington St.
For: Trash and Excessive Growth

Attachments:

1. Notices of Violation
2. Written appeals
3. Photographs
4. Proposed Order

Controlling Ordinance: BMC § 6.06.020; BMC § 6.06.050;
BMC § 6.06.070(a); BMC § 6.06.070(b)(7)

Ordinance Language:

6.06.020. It is unlawful for any person to throw, place, or scatter any garbage, recyclable materials or yard waste over or upon any premises, street, alley, either public or private, or to suffer or permit any garbage, recyclable materials or yard waste to be placed or deposited on the premises owned, occupied or controlled by such person either with or without the intent to later remove, cover, or burn it.

6.06.050. It is unlawful for the owner of any lot or tract of ground within the city to allow it to become overgrown with weeds, grass, or noxious plants beyond the height of eight inches or to such extent that the growth is detrimental to the public health and constitutes a nuisance.”

6.06.070(a) For purposes of issuing a NOV, the following persons shall be considered responsible parties, with liability for fines and responsibility for remedy of the violation: persons with any possessory interest in the property; property owner(s); and/or any persons who have caused the violation.

6.06.070(b)(7) That the NOV may be appealed to the board, provided the appeal is in writing and filed with the board no later than seven days from the date of the NOV.

Discussion:

1. The NOV was timely appealed.
2. A Neighborhood Compliance Officer with the City of Bloomington Housing and Neighborhood Development Department personally observed that weeds and grass had grown to a height in excess of eight inches and observed garbage deposited on the Property on multiple occasions.
3. It is a violation of BMC § 6.06.020 for any person to throw, place, or scatter or to suffer or permit any garbage to be placed or deposited on the premises owned,

occupied or controlled by such person either with or without the intent to later remove, cover, or burn it.

4. It is a violation of BMC § 6.06.050 for the owner of any lot or tract of ground within the City to allow it to become overgrown with weeds, grass, or noxious plants beyond the height of eight inches or to such extent that the growth is detrimental to public health and constitutes a nuisance.
5. The appellant's submission acknowledges they were in violation of the applicable BMC provisions.

Staff Recommendation: Deny the appeals.



Notice of Violation

**Housing & Neighborhood
Development Department (HAND)**
P.O. Box 100
401 N. Morton Street
Bloomington, IN 47402
www.bloomington.in.gov/hand/

Date 8/11/22 Time 4pm Address/location 530 S. Washington St 47401

Issued by: 207

BMC 6.04.110 Carts, containers and other articles to be picked up shall not be placed upon the street or sidewalk *so as to be visible* from the street more than twenty-four hours prior to the time when such solid waste, recycling or yard waste is to be collected. Carts and containers shall be removed from the street or sidewalk on the same day as the collection is made.

Fine Due: \$15.00 **Warning (No fine due at this time)** Ticket# _____

NOTE: Immediate compliance required in order to avoid additional violations/fines assessed at \$15.00/day per BMC 6.04.100(c).

BMC 6.06.020 It is unlawful for any person to throw, place, or scatter any garbage, recyclable materials or yard waste over or upon any premises, street, alley, either public or private, or to suffer or permit any garbage, recyclable materials or yard waste to be placed or deposited on the premises owned, occupied or controlled by such person either with or without the intent to remove, cover or burn it.

Fine Due: \$50 **\$100** **\$150** **Warning (No fine due at this time)** Ticket# 51715

NOTE: Immediate compliance required in order to avoid additional violations/fines assessed at ~~\$50.00, \$100, or \$150~~/day per BMC 6.06.070(c).

BMC 6.06.050 It is unlawful for the owner of any lot or tract of ground within the city to allow it to become overgrown with weeds, grass, or noxious plants beyond the height of 8 inches or to such extent that the growth is detrimental to the public health and constitutes a nuisance.

Fine Due: \$50 **\$100** **\$150** **Warning (No fine due at this time)** Ticket# 51716

NOTE: Immediate compliance required in order to avoid additional violations/fines assessed at \$50.00, \$100, or \$150/day per BMC 6.06.070(c).

Comments: Properly dispose of all garbage and putrescent materials on property. Eradicate all Japanese knot weed and poison ivy from property.

