

The Board of Public Works meeting was held Tuesday, March 14, 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, via Zoom
Chris Wheeler - City Legal
Rob Council – Housing and Neighborhood Development
Matt Smethurst - Engineering
Paul Kehrberg - Engineering
Jason Kerr - Engineering

None

MESSAGES FROM BOARD MEMBERS

None

PETITIONS & REMONSTRANCES

Chris Wheeler, City Legal, presented Abatement at 530 S. Washington. Rob Council, Housing and Neighborhood Development also provided details. See meeting packet for details.

TITLE VI ENFORCEMENT Abatement at 530 S. Washington

Board Comments: Cox Deckard asked if the property owner is aware of the time remaining before an abatement takes place. Wheeler stated the abatement order is in effect for 12 months, but he was not certain of when it would start. Karon asked if the property owner is alerted before the abatement takes place. Wheeler stated that a notice to the property owner is mailed stating that there will be abatement, but a specific date is not given.

Joe Davis, property owner, stated that he had been working on his property since he received the notice for abatement. He stated that previous to the notice of abatement, he had only received three notices of violations. He stated that no one had been out to inspect his property in the past week, and that it looks great. Davis stated he is willing to work with Housing and Neighborhood Development to reach compliance. He asked for more time to continue his work.

Public Comments: Renata Raper, adjacent property owner, spoke of the condition of 530 S. Washington. She stated that the property is unkempt, unsafe, and an eye-sore. She stated she has lost tenant renewals and new leases because of the condition of the property. She also said that she has spoken to Mr. Davis several times, and she continues to be frustrated because he will not take pride and clean up his property. Stated her property has lost value because of the rubbish that is piled up.

Karon asked which section of the property Mr. Davis had been working on based on the two pictures that were provided in the packet. Davis stated that the photo was old, and the items had been cleaned up.

Karon made a motion to approve the Abatement at 530 S. Washington. Lloyd seconded. Cox Deckard took a roll call vote. All in favor, motion is passed.

1. Approval of Minutes; February 28, 2023
2. Resolution 2023-12; Request from Six Ways Market for a Pop-Up Supermarket
3. Approval of Payroll

CONSENT AGENDA

Board Comments: None

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

Mike Rouker, City Legal, presented Resolution 2023-11; Request from Turning Point USA at Indiana University to paint an “All Lives Matter” Street Mural. See meeting packet for details.

Kyle Reynolds, President of Turning Point USA, stated that removing the speech element of the mural would defeat the purpose of the mural. Stated he sees no reason why their right should be voted down.

NEW BUSINESS
Resolution 2023-11; Request from Turning Point USA at Indiana University to paint an “All Lives Matter” Street Mural

Public Comments: Bob Costello, President of Kirkwood Community Association, spoke on behalf of all of KCA’s members. He asked that this request be voted down. Heidi Darling, resident, stated the euphemism to deny existence of racial injustice is “all lives matter” and that allowing this mural to be painted on public property would be an insult. Sue Aquila, business owner, stated it’s neither appropriate nor desired to have any kind of mural such as this and asked that it be denied. Ruth Aydt, resident, asked via zoom the board to deny the request from Turning Point USA. Ellen Mills, resident, spoke via zoom and asked the board to deny the proposal. Maqube Reese, resident, asked via zoom that the proposal be denied. Rhys Masterson, resident, spoke via zoom, supporting Maqube Reese’s statement. Corey Parton, resident, asked via zoom that the board deny the request. Gary Crow stated via zoom his opposition of the request and asked the board to deny.

Board Comments: Cox Deckard stated that written comments had also been received directly to the Public Works address.

Karon made a motion to deny Resolution 2023-11; Request from Turning Point USA at Indiana University to paint an “All Lives Matter” Street Mural. Lloyd seconded. Cox Deckard took a roll call vote. All in favor to deny, motion is passed.

April Rosenberger, Public Works, presented Resolution 2023-13; Request from Constellation Stage & Screen for the 2023 Arts Fair on the Square. See meeting packet for details.

Board Comments: Jennifer Lloyd recused herself from the vote.

Karon made a motion to approve Resolution 2023-13; Request from Constellation Stage & Screen for the 2023 Arts Fair on the Square. Cox Deckard seconded. Cox Deckard took a roll call vote. All in favor, with one recusal, motion is passed.

Resolution 2023-13; Request from Constellation Stage & Screen for the 2023 Arts Fair on the Square

Matt Smethurst, Engineering, presented Amendment #4 to LPA-Consulting Contract with Lochmueller Group for the 17th Street (Monroe to Grant) Multimodal Improvements Project. See meeting packet for details.

Board Comments: Lloyd asked if she understood it correctly that this amendment is just a

Amendment #4 to LPA-Consulting Contract with Lochmueller Group for the 17th Street (Monroe to Grant) Multimodal

reallocation from one project to another. Smethurst confirmed.

Karon made a motion to approve Amendment #4 to LPA-Consulting Contract with Lochmueller Group for the 17th Street (Monroe to Grant) Multimodal Improvements Project. Lloyd seconded. Cox Deckard took a roll call vote. All in favor, motion is passed.

Paul Kehrberg, Engineering, presented Request from F.A. Wilhelm for lane and sidewalk closures on S. Strong Drive. See meeting packet for details.

