

1. Time & Place
2. Pledge of Allegiance
3. Roll Call Members Present
4. Approval of Minutes for May 6, 2020 meeting
5. Register of Claims
6. Salvation Army – Restroom Rehabilitation
7. Open Demolition Bids for Red Carpet Inn
8. 2020 Merchant McIntyre Contract
9. Memorandum of Understanding between the City of Muncie and Muncie Sanitary District
10. Memorandum of Understanding between the Town of Yorktown and E & B Paving to resurface River Road between Morrison Road and Hawthorne Dr./White River Blvd
11. Adjournment

**BOARD OF PUBLIC WORKS AND SAFETY**  
**CITY OF MUNCIE, STATE OF INDIANA**  
**MAY 13TH, 2020 MINUTES**

1. Board of Public Works and Safety, City of Muncie, State of Indiana, at 9:02 A.M. President Gregory called the meeting to order.

2. **Pledge of Allegiance**

3. **Roll Call Members Present:** Linda Gregory, Ted Baker, Jerry Wise -via Speaker Phone

President Gregory mentioned that last week we opened bids and there was a question about one we knew had intended to bid later in the day that packet was found and received and in the appropriate timely fashion. So it will be opened now and will be added to ones from last week for consideration. President Gregory instructed Ted Baker to open that bid please.

Audie Barber came to the podium to address the Board members under Chapter 14 of the procurement act this bid cannot be opened at this time. According to the rules and regulations all bids will be publicly opened at time and place prescribed in the invitation to bids. That is out of order and should not be opened that needs to be sent back or either the whole process needs to start over. President Gregory thanked him for his comment.

President Gregory asked Ted Baker to please open the bid. Ted Baker opened bid from AAMR of Indiana 4600 W. 84<sup>th</sup> St. Indianapolis, IN in the amount of \$97,400. Ted Baker commented again that this bid was received and through no fault of the company or the Board of Public Works & Safety, it was an error within the system here at City Hall due to some of the challenges at are faced with the Covid 19 situation.

Gretchen Cheesman, Director of Community Development Office reported this is the lowest bid for the asbestos abatement of all the bids opened this week and last week. I am asking approval to look over the bid and make sure everything is complete then before you adjourn the meeting I will make a recommendation.

Audi Barber came back up to the podium and asked for a little more information than just AAMR who this company is? President Gregory "NO" we didn't that with any of the other bidders. Audi Barber then requested a copy of the bid. President Gregory requested that he fill out paperwork for Request for Information through the Personnel Office. Mr. Barber then said "just because you knew this bid was here somewhere that it is permissible to open it because it was not opened on the same day the other bids were". President Gregory requested Mr. Barber to please take his seat, enough has been said. Audi Barber now all of a sudden you have your fourth bid that was laying over here in the City Clerk's Office and now it is the lowest bid. President Gregory asked Mr. Barber to please take a seat. Once again I feel this bid should be sent back. I have no quorum with the way the bids should be opened properly but this is an improper action taken by the Board of Works and I will do what I need to do so it won't happen again.

Gretchen Cheesman came back to the Board members after new business was completed upon inspecting the newest bid it was determined that not all the paperwork was submitted. The next lowest bidder also has the same problem with missing paperwork. I am asking the board to reject all these quotes for asbestos abatement and solicit for new quotes. President Gregory entertained a motion. Ted Baker moved to reject all asbestos abatement quotes. Jerry Wise provided the second. Motion passed by voice vote.

Audi Barber came back before the board and asked about the Demolition Bids for Red Carpet Inn will it consist of Federal Money or City Money? Gretchen Cheesman answered combination of both, this is demolition not anticipation of new construction does not require Davis Bacon. Audi Barber said he was going to look into that. I am wanting to find out if Gretchen Cheesman has filed a conflict of interest because of her involvement with Shroyer Excavating. Gretchen Cheesman came to the podium and asked what is her involvement with Shroyer. Audi mentioned that Gretchen worked for Shroyer Excavating. Gretchen indicated that was three years ago. Gretchen indicated that she will get some legal advice.

President Gregory commented with the understating that filing that document does not mean her ability to make a decision is not at all restricted.