1. Fine must be paid within 2 weeks from date of issuance of the Notice of Violation (NOV) to avoid this matter being forwarded to the City's Legal Department for further enforcement action. This NOV must be returned with payment. **You may pay in person or mail payment to the address listed above. Please make check/money order payable to "The City of Bloomington."** All fines listed above may be contested in the Monroe County Circuit Courts.
2. Fines shall not attach to non-possessory residential rental property owner(s) for a period of seven (7) days provided HAND is presented with a true and exact copy of any and all leases in effect during the time period covered by the NOV (per occurrence), at which time said tenant(s) shall be held responsible for fines due. A non-possessory residential rental property owner is the owner of record, but one that is not a resident of said property. Property owner(s) shall otherwise be held responsible for fines if a lease is not presented in the time period indicated.
3. The City may seek action by its Board of Public Works or the Monroe County Circuit Courts in assessing fines, ordering remediation of the property (the City has the authority to bring the property into compliance itself or the City may hire a private third-party contractor to bring the property into compliance) and/or assessing costs associated with clean-up of the property, and pursuing any other remedies available by law, including but not limited to injunctive relief. If the City or their designee, with permission from the City of Bloomington Board of Public Works, enters the property and abates the violation the owner shall be responsible for reimbursing the City for the abatement and all associated cost.
4. This NOV may be appealed to the City's Board of Public Works, provided a written appeal is filed with the Board, via the City's Public Works Department, within seven days of the date of issuance of this NOV.

Owner Name Joseph Davis
 Address 530 S. Washington St
 City Bloomington State IN
 Zip Code 47401

Agent Name _____
 Address _____
 City _____ State _____
 Zip Code _____



Notice of Violation

**Housing & Neighborhood
Development Department (HAND)**
P.O. Box 100
401 N. Morton Street
Bloomington, IN 47402
www.bloomington.in.gov/hand/

Date 9/7/22 Time 1035 Address/location 530 S. Washington St 47401

Issued by: 257

BMC 6.04.110 Carts, containers and other articles to be picked up shall not be placed upon the street or sidewalk *so as to be visible* from the street more than twenty-four hours prior to the time when such solid waste, recycling or yard waste is to be collected. Carts and containers shall be removed from the street or sidewalk on the same day as the collection is made.

Fine Due: \$15.00 Warning (No fine due at this time) Ticket# _____

NOTE: Immediate compliance required in order to avoid additional violations/fines assessed at \$15.00/day per BMC 6.04.100(c).

BMC 6.06.020 It is unlawful for any person to throw, place, or scatter any garbage, recyclable materials or yard waste over or upon any premises, street, alley, either public or private, or to suffer or permit any garbage, recyclable materials or yard waste to be placed or deposited on the premises owned, occupied or controlled by such person either with or without the intent to remove, cover or burn it.

Fine Due: \$50 \$100 \$150 Warning (No fine due at this time) Ticket# 52045

NOTE: Immediate compliance required in order to avoid additional violations/fines assessed at \$50.00, \$100, or \$150/day per BMC 6.06.070(c).

BMC 6.06.050 It is unlawful for the owner of any lot or tract of ground within the city to allow it to become overgrown with weeds, grass, or noxious plants beyond the height of 8 inches or to such extent that the growth is detrimental to the public health and constitutes a nuisance.

Fine Due: \$50 \$100 \$150 Warning (No fine due at this time) Ticket# 52046

NOTE: Immediate compliance required in order to avoid additional violations/fines assessed at \$50.00, \$100, or \$150/day per BMC 6.06.070(c).

