

The Board of Public Works meeting was held on Tuesday, July 7, 2020, at 5:30 pm virtually through Zoom with Kyla Cox Deckard presiding.

REGULAR MEETING OF THE BOARD OF PUBLIC WORKS

Present: Kyla Cox Deckard
Dana Palazzo
Beth H. Hollingsworth

ROLL CALL

City Staff: Adam Wason – Public Works
April Rosenberger – Public Works
Jo Stong – Housing and Neighborhood Dev.
Norman Mosier – Housing and Neighborhood Dev.
Kenny Liford– Housing and Neighborhood Dev.
Mike Arnold – Housing and Neighborhood Dev.
Jacqueline Moore – City Legal
Christopher Wheeler – City Legal
Michael Rouker – City Legal
Neil Kopper – Planning and Transportation
Matt Smethurst – Planning and Transportation
Sara Gomez – Planning and Transportation
Paul Kehrberg – Planning and Transportation

Hollingsworth wanted to thank all of the workers working in the heat. Cox Deckard wanted to express her thoughts about the racist acts that have happened in the city, county, and the nation.

MESSAGES FROM BOARD MEMBERS

None

PETITIONS & REMONSTRANCES

HEARING ON EXCESSIVE GROWTH APPEAL

Christopher Wheeler, City Attorney, presented Appeal Notice of Violation #45770 at 420 N. Roosevelt St. See meeting packet for details.

Appeal Notice of Violation #45770 at 420 N. Roosevelt St.

Public Comments: Eric Weitnauer, owner of the property, stated his side of the appeal.

Board Comments: Palazzo asked if there were warnings issued before a citation on this property. Kenny Liford, Housing and Neighborhood Dev., stated he did issue a warning on May 5, 2020. On June 22nd, the lawn was overgrown again so he issued a citation. Palazzo asked Weitnauer if he reached out to the City after receiving a warning. Weitnauer said he mowed the lawn immediately after receiving the warning and did not reach out to the City. Hollingsworth wanted to express her understanding with Weitnauer due to the weather. Cox Deckard asked if a resident only receives one warning in a mowing season; Liford agreed. Cox Deckard says she appreciates the warning being given out. Liford stated if the resident reaches out to the Housing and Neighborhood Development office to discuss the warning or citation, they will try to work things out.

Hollingsworth made a motion to Uphold Appeal Notice of Violation #45770 at 420 N. Roosevelt St. Palazzo seconded. Motion passes.

Wheeler presented Appeal Notice of Violation #45774 at 910 S. Palmer Ave. See meeting packet for details.

**Appeal Notice of Violation
#45774 at 910 S. Palmer
Ave.**

Public Comments: Kenneth King, owner of property, stated his appeal. King stated he did not admit his yard was overgrown as Wheeler stated.

Board Comments: Adam Wason, Public Works, wanted to express his understanding to King on being more relaxed during this time of crisis, but the City still has a job to do. Wason appreciates King's comments. Cox Deckard asked if because this was a warning, if there was a reason pictures weren't attached. Jo Stong, Housing and Neighborhood Dev., stated usually when there is a warning, they often don't take pictures.

Public Comments: King stated he would have mowed his yard regardless if he received a warning or not. He also stated he will move out of the residence as he feels he cannot go on vacation without feeling he will get a citation. Cox Deckard wanted to thank King for his testimony and the HAND inspectors for their work. Cox Deckard pointed out the challenges we're all facing but it should not have an effect on mowing lawns.

Hollingsworth made a motion to Uphold Appeal Notice of Violation #45774 at 910 S. Palmer Ave. Palazzo seconded. Motion passes.

Wheeler presented Appeal Notice of Violation #45813 at 221 E. 10th St. See meeting packet for details.

Appeal Notice of Violation #45813 at 221 E. 10th St.

Public Comments: Lyndsi Brown, Chickering Properties, LLC, came to state her appeal. Brown stated this property is a rental property and the tenants have been out of the house on vacation. She stated the trash was left by a transient person. She has no problem cleaning the trash up, but doesn't feel the renters should be charged since they are not currently residing in the house. Brown was out on vacation when the warning was issued. Once she came back, she noticed the violation.

Board Comments: Wason asked the HAND staff if Brown could get the trash cleaned up, would that be acceptable to them; Arnold stated it has already been cleaned up. Cox Deckard voiced her concern of maintaining the cleanliness at this property. Palazzo and Hollingsworth also expressed the same concern. Brown apologized and will make sure this property will be maintained.

Palazzo made a motion to Uphold Appeal Notice of Violation #45813 at 221 E. 10th St. Hollingsworth seconded. Motion passes.

TITLE VI
ENFORCEMENT

Jo Stong, Housing and Neighborhood Dev., presented Approve Permission to Abate Property at 3811 N. Kinser Pike. See meeting packet for details.

Approve Permission to Abate Property at 3811 N. Kinser Pike

Board Comments: Cox Deckard asked if this will be a continuous abatement; Wheeler agreed. Hollingsworth asked if there has been any response since May; Stong said no.

Hollingsworth made a motion to Approve Permission to Abate Property at 3811 N. Kinser Pike. Palazzo seconded. Motion is passed.

Wheeler presented Approve Permission to Abate Property at 2611 E. Roundhill Lane. See meeting packet for details.

