

The Board of Public Works meeting was held Tuesday, February 28, 2023 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  
Jennifer Lloyd

**ROLL CALL**

City Staff: April Rosenberger – Public Works  
Mike Rouker - City Legal  
Aleksandrina Pratt - City Legal, via Zoom  
Haskell Smith - Parks and Recreation  
Roy Aten – Engineering  
Patrick Dierkes - Engineering  
Jason Kerr - Engineering

None

**MESSAGES FROM BOARD  
MEMBERS**

Mike Rouker, City Legal, presented Appeal Noise Citation #40027 for 423 E. Southern Drive. Officer Chad Dorman recounted the events leading up to issuance of the citation. See meeting packet for details. Marisol Sanchez, appellant, stated her account.

**PETITIONS &  
REMONSTRANCES**  
**Appeal Noise Citation #40027  
for 423 E. Southern Drive**

**Board Comments:** Karon asked to confirm that warnings are not given on noise citations. Rouker confirmed.

Karon made a motion to deny the Appeal of Noise Citation #40027 for 423 E. Southern Drive. Lloyd seconded. All in favor, motion is passed.

Mike Rouker, City Legal, presented Appeal Noise Citation #37913 for 437 E. 16<sup>th</sup> Street. Officer Colin Deckard recounted the events leading up the issuance of the citation. See meeting packet for details. William Jontz, appellant, stated his account.

**Appeal Noise Citation #37913  
for 437 E. 16<sup>th</sup> Street**

**Board Comments:** Lloyd asked to confirm that the appellant was playing music from his house. Jontz confirmed. Karon asked about the differences on the timing of when noise complaints are received. Rouker cited the code and the definition of unreasonable noise.

Karon made a motion to deny the Appeal of Noise Citation #37913 for 437 E. 16<sup>th</sup> Street. Lloyd seconded. All in favor, motion is passed.

1. Approval of Minutes; February 14, 2023
2. Bonding Agreement with Indiana University
3. Bonding Agreement with City of Bloomington Utilities
4. Resolution 2023-05; Declaration of Surplus Fleet Vehicles
5. Resolution 2023-08; Declaration of Surplus ITS
6. Revised 2023 Service Agreement with Precision Concrete, Inc. to Remove Sidewalk Trip Hazards
7. Approval of Payroll

**CONSENT AGENDA**

**Board Comments:** None

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

Haskell Smith, Parks and Recreation, presented Memorandum of Understanding between Duke Energy and Parks & Recreation for the Reliability Project. See meeting packet for details.

**Board Comments:** None

Karon made a motion to approve the Memorandum of Understanding between Duke Energy and Parks & Recreation for the Reliability Project. Lloyd seconded. All in favor, motion is passed.

Roy Aten, Engineering, presented Change Order #9 for the 7<sup>th</sup> Street Protected Bike Lane Project. See meeting packet for details.

**Board Comments:** None

Karon made a motion to approve Change Order #9 for the 7<sup>th</sup> Street Protected Bike Lane Project. Lloyd seconded. All in favor, motion is passed.

Roy Aten, Engineering, presented Change Orders #1 and #2 for the 17<sup>th</sup> Street Multi-Use Path Project. See meeting packet for details.

**Board Comments:** None

Karon made a motion to approve Change Orders #1 and #2 for the 17<sup>th</sup> Street Multi-Use Path Project. Lloyd seconded. All in favor, motion is passed.

Roy Aten, Engineering, presented Contract with Bluestone Tree LLC for the B-Line Tree Clearing Project. See meeting packet for details.

**Board Comments:** None

Karon made a motion to approve Contract with Bluestone Tree LLC for the B-Line Tree Clearing Project. Lloyd seconded. All in favor, motion is passed.

Patrick Dierkes, Engineering, presented Resolution 2023-10; Public Need to Purchase Right-of-Way for the Adams Street Sidewalk (Kirkwood to Fountain) Project. See meeting packet for details.

**Board Comments:** Lloyd asked how much property is involved. Dierkes answered that it varies depending on the area.

Karon made a motion to approve the Resolution 2023-10; Public Need to Purchase Right-of-Way for the Adams Street Sidewalk (Kirkwood to Fountain) Project. Lloyd seconded. All in favor, motion is passed.

**NEW BUSINESS**

**Memorandum of Understanding between Duke Energy and Parks & Recreation for the Reliability Project**

**Change Order #9 for the 7<sup>th</sup> Street Protected Bike Lane Project**

**Change Orders #1 and #2 for the 17<sup>th</sup> Street Multi-Use Path Project**

**Contract with Bluestone Tree LLC for the B-Line Tree Clearing Project**

**Resolution 2023-10; Public Need to Purchase Right-of-Way for the Adams Street Sidewalk (Kirkwood to Fountain) Project**

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

**Request from AEG for Lane and Sidewalk Closures**

**Board Comments:** None

Karon made a motion to approve the Request from AEG for Lane and Sidewalk Closures. Lloyd seconded. All in favor, motion is passed.

April Rosenberger, Public Works, presented Resolution 2023-09 IU Carnival. See meeting packet for details.

**Resolution 2023-09 IU Carnival**

**Board Comments:** Cox Deckard asked to confirm the route of the closure and that there is no longer a rain date. Julie Comer, IU Carnival organizer, confirmed.

Karon made a motion to approve Resolution 2023-09 IU Carnival. Lloyd seconded. All in favor, motion is passed.

No Staff Reports

**STAFF REPORTS AND OTHER BUSINESS**

Karon made a motion to approve claims in the amount of \$969,408.61. Lloyd seconded. All in favor, motion is passed.


**CLAIMS**

Cox Deckard called for adjournment at 6:00 p.m.

**ADJOURNMENT**

Accepted By:

  
Kyla Cox Deckard, President

  
Elizabeth Karon, Vice President

  
Jennifer Lloyd, Secretary

Date: 3/14/23

Attest to: 