

AGENDA BOARD OF PUBLIC WORKS

**A Regular Meeting of the Board of Public Work to be held Tuesday October 15,
2019 at 5:30 p.m., in the Council Chambers of City Hall at Showers, 401 N. Morton
Street, Bloomington, Indiana**

I. MESSAGES FROM BOARD MEMBERS

II. PETITIONS & REMONSTRANCES

III. CONSENT AGENDA

1. Approve Minutes 10-1-19
2. Resolution 2019 – 97: Approve Use of Pushcart in the Public Right of Way (Big Dawgs LLC)
3. Approve Use of the Public Right of Way, 2019 Turkey Trot (Thursday, November 28, 2019)
4. Approve Noise Permit for Oíche Samhna, Sponsored by Crimson Clovers Irish Dancers at IU (Thursday, October 31, 2019 8-10pm)
5. Approve Payroll

IV. NEW BUSINESS

1. Approve Shared-Use Motorized Scooter Operator License Application with Neutron Holdings, Inc. d/b/a Lime
2. Approve Change Order #2 for Downtown Curb Ramp Improvements Phase II Project
3. Resolution 2019 – 98: Approve Request from Strauser Construction Co., Inc. to Use Public Right-Of-Way for Placement of POD Storage at 201 S College Ave.
4. Approve Request from Duke Energy for Lane and Alley Closure for Installation of New Poles along W 11th Street
5. Resolution 2019 – 99: Approve Change of Street Name, N. Range Rd. to E. Discovery Pkwy.
6. Approve Contract with Tatman, Sims, & Pedigo Corp for Right of Way Tree Clearing on E. Rogers Rd. and S. Henderson St.
7. Approve Change Order #1 – Walnut Street Garage Stairwell Project
8. Agreement for Pavement Milling Services for E. Hillside Drive from S. Walnut Street to S. Highland Avenue
9. Approval of Agreement with Kevin Huntley Excavating to Repair Existing Dam at the South Adams & West Tapp Rd Pond

V. STAFF REPORTS & OTHER BUSINESS

VI. APPROVAL OF CLAIMS

VII. ADJOURNMENT

**Auxiliary aids for people with disabilities are available upon request with adequate notice.
Please call 812-349-3410 or email public.works@bloomington.in.gov**

The Board of Public Works meeting was held on Tuesday, October 1, 2019, at 5:30 pm in the Council Chambers of City Hall at Showers, 401 N. Morton Street, Bloomington, Indiana, with Kyla Cox Deckard presiding.

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

Present: Kyla Cox Deckard
Beth H. Hollingsworth
Dana Palazzo

ROLL CALL

City Staff: Christina Smith – Public Works
Michael Large – Public Works
Jacquelyn Moore – City Legal
Mike Rouker – City Legal
Sara Gomez – Planning and Transportation

Vice President Beth H. Hollingsworth wanted to thank everyone who worked over the weekend to make the 2019 Lotus World Music Festival a success.

**MESSAGES FROM
BOARD MEMBERS**

None

**PETITIONS &
REMONSTRANCES**

1. **Approve Minutes 9 – 17 – 19**
2. **Resolution 2019-95: Approve Renewal of Pushcart in the Public Right-of-Way (Chocolate Moose)**
3. **Resolution 2019-96: Approve Renewal of Mobile Vendor in the Public Right-of-Way (Pili's Party Taco Truck #2)**
4. **Approve Noise Permit for Prayer for Life Rally (Sunday, October 13th)**
5. **Approve Outdoor Lighting Service Agreements with Duke Energy**
6. **Approve Agreement for Installation and Maintenance of Unlighted Neighborhood Signage in the Public Right-of-Way with St. Remy Homeowners Association**
7. **Approve Payroll**

CONSENT AGENDA

Hollingsworth made a motion to approve the items on the consent agenda. Palazzo seconded the motion. Motion is passed. Consent agenda is approved.

NEW BUSINESS

Sara Gomez, Planning and Transportation, presented Summit Woods Phase 3 Final Plat. See meeting packet for details.

1. Approve Acceptance of Summit Woods Phase 3 Final Plat

Board Comments: Hollingsworth asked Gomez to elaborate on the additional improvements to Ezekiel Drive. Gomez explained that the dead end portion of Ezekiel Drive that heads north will include the addition of curbs, sidewalks, and tree plots. These improvements are part of the Summit Woods Phase 3 Final Plat.

Palazzo made a motion to approve Acceptance of Summit Woods Phase 3 Final Plat. Hollingsworth seconded the motion. Motion is passed.

2. Approve Shared-Use Motorized Scooter Operator License Application with Bird Rides, Inc.

Mike Rouker, City Legal, presented Shared-Use Motorized Scooter Operator License Application with Bird Rides, Inc. See meeting packet for details.

Public Comments: Miles Shook, Government Affairs Bird Rides Inc., addressed the Board.

Board Comments: Hollingsworth inquired about what a “Bird Watcher” was referring to in the company’s application. Shook stated that Bird Watchers are contracted part time employees that live locally and ensure that the Bird units placed on the City’s streets were in compliance with the rules and regulations set forth in the agreement. Shook went on to distinguish the “Watchers” from the “Chargers”, who then place the fully charged scooters in what is referred to as “Nests” in and around the city.