President Gregory mentioned at the beginning of the pandemic self-distancing efforts, this board was not meeting in public or via Zoom and the procedure at that point was for Mr. Conway was to distribute electronically the claims for the week. The board members reviewed the claims and approved them, then I approved the payment. President Gregory entertained a motion to ratify those two sets of claims for March 25 and April 1<sup>st</sup>. Ted Baker moved to accept those two claim dates. Jerry Wise provided the second. Motion passed by voice vote.

- 4. Board of Works Minutes for May 6, 2020:** President Gregory entertained a motion. Ted Baker moved to approve minutes from the May 6th, 2020 meeting as printed. Jerry Wise provided the second. Motion passed by voice vote.

**5. Register of Claims:**

Trent Conway, City Controller there are a few things that I want to bring to your attention at the bottom of page #4 – Communications Center \$10,000. This is an annual renewal of a service we receive from AT&T called Rave 911. This service is used by the city and the county and the bill is split 50/50. Middle of Page 7 – Ballistic Vest \$10,638.80. These are vest the police department purchased for the SWAT team. Most of their vest were expired. The police department revised 3 quotes and they chose the lowest one. Bottom of Page 8 – Donley Safety \$379,610 – This is PPE (Personal Protective Equipment) gear for the fire department. Council approved this additional appropriation earlier this year with Ordinance 51-19.

Ted Baker mentioned this is the time of the month when we receive those unemployment claims which equaled to \$11,362.00 along with monthly utility payments.

Linda Gregory noticed there is a zero claim on page #1 Finance Division Unemployment March 2020 Unemployment claims. So did that claim get shoved to Board of Works in the amount of \$5,400.00 Trent responded yes it did. There also is zero balance on Page #3 under Animal Shelter Unemployment for March 2020 unemployment claims. Also noticed at the bottom and top of 3 and 4 nine 2019 invoices ranging from July to December. I am not sure if that is an issue with the vendors or whomever is doing animal control claims. Should the problem be on the processing end then I would encourage the administration to beat the bushes a little bit to make sure we get those claims in. I really don't like to drag these on for six or eight months it is not good vendor relations. I don't like the city to have a reputation of not paying their bills on time. Trent Conway agreed.

President Gregory asked if there were any other questions or comments. Trent Conway, City Controller presented **Board of Works Claims** payment dated **5.15.20** there are **279 Records** for a **total amount \$751,285.76** President Gregory entertained a motion. Ted Baker moved to approve Board of Works claims as presented. Jerry Wise provided the second. Motion passed by voice vote.

Trent Conway, City Controller presented the **Board of Works EFTS** payment dated **5.6.20** there are **3 Records** for a total amount of **\$5620.03** for **SIHO Insurance, Inc., Muncie Meds/Canarx Serv Inc., First Merchants Trust Co.** No comments or questions for Trent Conway. President Gregory entertained a motion. Ted Baker moved to approve EFT claims as presented. Jerry Wise provided the second. Motion passed by voice vote.

- 6. Salvation Army - Restroom Rehabilitation:** Gretchen Cheesman requested this item remain on the table.
- 7. Open Demolition Bids for Red Carpet Inn:** The following quotes were opened by Ted Baker from:

Shroyer Bros., Inc. PO Box 1772 Muncie, IN 47308	\$ 163,720.00
O'Rourke Wrecking Co. 660 Lunken Park Dr. Cincinnati, OH 46226	\$ 288,000.00
Complete Demolition Service 1949 S. 16 <sup>th</sup> St. Louisville, KY 46210	\$ 143,00.00
Renascent Inc. 935 W. Troy Ave. Indianapolis, IN 46225	\$ 154,000.00
Denney Excavating, Inc. 2050 S. Harding St. Indianapolis, IN 46221	\$ 202,762.00

President Gregory reported we will take those under advisement until a recommendation is made.

