

The Agenda Review Session of the Board of Public Works was convened at 10:30 a.m. on June 9, 2022, by Board President Elizabeth A. Maradik, Vice President Joseph Molnar, and Board Members Gary Gilot, Jordan Gathers (absent), Murray Miller (virtual), Board Attorney Clara McDaniels (absent) and Assistant City Attorney Jenna Throw present. Board of Public Works Clerk, Theresa Heffner, presented the Board with a proposed agenda of items presented by the public and by City Staff.

Board members discussed the following item(s) from the agenda.

#### AWARD BIDS AND APPROVE CONTRACTS

Project Engineer Finnian Cavanaugh was present to answer questions about item 4.A. Beck's Lake LaSalle Park EPA Master Plan. He noted that the award will be approved subject to the approval of funding on June 27, 2022 by the Common Council.

#### REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS

Project Engineer Finnian Cavanaugh was present to answer questions about item 7.A. 2022 Curb and Sidewalk, Round II. Mr. Cavanaugh noted that it is a divisible bid that will have five (5) divisions that can be awarded separately. Gary Gilot asked if the program included tree removal and tree replacement to which Mr. Cavanaugh responded that it will be all together, and it includes replacing two (2) trees for each one (1) removed. Mr. Cavanaugh noted the program also comes with a warranty for one (1) year and includes a watering period.

#### AGREEMENTS/CONTRACTS/PROPOSALS/ADDENDA

Project Engineer Finnian Cavanaugh was present to answer questions about item 9.E. INDOT LPA for Safe Routes to School Muessel Primary and Holy Cross School. The first INDOT LPA contract for this project was for the preliminary design; this contract is for the construction phase of the project.

#### RESOLUTIONS

Assistant City Attorney Jenna Throw was present to answer questions about item 8.F. The transfer of real property to the City of South Bend Redevelopment Commission. Attorney Throw explained that a house was built on one of the parcels, and in the original purchase agreement, it shows that the parcel was originally intended to be conveyed and the quit claim deed is to correct the inadvertent omission of that parcel from the original deed of transfer.

#### AGREEMENTS/CONTRACTS/PROPOSALS/ADDENDA

Mr. Gilot requested information about item 9.D. Ethernet Services for Water Works SCADA Communications. Director of SCADA Information Systems Brent Hussung was virtually present and available to answer questions. Mr. Gilot asked about the current network, associated costs, and an explanation of how the new network would work. Mr. Hussung explained that Water Works is currently using a T1 (voice and data) line which AT&T is retiring, so Water Works had to find a new service. After two quotes, they found that AT&T Switched Ethernet Service to be the least expensive even though it is more than the current service. The service provides communication from the Water Works booster stations and remote plants to do real-time control with the SCADA environment to ensure the water is working properly.

Mr. Gilot asked if there were inadequate fibers associated with the ChoiceLite fibers that the City currently has access to. Mr. Hussung explained that he has been communicating with City's Information Technology Department to try to find out a way to redo the existing fiber loop to add on and see how much fiber it will take of the City's pool that they are allowed to use and if it makes sense to do so. Mr. Hussung noted that for right now Water Works must get off the T1 line, so they are going to go in the direction of Switched Ethernet Service to maintain the current level of connectivity and then work toward reducing or eliminating the service over the next three years.

Mr. Gilot asked if the Director of Public Works would support an investment project to expand the fiber network that would meet the City's need and provide a return on investment over time. Director Horvath stated that the City does have plans to expand the fiber network and to do some additional broadband work. Director Horvath asked if there was an early termination option in the contract. Mr. Gilot noted that the early termination clause would result in paying fifty percent (50%) of the unused portion. Director Horvath stated that it may take that long to expand the fiber network.

AGREEMENTS/CONTRACTS/PROPOSALS/ADDENDA

Director of Long-Term Control Plan Kieran Fahey spoke about item 9.C. The Professional Service Agreement – American Structurepoint. Mr. Fahey wanted to note that the item was tabled from the last meeting because he wanted to get a complete contract for the whole service that included the construction administration aspect which resulted in a reduction in the total cost by \$236,000.

LICENSES AND PERMITS

Mr. Gilot asked from a policy perspective if the committee reviewing the applications for street closures for block parties were ensuring the closures were not just for single family parties but for the entire block; meaning everyone on the block has been invited. Mr. Gilot added that it can be very overwhelming for police management and barricade placement. Director Horvath agreed and added that there are significant tax dollars used for special events.

OPENING OF BIDS

Murray Miller asked why there weren't any MWBE requirements attached to the Miami Hills TIF project, item 2.B. President Maradik noted that there wasn't anyone in attendance to speak to that project and the Board would have to come back to that item. Mr. Miller added that the Ward Bakery commercial project included windows and there were MWBE requirements on that project and he would like to know why there were not MWBE requirements on the Miami Hills project.

PRIVILEGE OF THE FLOOR

President Maradik mentioned that at the last agenda review session there was a discussion about the CSO long-term control plan where Mr. Fahey provided some documents and held an internal meeting with engineering staff to discuss the long-term control plan in more depth. President Maradik noted at the internal meeting, Mr. Fahey shared that as part of the Consent Decree there is a requirement that the City must provide a copy of the Consent Decree to all officers, employees, and agents whose duties reasonably might include compliance with any provision of the Decree, and to any contractor retained to perform work required pursuant to the Consent Decree. President Maradik continued that as members of the Board of Public Works and the Board oversees contracting related to the Consent Decree, Mr. Fahey thought that it was a good idea for each Board members to receive a paper copy per the federal government. President Maradik stated that there is a form that each Board member needs to read and sign when receiving a copy that Mr. Fahey will then need to put on file. President Maradik added that she had a copy for each physically present Board member to sign after the agenda review meeting and those not in attendance at the agenda review meeting could sign their copy at the regular meeting.

