

The Agenda Review Session of the Board of Public Works was convened at 10:33 a.m. on March 9, 2023, by Board President Elizabeth A. Maradik, Vice President Joseph Molnar, and Board Members Gary Gilot, Jordan Gathers (arrived at 10:45 a.m.), Murray Miller (absent), and Board Attorney Michael Schmidt 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.

RESOLUTIONS

Principal Planner, Community Investment Mike Divita was present to discuss item 8.A: A Resolution of the City of South Bend, Indiana Board of Public Works Adopting a Written Fiscal Plan and Establishing a Policy for the Provision of Services to an Annexation Area in German Township (Resurrection Lutheran Annexation Area). Mr. Divita explained that this is a small piece of two (2) vacant lots at the corner of Nimitz and Olive. They are looking to put in a parking lot and some landscaping so they would like their property to be in one (1) jurisdiction. Lastly, Mr. Divita added they are already using the City's sewer and water there, so it is not a big Public Works impact.

AGREEMENTS/CONTRACTS/PROPOSALS/ADDENDA

Deputy Director of Public Works Jitin Kain spoke about item 9.A: Shared Mobility Device Operator Agreement with Bird Rides, Inc. He explained that this is a renewal to grant them access to use the public right of way for two (2) more years. There is a license fee of \$10,000 that they will pay annually.

VP Molnar asked what the money is used for. Deputy Director Kain explained that the money is used for projects and maintenance of things in the public right-of-way.

Mr. Gilot asked if they provide data on usage. Deputy Director Kain stated that they provide a dashboard that they give us access to which shows origin destination and they tend to change the location of the bikes and scooters based on that data.

VP Molnar asked if the scooters were still restricted in the boundaries of Howard Park. Deputy Director Kain stated that Howard Park is still restricted because people were mishandling scooters there. He added that Bird Rides, Inc. have been good partners with the City on changing their geofencing based on where the City does and does not want the scooters.

RESOLUTIONS

VP Molnar was present to speak about item 8.B: A Resolution of the City of South Bend, Indiana Board of Public Works Appointing Board President to Conduct Certain Administrative Acts Relating to Ownership of Property. He explained that there are five (5) or six (6) areas where they want to dedicate or vacate the right-of-way and the resolution is for the calendar year of 2023.

LICENSES AND PERMITS

President Maradik brought up item 10.A: Encroachment/Revocable Permit request for a shed and a fence at 1027 De Maude Ave. She noted that it has unfavorable recommendations from staff. Homeowner Jill Sanders-Harris explained that initially she was told that the fence was the issue and then the shed and now it is both items. She continued to explain that the shed crossed over the neighbor's property line but she received approval from the neighbors. President Maradik noted that the Board's concern is whether the shed or fence is in the City's right-of-way, not if the shed crosses the property line with the neighbor.

President Maradik asked if a permit was pulled when building the fence. Ms. Sanders-Harris answered no. She stated that she tried to determine what to do after the fence was built and was told that the fence was installed in the City's right-of-way.

Crystal Thompson from the City's Building Department stated that they first cited the property back in 2021 for the fence and shed being placed on Ms. Sanders-Harris' property with no permits pulled first. Upon further review, the Building Department determined that the fence was encroaching on the City's Right-of-Way and the shed did not meet zoning requirements because it goes onto the neighbor's property which it has to meet the setbacks standards which is five (5)

feet on the side and rear of the property lines. President Maradik clarified that the shed is not encroaching in the City's right-of-way. Ms. Thompson stated that the shed is a zoning issue.

Mr. Gilot advised that the Board of Public Works is responsible for the public right-of-way and keeping it clear of unapproved encroachments. He explained that there is a zoning violation for the shed not being five (5) feet from the property line, and that is a separate matter from the fence. President Maradik added that there is a different process for zoning violations where Ms. Sanders-Harris would have to go through a variance process to request a variance to keep the shed in its current location and there could also be other steps with the Building Department, but that would be a matter to address with zoning. Ms. Thompson explained that a variance was requested, but it was put on hold due to the encroachment of the fence.

