

The Board of Public Works meeting was held Tuesday, June 18, 2024 at 5:30 pm in the Council Chambers of City Hall at 401 N. Morton St., Bloomington, Indiana and virtually through Zoom with Kyla Cox Deckard presiding.

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

Present: Kyla Cox Deckard – In Person
James Roach – In Person

ROLL CALL

City Staff: Adam Wason – Public Works
April Rosenberger – Public Works
Rob Council – HAND
John Hewitt – HAND
Rebecca Davis -- HAND
Maria McCormick – Engineering
Jason Kerr – Engineering
Alex Gray – Engineering
Kyle Baugh – Engineering
Kendall Knoke – Engineering
Nick Spagnolo – Facilities

None

**MESSAGES FROM BOARD
MEMBERS**

Rob Council, HAND, presented Abatement Request at 535 S. Walnut. See meeting packets for details.

**TITLE VI ABATEMENTS
Abatement Request at 535
S. Walnut**

Board Comments: Cox Deckard mentioned that during the work session they had some discussion on if there was any response from the property owners. Council stated we have not. Roach asked if the continuous abatement is necessary because of multiple violations, in Council's opinion. Roach asked if that section is a different address than what's being presented. Council answered yes, that it's all under 535 S. Walnut, the Arby's property, same owner. 541 S. Walnut does not have an address with the City of Bloomington because it's a parcel. Karon asked does that mean part of the property has been cared for. Council said part of the property is in compliance but the other part is not.

Public Comment: Rodney Page, Representative for Arby's, stated that they are based out of Dallas, and it is unknown who the New York information belongs to. A neighbor alerted them of what was going on. He went on to say that the fines incurred are unjust because no notices were received. Wason asked if he was familiar with Criptona 1976 Corp.? Page stated no. Wason explained that in the GIS system it indicates who owns the parcels. This is a company out of New York City, which are the property owners. Arby's doesn't own the property, but leases it. Wason said that this is where the confusion is because all the property records that we would utilize to reach out are being sent to New York. Wason addressed the Board and said even if the abatement is approved, the property owners still have a period of time to get into compliance before we would abate the property. The fines aren't for Arbys, it's for the property owners. Mr. Page stated the property is in compliance and has pictures. Wason asked John Hewitt, HAND, if he would like the Board to continue with an action tonight or wait, do an inspection and if we need to take action, come back at a subsequent meeting? Hewitt stated that he felt it would be in everyone's best interest if we could have some kind of dialogue with the local representative of the person leasing the property. If necessary we can come back at a later date on this particular issue so it makes sense to everybody. Joe Davis spoke on the behalf of Arbys. He stated that he lives adjacent from the business. He stated as a witness that he can verify there is no garbage on the property at this time. The vegetation is compliant and under the height of eight inches.

Board Comments: Roach asked Wason if the request should be continued or tabled. Wason stated no action should be taken. Council from HAND has spoken with the leasee of the property and they have exchanged contact information. At this point and time we ask that no action be taken. Cox Deckard asked Wason if they would entertain a motion to table. Wason stated yes.

Roach made a motion to table Abatement Request at 535 S. Walnut. Cox Deckard seconded. Cox Deckard took a roll call vote, all in favor, motion is passed.

Rebecca Davis, HAND, presented Abatement Request at 3621 N. Kinder Pike. See meeting packet for details.

Board Comments: Roach commented that they talked a little about this yesterday but asked if any direct contact had been made with the property owner. Davis stated not with the property owner but with the person living there. The property is in a trust the person is related to the people who are connected with the trust. Roach asked if in the conversations coming into compliance had been discussed. Davis said yes and that she suggested getting a dumpster on May 23, 2024. When she went back on June 6, 2024 everything was still out. She drove by today as well; things have been collected to an area, but nothing was picked up. Roach asked if the Board approved the abatement would there be a lag time between the approval and when crew could do the abatement. Davis said that yes there would be and she thinks it's something like a week. Roach stated there would still be a possibility it could come into compliance. Davis confirmed.

Roach made a motion to approve the Abatement Request at 3621 N. Kinser Pike. Cox Deckard seconded. Cox Deckard took a roll call vote, all in favor, motion is passed.

Public Comment: Joe Davis stated he is a resident at 530 S Washington St. and he said there are many problems with the issuance of notices of violation coming from HAND. He mentioned in the ordinance it has to state there be an end period to any compliance. He goes on to argue the point that a person can't be compliant if evidence or facts are not being presented. Davis said that this is a violation of Indiana Constitution for fair process and procedure. Davis goes on to say that HAND abuses their discretion and they don't follow their fine schedule. Davis asked that the processes be improved because he said that they are violating civil rights.

1. Approval of Minutes; June 04, 2024
2. Resolution 2024-035; Renew Mobile Vendor Rasta Pops
3. Resolution 2024-036; 2024 4th of July Parade
4. Resolution 2024-038; 2024 WFHB Block Rocker
5. Resolution 2024-039; Second Baptist Church Friends & Family Day
6. Approval of Payroll

Roach made a motion to approve the Consent Agenda. Cox Deckard seconded. Cox Deckard took a roll call vote, all in favor, motion is passed.

Kendall Knoke, Engineering, presented Lighting Plan for Hopewell West. See meeting packet for details.