Director Horvath volunteered that Mr. Fahey would be willing to share more information if Board members are interested in a presentation. Mr. Fahey offered to answer any questions the Board members had and to do a presentation if anyone was interested. President Maradik added that she had a copy of the slides if anyone was interested in a copy for a high-level overview.

ADJOURNMENT

There being no further business to come before the Board, President Maradik adjourned the meeting at 10:48 a.m.

CITY OF SOUTH BEND, INDIANA  
BOARD OF PUBLIC WORKS



Elizabeth A. Maradik, President



Joseph R. Molnar, Vice President



Gary A. Gilot, Member



Jordan V. Gathers, Member



Murray L. Miller, Member



Attest: Theresa M. Heffner, Clerk

Date: June 28, 2022

REGULAR MEETING

JUNE 14, 2022

The Regular Meeting of the Board of Public Works was convened at 9:30 a.m. on Tuesday, June 14, 2022, by Board President Elizabeth A. Maradik in the 13<sup>th</sup> Floor Conference Room of the County-City Building, 227 W. Jefferson Blvd., South Bend, Indiana. The meeting was also streamed live to the public via Microsoft Teams. Board Clerk Theresa Heffner confirmed the presence of Board President Elizabeth A. Maradik, Vice President Joseph Molnar, and Board Members Gary Gilot, Jordan Gathers (arrived at 9:45 a.m.), Murray Miller (virtual), and Board Attorney Clara McDaniels (virtual) with a roll call. President Maradik reminded virtual attendees to mute their microphones and turn off their cameras when not speaking, and to save their questions and comments for the Privilege of the Floor.

APPROVE MINUTES OF PREVIOUS MEETING

Murray Miller’s video was not working; so in accordance with Indiana Code Section 5-14-1.5-3.5 and, per the BPW Remote Meeting Policy, he was unable to participate in Board action.

Upon a motion made by VP Joseph Molnar, seconded by Gary Gilot and carried by roll call, the minutes for the Agenda Review Session and Regular Meetings of the Board held on May 19, 2022 and May 24, 2022, were approved.

OPENING OF BIDS – NORTHWEST ELEVATED STORAGE TANK IMPROVEMENTS – PROJECT NO. 122-018 (PR-00016364)

This was the date set for receiving and opening of sealed bids for the above referenced project. The Clerk tendered proof of publication of Notice in the South Bend Tribune, which was found to be sufficient. The following bids were opened and publicly read:

**VIKING PAINTING, LLC**

10905 Harrison St.  
La Vista, NE 68128  
[dominic@viptanks.com](mailto:dominic@viptanks.com)  
Bid was signed by Mr. Rory Sudbeck  
Non-Collusion, Non-Discrimination Affidavit Form was completed.  
Five percent (5%) Bid Bond was submitted.  
Three (3) Forms MWBE-1.0, 2.0, 2.1 were completed.  
One of One Addendum(s) Acknowledgement included but unsigned.

BID:

<b>Base Bid</b>	\$1,193,800.00
<b>Alternate #1</b>	\$12,500.00
<b>Alternate #2</b>	\$162,800.00
<b>Alternate #3</b>	\$26,800.00
<b>Total</b>	\$1,395,900.00

Murray Miller’s video was not working; so in accordance with Indiana Code Section 5-14-1.5-3.5 and, per the BPW Remote Meeting Policy, he was unable to participate in Board action.

Upon a motion made by VP Joseph Molnar, seconded by Gary Gilot and carried by roll call, the above bids were referred to Public Works for review and recommendation.

OPENING OF BIDS – MIAMI HILLS TIF PROJECT – PROJECT NO. 122-027 (PR-00016923)

This was the date set for receiving and opening of sealed bids for the above referenced project. The Clerk tendered proof of publication of Notice in the South Bend Tribune, which was found to be sufficient. The following Bids were opened and publicly read:

Since there were no bids submitted, President Maradik noted that according to the

City’s procurement policy, staff may proceed to open market.

OPENING OF BIDS – STUDEBAKER NATIONAL MUSEUM ROOF RESTORATION AND REPLACEMENT – PROJECT NO. 122-030 (PR-00016907)

This was the date set for receiving and opening of sealed bids for the above referenced project. The Clerk tendered proof of publication of Notice in the South Bend Tribune, which was found to be sufficient. The following Bids were opened and publicly read:

**MIDLAND ENGINEERING COMPANY, INC.**

52369 State Road 933 North  
South Bend, IN 46637  
[lconrad@midlandengineering.com](mailto:lconrad@midlandengineering.com)  
Bid was signed by Mr. Michael W. Frahn, CPA  
Non-Collusion, Non-Discrimination Affidavit Form was completed.  
Five percent (5%) Bid Bond was submitted.  
Three (3) Forms MWBE-1.0, 2.0, 2.1 were completed.  
Two of Two Addendum(s) Acknowledgement received.

BID:

Base Bid	\$252,600.00
Alternate #1	\$342,800.00
Alternate #2	\$250,400.00
Alternate #3	\$230,600.00

**SLATILE ROOFING AND SHEET METAL CO., INC.**

1703 S. Ironwood Dr.  
South Bend, IN 46613  
[debra.carothers@slatile.com](mailto:debra.carothers@slatile.com)  
Bid was signed by Mr. Gerald Longerot  
Non-Collusion, Non-Discrimination Affidavit Form was completed.  
Five percent (5%) Bid Bond was submitted.  
Three (3) Forms MWBE-1.0, 2.0, 2.1 were completed.  
Two of Two Addendum(s) Acknowledgement received.

BID:

Base Bid	\$232,812.00
Alternate #1	\$72,000.00
Alternate #2	(\$2,200.00)
Alternate #3	No Bid

**WOLF COMMERCIAL ROOFING, INC.**

1319 N. Iowa St.  
South Bend, IN 46628  
[mradandt@wolfcroof.com](mailto:mradandt@wolfcroof.com)  
Bid was signed by Mr. Mark A. Wolf  
Non-Collusion, Non-Discrimination Affidavit Form was completed.  
Five percent (5%) Bid Bond was submitted.  
Three (3) Forms MWBE-1.0, 2.0, 2.1 were completed.  
Two of Two Addendum(s) Acknowledgement received.

