

The Agenda Review Session of the Board of Public Works was convened at 10:31 a.m. on August 22, 2024, by Board President Elizabeth A. Maradik, Vice President Joseph Molnar, and Board Members Gary Gilot, Murray Miller, Briana Micou, and Board Attorney Michael Schmidt present. The Board of Public Works Clerk, Theresa Heffner, presented the Board with a proposed agenda of items presented by the public and by City Staff.

AGENDA REVIEW SESSION ACTION ITEM

APPROVAL OF LICENSE AND PERMIT APPLICATIONS

The following permit application was presented for approval:

| <b>Applicant</b> | <b>Description</b>               | <b>Date/Time</b>                        | <b>Location</b> | <b>Motion/<br/>Second</b> |
|------------------|----------------------------------|---|-----------------|---------------------------|
| Porch-a-palooza  | Street Closure for Special Event | August 28, 2024; 5:00 p.m. to 9:00 p.m. | 123 N. Hill St. | Molnar / Miller           |

Attorney Schmidt explained that the Events Committee had to deny the request because the application was missing the \$400 check, the name of the security company being used, and information regarding the fence around the beer garden. Jamila Thomas, the event coordinator, supplied the missing information, so it came to the Board for approval due to time constraints.

Upon a motion made by VP Molnar, seconded by Mr. Miller and carried by roll call, the event was approved.

Jamila Thomas thanked the Board for their time and shared her excitement for the event.

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

AGREEMENTS/CONTRACTS/PROPOSAL/ADDENDA

Mr. Miller asked about item 9.A.: Amendment No.1 to Temporary Use Agreement with the South Bend Housing Authority. He noted that the meeting file did not contain the agreement.

Attorney Schmidt advised that a meeting or two (2) ago the Board approved the temporary use agreement with the Housing Authority of South Bend. He advised that compensation for HASB was not included in the original agreement which is the reason for the amendment. This basically is giving a space to stage construction in or around Four Winds Field and that project is going to get started pretty soon. There were a couple of tweaks, including some compensation in the amount of \$20,000. One (1) of the other changes to it was that should some of the development ideas that Housing Authority has for that area get started sooner than right now, particularly that it's envisioned right now to get started, that it would give Housing Authority an opportunity to terminate the agreement. We tweaked it a little bit, but because it had already been approved by the Board, we are sending it back to the Board to acknowledge the 1st amendment.

Mr. Miller asked about the compensation and if it was in the original agreement. Attorney Schmidt answered yes and stated that it will potentially incur the land for about eighteen (18) months.

TRAFFIC CONTROL DEVICES

Mr. Miller asked about item 12. C.: Denial for a Handicapped Parking Sign at 605 S. Jackson St. He noted that the documentation was missing from the file, but he wondered why it was denied.

Clerk Heffner apologized for the information not being in the file. Something may have happened while transferring the files to Teams. After pulling up the documentation she shared that the applicant does not drive, does not have a car, and did not provide all the documentation required.

Mr. Gilot asked if the no parking signs would negatively affect residents in the area.

President Maradik noted that the are was more industrial in nature.

TRAFFIC CONTROL DEVICES

Mr. Miller asked about item 12. A.: 10 No Parking Signs Fri – Sat 6 p.m. – 6 a.m. He asked if they were near D’s Blues Spot & Bistro.

Clerk Heffner noted that it was near D’s Blues Spot & Bistro and that the request came from SBPD. President Maradik noted that Rupel is an industrial area.

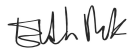
PRIVILEGE OF THE FLOOR

Mr. Gilot asked at the last meeting if new Engineers could introduce themselves at the meetings, so Board members could get know the new faces. Lidya Abreha was in the room, so she introduced herself as a new Project Engineer. She is working on Traffic Calming projects, as well as the Lamppost Program and some roofing projects.

ADJOURNMENT

There being no further business to come before the Board, President Maradik adjourned the meeting at 10:44 a.m.

CITY OF SOUTH BEND, INDIANA  
BOARD OF PUBLIC WORKS



Elizabeth A. Maradik, President



Joseph R. Molnar, Vice President



Gary A. Gilot, Member



Briana Micou, Member



Murray L. Miller, Member



Attest: Theresa M. Heffner, Clerk

Date: September 10, 2024

REGULAR MEETING

AUGUST 27, 2024

The Regular Meeting of the Board of Public Works was convened at 9:32 a.m. on Tuesday, August 27, 2024, 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, Murray Miller, Briana Micou, 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. The meeting started late due to technical difficulties. We were unable to use the camera for the meeting, but all members were in person.

APPROVE MINUTES OF PREVIOUS MEETING

Upon a motion made by VP Molnar, seconded by Mr. Miller and carried by roll call, the minutes for the Agenda Review Session and Regular Meetings of the Board held on August 8, and August 13, 2024, were approved.

