

BOARD OF PUBLIC WORKS AND SAFETY
MINUTES
September 13, 2022

Regular Session:

The Board of Public Works and Safety met in regular session on Tuesday, September 13, 2022 at 9:00 a.m. in the Common Council Chambers. Members present were: Gary Henriott, Ron Shriner, Amy Moulton and Norm Childress. Absent: Cindy Murray

Jacque Chosnek, City Attorney, was also present.

President Henriott called the meeting to order.

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

MINUTES

Mr. Childress moved for approval of the minutes from the September 6, 2022 regular meeting. Mr. Shriner seconded. Passed.

NEW BUSINESS

Engineering

Variance Requests-Koinonia Ridge Subdivision, Part Two

Jeromy Grenard, Public Works Director, presented to the Board and recommended approval of Variance Requests for Koinonia Ridge Subdivision Part Two. Mr. Grenard stated that this pertains to a 7-lot single family subdivision located at the corner of Powderhouse Lane and Walker Court. Mr. Grenard stated that the developer, Habitat for Humanity, has previously built a number of houses in this neighborhood. Variance #1 includes requiring half width of existing road frontage to be improved to meet the USO minimum design standards for Urban Local Roads. Mr. Grenard stated that Powderhouse Lane is currently 1.5 foot narrower than the current unified subdivision ordinance. Mr. Grenard stated that Walker Court is currently 4 foot narrower than the current unified subdivision ordinance. Mr. Shriner moved for approval of Variance #1. Mrs. Moulton seconded. Passed. Variance #2 includes requiring sidewalks to be included within the dedicated non-pavement right-of-way. Mr. Childress moved for approval of Variance #2. Mrs. Moulton seconded. Passed.

Contract-Reclamite Asphalt Rejuvenation 2022

Mr. Grenard presented to the Board and recommended approval of a Contract for Reclamite Asphalt Rejuvenation 2022 with RejuvTec, Inc. The project will provide coverage of 159,625 square yards of pavement for the estimated price of \$199,530.88. The project will begin after contract approval with completion by the end of 2022. Discussion ensued regarding the application process. Mr. Shriner moved for approval. Mrs. Moulton seconded. Passed.

Lafayette Housing Authority

Agreement between City of Lafayette and Big Brother Big Sisters of Greater Lafayette for the Youth Mentoring Program

Valerie Oakley, Project Manager, presented to the Board and recommended approval of an Agreement between City of Lafayette and Big Brother Big Sisters of Greater Lafayette for the Youth Mentoring Program. This program pairs at-risk children with screened volunteer mentors and monitors and supports these one-on-one mentoring matched in building positive, enduring relationships. The funding awarded for this project is in the amount of \$4,878.00. Mr. Shriner moved for approval. Mr. Childress seconded. Passed.

Agreement between City of Lafayette and YWCA of Greater Lafayette for the Domestic Violence Intervention and Prevention Program

Mrs. Oakley presented to the Board and recommended approval of an Agreement between City of Lafayette and YWCA of Greater Lafayette for the Domestic Violence Intervention and Prevention Program. This program serves victims of domestic violence and their children by providing comprehensive residential services. The funding awarded for this project is in the amount of \$10,846.00. Mr. Childress moved for approval. Mr. Shriner seconded. Passed.

Agreement between City of Lafayette and Tippecanoe County Council on Aging DBA Meals on Wheels for the Meals on Wheels Program

Mrs. Oakley presented to the Board and recommended approval of an Agreement between City of Lafayette and Tippecanoe County Council on Aging DBA Meals on Wheels for the Meals on Wheels Program. This program delivers hot, nutritious meals to homes of seniors, persons with disabilities, and other homebound individuals at a subsidized rate. The funding awarded for this project is in the amount of \$14,588.00. Mr. Childress moved for approval. Mrs. Moulton seconded. Passed.

Agreement between City of Lafayette and Tippecanoe County Council on Aging DBA Tippecanoe Senior Center for the Senior Home Assistance Repair Program

Mrs. Oakley presented to the Board and recommended approval of an Agreement between City of Lafayette and Tippecanoe County Council on Aging DBA Tippecanoe Senior Center for the Senior Home Assistance Repair Program. This program provides housing rehabilitation and repair services to very-low, low, and moderate-income seniors and persons with disabilities who remain in their owner-occupied homes. The funding awarded for this project is in the amount of \$40,000.00. Discussion ensued. Mr. Childress moved for approval. Mrs. Moulton seconded. Passed.

Lafayette Renew

Substantial Completion-S. 30th Street Drainage Project

Brad Talley, Renew Superintendent, presented to the Board and recommended approval of a Substantial Completion for the S. 30th Street Drainage Project with Atlas Excavating. The date of substantial completion is established as August 26, 2022. Mr. Shriner moved for approval. Mrs. Moulton seconded. Passed.

Permission to Advertise-Guaranteed Savings Contract Proposals for WWTP Solar Field

Mr. Talley presented to the Board and recommended approval of a Permission to Advertise for the Guaranteed Savings Contract Proposals for WWTP Solar Field. This proposal is including improvements to its publicly owned treatment works limited to the installation of a solar array at the wastewater treatment plant. The publications are set to run on September 16 & 23, 2022 with a proposal opening on October 25, 2022. Mrs. Moulton moved for approval. Mr. Childress seconded. Passed.

Contract with BF&S for 7th Street Resurfacing (Permeable Pavers) and Drainage Project

Mr. Tally presented to the Board and recommended approval of a Contract with BF&S for the 7th Street Resurfacing (Permeable Pavers) and Drainage Project. This contract involves resurfacing a brick street with permeable pavers that have been affected by sanitary and structural construction projects. This is located along 7th Street between the intersection with South Street and Columbia Street. BF&S will perform this work for a not-to-exceed amount of \$27,300.00. Mr. Shriner moved for approval. Mr. Childress seconded. Passed.

Contract with HWC Engineering for Service Area 11B

Mr. Talley presented to the Board and recommended approval of a Contract with HWC Engineering for Service Area 11B. Mr. Talley stated that the City has identified the need to provide water and wastewater services to southeast of the City limits which is currently unserved. The scope of this contract includes surveying, design engineering and permitting, preliminary design, final design and permitting, geotechnical investigation phase, bidding phase, construction engineering services; and easements. The contract is a not-to-exceed amount of \$1,216,500.00. Brian Pohlar, HWC Representative, answered questions from the Board. Discussion ensued. Mr. Childress moved for approval. Mr. Shriner seconded. Passed.

CLAIMS

Jeremy Diehl, Controller, presented for Board approval, Claims in the amount of \$4,017,225.13. President Henriott asked if there were any further questions and there were none. Mrs. Moulton moved for approval. Mr. Childress seconded. Passed.

MISCELLANEOUS

Special Event Request-Tree Planting for 150th Anniversary of Arbor Day

Tim Detzner, City Forester, presented to the Board and recommended approval of a Special Event Request for the Tree Planting for the 150th Anniversary of Arbor Day to be held on October 8, 2022 from 7:00am-2:00pm located on along Underwood Street between 15th Street and 20th Street. Mr. Shriner moved for approval. Mrs. Moulton seconded. Passed.

Special Event Request-Jeff High School Band Contest-Indiana State Open

Lindsey Eggold, Event Representative, presented to the Board and recommended approval of a Special Event Request for Jeff High School Band Contest for the Indiana State Open to be held on October 15, 2022 from 8:00am-10:00pm located on 22nd Street between Teal Road and Gregory Street. President Henriott requested approval subject to the Good Neighbor Letters being sent out this week. Mrs. Moulton moved for approval. Mr. Childress seconded. Passed.

President Henriott stated that the meeting will take short break and reconvene in 5 minutes.