BID:

Base Bid	\$198,096.00
Alternate #1	No Bid
Alternate #2	(\$4,400.00)
Alternate #3	\$186,128.00

Murray Miller’s video was not working; so in accordance with Indiana Code Section 5-14-1.5-3.5 and, per the BPW Remote Meeting Policy, he was unable to participate in Board action.

Upon a motion made by VP Joseph Molnar, seconded by Gary Gilot and carried by roll call, the above bids were referred to Public Works for review and recommendation.

OPENING OF QUOTATIONS – INSTALLATION OF ELECTRIC VEHICLE SUPPLY EQUIPMENT – PROJECT NO. 121-011 (PR-00016949)  
President Maradik advised that this was the date set for the receiving and opening of sealed quotations for the above referenced project. The following quotations were opened and read:

**KOONTZ-WAGNER SERVICES**  
3801 Voorde Dr., Suite B  
South Bend, IN 46628  
[mdennert@kwservices.com](mailto:mdennert@kwservices.com)  
Quotation was submitted by Mr. Mike Dennert  
Non-Collusion, Non-Discrimination Affidavit Form was included but not notarized

QUOTE:

<b>Division #1 – Potawatomi Zoo</b>	\$25,541.32
<b>Division #2 – Wayne St. Parking Garage</b>	\$5,687.41
<b>Division #3 – Leighton Parking Garage</b>	\$9,069.68
<b>Division #4 – Main/Colfax Parking Garage</b>	\$14,007.29
<b>Division #5 – Century Center</b>	\$10,146.54
<b>Total</b>	\$64,452.00

**PEMBERTON DAVIS ELECTRIC, INC.**  
916 E. McKinley Ave.  
Mishawaka, IN 46545  
[mtaff@pembertondavis.com](mailto:mtaff@pembertondavis.com)  
Quotation was submitted by Mr. John A. Ferro  
Non-Collusion, Non-Discrimination Affidavit Form was completed.

QUOTE:

<b>Division #1 – Potawatomi Zoo</b>	\$24,491.88
<b>Division #2 – Wayne St. Parking Garage</b>	\$7,796.80
<b>Division #3 – Leighton Parking Garage</b>	\$18,903.44
<b>Division #4 – Main/Colfax Parking Garage</b>	\$15,364.20
<b>Division #5 – Century Center</b>	\$11,919.68
<b>Total</b>	\$78,476.00

Murray Miller’s video was not working; so in accordance with Indiana Code Section 5-14-1.5-3.5 and, per the BPW Remote Meeting Policy, he was unable to participate in Board action.

Upon a motion made by VP Joseph Molnar, seconded by Gary Gilot and carried by roll call, the above quotations were referred to Engineering for review and recommendation.

Before the award of the Beck’s Lake project, Board member Miller began participating with video and was able to participate in Board actions from this point forward. Jordan Gathers arrived before the award of the Beck’s Lake project, so he was able to participate in Board action from this point forward.

AWARD BID AND APPROVE CONTRACT – BECK’S LAKE LASALLE PARK EPA MASTER PLAN – PROJECT NO. 120-053 (PR-00015473)  
Mr. Finnian Cavanaugh, Engineering, advised the Board that on May 24, 2022, bids were received and opened for the above referenced project. After reviewing those bids, Mr. Cavanaugh recommended that the Board award the contract to the lowest responsive and responsible bidder, HRP Construction Inc., 5777 Cleveland Rd., P.O. Box 266, South Bend, IN 46624-0266, in an amount not to exceed \$2,198,945 for the base bid; Subject to appropriation of funds on June 27, 2022. Therefore, VP Joseph Molnar made a motion that the recommendation be accepted, and the bid be awarded, and the contract approved as outlined above. Jordan Gathers seconded the motion, which carried by roll call.

APPROVE CHANGE ORDER NO. 1 – TRAFFIC SIGNAL DETECTION IMPROVEMENTS – PROJECT NO. 120-046 (PO-00013627)  
President Maradik advised that Ms. Leslie Biek, Engineering, has submitted Change Order No. 1 on behalf of JBL Signals and Lighting, LLC, 4316 Technology Dr., South Bend, IN 46628, indicating the contract amount be decreased by \$63,350 for a new contract sum, including this

change order, in the amount of \$102,904. Upon a motion made by VP Joseph Molnar, seconded by Jordan Gathers and carried by roll call, the change order was approved.

APPROVE PROJECT COMPLETION AFFIDAVIT – 2021 TREE PLANTING – PROJECT NO. 121-003 (PO-0010108)

President Maradik advised that Mr. Toy Villa, Engineering, has submitted the project completion affidavit on behalf of K&R Tree Service, LLC, 1724 S. Grant St., South Bend, IN 46613, for the above referenced project, indicating a final cost of \$14,398.50. Upon a motion made by VP Joseph Molnar, seconded by Jordan Gathers and carried by roll call, the project completion affidavit was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – 2022 CURB AND SIDEWALK, ROUND I – PROJECT NO. 122-001 (PR-00016964)

In a memorandum to the Board, Mr. Finnian Cavanaugh, Engineering, requested permission to advertise for the receipt of bids for the above referenced project. Therefore, upon a motion made by VP Joseph Molnar, seconded by Jordan Gathers and carried by roll call, the above request was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS AND TITLE SHEET – SOUTH WELL FIELD BACKWASH LINE RELOCATION – PROJECT NO. 117-059C (PR-00017366)

