

The Board of Public Works meeting was held Tuesday, July 18, 2023 at 5:30 pm in the Council Chambers of City Hall at 401 N. Morton St., Bloomington, Indiana and virtually through Zoom with Elizabeth Karon presiding.

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

Present: Elizabeth Karon  
Jennifer Lloyd

**ROLL CALL**

City Staff: April Rosenberger - Public Works  
Mike Arnold – Housing & Neighborhood Development  
Kenny Liford – Housing & Neighborhood Development  
Chastina Hayes – Housing & Neighborhood Development  
Alex Gray – Engineering  
Paul Kehrberg - Engineering  
Maria McCormick - Engineering  
Colleen Newbill – Legal  
Aleks Pratt – Legal  
Mike Rouker – Legal  
Chris Wheeler – Legal

**MESSAGES FROM BOARD MEMBERS**

None

**PETITIONS& REMONSTRANCES**

None

Alex Gray, Engineering, presented Appeal Notice of Violation for Right-of-Way Use along S. Rogers by Duke Energy. See meeting packet for details.

**APPEALS**  
**Appeal Notice of Violation for Right-of-Way Use along S. Rogers by Duke Energy**

**Board Comments:** Lloyd asked if the area on the south side is a trail. Gray confirmed. Karon asked about the fines. Gray explained that fines were imposed for the gravel that was piled onto the sidewalk. Chad McCory, Senior Project Manager, Duke Energy, stated that Duke Energy was contacted on June 7<sup>th</sup> regarding the backfill on the sidewalk and the contractor was notified. The contractor explained the crews would be back to make the sidewalk passible. Karon asked about the photo that shows gravel blocking the sidewalk with the fill around the pole. McCory explained that the contractor thought it was acceptable instead of closing the sidewalk completely. Lloyd stated that since the work was done on June 9<sup>th</sup>, she would vote to uphold the fines on the 7<sup>th</sup> and 8<sup>th</sup> of June, and grant the appeal for June 9<sup>th</sup>.

**Public Comment:** Greg Alexander spoke of his appreciation of Duke staying off the B-Line. He questioned whether Duke would be held accountable to the Maintenance of Traffic plan.

Lloyd made a motion to grant the Appeal for Notice of Violation for Right-of-Way Use along S. Rogers by Duke Energy for the violations that were assessed on June 9<sup>th</sup> and uphold the violations that were issued on June 7<sup>th</sup> and June 8<sup>th</sup>. Karon seconded. Karon took a roll call vote, all in favor, motion is passed.

Mike Arnold, HAND, presented Abatement at 105 E. Driscoll Drive. See meeting packet for details.

**TITLE VI ABATEMENTS**  
**Abatement at 105 E. Driscoll Drive**

**Public Comment:** Scott Huxley, resident, stated he lives next door to the property and asked the Board to do whatever they can do to help because the property is in awful shape.

**Board Comments:** Karon asked if there had been any communication with the property owner. Arnold stated the citations were mailed and that he has spoken to the owner on the phone.

Lloyd made a motion to approve the Abatement at 105 E. Driscoll Drive. Karon seconded. Karon took a roll call vote, all in favor, motion is passed.

Kenny Liford, HAND, presented Abatement at 2233 South Star View Lane. See meeting packet for details.

**Abatement at 2233 South Star View Lane**

**Board Comments:** Karon asked if there had been any communication with the property owner. Liford answered no, that their letters had been returned.

Lloyd made a motion to approve Abatement at 2233 South Star View Lane, Karon seconded. Karon took a roll call vote, all in favor, motion is passed.

Chastina Hayes, HAND presented Abatement at 3522 E. Morningside Drive. See meeting packet for details.

**Abatement at 3522 E. Morningside Drive**

**Board Comments:** Lloyd asked when the last site visit was. Hayes stated she was at the property the previous day. Lloyd asked if she had any communication with the property owner, Hayes replied no. Lloyd asked what attempts were made to communicate with the property owner. Hayes stated that the notices were posted at the site and also mailed.

Lloyd made a motion to approve the Abatement at 3522 E. Morningside Drive. Karon seconded. Karon took a roll call vote, all in favor, motion is passed.

1. Resolution 2023-39; New Mobile Vendor; BloomingtonThaiOnWheels, LLC dba Little Bowl
2. Resolution 2023-40; Uno Mas Taco Truck
3. Resolution 2023-41; Hoosiers Outrun Cancer
4. Resolution 2023-42; Pop-Up Market
5. Resolution 2023-43; Bloomington Housing Authority- Family Night Out
6. Approval of Payroll

**CONSENT AGENDA**

**Board Comments:** None

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

Chris Wheeler, City Legal, presented Indiana Brownfields Program Phase I Site Access Agreement. See Meeting packet for details.

**NEW BUSINESS**  
**Indiana Brownfields Program Phase I Site Access Agreement**

**Board Comments:** Lloyd asked if the Indiana Finance Authority is paying for Phase I. Wheeler confirmed. Lloyd asked if the storm-water structure would be on the surface. Wheeler stated he believes it would.