PUBLIC HEARING - NEW MASSAGE ESTABLISHMENT LICENSE

President Maradik advised that this was the date set for the Board’s Public Hearing concerning and license application for L & L Bodyworks, LLC. It was noted favorable recommendations were received from Community Investments, Fire and Police. Mr. Eric Reese purchased the building so his wife could run the business. He added that they had completed all the appropriate steps, and just need the Board of Public Works approval. There being no one else present

wishing to address the Board concerning this matter, the Public Hearing was closed. Therefore, upon a motion made by VP Molnar, seconded by Mr. Miller and carried by roll call, the was approved.

**OPENING OF BIDS – WALKER FIELD PARK CONNECTIVITY – PROJECT NO. 123-058 (PR-00034877)**

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

**RIETH-RILEY CONSTRUCTION CO, INC.**

25200 State Road 23

South Bend, IN 46614

[hgritton@rieth-riley.com](mailto:hgritton@rieth-riley.com)

Bid was signed by Jacob Kwilaszc

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 (1) of One (1) Addendum(s) Acknowledgement received.

BID:

|                       |                |
|-----------------------|----------------|
| <b>Base Bid Total</b> | \$1,232,056.00 |
| <b>Alternate #1</b>   | \$64,340.00    |
| <b>Alternate #2</b>   | \$60,992.00    |
| <b>Alternate #3</b>   | \$78,864.00    |

**MILESTONE CONTRACTORS, L.P.**

24358 SR 23

South Bend, IN 46614

[akrueger@milestonelp.com](mailto:akrueger@milestonelp.com)

Bid was signed by Lynn Bauer

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 (1) of One (1) Addendum(s) Acknowledgement received.

BID:

|                       |                |
|-----------------------|----------------|
| <b>Base Bid Total</b> | \$1,134,800.00 |
| <b>Alternate #1</b>   | \$119,800.00   |
| <b>Alternate #2</b>   | \$106,400.00   |
| <b>Alternate #3</b>   | \$48,700.00    |

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

**AWARD QUOTATION AND APPROVE CONTRACT – JEFFERSON ALLEY REPAIR – PROJECT NO. 124-048 (PR-00034695)**

Ms. Lidya Abreha, Engineering advised the Board that on August 13<sup>th</sup>, 2024, quotations were received and opened for the above referenced project. After reviewing those quotations, Ms. Abreha recommended that the Board award the contract to the lowest responsive and responsible quoter, Premium Concrete Services, Inc., in the amount of \$36,405.00; Base quote plus alternate #1. Therefore, VP Molnar made a motion that the recommendation be accepted, and the quotation be awarded, and the contract approved as outlined above. Mr. Miller seconded the motion, which carried by roll call.

**APPROVE CHANGE ORDER NO. 3 (FINAL) – LASALLE STREETSCAPE – PROJECT NO. 122-013R (PO-0023705)**

President Maradik advised that Ms. Leslie Biek, Engineering, has submitted change order number 3 (final) on behalf of Milestone Contractors, L.P., indicating the contract amount be increased by \$70,065.10 for a new contract sum, including this change order, in the amount of

\$6,025,155.26. Upon a motion made by VP Molnar, seconded by Mr. Miller and carried by roll call, the change order was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS AND TITLE SHEET – 2024 TRAFFIC CALMING – PROJECT NO. 123-075 (PR-00035440)

In a memorandum to the Board, Ms. Charlotte Brach, 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. Miller and carried by roll call, the above request was approved.

APPROVAL OF REQUEST TO ADVERTISE FOR THE RECEIPT OF BIDS AND TITLE SHEET – SBFD CENTRAL FIRE STATION ROOFING REPLACEMENT – PROJECT NO. 124-032A (PR-00035507)

In a memorandum to the Board, Ms. Lidya Abreha, 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. Miller and carried by roll call, the above request to advertise was approved, and the title sheet was approved and signed.

ADOPT RESOLUTION NO. 22-2024 – 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 Molnar, seconded by Mr. Miller and carried by roll call, the following resolution was adopted by the Board of Public Works:

**RESOLUTION NO. 22-2024**

**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**

WHEREAS, pursuant to LC. 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 August 8, 2024, **Firefighter John Jennings** retired from the South Bend, Indiana, Fire Department after Thirty Plus (30+) 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 LC. 5-22-22-8(b); and

WHEREAS, LC. 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 of 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 September 10, 2024, 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/ Murray L. Miller  
 s/ Breana N. Micou

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/<br>Funding | Motion/<br>Second |
|-----------------------------------|---------------------------------|---|--------------------|-------------------|
| Temporary Use Agreement Amendment | Housing Authority of South Bend | Request Financial Consideration for Use of Property for Four Winds Field Renovation and Expansion Project No. 123-046 | \$20,000 (DCI)     | Molnar/Miller     |