Mr. Gilot explained the importance for hiring a professional fencing company that knows that rules and regulations on installing a fence and being able to ask them to correct the issue for no additional charge, which is not an option when hiring someone that does not have the expertise on the public right-of-way. Mr. Gilot then advised Ms. Sanders-Harris of the legal ramifications of having an encroachment which would hold the City harmless and hold her responsible if an accident occurred and an individual sued and argued that Ms. Sanders-Harris' encroachment in the City's right-of-way exacerbated the damage to the individual. He continued to add that if an encroachment was approved by the Board, it could result in Ms. Sanders-Harris needing to pay for extra insurance to be able to cover any potential legal claims against her.

President Maradik wrapped up the conversation stating that the Board of Public Works typically sides with the recommendations from staff because they are the specialists in the field. She explained to Ms. Sanders-Harris that if the encroachment was granted, it is revocable and can be removed at any time depending on what the City is working on in the area whether that be six (6) months from now or ten (10) years down the road.

STREET/ALLEY VACATIONS

Terry Lang from Wightman was present to answer questions about item 11.A: Alley Vacation at 1023 Quimby St. for Elliot Properties, LLC.

President Maradik stated that the vacation had favorable recommendations from staff and included a comment that a curb cut would not be approved for any of the parcels off of Eddy Street based on the new configuration and that the Board would want a cross-access agreement for the center lot so the resident could access their property since there would be no curb cut. Mr. Gilot advised that the cross-access agreement be recorded. Mr. Lang from Wightman stated that they understand the requirements and agree.

OPENING OF PROPOSALS

VP Molnar asked about the status of item 3.A: Coal Line Trail, Phase III. He noted that the planning team in Community Investment were surprised to see it on the agenda so quickly. Assistant City Engineer Leslie Biek explained that it is an LPA project that is federally funded so as a part of the INDOT's consultant selection process, Engineering first advertises for proposals and this agenda item is just the Board receiving the proposals. She added that once Engineering reviews the proposals, Engineering will work with the chosen consultant to work on an agreement.

Director of Public Works Eric Horvath asked if this was 80/20 funded. Assistant City Engineer Biek answered yes, and that this is primarily on College Ave.

PRIVILEGE OF THE FLOOR

ADJOURNMENT

There being no further business to come before the Board, President Maradik adjourned the meeting at 11:14 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: March 28, 2023REGULAR MEETINGMARCH 14, 2023

The Regular Meeting of the Board of Public Works was convened at 9:32 a.m. on Tuesday, March 14, 2023, by Board President Elizabeth A. Maradik in the 13th 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, Murray Miller, and Board Attorney Michael Schmidt, 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

Upon a motion made by VP Molnar, seconded by Mr. Gathers and carried by roll call, the minutes for the Agenda Review Session and Regular Meetings of the Board held on February 23, and February 28, 2023, were approved.

OPENING OF QUOTATIONS – CENTURY CENTER PARKING LOT SEAL AND STRIPE – PROJECT NO. 122-060B (HOTEL MOTEL TAX – COUNTY FUND 7304)

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:

NATIONAL PAVEMENT MAINTENANCE LLC

1928 N. Campbell Ave.

Indianapolis, IN 46218

garry@npm.us.com

Quotation was submitted by Mr. Garry Newman

Non-Collusion, Non-Discrimination Affidavit Form was completed.

Three (3) Forms MWBE-1.0, 2.0, 2.1 were completed.

QUOTATION: \$54,955.50

Upon a motion made by VP Molnar, seconded by Mr. Gathers and carried by roll call, the above quotations were referred to Public Works for review and recommendation.

