

BOARD OF PUBLIC WORKS AND SAFETY
MUNCIE, INDIANA

1. Time & Place
2. Members Present
3. Minutes
4. Register of Claims
5. Gretchen Cheesman, Community Development Office presenting Demolition Change Order
6. Noise Exemption Authorization Application from Cooper Life Science Building
7. BSU Exercise Science Club 5K for Multiple Sclerosis
8. BSU Lambda Chi Alpha Bike Race/5K Run
9. Noise Exemption Authorization from New Horizon Church of the Nazarene
10. Street Closing Application from Cheryl Crowder, Muncie Gras 2014
11. Parade Application from Chery Crowder, St. Patrick's Day Parade
12. Phil Tevis, Cardinal Greenway requesting time extension Change Order on the White River Greenway Trail Project
13. Matthew Mikolajczyk
14. Roger McConnell – America's Hometown
15. Change Order #2 Paving Project 2013 from Eaton Avenue from Memorial Drive south to the dead end
16. Establish No Parking Zone on Elizabeth Avenue north of Euclid to the dead end
17. Adjournment

BOARD OF PUBLIC WORKS AND SAFETY
CITY OF MUNCIE, STATE OF INDIANA
FEBRUARY 19, 2014 MINUTES

1. Board of Public Works and Safety, City of Muncie, State of Indiana, met in the City Hall Auditorium, at 9:01 A.M.
2. **Board Members Present:** John Quirk, Roger Overbey, David Miller
3. **Approval of Minutes from the February 12th, 2014 Meeting:** David Miller moved to approve minutes as printed. Roger Overbey provided the second. Motion passed by voice vote.
4. **Register of Claims:**

Audrey Jones, City Controller presented Board of Works Accounts Payable there is one unusual thing for **\$28,500.00** we had done a bid process with ESG and they are the company that is doing the contract for the outdoor renovation of City Hall. Through the bid process they selected Advanced Walls & Ceilings for the project. ESG found out through their supplier that there could be a third coat added to the outside of the building and by doing that it would take the warranty of the building from ten to fifteen years. ESG allowed us to go through the sub-contractor and pay them directly which took 30% of ESG's market up off and saved the City \$8,400.00 by doing that. You have **2 Records** for payment to US Architects and Advanced Walls & Ceiling for a total amount of **\$34,000**. David Miller moved to approve Board of Works Accounts Payable claims as presented. Roger Overbey provided the second. Motion passed by voice vote.

Audrey Jones, City Controller presented Board of Works Accounts Payable for **4 Records**, we had a claim to return some money for a grant which was **\$420,231.45**, we will get the money back it is just how we drew it down so we just returned the money for payment February 14, 2014, nothing out of ordinary. David Miller moved to approve Board of Works Accounts Payable claims as presented. Roger Overbey provided the second. Motion passed by voice vote.

Audrey Jones, City Controller presented the BOW EFT Payments for **3 Records** for payment to IU Health Plan and First Merchants Trust Co. for a total amount of **\$173,474.46** for payment on February 14, 2014, nothing out of the ordinary. David Miller moved to approve EFT Payments as presented. Roger Overbey provided the second. Motion passed by voice vote.

Audrey Jones. City Controller presented the Board of Works Claims for payment on February 21, 2014 there are **125 Records** for a total amount of **\$179,187.87**, nothing out of the ordinary. David Miller moved to approve Board of Works claims as presented. Roger Overbey provided the second. Motion passed by voice vote.

Audrey Jones, City Controller presented the Community Development Claims for payment on February 21, 2014 there are **6 Records** for a total amount of **\$9,032.69**, nothing out of the ordinary. David Miller moved to approve community development claims as presented. Roger Overbey provided the second. Motion passed by voice vote.

5. **Gretchen Cheesman, Community Development Office presenting Demolition Change Order:** Gretchen Cheesman was not present for the meeting again. President John Quirk reported that this Demolition Change Order has been on the agenda for well over three weeks and we need to deny demolition change order. Roger Overbey moved to deny demolition change order. David Miller provided the second. Motion passed by voice vote.
6. **Noise Exemption Authorization Application from Cooper Life Science Building:** Representative from Cooper Life Science came forward to present their noise exemption for April 26, 2014 from 8:00 a.m. to 10:00 a.m. for Bethel Field, Ball State University using a single Public Address System for announcing 5K Charity Race. David Miller moved to approve noise exemption authorization as presented. Roger Overbey provided the second. Motion passed by voice vote.