In a memorandum to the Board, Mr. Jacob Klosinski, Engineering, requested permission to advertise for the receipt of bids for the above referenced project. Also presented at this time for approval and execution was the title sheet. Upon a motion made by VP Joseph Molnar, seconded by Jordan Gathers and carried by roll call, the above request to advertise was approved, and the title sheet was approved and signed.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – NEXUS CENTER SITE IMPROVEMENTS – PROJECT NO. 121-064 (PR-00017411)

In a memorandum to the Board, Mr. Zach Hurst, Engineering, requested permission to advertise for the receipt of bids for the above referenced project. Therefore, upon a motion made by VP Joseph Molnar, seconded by Jordan Gathers and carried by roll call, the above request was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS – EAST BANK TRAIL OVER LEEPER AVENUE BRIDGE REPAIRS – PROJECT NO. 121-075 (PR-00017394)

In a memorandum to the Board, Mr. Zach Hurst, Engineering, requested permission to advertise for the receipt of bids for the above referenced project. Therefore, upon a motion made by VP Joseph Molnar, seconded by Jordan Gathers and carried by roll call, the above request was approved.

ADOPT RESOLUTION NO. 26-2022 – A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS ON THE DISPOSAL OF UNFIT AND/OR OBSOLETE PROPERTY

Upon a motion made by VP Joseph Molnar, seconded by Jordan Gathers and carried by roll call, the following resolution was adopted by the Board of Public Works:

**RESOLUTION NO. 26-2022  
A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA  
BOARD OF PUBLIC WORKS ON THE DISPOSAL OF UNFIT  
AND/OR OBSOLETE PROPERTY**

**FIREFIGHTER FIRE HELMET AND BOOTS**

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WHEREAS, pursuant to I.C. 36-9-6-1 *et. seq.*, the Board of Public Works ("Board") has the duty and authority to have custody, control, use, and to dispose of real and personal property owned by the City of South Bend, Indiana; and

WHEREAS, IC 5-22-22-6 permits and establishes the procedure for disposal of personal property which is no longer needed by the City and which is unfit for the purpose for which it was intended; and

WHEREAS, on May 3, 2022, **Firefighter Daniel J. Dobski** retired from the South Bend, Indiana, Fire Department after Twenty-Six Plus (26+) years of service, and the Board of Public Safety of the City of South Bend, Indiana has determined that he has retired in good standing; and

WHEREAS, Chief Carl Buchanon has advised the Board that this Firefighter's fire helmet and boots ("Property") are of no further use to the Department, are of no practical value, and have an estimated market value of less than one-thousand dollars (\$1,000.00); and

WHEREAS, the Board has determined that the Property is worthless as that term is defined in I.C. 5-22-22-8(b); and

WHEREAS, I.C. 5-22-22 permits and establishes procedures for the disposal of personal property which is either unfit for the purpose for which it was intended, no longer needed by the City, or property which is deemed worthless.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of South Bend, Indiana, as follows:

1. The Property is no longer needed by the City of South Bend, is unfit for the purposes for which was intended, and has an estimated value of less than one-thousand dollars (\$1,000.00).
2. The Property may be demolished, junked, or otherwise disposed in a manner determined by the Fire Chief, including donation to the Firefighter as a token for his years of service to the City of South Bend.

ADOPTED at a meeting of the City of South Bend, Indiana, Board of Public Works held on June 14, 2022, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

CITY OF SOUTH BEND  
BOARD OF PUBLIC WORKS  
s/ Elizabeth A. Maradik  
s/ Joseph R. Molnar  
s/ Gary A. Gilot  
s/ Jordan V. Gathers  
s/ Murray L. Miller

ATTEST:

s/ Theresa Heffner, Clerk

**ADOPT RESOLUTION NO. 27-2022 – A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS ON THE DISPOSAL OF UNFIT AND/OR OBSOLETE PROPERTY**

Upon a motion made by VP Joseph Molnar, seconded by Jordan Gathers and carried by roll call, the following resolution was adopted by the Board of Public Works:

**RESOLUTION NO. 27-2022  
A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA  
BOARD OF PUBLIC WORKS ON THE DISPOSAL OF UNFIT  
AND/OR OBSOLETE PROPERTY**

**FIREFIGHTER FIRE HELMET AND BOOTS**

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WHEREAS, pursuant to I.C. 36-9-6-1 *et. seq.*, the Board of Public Works ("Board") has the duty and authority to have custody, control, use, and to dispose of real and personal property owned by the City of South Bend, Indiana; and

WHEREAS, IC 5-22-22-6 permits and establishes the procedure for disposal of personal property which is no longer needed by the City and which is unfit for the purpose for which it was intended; and

WHEREAS, on May 3, 2022, ***Firefighter Patrick Kottkamp*** retired from the South Bend, Indiana, Fire Department after Twenty-Two Plus (22+) years of service, and the Board of Public Safety of the City of South Bend, Indiana has determined that he has retired in good standing; and

WHEREAS, Chief Carl Buchanon has advised the Board that this Firefighter's fire helmet and boots ("Property") are of no further use to the Department, are of no practical value, and have an estimated market value of less than one-thousand dollars (\$1,000.00); and

WHEREAS, the Board has determined that the Property is worthless as that term is defined in I.C. 5-22-22-8(b); and

WHEREAS, I.C. 5-22-22 permits and establishes procedures for the disposal of personal property which is either unfit for the purpose for which it was intended, no longer needed by the City, or property which is deemed worthless.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of South Bend, Indiana, as follows:

3. The Property is no longer needed by the City of South Bend, is unfit for the purposes for which was intended, and has an estimated value of less than one-thousand dollars (\$1,000.00).
4. The Property may be demolished, junked or otherwise disposed in a manner determined by the Fire Chief, including donation to the Firefighter as a token for his years of service to the City of South Bend.

