

**BOARD OF PUBLIC WORKS AND SAFETY
MINUTES
September 22, 2020**

Regular Session:

The Board of Public Works and Safety met in regular session on Tuesday, September 22, 2020 at 9:00 a.m. in the Common Council Chambers. Members present were: Cindy Murray, Norm Childress, Amy Moulton and Ron Shriner. Absent: Gary Henriott

Jacque Chosnek, 1st Deputy City Attorney, was also present.

Mrs. Murray called the meeting to order.

The Pledge of Allegiance was given to the flag of our Country.

**Mayor Roswarski, Mayor John Dennis and Commissioner Dave Byers all spoke in favor of the Contract with Greeley and Hansen for the Climate Action Plan Project. Mayor Roswarski stated that all three (3) local governments have joined together to work on a Climate Change Action Plan for the community. Each agency's plan will be put together with the others to have a comprehensive plan going forward. Mayor Roswarski spoke briefly about climate change, environmentally friendly practices and water quality. Mayor Dennis stated that all three agencies have lead by example in the State. Mayor Dennis spoke about the concern with the adverse effects on the economy and the positive local effects that the contract would provide. Commissioner Byers spoke briefly about clean water, clean air and being good stewards of the existing natural resources.

MINUTES

Mrs. Moulton moved for approval of the minutes from the September 15, 2020 regular meeting. Mr. Shriner seconded. Passed.

BID OPENING

Brady Lane Drainage Improvements Project

This being the time set to open bids for the Brady Lane Drainage Improvements Project and the following bids were received and opened:

Midwest Paving
Noblesville, Indiana

Base Bid: \$81,034.20

Atlas Excavating
West Lafayette, Indiana

Base Bid: \$158,371.00

Milestone Contractors, LP
Lafayette, Indiana

Base Bid: \$118,180.00

Mr. Shriner moved to take the bids under advisement for further review. Mr. Childress seconded. Passed.

NEW BUSINESS

Engineering

Change Order #4-Twyckenham Blvd Reconstruction

Jeromy Grenard, Public Works Director, presented to the Board and recommended approval of Change Order #4 for the Twyckenham Blvd Reconstruction. The change order is an increase in the amount of \$8,896.00 which brings the revised contract amount to \$3,502,281.42. The change order directed the contractor to move a sidewalk from adjustment to the road back behind some trees. Mrs. Moulton moved for approval. Mr. Childress seconded. Passed.

Change Order #1-2019 CDBG Curb, Sidewalk and Drive Approach Replacement Project

Mr. Grenard presented to the Board and recommended approval of Change Order #1 for the 2019 CDBG Curb, Sidewalk and Drive Approach Replacement Project with Dixon Construction. The change order is an increase in the amount of \$8,341.25 which brings the revised contract amount to \$235,589.50. The change order directs the contractor to replace additional curb and sidewalk. Mr. Shriner moved for approval. Mrs. Moulton seconded. Passed.

Change Order #1-Haggerty Pointe Storm Sewer Extension Project

Mr. Grenard presented to the Board and recommended approval of Change Order #1 for the Haggerty Pointe Storm Sewer Extension Project. The change order is a deduction in the amount of \$9,288.91 which brings the revised contract amount to \$332,083.09. The change order includes reconciliation of final quantities. Mr. Childress moved for approval. Mrs. Moulton seconded. Passed.

Economic Development

Historic Demolition Permit-1409 N. 15th Street (Garage Only)

John Collier, Economic Development, presented to the Board and recommended approval of a Historic Demolition Permit for 1409 N. 15th Street Garage Only. The property is listed as 'contributing' in the Tippecanoe County Interim Report of Historic Sites and Structures. Dann Keiser, Historic Preservation Officer review the request and determined that the loss of the garage would be a loss of an historic resource and recommended upholding the 60-day waiting period. Mr. Childress moved to uphold the 60-day waiting period. Mr. Shriner seconded. Passed

Contract with Greeley and Hansen for Climate Action Plan

Margy Deverall, Economic Development, presented to the Board and recommended approval of a Contract with Greeley and Hansen for the Climate Action Plan. This contract is considered Phase I and Phase II of the overall project. The cost of the project is approximately \$30,000.00 which will be split three (3) ways evenly between the agencies. Mrs. Deverall gave a brief description of the project going forward. Mrs. Moulton moved for approval. Mr. Shriner seconded. Passed.

Purchasing

Declaration of Worthless Property-Fleet Maintenance

Dave Payne, Purchasing Manager, presented to the Board and recommended approval of a Declaration of Worthless Property for the IT Department that includes an HP ProOne 600 All in One PC Serial Number: MXL5111WYM. Mr. Payne stated that this item failed and is out of warranty and will be e-cycled. Mr. Shriner moved for approval. Mrs. Moulton seconded. Passed.

Police Department

Canine Ownership Transfer Agreement-K9 Roy

Pat Flannelly, Chief of Police, presented to the Board and recommended approval of a Canine Ownership Agreement for K-9 Roy to Nicholas Amor. Chief Flannelly stated that K-9 Roy has reached the end of his working days after 8 years of service. Mr. Childress moved for approval. Mr. Shriner seconded. Passed.