Approve Permission to Abate Property at 2611 E. Roundhill Lane.

Public Comments: Alex Gul, owner of the property, wanted to show pictures through Zoom, but due to privacy settings, he was not able to do so. Gul stated his appeal.

Board Comments: Wason explained the history of this property and the ongoing issues for the past 4-5 years. Wheeler asked Norman Mosier, Housing and Neighborhood Dev., if the regular grass standing is greater than 8 inches; Mosier agreed. Wheeler stated Gul has plants in his yard that looks like weeds but are acceptable in City code. Because the plants are intermingled with grass, the length is waist high and looks like overgrown grass.

Public Comments: Gul stated his opinion before the Board makes their motion. Jay, Gul's neighbor, stated how this property is always out of compliance and he is very appreciative of getting this property abated.

Palazzo made a motion to Approve Permission to Abate Property at 2611 E. Roundhill Lane. Hollingsworth seconded. Motion is passed.

CONSENT AGENDA

- 1. Approval of Minutes – June 23, 2020**
- 2. Approval of Payroll**

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

Neil Kopper, Planning and Transportation, presented Approve Preliminary Engineering Contract with American Structurepoint, Inc., for the Discovery Parkway Project. See meeting packet for details.

Approve Preliminary Engineering Contract with American Structurepoint, Inc., for the Discovery Parkway Project

Palazzo made a motion to Approve Preliminary Engineering Contract with American Structurepoint, Inc., for the Discovery Parkway Project. Hollingsworth seconded. Motion is passed.

Sara Gomez, Planning and Transportation, presented Approve Temporary Right-of-Way request from WDG Construction Group for 910 and 916 N. College Avenue from Railroad Overpass to W. 14th St. See meeting packet for details.

Approve Temporary Right-of-Way request from WDG Construction Group for 910 and 916 N. College Avenue from Railroad Overpass to W. 14th St. (July 8, 2020 - July 21, 2020)

Board Comments: Wason wanted to add that there has been a stop work order put in place due to getting the property into compliance. Wason asked Gomez if this will require a walk around; Gomez agreed. Hollingsworth asked if the walk around will have lighting at night; Paul Kehrberg, Planning and Transportation, confirmed. Cox Deckard stated there will be continued traffic so there will not be a lane restriction. Warning signage will be put in place to alert motorists of construction to ensure vehicles are safely passing through. Chris Deckard, WDG Construction Group, stated traffic flow will not be interrupted and warning signs will be installed per the MOT. Palazzo needed clarification on the dates. Cox Deckard asked that the full closure date of both the right-of-way and sidewalk closure be included.

Hollingsworth made a motion to Approve Temporary Right-of-Way for Sidewalk Work to be Completed by July 21st, and Alley Work to be completed by August 30th from WDG Construction Group for 910 and 916 N. College Avenue from Railroad Overpass to W. 14th St. Palazzo seconded. Motion is passed.

Matt Smethurst, Planning and Transportation, presented Approve Change Order #7 for the West 17th Street Reconstruction Project. See meeting packet for details.

Approve Change Order #7 for the West 17th Street Reconstruction Project

Board Comments: Wason asked if they will be expecting another trailer rental change order for July. Smethurst stated they switched inspectors on the project and the new inspector does not need a trailer to complete the work.

Hollingsworth made a motion to Approve Change Order #7 for the West 17th Street Reconstruction Project. Palazzo seconded. Motion is passed.

Gomez presented Approve Escrow Agreement between City of Bloomington and Kenny Blackwell for Summit Ridge Maintenance Period. See meeting packet for details.

Approve Escrow Agreement between City of Bloomington and Kenny Blackwell for Summit Ridge Maintenance Period

Board Comments: Hollingsworth asked what happens if the escrow account is not funded within 7 days. Gomez said the

agreement would be nulled and Kenny Blackwell would be in violation of his requirement to have a bond for the development. Mike Rouker, City Legal, agreed with Gomez's answer. Hollingsworth asked when this project will be completed; Gomez stated the construction is complete, this is to get the public improvements accepted by the City.

Hollingsworth made a motion to Approve Escrow Agreement between City of Bloomington and Kenny Blackwell for Summit Ridge Maintenance Period. Palazzo seconded. Motion is passed.

STAFF REPORTS & OTHER BUSINESS

Wason stated he is working on finalizing a contract extension with Hoosier Disposal. Paving crews are out working in the heat, and to be mindful of construction crews while driving. Wason wanted to express his gratitude to the staff of Public Works. Wason appreciated Kyla's comments in the beginning of the meeting. He appreciates all the comments from the guests of the meeting. Cox Deckard expressed her appreciation to Adam, Public Works, and Planning and Transportation staff.

APPROVAL OF CLAIMS

Palazzo made a motion to approve claims in the amount of \$534,598.21. Hollingsworth seconded. Claims are approved.

Board Comments: Palazzo needed clarification on the claims signature sheet as it was for a different Board meeting. Wason stated the signature sheet would be updated.

Cox Deckard called for adjournment. Meeting adjourned at 6:57 P.M.

ADJOURNMENT

Accepted By:

Kyla Cox Deckard, President

Beth H. Hollingsworth, Vice-president

Dana Palazzo, Secretary

Date:

Attest to: