REGULAR MEETING OF THE BOARD OF PUBLIC WORKS

The Board of Public Works meeting was held on Tuesday, May 2, 2017 at 5:30 pm in the Council Chambers of City Hall at Showers, 401 N. Morton Street, Bloomington, Indiana, with Kyla Cox Deckard presiding.

ROLL CALL

Present: Kyla Cox Deckard
Kelly Boatman
Dana Palazzo

City Staff: Chris Wheeler – City Legal
Norman Mosier – Housing and Neighborhood Development
Sean Starowitz – Economic and Sustainable Development
Jacqui Bauer– Economic and Sustainable Development
Rick Alexander – Planning and Transportation
Roy Aten – Planning and Transportation
Adam Wason – Public Works
Joe VanDeventer – Street Department
Rick Routon – Information and Technology Services
Jackie Moore – City Legal
Christina Smith – Public Works
Valerie Hosea – Public Works

MESSAGES FROM BOARD MEMBERS

PETITIONS & REMONSTRANCES

None

OPEN SEALED PROPOSALS

Open Sealed Proposals for the Electrical Rewiring of 4th St. Parking Garage

Cox Deckard opened the sealed proposals for the Electrical Rewiring of 4th St. Parking Garage. Proposals were received from the following companies:

- Price Electric Inc. $124,650

Staff will review the proposals and bring a recommendation back to the Board at a subsequent meeting.

HEARINGS ON NOISE APPEAL

Appeal of Noise Citation #38227 at 218 E. 19th St.

Chris Wheeler, with City Legal, presented the Appeal of Noise Citation #38227 at 218 E. 19th St. See meeting packet for further details.

Boatman asked how the officer reached the decision to issue the ticket that night.

Detective Jake Hunter, with Bloomington Police Department (BPD), explained this weekend he was enforcing the Quiet Nights program.

Boatman asked if this ticket was consistent with normal practices.

Jackson Stuart, the appellant, explained he felt the noise was at a reasonable level and was no louder than the surrounding parties.

Ethan Runnebohm, a resident at 218 E. 19th St., disputed the distance at which the officer heard the noise.

Palazzo made a motion to uphold the Noise Citation #38227 at 218 E. 19th St. Boatman seconded. The motion passed. Citation upheld.

Appeal of Noise Citation #37753 at 300 W. Riley Dr. Apt J-2

Wheeler presented the Appeal of Noise Citation #37753 at 300 W. Riley Dr., Apt J-2. See meeting packet for further details.

Boatman asked if other violations are heard while investing one complaint, will officers pursue those.

Detective Hunter confirmed.

DaVondre' Love, appellant, explained he felt the music at his residence was played at a reasonable volume. He felt there was a larger party in the surrounding area that should have received attention instead.

Wheeler clarified that the group size does not impact the citation. The volume of the music or sound is what will receive the excessive noise violation.

Palazzo asked if it is typical for one resident to receive a citation when there are multiple residents present.

Wheeler said more than one resident may receive a violation.

Boatman made a motion to uphold Noise Citation #37753 at 300 W. Riley Dr., Apt J-2. Palazzo seconded. The motion passed. Citation upheld.

Appeal of Noise Citation #37757 at 616 N. Washington St.

Wheeler presented the Appeal of Noise Citation #37757 at 616 N. Washington St. See meeting packet for further details.

Samuel Jones, appellant, explained he felt the ticket was unnecessary as he has not caused any trouble in the past. He believes a warning would be more beneficial to first time offenders.

Palazzo made a motion to uphold Citation #38227 at 616 N. Washington St. Boatman seconded. The motion passed. Citation upheld.

TITLE VI ENFORCEMENT

Permission to Abate the Property at 519 S. Village Ct.

Norman Mosier, with Housing and Neighborhood Development, presented the request to Abate the Property at 519 S. Village Ct. See meeting packet for further details.

Cox Deckard asked if this is primarily an issue of trash.

Mosier confirmed.

Boatman asked if it is a rental property.

Mosier confirmed. It is a rental property that is occupied currently.

Boatman asked if the ticket goes to the property owner or occupant.

Mosier explained it goes to the landlord until they present a lease proving that there is a tenant occupying the unit. In this case, the property owner never supplied a lease. So they will be responsible for the cost of the abatement.

Boatman made a motion to approve the request to Abate the Property at 519 S. Village Ct. Palazzo seconded. The motion passed. Abatement approved.