ADOPTED at a meeting of the City of South Bend, Indiana, Board of Public Works held on June 14, 2022, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

CITY OF SOUTH BEND  
BOARD OF PUBLIC WORKS  
s/ Elizabeth A. Maradik  
s/ Joseph R. Molnar  
s/ Gary A. Gilot  
s/ Jordan V. Gathers  
s/ Murray L. Miller

ATTEST:  
s/ Theresa Heffner, Clerk

**ADOPT RESOLUTION NO. 28-2022 – A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS ON THE DISPOSAL OF UNFIT AND/OR OBSOLETE PROPERTY**

Upon a motion made by VP Joseph Molnar, seconded by Jordan Gathers and carried by roll call, the following resolution was adopted by the Board of Public Works:

**RESOLUTION NO. 28-2022  
A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA  
BOARD OF PUBLIC WORKS ON THE DISPOSAL OF UNFIT  
AND/OR OBSOLETE PROPERTY**

**FIREFIGHTER FIRE HELMET AND BOOTS**

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WHEREAS, pursuant to I.C. 36-9-6-1 *et. seq.*, the Board of Public Works ("Board") has the duty and authority to have custody, control, use, and to dispose of real and personal property owned by the City of South Bend, Indiana; and

WHEREAS, IC 5-22-22-6 permits and establishes the procedure for disposal of personal property which is no longer needed by the City and which is unfit for the purpose for which it was intended; and

WHEREAS, on May 3, 2022, ***Captain Clifford Powell*** retired from the South Bend, Indiana, Fire Department after Twenty-Three Plus (23+) years of service, and the Board of Public Safety of the City of South Bend, Indiana has determined that he has retired in good standing; and

WHEREAS, Chief Carl Buchanon has advised the Board that this Firefighter's fire helmet and boots ("Property") are of no further use to the Department, are of no practical value, and have an estimated market value of less than one-thousand dollars (\$1,000.00); and

WHEREAS, the Board has determined that the Property is worthless as that term is defined in I.C. 5-22-22-8(b); and

WHEREAS, I.C. 5-22-22 permits and establishes procedures for the disposal of personal property which is either unfit for the purpose for which it was intended, no longer needed by the City, or property which is deemed worthless.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of South Bend, Indiana, as follows:

5. The Property is no longer needed by the City of South Bend, is unfit for the purposes for which was intended, and has an estimated value of less than one-thousand dollars (\$1,000.00).
6. The Property may be demolished, junked or otherwise disposed in a manner determined by the Fire Chief, including donation to the Firefighter as a token for his years of service to the City of South Bend.

ADOPTED at a meeting of the City of South Bend, Indiana, Board of Public Works held on June 14, 2022, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

CITY OF SOUTH BEND  
BOARD OF PUBLIC WORKS  
s/ Elizabeth A. Maradik  
s/ Joseph R. Molnar  
s/ Gary A. Gilot  
s/ Jordan V. Gathers  
s/ Murray L. Miller

ATTEST:  
s/ Theresa Heffner, Clerk

**ADOPT RESOLUTION NO. 29-2022 – A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS ON THE DISPOSAL OF UNFIT AND/OR OBSOLETE PROPERTY**

Upon a motion made by VP Joseph Molnar, seconded by Jordan Gathers and carried by roll call, the following resolution was adopted by the Board of Public Works:

**RESOLUTION NO. 29-2022  
A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA  
BOARD OF PUBLIC WORKS ON THE DISPOSAL OF UNFIT  
AND/OR OBSOLETE PROPERTY**

**FIREFIGHTER FIRE HELMET AND BOOTS**

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WHEREAS, pursuant to I.C. 36-9-6-1 *et. seq.*, the Board of Public Works ("Board") has the duty and authority to have custody, control, use, and to dispose of real and personal property owned by the City of South Bend, Indiana; and

WHEREAS, IC 5-22-22-6 permits and establishes the procedure for disposal of personal property which is no longer needed by the City and which is unfit for the purpose for which it was intended; and

WHEREAS, on May 3, 2022, *Firefighter Douglas Salyer* retired from the South Bend, Indiana, Fire Department after Twenty-Eight Plus (28+) years of service, and the Board of Public Safety of the City of South Bend, Indiana has determined that he has retired in good standing; and

WHEREAS, Chief Carl Buchanon has advised the Board that this Firefighter's fire helmet and boots ("Property") are of no further use to the Department, are of no practical value, and have an estimated market value of less than one-thousand dollars (\$1,000.00); and

WHEREAS, the Board has determined that the Property is worthless as that term is defined in I.C. 5-22-22-8(b); and

WHEREAS, I.C. 5-22-22 permits and establishes procedures for the disposal of personal property which is either unfit for the purpose for which it was intended, no longer needed by the City, or property which is deemed worthless.

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of South Bend, Indiana, as follows:

7. The Property is no longer needed by the City of South Bend, is unfit for the purposes for which was intended, and has an estimated value of less than one-thousand dollars (\$1,000.00).
8. The Property may be demolished, junked or otherwise disposed in a manner determined by the Fire Chief, including donation to the Firefighter as a token for his years of service to the City of South Bend.

ADOPTED at a meeting of the City of South Bend, Indiana, Board of Public Works held on June 14, 2022, at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

CITY OF SOUTH BEND  
BOARD OF PUBLIC WORKS  
s/ Elizabeth A. Maradik  
s/ Joseph R. Molnar  
s/ Gary A. Gilot  
s/ Jordan V. Gathers  
s/ Murray L. Miller

ATTEST:  
s/ Theresa Heffner, Clerk

ADOPT RESOLUTION NO. 30-2022 – A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS FOR THE DISPOSAL OF SURPLUS PROPERTY  
Upon a motion made by VP Joseph Molnar, seconded by Jordan Gathers and carried by roll call, the following resolution was adopted by the Board of Public Works:

**RESOLUTION NO. 30-2022**  
**A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA**  
**BOARD OF PUBLIC WORKS FOR THE**  
**DISPOSAL OF SURPLUS PROPERTY**

WHEREAS, I.C. 36-9-6-1 gives the Board of Public Works of the City of South Bend the right and duty to have custody of, control of, use of, and dispose of in accordance with Indiana statutes, all real and personal property owned by the City of South Bend; and

WHEREAS, the Common Council of the City of South Bend passed as amended on January 11, 1988, Ordinance No. 7847-88 which mandates the Board of Public Works of the City of South Bend to determine that the sidearm of a police officer who retires in good standing is surplus property and no longer useful to the City of South Bend; and

WHEREAS, **PATROLMAN FIRST CLASS RONALD WILSON II** retired effective June 3<sup>rd</sup>, 2022, from the South Bend Police Department after twenty-six (26) years of service, and the Board of Public Safety of the City of South Bend has determined that he retired in good standing; and

WHEREAS, I.C. 5-22-22-1 permits and establishes procedure for disposal of personal property which is no longer needed by the City and which is unfit for the purpose for which it was intended;

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of South Bend that handgun Serial No. NDT6959, a Smith and Wesson M&P Handgun, is no longer needed by the City and is unfit for the purpose for which it was intended and has an estimated fair market value of less than Five Hundred Dollars (\$500.00).

BE IT FURTHER RESOLVED that said property be disposed of and removed from the City inventory.

ADOPTED this 14TH Day of JUNE, 2022.

CITY OF SOUTH BEND  
BOARD OF PUBLIC WORKS  
s/ Elizabeth A. Maradik  
s/ Joseph R. Molnar  
s/ Gary A. Gilot  
s/ Jordan V. Gathers  
s/ Murray L. Miller

ATTEST:  
s/ Theresa Heffner, Clerk

**ADOPT RESOLUTION NO. 31-2022 – A RESOLUTION OF THE CITY OF SOUTH BEND,  
INDIANA BOARD OF PUBLIC WORKS TRANSFERRING REAL PROPERTY TO SHAWN  
S. HOWELL**

Upon a motion made by VP Joseph Molnar, seconded by Jordan Gathers and carried by roll call, the following resolution was adopted by the Board of Public Works:

**RESOLUTION NO. 31-2022**

**A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA, BOARD OF PUBLIC  
WORKS TRANSFERING REAL PROPERTY TO SHAWN S. HOWELL**

WHEREAS, the City of South Bend, Indiana, Board of Public Works (the “Board”) exists pursuant to Indiana Code Section 36-4-9-5 and holds real property owned by the City of South Bend, Indiana (the “City”) pursuant to Indiana Code Section 36-9-6-3; and

WHEREAS, on July 14, 2003, the City and American Home Dreams, Inc. entered into a Purchase Agreement related to several parcels of land, including but not limited to Lots Numbered Twenty-Six (26) and Twenty-Seven (27) as shown on the recorded Plat of Haney’s Addition to the City of South Bend, St. Joseph County, Indiana, Key Nos. 18-7026-1044 and 18-7026-1043; and

WHEREAS, in transferring the parcels to American Home Dreams, Inc., the City inadvertently left Lot Numbered Twenty-Six (26) off of the property description on the deed of transfer; and

WHEREAS, American Home Dreams, Inc. built a home that is situated on both Lots Numbered Twenty-Six (26) and Twenty-Seven (27), which was subsequently transferred to Shawn S. Howell; and

WHEREAS, the City would like to rectify its inadvertent error by transferring Lot Twenty-Six (26) to Mr. Howell.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SOUTH BEND, INDIANA, BOARD OF PUBLIC WORKS AS FOLLOWS:

1. The Board hereby conveys Lot Numbered Twenty-Six (26) as shown on the recorded Plat of Haney's Addition to the City of South Bend, St. Joseph County, Indiana, Key No. 018-7026-1044, to Shawn S. Howell, by Quitclaim Deed attached hereto as **Exhibit A**.
2. The Board authorizes Elizabeth Maradik, President, and Theresa Heffner, Clerk, to execute the Quitclaim Deed.
3. The Board further authorizes Andrew Netter or Joseph Molnar of the City's Department of Community Investment to present for recordation in the Office of the Recorder of St. Joseph County, Indiana, the deed conveying the property to Mr. Howell, as well as to execute any other document necessary to affect the Board's conveyance thereof.
4. This Resolution will be in full force and effect upon its adoption by the Board.

ADOPTED at a meeting of the City of South Bend, Indiana, Board of Public Works held on June 14, 2022 held at 1308 County City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601 and electronically.

CITY OF SOUTH BEND  
BOARD OF PUBLIC WORKS  
s/ Elizabeth A. Maradik  
s/ Joseph R. Molnar  
s/ Gary A. Gilot  
s/ Jordan V. Gathers  
s/ Murray L. Miller

ATTEST:  
s/ Theresa Heffner, Clerk

ADOPT RESOLUTION NO. 32-2022 – A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS ACCEPTING THE TRANSFER OF REAL PROPERTY FROM THE SOUTH BEND REDEVELOPMENT COMMISSION

Upon a motion made by VP Joseph Molnar, seconded by Jordan Gathers and carried by roll call, the following resolution was adopted by the Board of Public Works:

**RESOLUTION NO. 32-2022**

**A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA, BOARD OF PUBLIC WORKS ACCEPTING THE TRANSFER OF REAL PROPERTY FROM THE SOUTH BEND REDEVELOPMENT COMMISSION**

WHEREAS, the City of South Bend, Indiana, Board of Public Works (the "Board") exists pursuant to Indiana Code Section 36-4-9-5, holds real property owned by the City of South Bend, Indiana (the "City") pursuant to Indiana Code Section 36-9-6-3, and is authorized to accept the transfer such property from another governmental entity pursuant to Indiana Code Section 36-1-11-8; and

WHEREAS, the South Bend Redevelopment Commission, the governing body of the City of South Bend, Indiana, Department of Redevelopment (the "Commission"), exists and operates pursuant to Indiana Code Section 36-7-14 (the "Act"); and

WHEREAS, the Commission owns one parcel of real property in the River West Development Area of the City, commonly known as 910 Oliver Plow Ct., South Bend, Indiana, and more particularly described in Exhibit A (the "Property"); and

WHEREAS, the Board desires to obtain title to the Property pursuant to Ind. Code 36-1-11-8 for the purpose of donating the Property to an Indiana non-profit and tax exempt entity under Section 501(c)(3) of the Internal Revenue Code, for the purpose of preservation of the Oliver Memorial (the "Purpose"); and

WHEREAS, the Commission adopted its Resolution No. 32-2022 on June, 9 2022, authorizing the conveyance of the Property to the Board for the Purpose.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SOUTH BEND, INDIANA, BOARD OF PUBLIC WORKS AS FOLLOWS:

1. The Board hereby accepts the conveyance of the Property from the Commission in accordance with Indiana Code Section 36-1-11-8.
2. The Board authorizes Joseph Molnar or Andrew Netter of the City's Department of Community Investment to present for recordation in the Office of the Recorder of St. Joseph County, Indiana, the deed conveying the Property to the Board, as well as to execute any other document necessary to affect the Board's acceptance of the conveyance.
3. This Resolution will be in full force and effect upon its adoption by the Board.

ADOPTED at a meeting of the City of South Bend, Indiana, Board of Public Works held on June 14, 2022 at 1308 County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601.

CITY OF SOUTH BEND  
BOARD OF PUBLIC WORKS  
s/ Elizabeth A. Maradik  
s/ Joseph R. Molnar  
s/ Gary A. Gilot  
s/ Jordan V. Gathers  
s/ Murray L. Miller

ATTEST:  
s/ Theresa Heffner, Clerk

ADOPT RESOLUTION NO. 33-2022 – A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS FOR THE DISPOSAL OF SURPLUS PROPERTY  
Upon a motion made by VP Joseph Molnar, seconded by Jordan Gathers and carried by roll call, the following resolution was adopted by the Board of Public Works:

**RESOLUTION NO. 33-2022**  
**A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA**  
**BOARD OF PUBLIC WORKS FOR THE**  
**DISPOSAL OF SURPLUS PROPERTY**

WHEREAS, I.C. 36-9-6-1 gives the Board of Public Works of the City of South Bend the right and duty to have custody of, control of, use of, and dispose of in accordance with Indiana statutes, all real and personal property owned by the City of South Bend; and

WHEREAS, the Common Council of the City of South Bend passed as amended on January 11, 1988, Ordinance No. 7847-88 which mandates the Board of Public Works of the City of South Bend to determine that the sidearm of a police officer who retires in good standing is surplus property and no longer useful to the City of South Bend; and

WHEREAS, PATROLMAN FIRST CLASS MARK CHABOT retired effective June 3<sup>rd</sup>, 2022, from the South Bend Police Department after thirty-four (34) years of service, and the Board of Public Safety of the City of South Bend has determined that he retired in good standing; and

WHEREAS, I.C. 5-22-22-1 permits and establishes procedure for disposal of personal property which is no longer needed by the City and which is unfit for the purpose for which it was intended;

NOW, THEREFORE, BE IT RESOLVED by the Board of Public Works of the City of South Bend that handgun Serial No. NDS9977, a Smith and Wesson M&P Handgun, is no longer needed by the City and is unfit for the purpose for which it was intended and has an estimated fair market value of less than Five Hundred Dollars (\$500.00).

BE IT FURTHER RESOLVED that said property be disposed of and removed from the City inventory.

ADOPTED this 14TH Day of JUNE, 2022.

CITY OF SOUTH BEND  
BOARD OF PUBLIC WORKS  
s/ Elizabeth A. Maradik  
s/ Joseph R. Molnar  
s/ Gary A. Gilot  
s/ Jordan V. Gathers  
s/ Murray L. Miller

ATTEST:  
s/ Theresa Heffner, Clerk

APPROVAL OF AGREEMENTS/CONTRACTS/PROPOSALS/ADDENDA

The following agreements/contracts/proposals/addenda were submitted to the Board for approval:

Type	Business	Description	Amount/ Funding	Motion/ Second
Professional Services Agreement	A&Z Engineering, LLC	Design Services and Obtain Grand Trunk Railroad Permission to Construct Watermain Replacements at Greenlawn Ave. & 30 <sup>th</sup> . St.	\$65,166 (PR-00017286)	Joseph Molnar/ Jordan Gathers
Professional Services Agreement	Populous, Inc.	Conceptual Development for Additional Seating at Four Winds Field Project No. 122-021A	\$110,000 (PR-00017299)	Joseph Molnar/ Jordan Gathers
Amendment No. 1 to Professional Services Agreement	American Structurepoint, Inc.	Design and Construction Services for Full Storage Tank Design for Wastewater Treatment Plant CSO 045 Equalization Basin Project No. 121-071	\$2,150,288; New Total \$2,354,023 (PR-00012418)	Joseph Molnar/ Jordan Gathers
Customer Letter of Authority	AT&T Corp. d/b/a ACC Business	Ethernet Services for Water Works SCADA Communications	\$5,835.03 per Month; Total \$210,061 Three (3) Year Contract (PR-00017343)	Joseph Molnar/ Jordan Gathers
Contract	Indiana Department of Transportation	Safe Routes to School Muessel Primary and Holy Cross School,	Estimated Total \$1,625,000	Joseph Molnar/ Jordan Gathers

	– Local Public Agency	DES#1900447	(2024 Fiscal Year Projected Total for Construction Phase) (80% Federal / 20% City Cost Share)	
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APPROVAL OF LICENSE AND PERMIT APPLICATIONS

The following license and permit applications were presented for approval:

Applicant	Description	Date/Time	Location	Motion Carried
2022 Graduation Celebration	Street Closure for Special Event	July 9, 2022; 9:00 a.m. to 9:00 p.m.	200 Block of Napoleon St. between Foster St. & N. St. Joseph St.	Joseph Molnar/ Jordan Gathers
Ellsworth Block Party	Street Closure for Special Event	July 3, 2022; 12:00 p.m. to 11:00 p.m.	S. Ellsworth Pl. between Wilson Ave. & E. Washington St.	Joseph Molnar/ Jordan Gathers
Family and Friends	Street Closure for Special Event	July 4, 2022; 8:00 a.m. to 10:00 p.m.	Allen St. Between Lincoln Way West and Lindsey St. and Lindsey St. between Allen St. and Sherman Ave.	Joseph Molnar/ Jordan Gathers
Kalarama St. July 4 <sup>th</sup> .	Street Closure for Special Event	July 4, 2022; 3:00 p.m. to 9:00 p.m.	Kalarama St. between Turnock St. and N. St. Louis Blvd.	Joseph Molnar/ Jordan Gathers
Our Lady of Hungary Parish Festival	Street Closure for Special Event	July 16, 2022; 4:00 p.m. to 9:00 p.m.	Chapin St. between W. Calvert St. and Bruce St.	Joseph Molnar/ Jordan Gathers
Party for a Purpose – Stop the Violence Block Party	Street Closure for Special Event	August 13, 2022; 2:00 p.m. to 8:00 p.m.	Fremont St. between Marquette Blvd. and W. Hamilton St.	Joseph Molnar/ Jordan Gathers

APPROVE/DENY TRAFFIC CONTROL DEVICES

Upon a motion made by VP Joseph Molnar, seconded by Jordan Gathers and carried by roll call, the following traffic control device request was approved:

- NEW INSTALLATION:

LOCATIONS:

REMARKS:
- Stop Signs

Erie Falls Dr. and Armstrong Dr.  
Belmont Ave. and Southwood Ave.  
Bent Oak Ln. and Oakwood Park Dr.  
Gordon Circle and Gordon Dr.  
Irvington Ave. and Leer St.  
Sherman Ave. and Oak St.

All Criteria Met
- NEW INSTALLATION:

LOCATION:

REMARKS:
- Reserved Handicapped Accessible Parking Space Sign

North Side of Jefferson Blvd. East of Lafayette Blvd., #3

All Criteria Met

APPROVE CONSENTS TO ANNEXATION AND WAIVER OF RIGHTS TO REMONSTRATE

President Maradik stated that the Board is in receipt of the following consents to annexation and waivers of rights to remonstrate. The consents indicate that in consideration for permission to tap



into public water/sanitary sewer system of the City, to provide water/sanitary sewer service to the below referenced properties, the applicants waive and release any and all rights to remonstrate against or oppose any pending or future annexations of the properties by the City of South Bend:

- A. Mr. Pete McColleston, 13645 McKinley Hwy, Suite H, Mishawaka, IN 46545
1. 53154 Summer Breeze Dr. – Water/Sewer (Key No.71-04-30-254-041.000-003)

Upon a motion by VP Joseph Molnar, seconded by Jordan Gathers and carried by roll call, the consents to annexation and waivers of rights to remonstrate were approved as submitted.

RATIFY APPROVAL AND/OR RELEASE CONTRACTOR, EXCAVATION, AND OCCUPANCY BONDS

The Division of Engineering Permit Department recommended that the following bonds be ratified pursuant to Resolution 100-2000 and/or released as follows:

Business		Approved/ Released	Effective Date
Hill Custom Concrete, Inc.	Contractor	Approved	05/25/2022
Abonmarche Consultants, Inc.	Contractor	Released	06/14/2022
Frodo Lives LLC	Contractor	Released	08/02/2022
Henry Smith Plumbing & Heating, LLC	Excavation	Released	06/21/2022
Heiman Construction, Inc.	Occupancy	Approved	05/18/2022
Hill Custom Concrete, Inc.	Occupancy	Approved	05/25/2022
Facelift Painting & Power Washing	Occupancy	Released	06/08/2022

VP Joseph Molnar made a motion that the bond’s approval and/or release as outlined above be ratified. Jordan Gathers seconded the motion, which carried by roll call.

RATIFY PREAPPROVED CLAIMS PAYMENTS

VP Joseph Molnar stated the Board received notices of the following preapproved claim payments from the City’s Department of Administration and Finance:

Name	Date	Amount of Claim
City of South Bend Claims GBLN-35898, GBLN-35587, GBLN-35836	05/24/2022	\$151,793.92
City of South Bend Claims GBLN-37301, GBLN-37252	05/24/2022	\$3,055,060.81
City of South Bend Claims GBLN-37382, GBLN-37383, GBLN-37470	05/27/2022	\$1,523,435.76
City of South Bend Claims GLBN-37619	05/31/2022	\$935,504.79

Each claim is fully supported by an invoice; the person receiving the goods or services has approved the claims; and the claims have been filed with the City Fiscal Officer and certified for accuracy. Therefore, upon a motion by VP Joseph Molnar, seconded by Jordan Gathers, and carried by roll call, the Board ratified the preapproved claims payments.

PRIVILEGE OF THE FLOOR

ADJOURNMENT

There being no further business to come before the Board, President Maradik adjourned the meeting at 10:00 a.m.

CITY OF SOUTH BEND, INDIANA  
BOARD OF PUBLIC WORKS

  
\_\_\_\_\_  
Elizabeth A. Maradik, President

  
\_\_\_\_\_  
Gary A. Gilot, Member

  
\_\_\_\_\_  
Murray L. Miller, Member

  
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Joseph R. Molnar, Vice President

  
\_\_\_\_\_  
Jordan V. Gathers, Member

  
\_\_\_\_\_  
Attest: Theresa M. Heffner, Clerk

Date: June 28, 2022