Board Comments: None

Karon made a motion to approve Request from F.A. Wilhelm for lane and sidewalk closures on S. Strong Drive. Lloyd seconded. Cox Deckard took a roll call vote. All in favor, motion is passed.

Paul Kehrberg, Engineering, presented Request from Duke Energy for Lane Closures for the Reliability Project Phase II Tree Clearing. See meeting packet for details.

Board Comments: None

Karon made a motion to approve Request from Duke Energy for Lane Closures for the Reliability Project Phase II Tree Clearing. Lloyd seconded. Cox Deckard took a roll call vote. All in favor, motion is passed.

Paul Kehrberg, Engineering, presented Right-of-Way Use Request from CoreBuilt Contracting for Placement of Dumpster at 210 E. Kirkwood. See meeting packet for details.

Board Comments: None

Karon made a motion to approve the Right-of-Way Use Request from CoreBuilt Contracting for Placement of Dumpster at 210 E. Kirkwood. Lloyd seconded. Cox Deckard took a roll call vote. All in favor, motion is passed.

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

Board Comments: None

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

Matt Smethurst, Engineering, presented Addendum #2 to Preliminary Engineering Contract with Shrewsberry for BHRU Infrastructure & Site Engineering Phase I East Project. See meeting packet for details.

Board Comments: None

Karon made a motion to approve Addendum #2 to Preliminary Engineering Contract with Shrewsberry for BHRU Infrastructure & Site Engineering Phase I East Project. Lloyd seconded. Cox Deckard took a roll call vote. All in favor, motion is passed.

Matt Smethurst, Engineering, presented Award Contract to Milestone Contractors, LP for the Winslow Road (Walnut to Allendale) Resurfacing Project. See meeting packet for

Improvements Project

Request from F.A. Wilhelm for lane and sidewalk closures on S. Strong Drive

Request from Duke Energy for Lane Closures for the Reliability Project Phase II Tree Clearing

Right-of-Way Use Request from CoreBuilt Contracting for Placement of Dumpster at 210 E. Kirkwood

Request from AEG for Lane and Sidewalk Closures

Addendum #2 to Preliminary Engineering Contract with Shrewsberry for BHRU Infrastructure & Site Engineering Phase I East Project

Award Contract to Milestone Contractors, LP

details.

Board Comments: None

Karon made a motion to approve Award Contract to Milestone Contractors, LP for the Winslow Road (Walnut to Allendale) Resurfacing Project. Lloyd seconded. Cox Deckard took a roll call vote. All in favor, motion is passed.

April Rosenberger, Public Works, presented Contract with PEI Maintenance for Installation of Diesel Exhaust Fluid (DEF) Tank. See meeting packet for details.

Board Comments: None

Karon made a motion to approve Contract with PEI Maintenance for Installation of Diesel Exhaust Fluid (DEF) Tank. Lloyd seconded. Cox Deckard took a roll call vote. All in favor, motion is passed.

April Rosenberger, Public Works, presented Contract with CE Hughes Milling dba The Airmarking Company for Pavement Marking Services. See meeting packet for details.

Board Comments: None

Karon made a motion to approve Contract with CE Hughes Milling dba The Airmarking Company for Pavement Marking Services. Lloyd seconded. Cox Deckard took a roll call vote. All in favor, motion is passed.

April Rosenberger, Public Works, presented Contract with Cargill, Inc. for DeIcing Salt. See meeting packet for details.

Board Comments: None

Karon made a motion to approve Contract with Cargill, Inc. for DeIcing Salt. Lloyd seconded. Cox Deckard took a roll call vote. All in favor, motion is passed.

April Rosenberger, Public Works, presented Change Order #1 to Contract with Ann-Kriss, LLC. For Upgrades and Repairs to Fire Station #4. See meeting packet for details.

Board Comments: Karon noted that she would recuse from the vote.

Lloyd made a motion to approve Change Order #1 to Contract with Ann-Kriss, LLC. For Upgrades and Repairs to Fire Station #4. Cox Deckard seconded. Cox Deckard took a roll call vote, Karon abstained, motion is passed.

None.

Karon made a motion to approve claims in the amount of \$1,843,262.08. Lloyd seconded. All in favor, motion is passed.

**for the Winslow Road
(Walnut to Allendale)
Resurfacing Project**

**Contract with PEI
Maintenance for Installation
of Diesel Exhaust Fluid
(DEF) Tank**

**Contract with CE Hughes
Milling dba The
Airmarking Company for
Pavement Marking Services**

**Contract with Cargill, Inc.
for DeIcing Salt**

**Change Order #1 to
Contract with Ann-Kriss,
LLC. For Upgrades and
Repairs to Fire Station #4**


**STAFF REPORTS AND
OTHER BUSINESS**

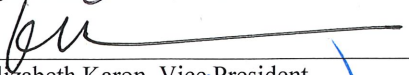
CLAIMS

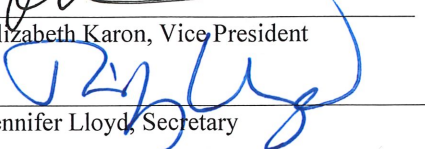
Cox Deckard called for adjournment at 6:37 p.m.

ADJOURNMENT

Accepted By:


Kyla Cox Deckard, President


Elizabeth Karon, Vice President


Jennifer Lloyd, Secretary

Date: 3.28.23 Attest to: 