

74

BOARD OF PUBLIC WORKS AND SAFETY
MUNCIE, INDIANA

1. Time & Place
2. Members Present
3. Minutes
4. Register of Claims
5. Audrey Jones presenting contract for Crowe and Horwath
6. Noise Exemption Authorization Application from Sigma Phi Epsilon
7. Aaron Kidder, Mayor's Office presenting contract with Patriot Engineering for Soil Boring Testing
8. Notice to Proceed with Pridemark Construction Phase 2 Prairie Creek Site Work
9. Street Closing Application Late Nite @ Ball State
10. Noise Exemption Authorization Application from Ball State University Multicultural Center
11. Noise Exemption Authorization Application from Kappa Delta Sorority
12. Norfolk & Southern Railroad is closing the Wysor & Hackley crossing for rail repairs
13. Norfolk & Southern Railroad is closing the S. Tillotson Crossing @ McDonalds
14. Change Order #1 Cornerstone Center of the Arts
15. Adjournment

BOARD OF PUBLIC WORKS AND SAFETY
CITY OF MUNCIE, STATE OF INDIANA
APRIL 9, 2014 MINUTES

1. Board of Public Works and Safety, City of Muncie, State of Indiana, met in the City Hall Auditorium, at 9:02 A.M.
2. **Board Members Present:** John Quirk, Roger Overbey, David Miller
3. **Approval of Minutes from the April 2, 2014 Meeting:** David Miller moved to approve the April 2, 2014 minutes as printed. Roger Overbey provided the second. Motion passed by voice vote.
4. **Register of Claims:**

Audrey Jones, City Controller presented Accounts Payable by G/L Distribution Report Community Development with Neace Lukens Insurance in the amount of **\$978.46** for payment on April 4, 2014. Roger Overbey moved to approve Neace Lukens Insurance payment as presented. David Miller provided the second. Motion passed by voice vote.

Audrey Jones, City Controller presented ETF Payment for IU Health Insurance 2 records in the amount of **\$303,413.63** for payment on April 3, 2014. Roger Overbey moved to approve EFT payment as presented. David Miller provided the second. Motion passed by voice vote.

Audrey Jones, City Controller presented Accounts Payable by G/L Distribution Report Board of Works there are **24 Records** for a total amount of **\$239,789.44** for Insurance and AT&T for payment on April 4, 2014. Roger Overbey moved to approve Insurance & Utility claims as presented. David Miller provided the second. Motion passed by voice vote.

Audrey Jones, City Controller presented the Board of Works Claims for payment on April 11th, 2014 there are **335 Records** for a total amount of **\$218,537.90** nothing out of the ordinary. Roger Overbey moved to approve community development claims as presented. David Miller provided the second. Motion passed by voice vote.

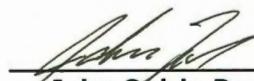
Audrey Jones, City Controller presented the Community Development Claims for payment on April 11th, 2014 there are **19 Records** for a total amount of **\$37,753.61** nothing out of the ordinary. Roger Overbey moved to approve community development claims as presented. David Miller provided the second. Motion passed by voice vote.
5. **Audrey Jones presenting Project Assignment based on an agreement entered into between the City of Muncie and Crow Horwath LLP:** Audrey reported that she has a contract with Crow Horwath they are doing an audit on our TIF District and so I have to present the contract so they can start the audit it will not exceed \$15,000. David Miller moved to enter into contract with Crow Horwath as presented. John Quirk provided the second. Motion passed by voice vote.
6. **Noise Exemption Authorization Application from Sigma Phi Epsilon:** Representative from Sigma Phi Epsilon reported that last week the Board asked for signatures from our surrounding neighbors. All the houses in the surrounding area have signatures and the houses down the block we could not get ahold of them. Noise exemption is for Friday, April 18, 2014 from 5:00 p.m. to 8:00 p.m. at 1101 W. Riverside Avenue. David Miller moved to approve noise exemption as presented. Roger Overbey provided the second. Motion passed by voice vote.
7. **Aaron Kidder, Mayor's Office presenting contract with Patriot Engineering for Soil Boring Testing:** Aaron came forward and presented Patriot Engineering and Environmental, Inc. the opportunity to submit this proposal to perform a geotechnical engineering investigation for Arc Hotel, Victor Street & High Street Patriot Proposal No. PL14-0222. Project cost to be \$4,800.00 if a private utility locator is requested to clear the 47 boring locations; we estimate an additional cost estimate of \$1,500.00 for this service. Roger Overbey moved to enter into agreement with Patriot Engineering as presented. David Miller provided the second. Motion passed by voice vote.
8. **Notice to Proceed with Pridemark Construction Phase 2 Prairie Creek Site Work:** Aaron Kidder came forward and presented Notice to Proceed for Prairie Creek Park Improvements Phase 2 Site Improvements & ADA Access with Pridemark Construction. Contract will commence to run on April 9, 2014 on or before the date, start performing your obligations under the Contract Documents in accordance with Article 4 of the Agreement the date of Substantial Completion is May 16, 2014 and the date of readiness for final payment is May 23, 2014. David Miller moved to

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approve Noise to Proceed with Pridemark Construction as presented. Roger Overbey provided the second. Motion passed by voice vote.

