

The Board of Public Works meeting was held Tuesday, August 02, 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  
Daniel Dixon – City Legal  
Jo Stong – Housing and Neighborhood Development  
Chastina Hayes – Housing and Neighborhood Development  
Emily Herr -- Engineering  
Paul Kehrborg – Engineering

None

**MESSAGES FROM BOARD MEMBERS**

Daniel Dixon, City Legal, presented Appeal Notice of Violation #51567 at 4224 E. Penn Court. See meeting packet for details.

**PETITIONS & REMONSTRANCES**  
**Appeal Notice of Violation #51567 at 4224 E. Penn Court**

**Public Comment:** Mark Harper, appellant, spoke of his appeal regarding the violation for overgrowth. Mr. Harper stated that his time is limited to pick weeds because he works 12 hours a day, 7 days a week. He believes the 8 inch rule is ridiculous, because it prevents flowers from flowering.

**Board Comments:** Lloyd asked if the lawn is still 8 inches in height. Jo Stong, Housing and Neighborhood Development, stated that the last time she was at the property, the lawn had not been mowed, and the owner had put up black fencing to try to obstruct the view. Karon asked if Stong had been in direct conversation with the property owner. Stong stated she had not spoken to Mr. Harper since he was in to turn in his appeal. Karon asked if it is common practice to leave information about the weed in question. Stong answered that the name of the weed can be written on the violation, but pictures are not left. Cox Deckard asked if anyone had spoken to Mr. Harper about ways to create a horticultural environment. Stong answered that Mr. Harper had not expressed any interest in speaking about it.

Karon made a motion to uphold the violation at 4224 E. Penn Court and deny the appeal. Lloyd seconded. Cox Deckard clarified the number on the violation is #51567. Karon confirmed. All in favor, motion is passed.

Daniel Dixon, City Legal, presented Appeal Notice of Violation # 51601 at 1219 S. Stull Ave. See meeting packet for details.

**Appeal Notice of Violation # 51601 at 1219 S. Stull Ave.**

**Public Comment:** Duncan Searle, appellant, stated he cleared out the weeds. Mr. Searle disagrees with the 8 inch rule. Feels there should be a fine for anything that is mowed before it is 8 inches tall. Mr. Searle mentioned that he wants to apply to turn his yard into a meadow.

**Board Comments:** Cox Deckard mentioned her previous response about conserving

the yard with certain horticulture landscaping. Wason reminded Mr. Searle that speaking to Linda Thompson, Planning, about the guidelines regarding the native plants that can be planted is necessary. Wason asked the Board to table the appeal in order for Linda Thompson and Mr. Searle to speak.

Karon made a motion to table the conversation regarding the Appeal Notice of Violation # 51601 at 1219 S. Stull Ave. Lloyd seconded. All in favor, motion is passed.

Chastina Hayes, Housing and Neighborhood Development, presented Abatement at 1209 W. 11<sup>th</sup> Street. See meeting packet for details.

**TITLE VI ENFORCEMENT**  
**Abatement at 1209 W. 11<sup>th</sup> Street**

**Board Comments:** Lloyd asked when the property was last visited. Hayes answered she had been there during the current week. Lloyd asked if it had been mowed. Hayes said no. Karon asked if there had been any conversations with the representative of the estate. Hayes said the only communication she has had is with the son of the deceased and that he had been denied permission to mow. Cox Deckard asked if there is an order to seal on this property. Daniel Dixon, City Legal, stated there is an order to remove that is still in place on the property, but that enforcement of the order has been on hold because the state is attempting to sell the property.

Karon made a motion to continue the Abatement at 1209 W. 11<sup>th</sup> Street. Lloyd seconded. All in favor, motion is passed.

1. Approval of Minutes; July 19, 2022
2. Resolution 2022-36; Pridefest
3. Resolution 2022-52; Hoosiers Outrun Cancer
4. Resolution 2022-56; Lotus
5. Resolution 2022-57; Harvest Hootenanny
6. Resolution 2022-58; B-Town Neighboring Project, Fall Welcome Event
7. Noise Permit; Urban Fabric for Ribbon Cutting Ceremony for Art Installation at 4<sup>th</sup> Street Garage
8. Noise Permit; Gold Coast Neighborhood Pot Luck
9. Resolution 2022-55; Renew Mobile Vendor in Public Right-of-Way; The Big Cheeze
10. Resolution 2022-41; Declaration of Surplus from Parking Services
11. 2022 Service Agreement with Thrasher Landscaping
12. Approval of Payroll

**CONSENT AGENDA**

Wason asked that Resolution 2022-56; Lotus be moved from the Consent Agenda to New Business for further discussion.

Karon made a motion to move Resolution 2022-56; Lotus from the Consent Agenda to New Business. Lloyd seconded. All in favor, motion is passed.