CONSENT AGENDA

1. Approval of Minutes-April 18, 2017
2. Resolution 2017-30: Allow Pushcart Vendor to Renew License to Operate in the Public Right-of-Way (Rasta Pops, Cart 1)
3. Resolution 2017-31: Allow Pushcart Vendor to Renew License to Operate in the Public Right-of-Way (Rasta Pops, Cart 2)
4. Resolution 2017-32: Allow Mobile Vendor to Operate in the Public Right-of-Way (Lazy Susan Food Truck)
5. Resolution 2017-33: Allow Mobile Vendor to Operate in the Public Right-of-Way (Wevers Smoke Eater BBQ, LLC)
6. Resolution 2017-34: Use of Public Street for Near Westside Neighborhood Block Party (Saturday, 5/20)
7. Resolution 2017-35: Use of Public Streets for IU Bands Outdoor Concert (Wednesday, 6/14)
8. Resolution 2017-36: Use of Public Streets for Itsy Bitsy Triathalon (Saturday, 7/15)
9. Approval of Payroll Register for 4/28/17 in the amount of $384,203.96.

Palazzo made a motion to approve the items on the Consent Agenda. Boatman seconded. The motion passed. Consent Agenda approved.

NEW BUSINESS

Resolution 2017-37: Use of Public Street for Bike to Work Day (Friday, 5/19)

Sean Starowitz, with Economic and Sustainable Development, Resolution 2017-37: Use of Public Street for Bike to Work Day (Friday, 5/19). See meeting packet for further details.

Boatman asked if the affected properties have been contacted.

Beth Rosenbarger, with Planning and Transportation, confirmed.

Boatman made a motion to approve Resolution 2017-37: Use of Public Street for Bike to Work Day (Friday, 5/19). Palazzo seconded. The motion passed. Resolution 2017-37 approved.

Approve Contract with 4 U Lawn and Landscape for Annual Weeds and Trash Abatement Services

Wheeler presented the Contract with 4 U Lawn and Landscape for Annual Weeds and Trash Abatement Services. See meeting packet for further details.

Boatman asked if staff requests an estimate from the contractor for each abatement beforehand.

Wheeler explained the inspectors are aware of the level of work needed at every property. He is unsure about the estimate requirement. However, he will recommend it.

Cox Deckard asked if there is typically a staff member on-site to witness the hours.

Wason confirmed.

Palazzo made a motion to approve the Contract with 4 U Lawn and Landscape for Annual Weeds and Trash Abatement Services. Boatman seconded. The motion passed. Contract approved.

Approve the 2nd Amendment to the Agreement for Solar Projects for City Building between the City and Solar Energy

Jacqui Bauer, with Economic and Sustainable Development, presented the Amendment to the Agreement for Solar Projects for City Building between the City and Solar Energy Solutions, LLC. See meeting packet for further details.

Boatman asked if the increased price is because of the architectural panels.

Bauer explained there were two impacts based on this change: the price per watt due to the bulk discount, and the second modification will include slightly more expensive panels. Both of these requests were made in an attempt to address any concerns of the historic integrity of this building.

Boatman had concerns about the clerical presentation of a document provided by the contractor, as it was not on letterhead.
Boatman asked why staff had not gone before the Historic Preservation Commission (HPC) before the contract was approved by the Board.

Bauer explained there were several reasons this was discovered in the bidding process. Ideally those design elements would've been figured out earlier.

Boatman asked if there was some informal indication from the HPC that this was going to be workable and approvable.

Bauer confirmed. However, before the bids were received, staff did not have a design to take to the HPC.

Cox Deckard asked how the change in the scale of the insulation impacted the HPC.

Bauer explained originally they proposed setting back the installation by 12 feet. But rather than having a 12 foot width, it was easier to have a 15-ft width. The designs were modified as a result.

Boatman asked about the timeframe for the change.

Bauer said the roofing started last week. The solar installer will begin their work once the roofer is about halfway through their work. The change order requested is with the solar installer.

Boatman explained she wanted to withhold her vote because of her concerns with the contractor's document and its

clerical presentation.

Palazzo made a motion to approve the 2nd Amendment to the Agreement for Solar Projects for City Building between the City and Solar Energy Solutions, LLC. Cox Deckard seconded. The motion passed 2-1-0. Amendment approved.

Request from Indiana University to Temporarily Close N. Fess Ave. for Mathers Museum Construction Project

Rick Alexander, with Planning and Transportation, presented the Request from Indiana University to Temporarily Close N. Fess Ave. for Mathers Museum Construction Project. See meeting packet for further details.