9. **Street Closing Application Late Nite @ Ball State:** Representative from Late Nite @ Ball State came forward to request approval to close McKinley Avenue 1 block north of Neely Avenue to G1 Parking Lot. Campus Police will clear the street immediately adjacent to Lafollette Field during fireworks display at Late Nite Carnival on April 11, 2014 at 9:55 p.m. to 10:10 p.m. (Rain Date April 15, 2014) Application approved by Eddie Bell, Muncie Fire Chief and Rhonda Clark, Sgt. BSU Campus Police Department. Roger Overbey moved to approve street closing application as presented. David Miller provided the second. Motion passed by voice vote.
10. **Noise Exemption Authorization Application from Ball State University Multicultural Center 325 N. McKinley Avenue:** Representative from Multicultural Center came forward to present their noise exemption April 25, 2014 from 4:00 p.m. to 6:00 p.m. for a picnic, information fair with a DJ playing music during the event at Student Center Lawn. David Miller moved to approve noise exemption as presented. Roger Overbey provided the second. Motion passed by voice vote.
11. **Noise Exemption Authorization Application from Kappa Delta Sorority:** No one was present for the meeting. Roger Overbey moved to table noise exemption for one week. David Miller provided the second. Motion passed by voice vote.
12. **Norfolk & Southern Railroad is closing the Wysor & Hackley crossing for rail repairs:** Norfolk & Southern has hired Road Safe Traffic Systems from Nitro, WV to make repairs at the Wysor Street and Hackley Street railroad crossings because of defects in the rail. Closing both crossings on April 9th at 9:00 a.m. and will remain closed until 7:00 p.m. April 10th, 2014. Duke Campbell, Superintendent Department of Public Works came forward and reported that Road Safe Traffic Systems contacts Linda in my office with Right of Way Use Application for Norfolk & Southern Railroad at their New Castle, IN office. By the time we get the paperwork their crews are ready to make repairs. There is no denying the crossings are rough or the rubber cushion is coming out of them but the one on Tillotson the tracks move when traffic goes across it, the actual tracks move side to side, I have seen that. The crossing has needed to be repaired for a year. I don't know how we can deny but we can sure ask for better communication on their end, it seems like they do pretty much what they want to do. It is just like us wanting to patch between their tracks, I mean the worst road we had in Muncie was right here on S. Walnut (downtown) for a while full of potholes and it took them three weeks to respond because there are two sets of tracks (Norfolk & Southern and CSX). Roger Overbey commented that they had detour signs and equipment if place yesterday, I think they had it closed a little while yesterday and defiantly do today. President Quirk commented I know the areas need to be fixed and need to be repaired but the City of Muncie also needs to be aware of what is going on and they need to be kept in the loop and in my opinion they can't expect us to vote number 1 on something that is supposed to be closed at 9:00 a.m. when the meeting they are asking for it to be closed doesn't start until 9:00 a.m. nobody is even here to present it and they gave us a second one that doesn't have a starting or ending date. They have a closing at 9th & 10th Streets that they won't open and that they have been messing around with even though this Board has told them to reopen it. I would entertain a motion to deny the request to close the streets for the April 9th & 10th they are going to do it anyway but what that does it opens them up to quite a bit of liability if something were to happen with an automobile or some type of accident in the area. It is not going to stop them from doing it because they are already doing it but it is going to increase their liability. Duke Campbell informed the board that he will find out what Linda's contact is and he will personally call them and tell them this is not working and we need a better system for more notification. John Quirk responded they have a good history of closing crossings but they don't have a good history of reopening crossings. Roger Overbey moved to deny street closing for Wysor and Hackley at railroad crossings. David Miller provided the second. Motion passed by voice vote.
13. **Norfolk & Southern Railroad is closing the S. Tillotson Crossing @ McDonalds:** David Miller moved denies closing the railroad crossing for S. Tillotson. Roger Overbey provided the second. Motion passed by voice vote.
14. **Change Order #1 Cornerstone Center of the Arts:** Tom Parkison, Community Development came forward to present Change Order #1 for Cornerstone Center of the Arts additional masonry work needed to be done. S. A. Boyce is doing the masonry as a sub-contractor for McGuff Roofing in the amount of \$33,800. David Miller moved to approve change order #1 as presented. Roger Overbey provided the second. Motion passed by voice vote.
15. **Adjournment:** Roger Overbey moved to adjourn meeting, meeting adjourned at 9:30 a.m., David Miller provided the second. Motion passed by voice vote.

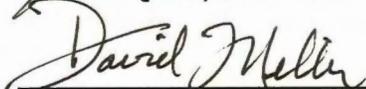
Board of Public Works and Safety



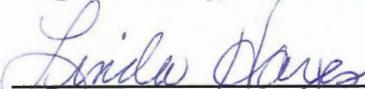
John Quirk, President



Roger Overbey, Vice-President



David Miller, Secretary



Linda Hayes, Recording Secretary