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

Adam Wason, Public Works, spoke of moving Lotus to new business for further discussion after receiving public feedback regarding the concerts during the event going until midnight. After internal discussion, the festival is still supported and asked the Board to approve the request as presented.

**NEW BUSINESS**  
**Resolution 2022-56; Lotus**

**Board Comments:** Cox Deckard mentioned that the letter from the resident indicated making a stipulation for the 2023 festival, as the 2022 festival had already been scheduled. Wason stated that staff is not making any recommendations on any modifications for 2023 at this time. Karon asked how the permits are handled for similar special events. Wason stated individual discussions are had with each organizer and they have chosen an earlier stop time of 10 pm. Cox Deckard recalled that there are now 4 events that go until midnight. Cox Deckard asked if there had been any other noise specific comments regarding any of the other festivals. Wason said no.

**Public Comments:** Dave Askins explained that the festival has a dramatically negative impact on the quality of his life for all of the hours of its operation, but especially after 10 o'clock at night. He stated this is not the first time he has made the request for the concerts to end at 10 pm. Expressed his gratitude for Cox Deckard clarifying that his request is for future festivals. Askins does not think his request for music to stop at 10 pm is unreasonable.

**Board Comments:** Cox Deckard stated that the request is not unreasonable. However, there is a quality to the festivals that takes them later into the evening. Asked if the Lotus program could be obtained to get a better understanding of why the schedule is until midnight.

Karon made a motion to approve Resolution 2022-56; Lotus. Lloyd seconded. All in favor, motion is passed.

Daniel Dixon, City Legal, presented Resolution 2022-59; Change Order #1 with Haire Construction for Repair of Unsafe Structure at 410 S. Highland Ave. See meeting packet for details.

**Board Comments:** Lloyd asked how it's decided between removing and repairing an unsafe structure. Dixon answered that it depends on if the cost of repair exceeds the cost of removal.

Karon made a motion to approve Resolution 2022-59; Change Order #1 with Haire Construction for Repair of Unsafe Structure at 410 S. Highland Ave. Lloyd seconded. All in favor, motion is passed.

Emily Herr, Engineering, presented Street Closure Request from Renascent, Inc. on W. 1<sup>st</sup> Street (August 10, 2022 – August 23, 2022). See meeting packet for details.

**Board Comments:** Cox Deckard asked if the sidewalk detour is down the block on a neighboring street. Herr confirmed.

Karon made a motion to approve Street Closure Request from Renascent, Inc. on W. 1<sup>st</sup> Street (August 10, 2022 – August 23, 2022). Lloyd seconded. All in favor, motion is passed.

Paul Kehrberg, Engineering, presented Street Closure Request from Renascent, Inc. on N. Dunn Street and N. Grant Street. See meeting packet for details.

**Board Comments:** Cox Deckard asked if the private property owners have access to their parking. Sean Floyd, Renascent Inc., stated they have been working with property owners to provide additional parking spaces.

Karon made a motion to approve Street Closure Request from Renascent, Inc. on N.

**Resolution 2022-59; Change Order #1 with Haire Construction for Repair of Unsafe Structure at 410 S. Highland Ave.**

**Street Closure Request from Renascent, Inc. on W. 1<sup>st</sup> Street (August 10, 2022 – August 23, 2022)**

**Street Closure Request from Renascent, Inc. on N. Dunn Street and N. Grant Street**

Dunn Street and N. Grant Street. Lloyd seconded. All in favor, motion is passed.

Adam Wason, Public Works, presented Contract with PEI Maintenance for Fuel Tank Inspections, on behalf of Jason Speer, Fleet Maintenance. See meeting packet for details.

**Contract with PEI Maintenance for Fuel Tank Inspections**

**Board Comments:** None

Karon made a motion to approve Contract with PEI Maintenance for Fuel Tank Inspections. Lloyd seconded. All in favor, motion is passed.

Wason mentioned a press release from the City regarding efforts on bamboo and the efforts of staff and residents to work together to eradicate it. Wason also stated that there had been a successful response after a call out to residents regarding the Animal Shelter being at max capacity. Wason gave a shout out to a member of the Street Department, Ron Payton, who retired after 15 years of service to the City.

**STAFF REPORTS AND OTHER BUSINESS**

**Board Comments:** Cox Deckard asked about the \$2.00 reimbursements for parking permits. Wason explained that City employees had previously paid for permits before the parameters of a pilot cash out program could be finalized.

**CLAIMS**

Karon made a motion to approve claims in the amount of \$1,437,965.89. Lloyd seconded. All in favor, motion is passed.

Cox Deckard called for adjournment at 6:37 p.m.

**ADJOURNMENT**

Accepted By:

  
Kyla Cox Deckard, President

  
Jennifer Lloyd, Vice President

  
Elizabeth Karon, Secretary

Date: 8/16/22 Attest to: 