Palazzo asked about the difference in dates for the public notices.

Alexander explained staff will use the later date of August 14th.

Boatman thanked the petitioner for their efforts to notify the affected members of the public.

Boatman made a motion to approve the Request from Indiana University to Temporarily Close N. Fess Ave. for Mathers Museum Construction Project. Palazzo seconded. The motion passed. Temporary Closure approved.

Resolution 2017-38: Uphold Order to Remove the Encroachments at 828 and 829 E. Cottage Grove Ave. for Woodlawn Reconstruction Project

Roy Aten, with Planning and Transportation, presented Resolution 2017-38: Uphold Order to Remove the Encroachments at 828 and 829 E. Cottage Grove Ave. for Woodlawn Reconstruction Project. See meeting packet for further details.

Boatman asked if Indiana University (IU) will perform the work to remove the encroachments.

Aten explained this work is a part of the bidder's bid for the project. IU is funding the project.

Palazzo made a motion to approve Resolution 2017-38: Uphold Order to Remove the Encroachments at 828 and 829 E. Cottage Grove Ave. for Woodlawn Reconstruction

Project. Boatman seconded. The motion passed. Resolution 2017-38 approved.

Award Contract to Umphress Masonry, Inc., to Provide Construction Services for the BPD Evidence Room Expansion Project

Adam Wason, with Public Works, presented the Contract to Umphress Masonry, Inc., to Provide Construction Services for the BPD Evidence Room Expansion Project. See meeting packet for further details.

Boatman asked about the need to be a certified evidence room.

Wason explained due to the size of the city and the accreditation process, there is a need for the expansion.

Boatman made a motion to approve the Contract to Umphress Masonry, Inc., to Provide Construction Services for the BPD Evidence Room Expansion Project. Palazzo seconded. The motion passed. Contract approved.

Award Contract to Groomer Construction for Concrete Construction, Maintenance, and Repair Services

Joe VanDeventer, with Street Department, presented the Contract to Groomer Construction for Concrete Construction, Maintenance, and Repair Services. See meeting packet for further details.

Boatman asked if this is the same contractor the City has used in the past.

VanDeventer explained this contractor has been used in the past. This would be the first time a contractor has been used to repair sidewalks that department crews haven't been able to address.

Cox Deckard asked in what cases the City will repair the sidewalk.

Wason explained that the repair and maintenance of sidewalks is the responsibility if the adjacent property owner. This contractor will be used to focus on the worst sidewalks that haven't been addressed by property owners.

Boatman asked if there is still a program where the resident can pay for the materials and have the City do the work.

Wason said there currently is not. It was discontinued last year.

Palazzo asked about enforcement.

Wason explained the most successful enforcement method is fines. However, staff is trying to come up with a more fair and equitable program.

Palazzo made a motion to approve the Contract to Groomer Construction for Concrete Construction, Maintenance, and Repair Services. Boatman seconded. The motion passed. Contract approved.

Approve Installation of Conduit Service Agreement with Tauren Services for Animal Care and Control Addition and Renovations Project

Wason presented the Installation of Conduit Service Agreement with Tauren Services for the Animal Care and Control (ACC) Addition and Renovations Project. See meeting packet for further details.

Boatman made a motion to approve the Installation of Conduit Service Agreement with Tauren Services for ACC Addition and Renovations Project. Palazzo seconded. The motion passed. Contract approved.

STAFF REPORTS & OTHER BUSINESS

Wason provided the following announcements:

- Third St. and Lincoln St. Closure: Third St. has been reopened. Lincoln St. is still closed at the intersection.
  Boatman asked how often the City of Bloomington Utilities Department inspects culverts.
  Staff will provide an update at the next meeting.
- Sanitation Modernization: This project is moving forward.
- ACC Additions and Renovations: The groundbreaking was last week. Construction is on schedule.

APPROVAL OF

Palazzo recused herself from the discussion due to a

potential conflict of interest found in the claims register.

CLAIMS

Boatman moved to approve the Claims Register for 4/17/17-5/5/17 in the amount of $1,544,067.05. Cox Deckard seconded the motion. The motion passed 2-0-1. Claims approved.

ADJOURNMENT

Cox Deckard called for adjournment. Meeting adjourned at 6:55 p.m.

Accepted by:

Kyla Cox Deckard, President

Kelly Boatman, Vice-president

Dana Palazzo, Secretary

Date: May 16, 2017

Attest to: Valerie Olsen