OPENING OF PROPOSALS – COAL LINE TRAIL, PHASE III – PROJECT NO. 123-007 (FEDERALLY FUNDED)

Ms. Rebecca Maenhout, Engineering, advised that this was the date set for the receiving and opening of sealed proposals for the above referenced project. President Maradik stated the Proposals will be reviewed and scored based on a matrix system, by a team made up of City representatives. Board Attorney Michael Schmidt read the names of the following companies submitting proposals:

DLZ INDIANA, LLC

2211 E. Jefferson Blvd.

South Bend, IN 46615

nhover@dlz.com; mdoyle@dlz.com

Proposal was submitted by Mr. Mathieu Doyle

ABONMARCHE CONSULTANTS, INC.

315 W. Jefferson Blvd.

South Bend, IN 46601

rnichols@abonmarche.com; jgunderson@abonmarche.com

Proposal was submitted by Ms. Jen Gunderson

LOCHMUELLER GROUP

112 W. Jefferson Blvd., Suite 500

South Bend, IN 46601

JClark@lochgroup.com

Proposal was submitted by Ms. Jessica J. Clark, PE

HWC ENGINEERING

5920 Hohman Ave.

Hammond, IN 46320

jgrabijas@hwcengineering.com

Proposal was submitted by Mr. Josh Grabijas, PE

JONES PETRIE RAFINSKI CORP.

325 S. Lafayette Blvd.

South Bend, IN 46601

acunningham@jpr1source.com; mvoll@jpr1source.com

Proposal was submitted by Mr. Andrew Cunningham, PLA, LEED AP

Upon a motion made by VP Molnar, seconded by Mr. Gathers and carried by roll call, the above proposals were referred to Public Works and the Community Investment review team for review and recommendation.

**APPROVAL OF REQUEST TO REJECT BIDS/QUOTATIONS – LASALLE AVENUE
STREETSCAPE – PROJECT NO. 122-013R (PR-00020064)**

In a memorandum to the Board, Ms. Leslie Biek, requested permission to reject all bids for the above referenced project due to modifying the scope of the project and will re-advertise. Therefore, upon a motion to reject and readvertise was made by VP Molnar, seconded by Mr. Gathers and carried by roll call, the above request was approved.

**APPROVE CHANGE ORDER NO. 2 – MUESSEL GROVE PARK RESTROOM – PROJECT
NO. 118-099R2 (PO-0019070)**

President Maradik advised that Mr. Zach Hurst, Engineering, has submitted change order number 2 on behalf of Gibson Lewis, LLC, indicating the contract amount be increased by \$5,015 for a new contract sum, including this change order, in the amount of \$408,702. Upon a motion made by VP Molnar, seconded by Mr. Gathers and carried by roll call, the change order was approved.

**APPROVE PROJECT COMPLETION AFFIDAVIT – INSTALLATION OF ELECTRIC
VEHICLE SUPPLY EQUIPMENT – PROJECT NO. 121-011 (PO-0016949)**

President Maradik advised that Mr. Kyle Ludlow, Engineering, has submitted the project completion affidavit on behalf of Koontz-Wagner Services, LLC, for the above referenced project, indicating a final cost of \$64,452.24. Upon a motion made by VP Molnar, seconded by Mr. Gathers and carried by roll call, the project completion affidavit was approved.

**APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS AND TITLE
SHEET – 2023 TRAFFIC CALMING – PROJECT NO. 122-014C (PR-00023274; SIX (6)
TOTAL)**

In a memorandum to the Board, Ms. Charlotte Brach, 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 Molnar, seconded by Mr. 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 AND TITLE SHEET – 2023 VPA ATHLETIC COURT RENOVATIONS, PHASE III – PROJECT NO. 123-040 (PR-00023268)

In a memorandum to the Board, Mr. Patrick Sherman, 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 Molnar, seconded by Mr. 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 – 2023 CONTRACTOR PAVING, ROUND I – PROJECT NO. 123-021 (PR-00023513 RIVER WEST TIF, SOUTHSIDE TIF)

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

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS AND TITLE SHEET – 2023 GUARDRAIL INSTALLATION AND REPLACEMENT – PROJECT NO. 122-043 (PR-00022501)

In a memorandum to the Board, Mr. Finnian Cavanaugh, 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 Molnar, seconded by Mr. Gathers and carried by roll call, the above request to advertise was approved subject to the City Engineer signing the title sheet.