Time: 9:30 a.m.

Animal Control Appeal Hearing-Ikeem Upshaw

BOARD OF PUBLIC WORKS AND SAFETY ANIMAL APPEAL MINUTES September 13, 2022

Appeal Hearing:

The Board of Public Works and Safety met on Tuesday, September 13, 2022 at 9:35 a.m. in the Common Council Chambers. Members present were: Gary Henriott, Ron Shriner, Amy Moulton and Norm Childress. Absent: Cindy Murray

Jacque Chosnek, City Attorney, was also present.

President Henriott called the meeting to order.

Animal Control Appeal Hearing-Ikeem Upshaw

Mrs. Chosnek gave a 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. Mrs. Chosnek stated that the owner of Zeno and Zena is Ikeem Upshaw.

Josh Klumpe, Animal Control Officer (ACO), stated that on August 30, 2022 police dispatch received a call from Mr. Upshaw that both of his dogs were loose and away from his yard. The ACO finally located the two dogs at the corner of Yonker and Old Romney Drive. At that point ACO Klumpe noticed a woman holding a small dog in her hands with the two larger dogs following behind her. ACO Klumpe stated that the woman was distressed. The woman handed the small dog to ACO Klumpe at which time he noticed the injuries and that the dog was deceased. ACO Klumpe stated that ACO Bottorff assisted him with the seizure of the two large dogs. The dogs were taken to the Almost Home Humane Society (AHHS). ACO Klumpe stated that the woman could not speak English and had her daughter come to help translate. It ends up that the dog was being walked by the victim dog's mom at that time. ACO Klumpe stated that the woman stated at the time that she was walking the small dog when the two large dogs approached her, the brown dog (Zeno) knocked her down and killed the small dog. ACO Klumpe stated that these two dogs have been picked by for running at large two times before this incident. Maricella Huizar, owner of small dog Luna, stated that her mother was walking the dog that morning when the two large dogs started running towards her. The mother at that time picked up Luna into her arms when the male dog jumped on her and knocked her down and then the male dog took Luna, shook her and killed her. Maricella stated that her mother called her sister to help translate to the ACO's on scene. Maricella stated that she nor her mother feel safe with the two dogs in question in the neighborhood. Maricella stated that she has a 3-year old child along with her older mother who is now traumatized from the situation. She is worried that the dogs will attack another person or pet.

Ikeem Upshaw stated that he is the owner of the seized dogs Zeno and Zena which are now deemed dangerous by ACO's. Mr. Upshaw stated that the dogs were let out into the yard to relieve themselves while he got their food ready. The dogs knocked down the boards on the fence and got loose. Mr. Upshaw called ACO once he realized

that the dogs were loose and then went to look for the dogs himself. Mr. Upshaw stated that he could not find the dogs so he headed back home. Mr. Upshaw stated that the ACO came to his home and told him about the situation that occurred with his two dogs and the victim dog Luna. Mr. Upshaw stated that he was shocked that this happen and that his dogs are trained, and they are not hostile animals. Mr. Upshaw stated that he is willing to pay for the dog to be replaced and/or retribution. Mrs. Chosnek clarified with Mr. Upshaw that he only wants to have Zena returned because Zena may not have been the one to attack the victim. Mr. Upshaw stated that he would like both dogs back but if only one could come back home he would like for it to be Zena.

Mr. Shriner stated that this situation is about safety and the neighbor has suffered because Mr. Upshaw was not a responsible dog owner. The worst possible thing happened because the dogs got loose. Mr. Shriner moved to deny the appeal. Mr. Childress seconded. Denied.

Time: 9:50 a.m.

BOARD OF PUBLIC WORKS AND SAFETY

Gary Henriott s/s

President

ATTEST: Mindy Miller Riehle s/s

Mindy Miller Riehle, 1st Deputy Clerk

Minutes written by Mindy Miller Riehle, 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>