Board Comments: None

Roach made a motion to approve Lighting Plan for Hopewell West. Cox Deckard seconded. Cox Deckard took a roll call vote, all in favor, motion is passed.

Abatement Request at 3621 N. Kinser Pike

PETITIONS AND REMONSTRANCES

CONSENT AGENDA

NEW BUSINESS Lighting Plan for Hopewell West

Kendall Knoke, Engineering, presented Amendment #1 to Consultant Contract with CrossRoad Engineers, PC for Preliminary Engineering Services for the Hopewell West Jackson Street Project. See meeting packet for details.

Board Comments: None

Roach made a motion to approve Amendment #1 to Consultant Contract with CrossRoad Engineers, PC for Preliminary Engineering Services for the Hopewell West Jackson Street Project. Cox Deckard seconded. Cox Deckard took a roll call vote, all in favor, motion is passed.

Kyle Baugh, Engineering, presented Sidewalk, Bike Lane, and Alley Closure Request from Strauser Construction on Grant Street. See meeting packet for details.

Board Comments: None

Roach made a motion to approve Sidewalk, Bike Lane, and Alley Closure Request from Strauser Construction on Grant Street. Cox Deckard seconded. Cox Deckard took a roll call vote, all in favor, motion is passed.

Kyle Baugh, Engineering, presented Lane and Sidewalk Closure Request from Merrell Brothers on N. Walnut Street. See meeting packet for details.

Board Comments: Cox Deckard asked if the dates could be confirmed for the lane closure. Baugh stated that they plan to start next Wednesday, June 26th - July 26th.

Roach made a motion to approve Lane and Sidewalk Closure Request from Merrell Brothers on N. Walnut Street. Cox Deckard seconded. Cox Deckard took a roll call vote, all in favor, motion is passed.

Alex Gray, Engineering, presented Sidewalk Closure Request from Landmark Construction on E. 14th Street. See meeting packet for details.

Board Comments: None

Roach made a motion to approve Sidewalk Closure Request from Landmark Construction on E. 14th Street. Cox Deckard seconded. Cox Deckard took a roll call vote, all in favor, motion is passed.

Alex Gray, Engineering, presented Lane and Sidewalk Closure Request from AEG. See meeting packet for details.

Board Comments: Cox Deckard made a comment about what was discussed in the work session. Meetings are happening as intended between project managers and the City. There are some outside issues you are trying to wrap up from May but as far as moving forward with these permits, it's in good order to move ahead with these. Wason added that they had a lengthy discussion with Engineering and Public Works about communication strategies with AEG. They have been in compliance since the last NOV and no major issues.

Roach made a motion to approve Lane and Sidewalk Closure Request from AEG. Cox Deckard seconded. Cox Deckard took a roll call vote, all in favor, motion is passed.

**Amendment #1 to
Consultant Contract with
CrossRoad Engineers, PC
for Preliminary Engineering
Services for the Hopewell
West Jackson Street Project**

**Sidewalk, Bike Lane, and
Alley Closure Request from
Strauser Construction on
Grant Street**

**Lane and Sidewalk Closure
Request from Merrell
Brothers on N. Walnut
Street**

**Sidewalk Closure Request
from Landmark
Construction on E. 14th
Street**

**Lane and Sidewalk Closure
Request from AEG**

Nick Spagnolo, Facilities, presented Contract with Presidio Networked Solutions, LLC for Installation of Door Access Controls at Fire Station #1. See meeting packet for details.

Board Comments: None

Roach made a motion to approve Contract with Presidio Networked Solutions, LLC for Installation of Door Access Controls at Fire Station #1. Cox Deckard seconded. Cox Deckard took a roll call vote, all in favor, motion is passed.

Nick Spagnolo, Facilities, presented Contract with True North Construction, Inc. for Construction of Parking and Training Facility at BPD Training Annex. See meeting packet for details.

Board Comments: Roach asked if this project received necessary site planning approvals from Planning and Transportation, as well as the Plan Commission. Spagnolo stated to his understanding they have. Roach asked if the approvals had been made. Wason stated he didn't not think they were required, but if they haven't happened, the contract won't be executed.

Roach made a motion to approve Contract with True North Construction, Inc. for Construction of Parking and Training Facility at BPD Training Annex. Cox Deckard seconded. Cox Deckard took a roll call vote, all in favor, motion is passed.

Wason said Monday was national Sanitation workers day. He wanted to say thank you to all the staff. The Mayor and Deputy Mayor went down there to say thank you. We just want to recognize and appreciate their hard work. Wason stated that it's summertime and that a lot of projects are happening. There will be an alley improvements project downtown between northbound Walnut and southbound Washington and Kirkwood and 6th Street. This project will include concrete restoration, ramp work and asphalt work.

Karon made a motion to approve claims in the amount of \$737,568.62. Roach seconded. Cox Deckard took a roll call vote, all in favor, motion is passed.

Cox Deckard called for adjournment at 6:10 p.m.

Accepted By:

Kyla Cox Deckard, President

Elizabeth Karon, Vice President

James Roach, Secretary

Date: 7/16/24 Attest to: 

Contract with Presidio Networked Solutions, LLC for Installation of Door Access Controls at Fire Station #1

Contract with True North Construction, Inc. for Construction of Parking and Training Facility at BPD Training Annex

STAFF REPORTS & OTHER BUSINESS

APPROVAL OF CLAIMS

ADJOURNMENT