Comments: _____

1. Fine must be paid within 2 weeks from date of issuance of the Notice of Violation (NOV) to avoid this matter being forwarded to the City's Legal Department for further enforcement action. This NOV must be returned with payment. **You may pay in person or mail payment to the address listed above. Please make check/money order payable to "The City of Bloomington."** All fines listed above may be contested in the Monroe County Circuit Courts.
2. Fines shall not attach to non-possessory residential rental property owner(s) for a period of seven (7) days provided HAND is presented with a true and exact copy of any and all leases in effect during the time period covered by the NOV (per occurrence), at which time said tenant(s) shall be held responsible for fines due. A non-possessory residential rental property owner is the owner of record, but one that is not a resident of said property. Property owner(s) shall otherwise be held responsible for fines if a lease is not presented in the time period indicated.
3. The City may seek action by its Board of Public Works or the Monroe County Circuit Courts in assessing fines, ordering remediation of the property (the City has the authority to bring the property into compliance itself or the City may hire a private third-party contractor to bring the property into compliance) and/or assessing costs associated with clean-up of the property, and pursuing any other remedies available by law, including but not limited to injunctive relief. If the City or their designee, with permission from the City of Bloomington Board of Public Works, enters the property and abates the violation the owner shall be responsible for reimbursing the City for the abatement and all associated cost.
4. This NOV may be appealed to the City's Board of Public Works, provided a written appeal is filed with the Board, via the City's Public Works Department, within seven days of the date of issuance of this NOV.

Owner Name Joseph Davis
 Address 530 S. Washington St
 City Bloomington State IN
 Zip Code 47401

Agent Name _____
 Address _____
 City _____ State _____
 Zip Code _____



Appeal of Trash Citation to the Board of Public Works

City of Bloomington
Department of Public Works
401 North Morton Street, Suite 120
Phone (812)349-3410
Email: Public.Works@Bloomington.IN.gov

Please complete this form in its entirety. Use black or blue ink only and Print legibly. **A copy of the Trash citation you were issued MUST be attached to this form. You are encouraged to attach all documents that you believe support your appeal. All of these documents must be submitted within seven (7) days after the Trash citation was issued.** The Board of Public Works will primarily consider the written materials submitted, including: this appeal form, documents you provide, a statement from the police officer including any complaints made, and staff recommendations. In addition, on the date given below, you will have the opportunity to speak to the Board for two minutes. You will be notified of the Board's decision by first class mail. If your appeal is denied, you may file an appeal with the Monroe County Circuit within seven (7) days from the date of

Name: Joseph B. Davis Phone Number 812-525-9706
Date on Trash Citation: 8-11-22 and 9-7-22

Citation Number: 51715 and 52045
(Located in the top right hand corner of the citation)

Local Address:
530 S. Washington St.
Bloomington, IN 47401

Permanent Address:
Same as left.

Today's Date: 9-14-22

Reason for Appeal: : Rob Council first directed me in person to work on the front area of my yard and front porch. This was prior to the 8-11-22 warnings about poison ivy, and knot weed. These warnings came a day, or two, following our, in person, on site meeting. I immediately address the poison ivy and knot weed. Following this, compliance officer Council came back by and told me that I must now address the front porch. He made an appointment to meet me again on Thursday, 9-1-22 to check on the porch progress. Mr. Council was a 'No Show' on that date. I have explained from the beginning that I am more than willing to work with the City on gaining compliance through this multi-step process. Therefore, I felt 'broadsided' by these unexpected fines. It was as if a bait and switch had been performed? Clearly, there needs to be better, and more specific, communication from the HAND Compliance Department.

Attached to these appeals are images of my 'natural wild-life supporting front yard habitat, and my eclectic front porch. Thank you for your consideration in the appeal of this matter.

(You may continue on another page if necessary)

On this day, I submitted my completed appeal of Trash citation and received the date of _____
When the Board of Public Works will consider my appeal.

Signature

Date

For use by Public Works:

Date Appeal Received: _____ Received By: _____

Date Appeal Forwarded to Legal Department: _____



512

512





LAWNS
for LIFE
Nurturing your piece of the planet
safe and toxic-free



PROPERTY OF THE CITY OF BLOOMINGTON
TRASH ONLY
STREET SIDE

121 70036

CITY OF BLOOMINGTON
FOR A LIST OF ACCEPTABLE RECYCLABLE ITEMS
PLEASE CALL 317-346-3443 OR VISIT
BLOOMINGTON.INDIANARECYCLE.COM

NO NEEDLES

121 70186



Appeal of Excessive Growth Citation to the Board of Public Works

City of Bloomington
Department of Public Works
401 North Morton Street, Suite 120
Phone (812)349-3410
Email: Public.Works@Bloomington.IN.gov

Please complete this form in its entirety. Use black or blue ink only and Print legibly. A copy of the Excessive Growth citation you were issued **MUST** be attached to this form. You are encouraged to attach all documents that you believe support your appeal. **All of these documents must be submitted within seven (7) days** after the citation was issued. The Board of Public Works will primarily consider the written materials submitted, including: this appeal form, documents you provide, a statement from the police officer including any complaints made, and staff recommendations. In addition, on the date given below, you will have the opportunity to speak to the Board for two minutes. You will be notified of the Board's decision by first class mail. If your appeal is denied, you may file an appeal with the Monroe County Circuit within seven (7) days from the date of the Board's decision.

Name: Joseph B. Davis

Phone Number 812-525-9706

Citation Number: 51716 and 52046

(Located in the top right hand corner of the citation)

Date on Excessive Growth Citation: 8-11-22 and 9-7-22

Local Address:

530 S. Washington St.
Bloomington IN 47401

530 S. Washington St.
Bloomington, IN 47401

Permanent Address:

Same as left.

Today's Date: 7-14-22

Reason for Appeal: Rob Council first directed me in person to work on the front area of my yard and front porch. This was prior to the 8-11-22 warnings about poison ivy, and knot weed. These warnings came a day, or two, following our, in person, on site meeting. I immediately address the poison ivy and knot weed. Following this, compliance officer Council came back by and told me that I must now address the front porch. He made an appointment to meet me again on Thursday, 9-1-22 to check on the porch progress. Mr. Council was a 'No Show' on that date. I have explained from the beginning that I am more than willing to work with the City on gaining compliance through this multi-step process. Therefore, I felt 'broad-sided' by these unexpected fines. It was as if a bait and switch had been performed? Clearly, there needs to be better, and more specific communication, from the HAND Compliance Department.

Attached to these appeals are images of my 'natural wild-life supporting front yard habitat, and my eclectic front porch. Thank you for your consideration in the appeal of this matter.

(You may continue on another page if necessary)

On this day, I submitted my completed appeal of Excessive Growth citation and received the date of _____
When the Board of Public Works will consider my appeal.

Signature

Date

For use by Public Works:

Date Appeal Received: _____ Received By: _____

Date Appeal Forwarded to Legal Department: _____









LAWN'S
FOR LIFE



SMILE

Love



City of Bloomington's Board of Public Works
Order on Appeal of Notice of Violation
Ticket #52045, 52046

This matter is before the Board of Public Works for Appeal of Notices of Violations under ticket #52045, 52046 (the "NOV") at 530 S. Washington Street, Bloomington, IN (the "Property"). The Board of Public Works received information regarding the NOV at its regular meeting on Tuesday, September 27, 2022.

The Board of Public Works now finds as follows:

1. Joseph Davis ("Appellant") did timely appeal the NOV.
2. Appellant is the owner of the Property and is therefore a "responsible party" pursuant to BMC § 6.06.070 which provides: "the following persons shall be considered responsible parties, with liability for fines and responsibility for remedy of the violation: persons with any possessory interest in the property; property owner(s); and/or any persons who have caused the violation."
3. Neighborhood Compliance Officer Rob Council inspected the property on multiple occasions and personally observed garbage deposited upon the Property and the presence of noxious prohibited weeds as well as grass and weeds in excess of eight inches in height on the Property.
4. It is a violation of BMC § 6.06.020 to either be the one who places garbage on your own property or suffers or permits garbage to be deposited on your property.
5. It is a violation of BMC § 6.06.050 for the owner of any lot or tract of ground within the City to allow it to become overgrown with weeds, grass, or noxious plants beyond the height of eight inches.
6. The facts support a finding that Appellant did violate BMC § 6.06.020 regarding garbage and 6.06.050 regarding excessive growth of grass, weeds, and noxious plants.

After reviewing all of the evidence and testimony presented, the Board of Public Works hereby Orders as follows:

1. Denies the appeals of NOV #52045 regarding trash and NOV#52046 regarding excessive growth.

So Ordered this 27th Day of September, 2022.

Kyla Cox-Deckard, President
Board of Public Works
City of Bloomington

The Board of Public Works meeting was held Tuesday, September 13, 2022 at 5:30 pm in the Council Chambers of City Hall at 401 N. Morton St., Bloomington, Indiana and virtually through Zoom with Cox Deckard presiding.

REGULAR MEETING OF THE BOARD OF PUBLIC WORKS

Present: Kyla Cox Deckard
Elizabeth Karon
Jennifer Lloyd

ROLL CALL

City Staff: Adam Wason – Public Works
April Rosenberger -- Public Works
Alex Crowley – Economic & Sustainable Development
Chris Wheeler – City Legal
Maria McCormick – Housing & Neighborhood Development
Mike Arnold – Housing & Neighborhood Development
Patrick Dierkes -- Engineering
Matt Smethurst -- Engineering
Neil Kopper -- Engineering
Roy Aten -- Engineering
Paul Kehrberg -- Engineering
Sara Gomez -- Engineering

None

MESSAGES FROM BOARD MEMBERS

Roy Aten, Engineering, presented Engineering Staff Report on W. 17th Street Multi-Use Path Project. See meeting packet for details.

STAFF REPORTS
Engineering Staff Report on W. 17th Street Multi-Use Path Project

Board Comments: None.

Alex Crowley, Economic & Sustainable Development, presented a Staff Report for Update on Scooters.

Staff Report for Update on Scooters

Board Comments: Lloyd asked about IU’s process for impounding. Crowley confirmed that IU does impound between 60-80 scooters a month. Crowley mentioned that the impounding process is different because they have staff and equipment. Lloyd asked how long the program for the temporary part-time parking enforcement officers would last. Wason answered that it would probably be until late October to early November and then possibly resuming in spring. Lloyd asked if this would be the first major expenditure. Crowley confirmed. Karon asked what one should do if they see an improperly parked scooter. Wason answered the best avenue is to submit a UReport. Cox Deckard asked if the agreements would be reviewed in October. Crowley said he would have to confirm the dates, but thought the agreements are renewed in October.

Chris Wheeler, City Legal, presented Appeal Notice of Violation #51986 at 2739 E. Brigs Bend. See meeting packet for details.

PETITIONS& REMONSTRANCES
Appeal Notice of Violation #51986 at 2739 E. Brigs Bend

Board Comments: None

Karon made a motion to grant the Appeal Notice of Violation #51986 at 2739 E. Brigs Bend and void the Notice of Violation. Lloyd seconded. All in favor, motion is passed.

1. Approval of Minutes; August 30, 2022
2. Right-of-Way Dedication on Kinser Pike
3. Installation & Maintenance Agreement for Unlighted Signage in Park Ridge East Neighborhood
4. Resolution 2022-70; Renew Mobile Vendor, Top Shotta Jerk Chicken
5. Resolution 2022-72; IU Homecoming Parade
6. Approval of Payroll

CONSENT AGENDA

Karon made a motion to approve the Consent Agenda. Lloyd seconded. All in favor, motion is passed.

Maria McCormick, Housing & Neighborhood Development, presented Resolution 2022-71; Uphold Order to Vacate Property at 430 S. Dunn St. See meeting packet for details.

NEW BUSINESS
Resolution 2022-71; Uphold Order to Vacate Property at 430 S. Dunn St.

Board Comments: Cox Deckard asked to confirm that the other units on the property are able to be occupied. McCormick confirmed. Karon asked about the timeline for the work that is being done. McCormick stated that the property owners had ordered doors; once they are installed, the order can be lifted.

Karon made a motion to approve the Request to Resolution 2022-71; Uphold Order to Vacate Property at 430 S Dunn St. Lloyd seconded. All in favor, motion is passed.

Mike Arnold, Housing & Neighborhood Development, presented Resolution 2022-73; Uphold Order to Remove Structure at 752 S. Walnut St. See meeting packet for details.

Resolution 2022-73; Uphold Order to Remove Structure at 752 S. Walnut St.

Board Comments: Cox Deckard asked if the property owner had responded. Arnold stated no.

Karon made a motion to approve Resolution 2022-73; Uphold Order to Remove Structure at 752 S. Walnut St. Lloyd seconded. All in favor, motion is passed.