ADOPT RESOLUTION NO. 11-2023 – A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS ADOPTING A WRITTEN FISCAL PLAN AND ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO AN ANNEXATION AREA IN GERMAN TOWNSHIP (RESURRECTION LUTHERAN ANNEXATION AREA)

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

RESOLUTION NO. 11-2023

A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE CITY OF SOUTH BEND, INDIANA ADOPTING A WRITTEN FISCAL PLAN AND ESTABLISHING A POLICY FOR THE PROVISION OF SERVICES TO AN ANNEXATION AREA IN GERMAN TOWNSHIP (RESURRECTION LUTHERAN ANNEXATION AREA)

WHEREAS, there has been submitted to the Common Council of the City of South Bend, Indiana, an Ordinance and a petition by all (100%) property owners which proposes the annexation of real estate located in German Township, St. Joseph County, Indiana, which is more particularly described at Page 13 of Exhibit “A” attached hereto; and

WHEREAS, the territory proposed to be annexed encompasses approximately 1.2 acres of vacant land, which property is at least 12.5% contiguous to the current City limits, i.e., 100.0% contiguous, generally located at the southeast corner of Nimtz Parkway and Olive Road (53000 block of Olive Road). It is anticipated that the annexation area will be used for a parking lot; and

WHEREAS, the development will require a basic level of municipal public services of a non-capital improvement nature, including street and road maintenance, street sweeping, flushing, snow removal, and sewage collection, as well as services of a capital improvement nature, including street and road construction, street lighting, a sanitary sewer system, a water distribution system, and a storm water system and drainage plan; and

WHEREAS, the Board of Public Works now desires to establish and adopt a fiscal plan and establish a definite policy showing: (1) the cost estimates of services of a non-capital nature, including street and road maintenance, street sweeping, flushing, and snow removal, and sewage

collection, and other non-capital services normally provided within the corporate boundaries; and services of a capital improvement nature including street and road construction, street lighting, a sanitary sewer extension, a water distribution system, and a storm water system to be furnished to the territory to be annexed; (2) the method(s) of financing those services; (3) the plan for the organization and extension of those services; (4) that services of a non-capital nature will be provided to the annexed area within one (1) year after the effective date of the annexation, and that they will be provided in a manner equivalent in standard and scope to similar non-capital services provided to areas within the corporate boundaries of the City of South Bend, regardless of similar topography, patterns of land use, and population density; (5) that services of a capital improvement nature will be provided to the annexed area within three (3) years after the effective date of the annexation within the same manner as those services are provided to areas within the corporate boundaries of the City of South Bend regardless of similar topography, patterns of land use, or population density, and in a manner consistent with federal, state and local laws, procedures, and planning criteria; and (6) the plan for hiring the employees of other governmental entities whose jobs will be eliminated by the proposed annexation.

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

Section I. It is in the best interest of the City of South Bend and the area proposed to be annexed that the real property described more particularly at Page 14 of Exhibit “A” attached hereto be annexed to the City of South Bend.

Section II. That it shall be and hereby is now declared and established that it is the policy of the City of South Bend, by and through its Board of Public Works, to furnish to said territory services of a non-capital nature, such as street and road maintenance, street sweeping, flushing, and snow removal, within one (1) year of the effective date of the annexation in a manner equivalent in standard and scope to services furnished by the City to other areas of the City regardless of similar topography, patterns of land utilization, and population density; and to furnish to said territory, services of a capital improvement nature such as street and road construction, a street light system, a sanitary sewer system, a water distribution system, a storm water system and drainage plan, within three (3) years of the effective date of the annexation in the same manner as those services are provided to areas within the corporate boundaries of the City of South Bend regardless of similar topography, patterns of land use, or population density.