APPROVAL OF LICENSE AND PERMIT APPLICATIONS

The following license and permit applications were presented for approval:

| Applicant                 | Description                      | Date/Time  | Location  | Motion Carried |
|---------------------------|----------------------------------|--|---|----------------|
| N. Coquillard Block Party | Street Closure for Special Event | September 2, 2024; 2:00 p.m. to 8:00 p.m.                                | N. Coquillard Dr. between Rockne Dr. & Cherry Tree Ln.  | Molnar/Miller  |
| Fusion Fest               | Street Closure for Special Event | September 14-15, 2024; 11:00 a.m. to 8:00 p.m. & 11:00 a.m. to 5:00 p.m. | St. Louis Blvd. between Jefferson Blvd. & St. Peter St. & Jefferson Blvd. between St. Louis Blvd. & Dr. MLK Jr. Blvd. | Molnar/Miller  |
| Country Fresh Farms       | Transient Merchant               | September 4-5, 2024; 8:00 a.m. to 7:00 p.m.                              | 4640 S. St. Joseph St.  | Molnar/Miller  |

FAVORABLE RECOMMENDATION - PETITION TO VACATE THE EAST/WEST ALLEY BETWEEN S. CHESTNUT AND S. WALNUT ST. AND THE NORTH/SOUTH ALLEY BETWEEN THE TRAIN TRACKS AND NAPIER ST.

President Maradik indicated that Ms. Ariel Stanley, 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 who all state the request does meet the criteria of I.C. 36-7-3-13. Therefore, VP Molnar made a motion recommending approval of the request for vacation. Mr. Miller seconded the motion which carried by roll call.

APPROVE/DENY TRAFFIC CONTROL DEVICES

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

- NEW INSTALLATION: Ten (10) No Parking Signs Fri-Sat 6PM to 6AM Signs
- LOCATION: North Side of Rupel St. between College St. & N. Johnson St. and East Side of the South Corner of N. Johnson St. & Rupel St.
- REMARKS: All Criteria Met
  
- NEW INSTALLATION: Handicapped Accessible Parking Space Sign
- LOCATION: 702 S. 33<sup>rd</sup> St.
- REMARKS: All Criteria Met
  
- DENIAL: Handicapped Accessible Parking Space Sign
- LOCATION: 605 S. Jackson St.
- REMARKS: Resident Does Not Meet Criteria
  
- REMOVALS: Handicapped Accessible Parking Space Sign
- LOCATION(S): 115 S. Studebaker St.  
122 N. St. Louis Blvd.  
211 E. Donald St.  
411 S. Illinois St.  
526 E. Altgeld St.  
530 S. Haney Ave.  
727 N. Frances St.  
926 N. Brookfield St.  
926 W. Bryan St.  
930 S. 28<sup>th</sup> St.  
1109 S. Roosevelt St.  
1111 S. 26<sup>th</sup> St.  
1147 E. Fox St.  
1337 N. Wilber St.  
1430 E. Miner St.  
1513 N. Johnson St.  
1805 S. Douglas St.  
1958 Berkley Place  
2207 S. Roger St.
- REMARKS: 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 all rights to remonstrate against or oppose any pending or future annexations of the properties by the City of South Bend:

- A. Ms. Heidi Uebelhor, 1718 Adams Rd., Granger, IN 46530
  - 1. 51442 Christian Dr.– Water (Key No. 004-1007-009021)

Upon a motion by VP Molnar, seconded by Mr. Miller 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                 | Bond Type  | Approved/Released | Effective Date |
|--------------------------|------------|-------------------|----------------|
| John Ward Concrete, Inc. | Excavation | Approved          | 08/12/2024     |

VP Molnar made a motion that the bond’s approval and/or release as outlined above be ratified. Mr. Miller 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-85684, GBLN-86024 | 08/06/2024 | \$2,416,865.78  |
| City of South Bend Claims GBLN-86270, GBLN-86259 | 08/13/2024 | \$2,089,309.94  |

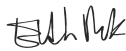
Each claim is fully supported by an invoice; the person receiving the goods or services has approved the claims; and the claims have been filed with the City Fiscal Officer and certified for accuracy. Therefore, upon a motion by VP Molnar, seconded by Mr. Miller, and carried by roll call, the Board ratified 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 9:46 a.m.

CITY OF SOUTH BEND, INDIANA  
BOARD OF PUBLIC WORKS



Elizabeth A. Maradik, President



Joseph R. Molnar, Vice President



Gary A. Gilot, Member



Briana Micou, Member



Murray L. Miller, Member



Attest: Theresa M. Heffner, Clerk

Date: September 10, 2024