- 8. East Central Indiana Regional Planning District agrees to retain Merchant McIntyre & Associates, LLC for government relations services commencing on April 1, 2020 and terminating on December 31, 2020:** Trent Conway, City Controller reported this is a contract between ECI, Delaware County and the City of Muncie, Merchant McIntyre is stationed in Washington DC and they will be acting as advocate for us to look into federal grants to help us with all the facets in getting those grants. Each payment will be made to MM or before June 30, 2020, September 30, 2020 and December 31, 2020 in the amount of \$20,000.00 per quarter to be paid out of the EDIT Fund. President Gregory entertained a motion. Ted Baker moved to enter into Service Agreement with Merchant McIntyre as presented. Jerry Wise provided the second. Motion passed by voice vote.
- 9. Memorandum of Understanding between the City of Muncie and Muncie Sanitary District:** Brian Stephens-Hotopp, City Engineer reported that this is a memorandum of understanding between the City of Muncie that is doing some street work along Monroe Street and the Muncie Sanitary District which needs to install some sanitary sewers along that same stretch. The intent is to combine their improvements into our project and they will be providing all the funding and reimbursement to the city for their cost of the project. The MOU has already been approved by the Muncie Sanitary District Board and I am asking this board to approve it as well. This project is on Monroe Street north of Washington Street and south of Gilbert Street. President Gregory entertained a motion. Ted Baker moved to approve MOU as presented. Jerry Wise provided the second. Motion passed by voice vote.
- 10. Memorandum of Understanding between the Town of Yorktown and E & B Paving to resurface River Road between Morrison Road and Hawthorne Dr./White River Blvd:** Brian Stephens-Hotopp, City Engineer reported that the town of Yorktown is doing some paving projects some of the work that they are doing is along River Road so while E & B Paving is being mobilized out there we would like to partner with the Towne of Yorktown and have E & B continue the resurfacing work along River Road into the City of Muncie between Morrison Road and Hawthorne Road/White River Boulevard. Estimated cost of this work is \$26,000 which will be paid out of the wheel tax fund out of the Muncie Street Department budget. Ted Baker

moved to approve MOU as presented. Jerry Wise provided the second. Ted Baker asked Brian how did we found out about it, Brian indicated that we found out they were doing work in the area we reached out to them and they were open to it, we looked at their pricing they had secured and decided to go with it. Motion passed by voice vote.

President Gregory asked for some discussion on whether we fill we need to do in person meetings on the days we do not have bids to open or even if we do.

Ted Baker responded we will continue the cities business no matter how we do it, both ways have worked so far, I think it is a matter of how this board feels as far as safety and the safety of our citizens and our employees. Ted feels he can go either way.

Audi Barber came back to podium and commended you guys being the first to come back after this Covid 19 stuff had started and I appreciate the public meetings are needed and I think we are all educated enough about the Covid virus still have our public meetings and everybody get weighed in. Once again I want to thank you guys for having this meeting today.

Ted Baker commented that he has observed that everyone that has come to the podium has touched it everywhere somebody else had and so my point is as good as we think we are, there is a risk factor there. We can wear the mask all we want so those are things that we have to consider and I am good either way.

Brian Stephens-Hotopp, City Engineer commented that is there is a desire from the Board we could consolidate our business into reducing the number of in person meetings. Ms. Cheesman and myself do not have any bid openings within the next several weeks if there was something to come up that was maybe more relevant to public discussion we could try and have an in person meeting. In other words, we could try to reduce number of discussion items for those meetings not held as public meetings if that is desired.

President Gregory commented she just wanted to discussion today and I do not want to make a decision today, it always more desirable to conduct public business in a public setting even if it is only one public, so I would like to continue and if today is any example we have been able to maintain appropriate distancing we are checked when we come into the building. I feel a little more comfortable about that but on the other hand I am one of that group that is vulnerable, so I guess my take is that we should continue to try to meet until such time at that is appropriate. Besides going to the grocery store once a week this will be my outing and at this rate my tank of gas that I bought two or three weeks ago should last well into August, because I drive a Toyota Prius.

Jerry Wise has no comment.

President Gregory with that we will continue to meet until we fell that it is not necessary or it is too much of risk, right now it is a little risky but I think we can manage.

- 11. Adjournment:** There being no further business President Gregory adjourned meeting at 9:27 a.m.

We will be meet next Wednesday, May 20, 2020.

#### **Board of Public Works and Safety**

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**Linda Gregory, President**

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**Jerry Wise, Vice-President**

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**Ted Baker, Secretary**

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**Linda Hayes, Recording Secretary**