Patrick Dierkes, Engineering, presented Resolution 2022-74; Public Need to Purchase Right-of-Way for the 1st St. Improvement Project. See meeting packet for details.

Resolution 2022-74; Public Need to Purchase Right-of-Way for the 1st St. Improvement Project

Board Comments: Karon asked if the right-of-way is returned after the project is complete. Dierkes confirmed.

Karon made a motion to approve Resolution 2022-74; Public Need to Purchase Right-of-Way for the 1st St. Improvement Project. Lloyd seconded. All in favor, motion is passed.

Matt Smethurst, Engineering, presented Change Orders #1, #2, and #3 with E&B Paving, Inc., for the Tapp and Deborah Signal Installation Project. See meeting packet for details.

Change Orders #1, #2, and #3 with E&B Paving, Inc., for the Tapp and Deborah Signal Installation Project

Board Comments: None

Karon made a motion to approve Change Orders #1, #2, and #3 with E&B Paving, Inc., for the Tapp and Deborah Signal Installation Project. Lloyd seconded. All in favor, motion is passed.

Matt Smethurst, Engineering, presented Change Orders #1 and #2 with Ragle, Inc., for the Walnut Street Traffic Signals Project. See meeting packet for details.

Change Orders #1 and #2 with Ragle, Inc., for the Walnut Street Traffic Signals Project

Board Comments: None

Karon made a motion to approve Change Orders #1 and #2 with Ragle, Inc., for the Walnut Street Traffic Signals Project. Lloyd seconded. All in favor, motion is passed.

Neil Kopper, Engineering, presented Preliminary Engineering Contract with Bledsoe Riggert Cooper James for the Liberty Drive Sidewalk Project. See meeting packet for details.

Preliminary Engineering Contract with Bledsoe Riggert Cooper James for the Liberty Drive Sidewalk Project

Board Comments: None

Karon made a motion to approve Preliminary Engineering Contract with Bledsoe Riggert Cooper James for the Liberty Drive Sidewalk Project. Lloyd seconded. All in favor, motion is passed.

Roy Aten, Engineering, presented Addendum #5 to Design Contract with Aztec Engineering Group for the B-Line Extension and Multi-Use Path Project. See meeting packet for details.

Addendum #5 to Design Contract with Aztec Engineering Group for the B-Line Extension and Multi-Use Path Project

Board Comments: Cox Deckard asked to recap the reasons for the previous design addenda. Aten stated that there are special provisions, usually based on environmental issues that create the need to add services to the contract.

Karon made a motion to approve Addendum #5 to Design Contract with Aztec Engineering Group for the B-Line Extension and Multi-Use Path Project. Lloyd seconded. All in favor, motion is passed.

Roy Aten, Engineering, presented Requests for Lane Closures on E. 7th from N. Grant St. to N. Lincoln St. for Repairs to the 7th St. Protected Bike Lane Project. See meeting packet for details.

Requests for Lane Closures on E. 7th from N. Grant St. to N. Lincoln St. for Repairs to the 7th St. Protected Bike Lane Project

Board Comments: Cox Deckard asked if the bike lane would be closed. Aten stated no. Karon asked about the intersections of Grant and Lincoln with 7th. Aten stated the traffic may be impaired, but they will try to divert it.

Karon made a motion to approve Requests for Lane Closures on E. 7th from N. Grant St. to N. Lincoln St. for Repairs to the 7th St. Protected Bike Lane Project. Lloyd seconded. All in favor, motion is passed.

Paul Kehrberg, Engineering, presented Request for Lane and Sidewalk Closures from Duke Energy on W. 17th from N. Monroe St. to N. College Ave. (September 14, 2022 – January 01, 2023).

Request for Lane and Sidewalk Closures from Duke Energy on W. 17th from N. Monroe St. to N. College Ave. (September 14, 2022 – January 01, 2023)

Board Comments: Karon asked about the dates on the application. Kehrberg stated that work had been started already.

Karon made a motion to approve Request for Lane and Sidewalk Closures from Duke Energy on W. 17th from N. Monroe St. to N. College Ave. (September 14, 2022 – January 01, 2023). Lloyd seconded. All in favor, motion is passed.