CLAIMS

Tim Clary, Controller, presented for Board approval, Claims in the amount of \$4,116,183.24. Mr. Childress asked a question on Page 7 regarding MSA Face Pieces for Jeff Academy. Mr. Clary stated that invoice is for the fire academy. Mr. Childress asked a question on Page 9 regarding Fire Station #5 HVAC Project. Mr. Clary stated that this was the last invoice for that project. Mr. Childress asked a question on Page 13 regarding Loeb Stadium invoices. Mr. Childress asked what the [percentage of completion is for the project. Mr. Clary stated that through August 31, 2020 Custer Electric is at 97%, MNO-BMadsen is at 52%, Huston Electric is at 33%, Almet Inc is at 68%, J.R. Kelly is at 57% and Sharer Masonry is at 82%. Mr. Childress moved for approval. Mr. Shriner seconded. Passed. Mrs. Moulton abstained.

Time: 9:22 a.m.

Mrs. Murray stated that the Board will reconvene in five (5) minutes for the Animal Control Appeal Hearing.

BOARD OF PUBLIC WORKS AND SAFETY ANIMAL APPEAL MINUTES September 22, 2020

Appeal Hearing:

The Board of Public Works and Safety met on Tuesday, September 22, 2020 at 9:25 a.m. in the Common Council Chambers. Members present were: Cindy Murray, Ron Shriner, Amy Moulton and Norm Childress. Absent: Gary Henriott

Jacque Chosnek, 1st Deputy City Attorney, was also present.

Mrs. Murray called the meeting to order.

Animal Control Appeal Hearing-Christopher Moberg

Mrs. Chosnek gave brief description of the procedure for this hearing. Mrs. Chosnek stated that the Board has received copies of incident reports by both LPD and Animal Control Officer (ACO)'s. Chris Moberg is the owner of the German Shepard Nickoli. Nickoli was subject to a Nuisance Animal Agreement which had a subsequent violation at which time ACO impounded the animal. The owner did submit a timely appeal to the Clerk's Office.

ACO Josh Klumpe stated that he has been dealing Nickoli for 10 years. Mr. Klumpe stated that Nickoli likes to get out of the yard. Mr. Klumpe stated that Mr. Moberg is the new owner of the dog but lives in the same house as the previous owner and where he gets loose from. The dog has been to Almost Home Humane Society (AHHS) almost a dozen times. Mr. Klumpe stated that the dog has had two nuisance animal agreements but the first one was filed many years ago before the current system was in place therefore that agreement is invalid. Mr. Klumpe stated that he has no ill-will towards the dog or the owner it has just gotten to the point that Nickoli getting out needs to be addressed in a more formal way. Mr. Klumpe stated that Nickoli is currently at AHHS and he is not an aggressive dog. Mr. Klumpe stated that the past and current owners have had multiple chances to correct the fence issues.

Mr. Moberg stated that Nickoli is getting out of the yard by climbing the fence and he is working on getting the fence complete. Nickoli has separation anxiety which contributes to the problem. Mr. Moberg understands the situation and understands that the fence needs to be fixed and the dog contained. Mr. Moberg stated that he has locates calling in for the new fence and has most of the material on the property to get the fence up. Mr. Moberg stated that the past owner is his finance but has trouble speaking English. Mr. Moberg stated again that Nickoli is not a violent dog but a good family dog and great with kids.

Mr. Shriner stated that the issue over and over again is the dog getting out of the yard. Mr. Shriner stated that the Board doesn't want to take the dog but Mr. Moberg is living in the City which has rules and ordinances about pets. Mr. Shriner stated that he is willing to work with Mr. Moberg to keep the dog but there has to be something done with the fence and keeping the dog contained moving forward. Discussion ensued.

Mrs. Murray asked if there can be a time limit for getting the fence fixed so the dog can be returned. Mrs. Chosnek recommended setting parameters and conditions for the return of the dog to Mr. Moberg. Mrs. Chosnek stated that ACO Klumpe can verify that the fence/enclosure is suitable and correct prior to Nickoli returning home. Mr. Shriner moved to approve Nickoli returning home to Mr. Moberg on the condition that the fence is built and approved by ACO's along with all the fees at AHHS are paid in full. Mrs. Moulton seconded. Passed. Mrs. Murray stated that this would be Mr. Moberg's last chance of an appeal for Nickoli.

Time: 9:49 a.m.

BOARD OF PUBLIC WORKS AND SAFETY

Cindy Murray s/s

President Pro-Tem

ATTEST: Mindy Miller s/s

Mindy Miller, 1st Deputy Clerk

Minutes written by Mindy Miller, 1st Deputy Clerk

*A digital audio recording of this meeting is available in the Lafayette City Clerk's Office or online at <http://www.lafayette.in.gov/agendacenter>.

**A list of all permits issued for the preceding week is available at <http://www.lafayette.in.gov/DocumentCenter/Index/375>