Lloyd made a motion to approve Indiana Brownfields Program Phase I Site Access Agreement. Karon seconded. Karon took a toll call vote, all in favor, motion is passed.

Mike Arnold, HAND, presented Resolution 2023-44; Uphold Order to Remove Unsafe Structure at 1205 S. Madison St. Arnold stated that this request is for the notice of publication and orders to repair and seal. See meeting packet for details.

**Resolution 2023-44; Uphold Order to Remove Unsafe Structure at 1205 S. Madison**

**Board Comments:** Karon asked if the request was different than what is in the packet. Colleen Newbill, City Legal, stated the resolution in the packet is for the notice of publication, not the order to uphold. Karon asked to clarify that the resolution is correct, the title is wrong. Newbill confirmed.

Lloyd made a motion to approve Resolution 2023-44 as the Authorization of notice of publication for unsafe property at 1205 S. Madison. Karon seconded. Karon took a roll call vote, all in favor, motion is passed.

Paul Kehrberg, Engineering, presented Lane Closure Request from Duke Energy on N. Dunn St. and 17<sup>th</sup> St. (July 19 - December 31, 2023). See meeting packet for details.

**Lane Closure Request from Duke Energy on N. Dunn St. and 17<sup>th</sup> St. (July 19- December 31, 2023)**

**Board Comments:** Lloyd asked how long the closures would last for the project. Dawn Brunk, Duke Energy, replied that it takes a couple of days to install a pole. She stated the closures would be small sections at a time.

Lloyd made a motion to approve the Lane Closure Request from Duke Energy on N. Dunn St. and 17<sup>th</sup> St. (July 19- December 31, 2023). Karon seconded. Karon took a roll call vote, all in favor, motion is passed.

Maria McCormick, Engineering, presented Sidewalk Closure Request from Wells & Wells Construction on 2038 N. Walnut Street (July 19, 2023- August 2025). She corrected the date to be from August 01, 2023- May 31, 2025. See meeting packet for details.

**Sidewalk Closure Request from Wells & Wells Construction on 2038 N. Walnut Street (July 19, 2023- August 2025)**

**Public Comment:** Greg Alexander stated this project is extremely problematic, being a two year project. He went on to say that the crosswalks are not safe, that drivers don't yield to crosswalks if the speed is over 30 mph. Alexander also stated that the bike line will be lost. Jesse Graber, Wells & Wells Construction, stated that barriers would be placed on the back side of the curb so there would be no interference of the bike lane.

**Board Comments:** Lloyd asked if it would be jersey barriers. Graber stated it would be concrete barriers. Lloyd asked if there would be traffic control at the pedestrian crossing. McCormick said no. Lloyd mentioned the photo of the crosswalk and said it appears that it is incomplete. McCormick stated that if it is still the case they would work with Wells & Wells to get the panels replaced. Karon stated she is concerned about having to cross Walnut two times. McCormick stated that the project will use existing infrastructure. Karon asked if the project were to start from the East and move to the West, if it would shorten the length of the sidewalk closure. Graber stated that there are structural limitations to starting on the East side. Karon stated that she would rather have further discussion with staff before voting.

Lloyd made a motion to table the request for the Sidewalk Closure Request from Wells & Wells Construction on 2038 N. Walnut Street (July 19, 2023- August 2025). Karon seconded. Karon called for a roll call vote, all in favor, motion to table is passed.

Paul Kehrberg, Engineering, presented the Lane and Sidewalk Closure Request from Reed & Sons on W. 2nd Street (August 14 – August 18, 2023). See meeting packet for details.

**Lane and Sidewalk Closure Request from Reed & Sons on W. 2nd Street (August 14 – August 18, 2023)**

**Board Comments:** Lloyd asked to clarify the comment regarding the move-in dates. Kehrberg stated that the work can be done the week before or after so as not to interfere. Lloyd asked if the approval could be from August 07-August 11. Matthew Rollins, Reed & Sons, confirmed.

Lloyd made a motion to approve the Lane and Sidewalk Closure Request from Reed & Sons on W. 2nd Street with adjusted dates of August 07 – August 11, 2023. Karon seconded. Karon took a toll call vote, all in favor, motion is passed.

Aleks Pratt, City Legal, presented a staff report on Accessible Parking. See meeting packet for details.

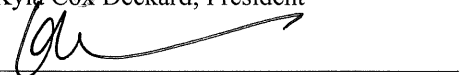
**Board Comments:** None

Lloyd made a motion to approve claims in the amount of \$704,198.98. Karon seconded. Karon took a roll call vote, all in favor, motion is passed.

Karon called for adjournment at 6:29 p.m.

Accepted By:

  
Kyla Cox Deckard, President

  
Elizabeth Karon, Vice President

Date: 9/26/23 Attest to: 

**STAFF REPORTS AND  
OTHER BUSINESS**  
Accessible Parking

**APPROVAL OF CLAIMS**

**ADJOURNMENT**