Adam Wason, Public Works, presented Contract with Strauser Construction Co. Inc., for Construction of Captain's Quarters at Fire Station #5 on behalf of J.D. Boruff. See meeting packet for details.

Contract with Strauser Construction Co. Inc., for Construction of Captain's Quarters at Fire Station #5

Board Comments: None

Karon made a motion to approve Contract with Strauser Construction Co. Inc., for

Construction of Captain's Quarters at Fire Station #5. Lloyd seconded. All in favor, motion is passed.

Adam Wason, Public Works, presented Change Order #2 to Contract with Strauser Construction Co. Inc., for Fire Station #5 Remodel. See meeting packet for details.

Change Order #2 to Contract with Strauser Construction Co. Inc., for Fire Station #5 Remodel

Board Comments: None

Karon made a motion to approve Change Order #2 to Contract with Strauser Construction Co. Inc., for Fire Station #5 Remodel. Lloyd seconded. All in favor, motion is passed.

None

OTHER BUSINESS

Cox Deckard asked about the Board contract number with Aramark. Wason stated it may be not be a contract based on the small amount.

CLAIMS

Karon made a motion to approve claims in the amount of \$1,683,190.13. Lloyd seconded. All in favor, motion is passed.

Cox Deckard called for adjournment at 6:21 p.m.

ADJOURNMENT

Accepted By:

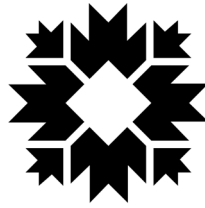
Kyla Cox Deckard, President

Jennifer Lloyd, Vice President

Elizabeth Karon, Secretary

Date:

Attest to:



CITY OF BLOOMINGTON
Parks and Recreation

STAFF REPORT

Agenda Item:
Date:

Administrator
Review\Approval

TO: Board of Park Commissioners
FROM: Joanna Sparks, City Landscaper
DATE: September 27, 2022
SUBJECT: ADOPT-A-ROUNDAABOUT PARTNERSHIP WITH 4 GOOD REASONS
ROOFING

Recommendation

Staff recommends approval of the Adopt-A-Roundabout partnership with 4 Good Reasons Roofing. No funds will be exchanged.

Background

This Adopt-A-Roundabout Partnership with 4 Good Reasons Roofing is designed to provide a means of improving, beautifying, and maintaining the roundabout located at the intersection of Sare Road & Rogers Road. The roundabout is approximately 100 feet in diameter and is planted with non-invasive flowering plants, grasses and shrubs.

RESPECTFULLY SUBMITTED,

Joanna Sparks



CONTRACT COVER MEMORANDUM

TO: Beth Cate, Corporation Counsel
FROM: Paula McDevitt, Administrator
DATE: September 27, 2022
RE: Adopt-A-Roundabout Partnership with 4 Good Reasons Roofing

Contract Recipient/Vendor Name:	4 Good Reasons Roofing
Department Head Initials of Approval:	PM
Responsible Department Staff: <i>(Return signed copy to responsible staff)</i>	Division Director: Tim Street
Responsible Attorney: <i>(Return signed copy to responsible attorney)</i>	
Record Destruction Date: <i>(Legal to fill in)</i>	
Legal Department Internal Tracking #: <i>(Legal to fill in)</i>	
Due Date For Signature:	Friday before Park Board: September 23, 2022
Expiration Date of Contract:	September 27, 2027
Renewal Date for Contract:	September 27, 2027
Total Dollar Amount of Contract:	\$0
Funding Source:	N/A
W9/EFT Complete: <i>(Staff Member of Responsible Dept to fill in - Vendor #)</i>	N/A
Affirmative Action Plan Complete (if applicable): <i>(Staff Member of Responsible Dept. to fill in; \$10,000+)</i>	N/A
Procurement Summary Complete: <i>(Staff Member of Responsible Dept. to fill in)</i>	N/Aw

Summary of Contract:

This is to establish a new Adopt-A-Roundabout Partnership with 4 Good Reasons Roofing to provide a means of improving, beautifying, and maintaining the roundabout located at the intersection of Sare Road and Rogers Road. The roundabout described is approximately 100 feet in diameter and is planted with non-invasive flowering plants, grasses and shrubs.