Hollingsworth asked how Bird was made aware of dead or damaged units on City streets. Shook explained that while the units utilize GPS for location and battery life services, the company relies on user feedback to establish the need to pick up dead or damaged units. Shook went on to explain that the public can report issues regarding abandoned units on their website, by phone, or through the company app. Palazzo inquired about the ride requirement thresholds set forth in the agreement. Shook stated he would like to see the requirements lowered based on the smaller number of units here in Bloomington. By comparison

Indianapolis has about 1,000 units where as Bloomington currently has about 200 units. The company uses 2 rides per unit per day to determine fleet size, so the use of the 4 rides per day outlined in the current agreement is something that they would like to negotiate going forward. Palazzo asked staff about the clause that outlines the Board of Public Works' ability to reduce the size of the fleet through the Department of Economic and Sustainable Development (ESD). Palazzo asked if this was the Boards' direct responsibility or if it fell solely to the Department of Economic and Sustainable Development. Rouker confirmed that fleet size could be directly affected by ESD. Hollingsworth asked about the Education Program provided by the company, more directly how they were reaching out to users outside of the Indiana University campus. Shook stated that while the company has focused on rider safety education on campus, they have done very little to address these issue with riders within the city. Shook agreed that they could do a better job at reaching out to those individual users and stated that the company was open to suggestions. Bird has previously spoken with Mary Catherine Carmichael to reach out to local businesses and have events to address safety programs. To maximize engagement when ridership is highest, they plan on holding events in the spring in 2020.

Hollingsworth asked how the company would address the issue of users not wearing helmets while riding. Shook stated that the use of helmets is a difficult policy to enforce. Bird does provide helmets at no charge when requested by users. Cox Deckard suggested the opportunity to offer helmets to users who visit. Having a supply of helmets at a centralized location would allow those who choose to wear one to have that option. Cox Deckard commended the plan supplementing on site education with targeted social media campaigns specifically targeted to our geographical area and key user demographics. Shook agreed that having a more comprehensive approach is beneficial. Cox Deckard inquired about what the liability insurance covers. She clarified that if the unit is defective then the company is responsible but overall the rider is responsible for any accidents. Palazzo inquired about why the company's license was revoked in Charlottesville, VA. Shook stated that the license was revoked because the entire fleet was swapped out at the same time leading to there being no scooters available. It was not because of any issues or incidents that he was aware of. Palazzo inquired about the overall ease of the current application and if Shook, as the representative, had any advice on how to improve it going forward. Shook stated that overall this application was very straightforward and easy to complete. While the company wishes that they had more time to complete it, they were very happy with the simplicity of the contents. The conversation continued regarding the variety of units on the street and components of those models. Shook lastly stated that the size of the fleet is

scaled down during the winter months. Once weather is warmer and inclement weather is determined to be at a minimum then they will once again increase the size of the fleet. Hollingsworth inquired about accident rates. Shook stated that the accident rates are on par with those of bicycles. He went on to say that he could send along reports to the Board for their review.

Palazzo made a motion to Approve Shared-Use Motorized Scooter Operator License Application with Bird Rides, Inc. Hollingsworth seconded the motion. Motion is passed.

**STAFF REPORTS &
OTHER BUSINESS**

Cox Deckard revisited a previously approved event, Switchyard Brewing Company 1st Annual Fall Hootenanny Music Festival. The Board has reconsidered the request and will allow the noise permit to expire at 11pm on Friday, October 4, 2019.

**1.Reconsideration of Event
Time Switchyard Brewing
Company 1st Annual Fall
Hootenanny Music Festival**

Hollingsworth made a motion to change the time from 10pm to 11pm. Palazzo second the motion. Motion is passed.

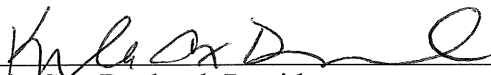
APPROVAL OF CLAIMS

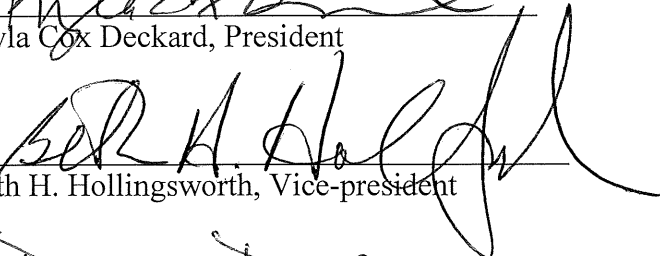
Hollingsworth made a motion to approve claims in the amount of \$ 741,923.86 Palazzo seconded. Claims are approved.

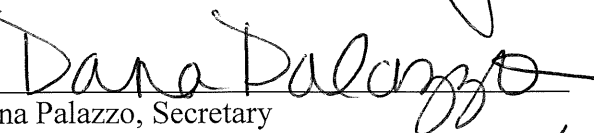
ADJOURNMENT

Cox Deckard called for adjournment. Meeting adjourned at 6:00 P.M.

Accepted By:


Kyla Cox Deckard, President


Beth H. Hollingsworth, Vice-president


Dana Palazzo, Secretary

Date: 10/15/19

Attest to:

