

The Agenda Review Session of the Board of Public Works was convened at 10:32 a.m. on October 20, 2022, by Board President Elizabeth A. Maradik, Vice President Joseph Molnar (absent), and Board Members Gary Gilot, Jordan Gathers (absent), Murray Miller was present. Corporate Counsel Sandra Kennedy was present in Board Attorney Michael Schmidt (absent) absence. Board of Public Works Clerk, Theresa Heffner, presented the Board with a proposed agenda of items presented by the public and by City Staff.

OPENING OF QUOTATIONS – APPROVE CONTRACT – SHERIDAN & RIVERSIDE PARKING LANE RESURFACING – PROJECT NO. 122-056 (PR-00019271)

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:

DAYS CONSTRUCTION & ASPHALT

855 Taft St.

Gary, IN 46404

s.d.shine@sbcglobal.net

Quotation was submitted by Mr. Robert Day

No Non-Collusion, Non-Discrimination Affidavit Form was completed.

None of Three (3) MWBE Forms were completed.

QUOTATION: \$106,500

Upon a motion made by Murray Miller, seconded by Gary Gilot and carried by roll call, the above quotes were referred to Engineering for review and recommendation.

PRIVILEGE OF THE FLOOR

Tim Corcoran Director of Planning and Community Resources gave a brief introduction of the alley vacation process and how the process can be very confusing for the petitioner and City staff. He noted that the presentation that Senior Planner Chris Dressel was giving today would address some of the issues related to alley vacations and some recommendations on how to improve the process for the petitioner and City staff. Mr. Corcoran noted that nothing needed to be voted on today, but there would be ordinance change recommendations coming to a future Board meeting.

Chris Dressel, Senior Planner with Community Investment provided a presentation to the Board with suggested changes to the street/alley vacation process. An overview of the presentation provided the following:

Why Alleys Are Important

- Alleys allow for uses to be accessed from the back of the lot by automobiles
- Removes front facing garages, eliminates driveways at the front of properties, and limits curb cuts on the main road which allows for more of the lot to be take up but the home
- Provides a more consistent residential streetscape
- Allows for more spaces for street trees by providing a continuous tree lawn throughout the block
- Allows for a finer grain development, resulting in the following:
 - City's investment in utilities yields a higher rate of return
 - There is a larger tax base per acre
 - Allows for greater variety of housing and as such a greater variety of housing affordability

Discussion of the Current Alley Vacation Process and Issues

- No proper recommendation criteria
- Applicants lack guidance about value of alleys and challenged by the process
 - Errant referrals suggesting vacation is solution
 - Difficulty preparing petition, particularly the legal description
- Requests do not expire and can change following BPW recommendation
- Lack of staff monitoring through public meeting/hearing process

Current Ordinance Issues

- No proper recommendation criteria

- Current state ordinance criteria applies to “reason for objection”
- No advance notification to appropriate city departments and agencies in advance of petition filing
- Request do not expire and can change following BPW recommendation
- Notifications to property owners may fail to cover the full block beyond the 150-foot radius

Proposed Criteria

If answers to any of the following questions is YES, a request to vacate should be denied:

- Do any property owners currently access the alley
- Do less than fifty percent (50%) of the properties on the full block face have direct access to the street?
- Is this the only midblock connection?
- Is the block length greater than 600 feet?
Will the vacation result in a dead-end alley?
- Will vacating the alley allow for direct street access and interfere with a designated bike route?
- Will vacating the alley allow for direct access to the street in a manner that will not meet minimum engineering standards for traffic safety?
- Are there public or private utilities in the alley?

Proposed Alley Vacation Process

- To add a step to the process where there is an intake of the application to improve consultation with applicants/petitioners and quality of requests
- Notes that Engineering will provide the legal description
- Add 180-day limit between BPW result and petitions filing
- Ensure there is no change to the petition
- Mailed notifications to all property owners within 150 feet also to include entire block with signatures
- City staff attends council hearings where petitions are taking place

Potential Ordinance Changes

- Department of Community Investments and Department of Engineering initiates review of application request using recommendation criteria as determined by Board of Public Works (BPW) and engages with applicant
- Engineering conducts review of any utilities in the area and the preparation of a map/drawing and legal description
- Engineering shares request with appropriate departments and other public agencies determined by the BPW prior to BPW review and filing of petition
- Add “file by” date of 180 days following BPW recommendation
- Amend notification radius to include all properties within block containing alley

Summary of Proposal

- Introduce proper evaluation criteria
- Use of pre-application form/engagement process
- Provide additional guidance to applicants/petitioners
- Update ordinance language to reflect changes to criteria, process, and responsibilities
- Set an expiration date for requests
- Follow requests through the public hearing process

Next Steps

- Meeting with Public Works & Property Vacation Committee Chair
- Present to Council Public Works & Property Vacation Committee
- Revisit with Board of Public Works
- Present to Common Council for ordinance adoption
- Conclude with Board of Public Works for policy consideration

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-45121, GBLN-45122	10/07/2022	\$705,733.89
City of South Bend Claims GBLN-45351	10/11/2022	\$2,804,342.12
City of South Bend Claims GBLN-45347	10/11/2022	\$5,297,412.02
City of South Bend Claims GBLN-45524, GBLN-45567	10/17/2022	\$3,774.64
City of South Bend Claims GBLN-45932	10/18/2022	\$3,268,967.71

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 FLOORADJOURNMENT

There being no further business to come before the Board, President Maradik adjourned the meeting at 9:50 a.m.

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