**City of Bloomington
Department of Public Works
Department of Parks and Recreation**

Adopt-A-Roundabout Partnership Agreement with 4 Good Reasons Roofing

This agreement between the City of Bloomington, Department of Parks and Recreation (hereafter “City”) and 4 Good Reasons Roofing, (hereinafter “Adopter”) is to provide a means of improving, beautifying, and maintaining the roundabout located at the intersection of **Sare Road and Rogers Road**. The roundabout described is approximately 100 feet in diameter.

NOW, THEREFORE, the Undersigned partners agree that Adopter shall be permitted to adopt the plot described in Exhibit A pursuant to the following terms and conditions:

1. All materials and labor necessary for the improvement and maintenance of the roundabout are the sole responsibility of the Adopter. The Adopter agrees to check the adopted location(s) on an as needed basis (minimum monthly basis), or upon request from the City, for landscape maintenance needs, and for removal of weeds, trash and litter, and other debris from the roundabout.
2. The Adopter agrees to provide to the City a schematic landscape plan noting species, sizes and planting locations, and Adopter shall obtain written approval from the City of Bloomington Department of Public Works, Planning and Parks and Recreation prior to the planting of any trees, shrubs, plants, flowers, or other vegetation. The City shall review all proposed planting locations for such factors as the presence of publicly and privately owned buried utilities, and potential vehicular traffic conflicts or obstructions, and compliance with local planning and zoning ordinance requirements, prior to permitting and work to proceed on the roundabout. In addition, Adopter shall be subject to the provisions of state law regarding locating underground utilities prior to excavating the site.
3. City roundabouts which are the subject of an Adopt-A Roundabout Partnership Agreement shall be required to install “public signs”, as said term is defined by Title 20 of the Bloomington Municipal Code. The Adopter shall purchase the “public signs” and shall gift the said “public signs” to the City.

The installed “public signs” are subject to the following requirements:

- Number: No more than four (4) public signs shall be installed.
- Design: The design, including the material and size, shall be determined by the City.
- Placement: The placement of each public sign shall be determined by the City.

- Costs: The Adopter shall be responsible for any and all costs associated with these public signs.

4. The roundabout described above shall remain the property of the City of Bloomington, and if, in the sole judgment of the City it is found that the Adopter is not meeting the terms and conditions of the agreement, the City may terminate this agreement and remove all signs. This agreement shall be in effect when signed by both parties and shall continue for a period of **five (5) years** from the date of signature; however either party may terminate the agreement earlier upon seven days written notice to the other party. At the end of the five (5) year term, Adopter shall have the right to renew this Agreement for another **five (5) year** period, provided the City, in its sole discretion, determines that the roundabout will be adopted for another five (5) year period. All materials provided by Adopter under this Agreement will remain property of the Adopter and Adopter may remove the materials, or negotiate to sell them to the City, when the Agreement concludes or is terminated by either party.

5. The Adopter agrees that its volunteers, employees, or subcontractors are not acting as agents or employees of the City of Bloomington.

6. The Adopter shall agree to release the City of Bloomington from any liability arising hereunder, including from the negligence of releasee, and shall indemnify the City of Bloomington against any claims which may arise due, in whole or in part, to the negligence of the Adopter in its acts or omissions pursuant to this agreement.

7. Notice regarding any significant concerns and/or breaches of the Agreement shall be given to:

4 Good Reasons Roofing
Tony Pulliam, Owner
(812) 360-4469

Bloomington Parks and Recreation:
Tim Street, Operations Director
812-349-3706

Representatives for the day-to-day operations and implementation of this Agreement shall be:

4 Good Reasons Roofing
Tony Pulliam, Owner
(812) 360-4469

Bloomington Parks and Recreation:
Joanna Sparks, City Landscaper
812-349-3497

8. This agreement may be renewed by the written agreement of both parties upon original date of expiration.

Exhibit A

The roundabout is located at the intersection of **Sare Road and Rogers Road**. It is approximately 100 feet in diameter and consists entirely of a mulched landscape bed.