

The Board of Public Works meeting was held Monday, November 22, 2022 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
Elizabeth Karon

ROLL CALL

City Staff: Adam Wason -- Public Works
Chris Wheeler – City Legal
Rob Council – Housing and Neighborhood Development
Roy Aten -- Engineering
Andrew Cibor – Engineering
Sara Gomez – Engineering
Jason Kerr – Engineering

None

MESSAGES FROM BOARD MEMBERS

Joe Davis, announced that it was Hoagie Carmichael’s birthday and that he wrote Stardust just two doors down from Mr. Davis.

PUBLIC COMMENT

Chris Wheeler, City Legal, asked Rob Council, Housing and Neighborhood Development, to describe the state of the property. Council described the property as being filled with garbage, rotting wood, plastic buckets, and other refuse that is not acceptable. Wheeler asked if Council had issued Notices of Violation previously for the same violations. Council confirmed. Wheeler asked if the state of the property was the same or worse when Council issued the Notice of Violation on October 07, 2022. Council stated the property is in worse condition. Wheeler presented Appeal Notice of Violation #62022-10-0085 at 530 S. Washington Street and asked that the Board uphold this appeal based upon the statement of Council and the photographs that were submitted showing the state of the property.

PETITIONS& REMONSTRANCES
Appeal Notice of Violation #62022-10-0085 at 530 S. Washington Street

Mr. Davis, appellant, began by stating that he was excited when he left from the last appeal because he thought he would get a comprehensive list of what he needs to do in order to be in compliance. Mr. Davis stated that less than one week after his appeal, he was given another Notice of Violation. He continued that he assumes this violation was issued because of his compost, which has since been cleaned up. He stated that he works 10-12 hours per day on his property, and that it is an active construction site. Mr. Davis stated that it is unfair for him to be targeted by so many departments. He also stated that he has based all of his efforts to clean his property on the comments from the first notices he received. He has received no further instruction on what needed to be done in order for his property to be in compliance. Mr. Davis explained that he has not seen any of the photos that the City has taken. Wheeler explained that there should be no confusion because the photos that the City has provided are of his property. Wheeler went on to explain that the notice of violation is for the unlawful action of Mr. Davis when he placed and scattered recyclable materials and yard waste all across his premises. Wheeler stated that, from the photographs, what he sees is paper, wood, cans, glass and construction debris. He does not see construction materials. All materials were on the premises on the date the violation was issued. Cox Deckard permitted Mr. Davis an additional two minutes to wrap up his comments. Mr. Davis said that the materials that are in the photographs are recycled because he is a sustainable builder. Adam Wason, Public Works, asked if Mr. Davis had any current building permits. Davis said no, and that he does not need one according to the

Log Cabin Rule. Mr. Davis also asked why photos were being taken after he filed the appeal. Wason stated it is standard practice to continually monitor the property. Cox Deckard stated that the Board asks for documentation on what the property looks like, to see if there has been any changes or modifications to the property.

Board Comments: Karon asked when the photos were taken that were provided to the Board by City staff. Council stated that they were taken on November 14th. Karon asked Mr. Davis if the photos he sent were taken today. Mr. Davis was unclear on the date.

Karon made a motion to deny the Appeal Notice of Violation #62022-10-0085 at 530 S. Washington Street. Cox Deckard seconded. All in favor, motion is passed.

1. Approval of Minutes; November 07, 2022
2. Addendum #1 to 2022 Kone Service Agreement
3. 2023 Service Agreement with Economy Pest & Termite
4. 2023 Service Agreement with Everywhere Signs
5. 2023 Service Agreement with HFI for HVAC Repairs and Maintenance
6. 2023 Service Agreement with HFI for Plumbing Repairs and Maintenance
7. 2023 Service Agreement with Indiana Door & Hardware
8. 2023 Service Agreement with Nature’s Way
9. 2023 Service Agreement with Photizo, LLC dba Fish Window Cleaning
10. 2023 Service Agreement with Thrasher Landscaping
11. 2023 Service Agreement with Umphress Masonry
12. Approval of Payroll

CONSENT AGENDA

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

Roy Aten, Engineering, presented Change Orders #1 & #2 for the Jackson Creek Trail Phase II Project. See meeting packet for details.

Board Comments: None

Karon made a motion to approve Change Orders #1 & #2 for the Jackson Creek Trail Phase II Project. Cox Deckard seconded. All in favor, motion is passed with one recusal.

Roy Aten, Engineering, presented Change Order #8 for the 7th Street Protected Bike Lane Project. See meeting packet for details.

Board Comments: None

Karon made a motion to approve Change Order #8 for the 7th Street Protected Bike Lane Project. Cox Deckard seconded. All in favor, motion is passed.

Roy Aten, Engineering, presented Preliminary Engineering Agreement with CSX Transportation, Inc. See meeting packet for details.

Board Comments: Karon asked if this agreement is a standard agreement as with other projects that are near railroads. Aten confirmed.

Karon made a motion to approve Preliminary Engineering Agreement with CSX Transportation, Inc. Cox Deckard seconded. All in favor, motion is passed.

NEW BUSINESS
Change Orders #1 & #2 for the Jackson Creek Trail Phase II Project

Change Order #8 for the 7th Street Protected Bike Lane Project

Preliminary Engineering Agreement with CSX Transportation, Inc.

Andrew Cibor Engineering, presented Alley Right-of-Way Dedication at 400 W. 7th Street (Johnson Creamery). See meeting packet for details.

Alley Right-of-Way Dedication at 400 W. 7th Street (Johnson Creamery)

Board Comments: Wason stated that there was extensive talk during the work session on the proposal. Stated that this dedication does not provide any benefit to the City and so the Board is asked to deny the request. Cox Deckard confirmed that during the work session it was discussed that this right-of-way dedication would not benefit the City.

Karon made a motion to deny the Alley Right-of-Way Dedication at 400 W. 7th Street (Johnson Creamery). Cox Deckard seconded. All in favor, motion is passed.

Sara Gomez, Engineering, presented Change Orders #1 & #2 for the Crosswalks HSIP Project. See meeting packet for details.

Change Orders #1 & #2 for the Crosswalks HSIP Project

Board Comments: None

Karon made a motion to approve Change Orders #1 & #2 for the Crosswalks HSIP Project. Cox Deckard seconded. All in favor, motion is passed.

Sara Gomez, Engineering, presented Contract with E&B Paving for the W. Allen St. Greenway Project. See meeting packet for details.

Contract with E&B Paving for the W. Allen St. Greenway Project

Board Comments: None

Karon made a motion to approve Contract with E&B Paving for the W. Allen St. Greenway Project. Cox Deckard seconded. All in favor, motion is passed.

Jason Kerr, Engineering, presented Lane and Sidewalk Closure Requests from AEG. See meeting packet for details.

Lane and Sidewalk Closure Requests from AEG

Board Comments: Karon mentioned that during the work session it was discussed that there is ongoing communication regarding the door hangers. Kerr confirmed that the conversations are ongoing.

Karon made a motion to approve Lane and Sidewalk Closure Requests from AEG. Cox Deckard seconded. All in favor, motion is passed.

None

STAFF REPORTS AND OTHER BUSINESS

Karon made a motion to approve claims in the amount of \$441,501.63. Cox Deckard seconded. All in favor, motion is passed.

CLAIMS

Cox Deckard called for adjournment at 6:28 p.m.

Accepted By:


Kyla Cox Deckard, President


Jennifer Lloyd, Vice President


Elizabeth Karon, Secretary

ADJOURNMENT

Date: 12/6/22 Attest to: 