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7. **BSU Exercise Science Club 5K for Multiple Sclerosis:** Representative from Exercise Science Club came forward to present their application for a 5K Multiple Sclerosis run on April 5h, 2014 from 8:30 a.m. to 10:00 a.m. Route: leave from Alumni Center turn left onto Bethel to McKinley, right on McKinley to Riverside, right on Riverside to Meadow Lane, right onto Meadow Lane, right onto Warwick Road, left onto Meadow Lane, right onto Petty Road to McKinley, left on McKinley to Bethel, left on Bethel back to Alumni Center. This is our 5th year that the Exercise Science Club has hosted this event. Application has been approved by Steve Stewart, Muncie Police Chief, Eddie Bell, Muncie Fire Chief and Gene Burton, BSU Campus Police Chief. David Miller moved to approve application for 5k run as presented. Roger Overbey provided the second. Motion passed by voice vote.
8. **BSU Lambda Chi Alpha Bike Race/5K Run:** Matt Jennings came forward to present their 5K Bike Race for March 29th, 2014 (Rain date 4/12/14) from 9:30 a.m. to 4:30 p.m. this is our seventh year with your permission we would like to close McKinley Avenue from Neely to Riverside, Riverside Avenue from McKinley to New York, New York Avenue from Riverside to Neely and Neely Avenue from New York to McKinley. Application has been approved by Steve Stewart, Muncie Police Chief, Eddie Bell, Muncie Fire Chief and Gene Burton, BSU Campus Police Chief. Roger Overbey moved to approve street closing for Lambda Chi Alpha as presented. John Quirk provided the second. Motion passed by voice vote.
9. **Noise Exemption Authorization from New Horizon Church of the Nazarene:** Kevin Hileman came forward to request two dates for noise exemption:

April 12, 2014 – Noon until 6:00 p.m. block party, bounce house, and public address system playing music during the block party and on **May 25, 2014** – 6:00 p.m. to 10:00 p.m. Outdoor Movie night under the stars sound for the movie.

Roger Overbey moved to approve both noise exemptions as presented. John Quirk provided the second. Motion passed by voice vote.
10. **Street Closing Application from Cheryl Crowder, Muncie Gras 2014:** Cheryl came forward to get approval to close Walnut Street from Jackson to Charles, Adams Street from High to Mulberry and Charles Street from High to Mulberry on Saturday, March 22nd, 2014 from 10:00 a.m. to 3:00 a.m. on Sunday, March 23rd, 2014. Application has been approved by Steve Stewart, Muncie Chief of Police and Eddie Bell, Muncie Fire Chief. David Miller moved to approve street closing request for Muncie Gras as presented. Roger Overbey provided the second. Motion passed by voice vote.
11. **Parade Application from Chery Crowder, St. Patrick's Day Parade:** Cheryl came forward to get approval for a St. Patrick's Day Parade on Saturday, March 15th (Rain Date March 17th) at 6:00 p.m. until 7:00 p.m. participants in the parade will line up at Muncie Field House turn right onto Walnut, go south on Walnut to Charles, east on Charles to Mulberry, south on Mulberry to Gilbert, west on Gilbert to Walnut, north on Walnut back to Muncie Field House for finish. Application has been approved by Steve Stewart, Muncie Police Chief and Eddie Bell, Muncie Fire Chief. David Miller moved to approve St. Patrick's Day Parade as presented. Roger Overbey provided the second. Motion passed by voice vote.
12. **Phil Tevis, Cardinal Greenway requesting Construction Change Order and Time Extension Summary Contract No. R-29563 on the White River Greenway Trail Project:** Time Extension for Muncie Creek Bridge closure time STR335 over Muncie Creek 12/13/2009 until 3/10/10 adjusted number of days 240. Original Contract Amount \$3,267,301.43 total previous approved changes \$101,367.05 total change to date \$101,387.05 Modified Contract Amount \$3,448,669.48 Roger Overbey moved to approve change order as presented. John Quirk provided the second. Motion passed by voice vote.
13. **Matthew Mikolajczyk** I came in because I wanted to talk to Mayor as well, I was driving from the Kenmore Neighborhood, I was driving down Riverside which has many potholes, which is one street if I drive around and waste fuel I would find many streets like that. On today's agenda the patch crew said that Riverside would take time. I have reported the potholes on line to the City of Muncie E-gov Link for Riverside east of Tillotson. I have called the Street Department Office and we are not getting big results in the City, all I am hearing is excuses that the cold patch. I just saw how they are applying cold patch by driving by they are using the shovel to take out the water and just throwing the cold patch and leaving it as it was. But probably by the end of the day that cold patch will be out, it is not bring any results, Duke told me he doesn't have any way of getting hot mix here in Muncie. I noticed that Indianapolis was able to get hot patch somehow so I guess it is working. I pick up a report from the City Clerk's Office because four years ago I filed a report because I had front end suspension damage which cost me \$500.00 when I did report the damage the insurance company for the city will find an excuse that the city did not have the knowledge of it or did not have sufficient time. So these are all excuses of not doing it correctly. I asked the crew today why are they not using a blower to remove most the water and not by using a shovel to get rid of it and probably more water is sitting in there, they are doing what they are able to and that is all. There was just one guy throwing cold patch and two guys sitting in a truck. Something is wrong and it needs to be fixed, speak with Duke Campbell and get some results because you have to go from one side to the other side of the street to just by pass those holes. And if I am hearing that they don't know when they are going to be doing it that is a problem. **John Quirk** said he would talk to Duke Campbell about it, and I do they have been out various times this winter, problem is that the winter has been so harsh that it has really opened up a lot of potholes so I know they have been working not only to clear the snow but also fill the potholes when they can. **Matthew** feels we are not approaching it correctly because we are going to get rain later on and more snow and we are not approaching it correctly because there are too many potholes and two crews running the whole city and they are not reaching them and it is taking too long. If you give me the equipment I will go and fill them up by myself because it is not working. **Duke Campbell** I

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feel your frustration and believe me the frustration is more for us than it is you. You may find that hard to believe but it is I am sorry I should address the board members. December 21st White River crested at one of its highest peaks in history. January 3rd, 2014 winter started what you got and I know this for a fact when you bore a hole out you got water coming in from under the street; it is not water coming from the snow or the surface which is part of it. Everything is like soft mattress right now. Cold patch is not going to hold and we can't get hot mix, Indianapolis has a plant right in their city that is up and running and that is why they have hot mix. If we had a plant we would be putting hot mix in the potholes but you know what we don't and by the time we get from Indianapolis it is not going to be hot. I just talked to the Muncie Sanitary District because I had an idea it might work or it might not. I talked to Tim Gibson and we are going to get a vac truck to go in front of our patchers and they have agreed and I think we will do on Thursday if the

weather is ok. They will vac the holes out the best they can and we are going to throw cold mix in, cold patch is only temporary as you are aware and we don't like going down the same road two or three times and I agree it is kind of a waste of money but you know what if we prevent one bent rim then we prevent one. It is happening all over the State of Indiana. We appreciate Matthew for reporting the holes and we appreciate it and you know what we probably have 10,000 of them and we have six people we can put on them per day, I am not making excuses but I will tell you this we have a crew that does not like going over the same potholes every day. **John Quirk**, asked Duke "you say right now that you are not able to get hot mix; do they not make it when the weather is this cold"? Duke reported that they tear their plant apart each winter, they have too, it is like cleaning a machine, and they go through and do maintenance every year. **Roger Overbey** commented that he has about 30 years' experience building roads, paving roads, fixing roads and I can tell I have worked for E & B Paving and a few other contractors throughout east central Indiana and Muncie is not the only one that has problems. This type of year you have potholes because of the thawing and freezing of the asphalt it is just the nature of it, this year has been extreme winter and we have so much water there if you drilled a hole in a patch of asphalt that you thought was dry there is going to be water coming up through it is just the way it is. All the asphalt companies as Duke just said stop at a certain time when they are through paving for the year because it cost too much to keep the plant warm and operational. That is when they do their maintenance as Duke said, probably I am guessing March they will start putting the plant back together and putting out hot mix. But cold mix is a temporary fix, you can put down in water, you put it down in a dry hole it is a temporary fix and I have paved roads all over east central Indiana, Anderson, Indianapolis all over and they have the same problem as we do here. I hope in March the Street Department will be able to get some hot mix for these potholes, then it won't be a temporary fix, my hat is off to you Duke, cause I know your hands are full one day you plowing snow and ice out of the way and the next day trying to repair pot holes behind that. **John Quirk** encouraged Matthew to continue to report them so they are on the list and know Duke and his crew will get to them as soon as they can. **Matthew Mikolajczyk** requested the water be cleared out of the pot hole better. **Duke Campbell** reported that half of our streets downtown still has bricks in them and the water will still seep up, the vac truck will be on Madison Street tomorrow if the weather is right, if you want to come and watch.

- 14. Roger McConnell – America's Hometown Band:** Roger McConnell, Music Director of Muncie Municipal Band doing business as America's Hometown Band. We are the civic band of Muncie and we have supported many events and produced concerts at city parks, particularly at Cannon Commons and Westside Park. We have approximately 75% of our musicians are Ball State affiliated either facility member or graduate students or community graduates of BSU. I should add that is where I work as a music professor and have served the University for many capacities one of which many years as director of bands. My reason for being here is invitation of Mayor Tyler to let you know that we are planning to continue a very strong effort of promoting Muncie and particularly add one of the events of our sponsored City of Muncie in the south side of town. I am thrilled to hear that the church of Nazarene is doing an event on the eastside. My reason for being is really for information and also asking for your support by attending our programs.
- 15. Change Order #2 Paving Project 2013 from Eaton Avenue from Memorial Drive south to the dead end:** Duke Campbell, Superintendent Department of Public Works reported that Change Order #1 reflects the work being completed from Memorial to 16th. At the time of CO#1 approval, it was possible the remaining work area planned to the south would not be completed. The contractor was able to complete the work on Eaton south of 16th St. therefore the contract needs to be increased to account for the work. In total, the result of the change orders to the contract amount is \$2,515.50 less than the bid amount.

Original Contract Amount \$60,342.00
Change Order No. 1 Deduct -\$29,342.00
Revised Contract Amount with CO N#1 \$31,117.96
Change Order #2 Increase of +\$26,708.54
Revised Contract Amount w/CO #1 & #2 (Final) \$57,826.50

Roger Overbey moved to approval change order #2 Eaton Avenue from Memorial Drive south to the dead end as presented. John Quirk provided the second. Motion passed by voice vote.

- 16. Establish No Parking Zone on Elizabeth Avenue north of Euclid to the dead end:** Duke Campbell, Superintendent Department of Public Works came forward to discuss the area of Elizabeth Avenue is a dead of sorts that goes back to a lot of communication towers, I assume they belong to BSU there is a gate there at the entrance to this field. We received a call from the gentleman on the northwest corner of Elizabeth & Euclid and the property owner has bushes and keeps his property nice and clean and neat. The road is so narrow and people are parking along this narrow road and making it almost impassable to get back through there so those folks can do their work on the communication satellites, plus the fact that they are encroaching on this man's property and lawn. I am here to request approval to install no parking signs north of Euclid on

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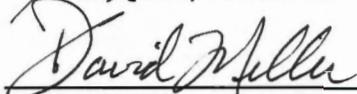
Elizabeth north to the dead end. David Miller moved to authorize the no parking zone on Elizabeth as presented. Roger Overbey provided the second. Motion passed by voice vote.

- 17. Adjournment:** Roger Overbey moved to adjourn meeting, meeting adjourned at 9:45 a.m., David Miller provided the second. Motion passed by voice vote.

Board of Public Works and Safety



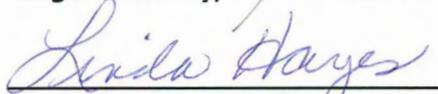
John Quirk, President



David Miller, Secretary



Roger Overbey, Vice-President



Linda Hayes, Recording Secretary