Section III. That the Board of Public Works shall and does hereby now establish and adopt the Fiscal Plan, attached hereto and incorporated herein as Exhibit “A”, and made a part hereof, for the furnishing of said services to the territory to be annexed, which provides, among other things, that the public sanitary sewer and water network is available with capacity sufficient to service this area with costs for extensions, any improvements in sewer or water capacity, and a City-approved drainage system to be paid for by the developer, all in compliance with state and local law; that no additional street lighting will be necessary and any future lighting especially of a decorative nature or with underground wiring will be at the developer/owner’s expense; and that no new roads or streets will be required.

Section IV. Sidewalks should be provided by the owner/developer along public streets and must comply with the Americans with Disabilities Act (ADA) under the PROWAG standards.

Section V. It is required as a condition of annexation that any future alterations to the property meet the City of South Bend’s building and zoning requirements.

Adopted the 14th day of March, 2023.

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. 12-2023 – A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA BOARD OF PUBLIC WORKS APPOINTING BOARD PRESIDENT TO CONDUCT CERTAIN ADMINISTRATIVE ACTS RELATING TO OWNERSHIP OF PROPERTY

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

RESOLUTION NO. 12-2023

A RESOLUTION OF THE CITY OF SOUTH BEND, INDIANA, BOARD OF PUBLIC WORKS APPOINTING BOARD PRESIDENT TO CONDUCT CERTAIN ADMINISTRATIVE ACTS RELATING TO OWNERSHIP OF PROPERTY

WHEREAS, the City of South Bend, Indiana, Board of Public Works (the “Board”) exists pursuant to Indiana Code Section 36-4-9-5; and

WHEREAS, I.C. 36-9-6-3 provides that the Board holds real property owned by the City of South Bend, Indiana (the “City”); and

WHEREAS, over the preceding years, the City has acquired property for the purposes of dedication as right-of-way; and

WHEREAS, City staff members have identified key areas where right-of-way dedication would benefit the residents of South Bend; and

WHEREAS, new subdivision plats dedicating right-of-way from real property owned by the City need owner’s signature; and

WHEREAS, the Board’s President is familiar with the property owned by the Board; and

WHEREAS, the Board desires to expressly authorize the Board President to sign subdivision plats on the Board’s behalf for the purpose of dedicating Board owned property as right-of-way.

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

1. The Board President is authorized to sign all subdivision plats related to Board owned property, on behalf of the Board, for the purpose of dedicating Board owned property as right-of-way throughout the calendar year 2023.
2. This Resolution shall be in full force and effect after its adoption.

ADOPTED at a meeting of the City of South Bend, Indiana, Board of Public Works held on March 14, 2023, 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

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
Shared Mobility Device Operator Agreement	Bird Rides, Inc.	License Renewal and Two (2) Year Agreement to Operate E-Scooters and E-Assist Pedal Bikes in the City of South Bend Through December 31, 2024	N/A	VP Molnar / Mr. Gathers
Easement Nos. 63 & 65	American Electric Power	Two (2) Parcels of Property Owned by the Civil City of South Bend at Ponader Park for Electric Transmission, Distribution, and Communication Lines & Appurtenant Equipment & Fixtures	N/A	VP Molnar / Mr. Gathers
Agreement for Staff Support	Urban Enterprise Associate of South Bend, Inc.	Contract for the City to Provide Support to the UEA at No Cost, January, 2022-December 31, 2024	N/A	VP Molnar / Mr. Gathers
Amendment No. 4 to Consulting Agreement	Veritas, LLC	Extend the Consulting Agreement Period for Beck’s Lake until December 31, 2023	\$100 Per Hour; NTE \$160,000 (PO-0014509)	VP Molnar / Mr. Gathers
Amendment No. 1 to Owner-Engineer Agreement	Engineering Resources, Inc.	Modify Plans to Reflect Phase II for Pure Green Farms Greenhouse Construction Project No. 121-056	\$23,000; New Adjusted Amount \$29,000 (PO-0018948)	VP Molnar / Mr. Gathers
Deed of Dedication	Mike’s Carwash	Dedicate Right-of-Way at 4502 S. Michigan St. Project No. DP22-006 for Road, Curb, Tree Lawn and Sidewalk Work	N/A	VP Molnar / Mr. Gathers
Exclusive Municipal Sanitary Sewer Easement	Mike’s Carwash	Access for Sanitary Sewer Main at 4502 S. Michigan St. Project No. DP22-006	N/A	VP Molnar / Mr. Gathers
Professional Services Agreement	KIL Architecture & Planning	Design Services for Elbel Clubhouse Renovation for Planning, Budgeting and Fund Raising	NTE \$17,000 (PR-00023250)	VP Molnar / Mr. Gathers
Professional Services Agreement	American Structurepoint, Inc.	Development of Updated Bid Documents for Century Center Skyway Restroom Upgrade Project No. 123-042	NTE \$22,000 (Hotel Motel Tax)	VP Molnar / Mr. Gathers
Memorandum of Understanding	Teamsters Local Union No. 364	Clarification of Job Readiness Pay Language in Article 22(B) of Master Agreement	N/A	VP Molnar / Mr. Gathers

FAVORABLE RECOMMENDATION - PETITION TO VACATE THE ALLEY AT FIRST NORTH-SOUTH ALLEY LYING WEST OF EDDY ST., BOUNDED ON SOUTH BY

NORTH RIGHT-OF-WAY LINE OF QUIMBY ST. AND BOUNDED ON NORTH BY SOUTH RIGHT-OF-WAY LINE AT FIRST EAST-WEST ALLEY LYING NORTH OF QUIMBY ST., APPROXIMATELY 99.99 LINEAL FEET

President Maradik indicated that Elliot Properties, LLC, has submitted a request to vacate the above referenced alley. President Maradik advised the Board is in receipt of favorable recommendations concerning this vacation petition from the Public Works Department, Fire Department, Police Department, and Community Investment subject to removal of alley approach and install 6-inch curb, establish proper tree lawn, no drive access agreement from Eddy St., cross access agreement for center lot (315 S. Eddy St.) who all state the request does meet the criteria of I.C. 36-7-3-13. Also, driveway permits will not be issued. Therefore, VP Molnar made a motion to send favorable recommendations to Council subject to comments and recommendations made by staff. Mr. Gathers seconded the motion which carried by roll call.

APPROVE/DENY TRAFFIC CONTROL DEVICES

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

REMOVAL:Handicapped Accessible Parking Space Sign

LOCATIONS:1033 S. Riverside Dr.
1223 N. Kaley St.
829 S. 27th. St.

REMARKS:All Criteria Met

APPROVE RENEWAL OF WASTEWATER DISCHARGE PERMIT(S)

In a Memorandum to the Board, Ms. Serena Lozano-Shane, Division of Wastewater, submitted the following wastewater discharge permit(s) for renewal and recommended approval:

Unifrax 1 LLC, 54401 Smilax Rd.

There being no further discussion, upon a motion made by VP Molnar, seconded by Mr. Gathers and carried by roll call, the wastewater discharge permit(s) was approved.

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	Bond Type	Approved/ Released	Effective Date
Sunnybrook Excavating, LLC	Excavation	Approved	01/30/2023
A&Z Engineering, LLC	Occupancy	Approved	02/28/2023
Sunnybrook Excavating, LLC	Occupancy	Approved	01/30/2023

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

RATIFY PREAPPROVED CLAIMS PAYMENTS

VP 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-52468, GBLN-52469, GBLN-52602	03/01/2023	\$2,659,162.01
City of South Bend Claims GBLN-52383	03/01/2023	\$2,577,103.47

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 Molnar, seconded by Mr. 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 9:48 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: March 28, 2023