

**CITY OF ELKHART**  
**BOARD OF PUBLIC WORKS MEETING**  
**AGENDA**

**Common Council Chambers**

**9:00 A.M., Tuesday, January 21, 2025**

<https://signin.webex.com/join>

Join by phone: 1-415-655-0001

Meeting Number (access code): 2305 937 8176 Meeting password: BOW25

- I. Roll Call**
- II. Approve Agenda**
- III. Claims & Allowance Docket**
- IV. Minutes- Regular Meeting January 7, 2025**
- V. Engineering**
  - a.) Administration
    - BOW Resolution 25-R-02 SRF Loan Program Signatory Authorization
    - Request Bid #25-04 Fire Station No. 6
    - Request Bid #25-06 ADA-Funded Curb Ramp Replacement Project
    - Request Bid #25-07 2025 Street Department Resurfacing Curb Ramp Replacement Project
    - Request Bid #25-08 2025 Contract Paving Project 1
    - Amend Award of Bid #25-01 2025 Street Materials Bid
    - Revocable Right-of-Way Permit Linde Gas & Equipment 1820 Mishawaka Street
    - Revised Driveway Permit Application Documents and Updated Bond Amounts
  - b.) Utility
    - Ratify Partial Payment #19 to C&E Excavating: Oakland Ave. Phase A-SA 7878
- VI. Utilities**
  - a.) Administration
    - Water Utility MRO for December 2024
    - 2025 Transfer Schedule
    - Global Payments- Client Satisfaction Offer
    - Declaration of Emergency- Hubbard Ave. Sewer Main Repair
  - b.) Water Quality
    - Contract with Innovative Spaces for Lab Floor
  - c.) Regulatory Compliance
    - BOW Resolution 25-R-01 Supporting Updates to the Local Pollutant Limitations in the Wastewater Utility Ordinance

d.) Pretreatment

- Five-year Industrial Wastewater Discharge Permit Renewal Continental Industries Permit #2003-01
- Five-year Industrial Wastewater Discharge Permit Renewal Earthmovers Landfill Permit #2009-01
- Notice of Violation Simonton Lake Conservancy District
- Bimbo Bakeries Permit #2006-03 FOG Penalty Amendment
- JBS Prepared Foods Permit #2002001 FOG Penalty Amendment
- Notice of Violation Winona Powder Coating Permit #2003-02
- Notice of Violation Lippert Components Plant 58 Permit #2011-01
- Notice of Violation Elkhart Environmental Processing Permit #2002-02

e.) Summary

- Driveway Permits
- Release of Bond

**VII.**

**New Business**

- Purchase 2025 John Deere 644P 4WD Loader- Street Department
- Purchase 2025 Manitou MT625 Telehandler- Central Garage
- Purchase Two Tandem Axle Plow Trucks- Street Department
- Uniform Conflict of Interest Disclosure- Nancy Wilson, Thomas Shoff, Michael Machlan, Gary Boyn, Blayne LeClaire
- Elkhart Art League Lease Renewal

**VIII.**

**Use & Event Permits**

- Frosty 5K 2/8/25- ESS, EMS, Kubota, EPD, Temporary Street Closures, Plaza Sign, Special Exception from Noise, Public Assembly
- MLK March 1/20/25- ESS, EPD, Temporary Street Closures, Parade & Public Assembly, Special Exception from Noise, Plaza Sign
- Girls on the Run 5/10/25- ESS, EMS, Temporary Street Closures Plaza Sign, Special Exception from Noise, Public Assembly
- Mary Daly Dash & Block Party 5/3/25- ESS, EMS, Temporary Street Closures, Plaza Sign, Special Exception from Noise, Public Assembly
- EPD 5K-9 Run- 5/17/25- ESS, EMS, EPD, Public Assembly, Special Exception from Noise
- National Day of Prayer 5/1/25- Central Green Stage, Plaza Sign, Public Assembly, Special Exception from Noise
- Rebuilding the Altars of Prayer 6/29, 7/27, 8/24, 9/28- Central Green Stage, Plaza Sign, Public Assembly, Special Exception from Noise

**IX.**

**Public Participation**

**X.**

**Adjournment**



**Board of Public Works**  
**CLAIM AND ALLOWANCE DOCKET**

I HEREBY CERTIFY THAT EACH OF THE ABOVE LISTED VOUCHERS AND INVOICES OR BILLS ATTACHED THERETO ARE TRUE AND CORRECT AND I HAVE AUDITED SAME IN ACCORDANCE WITH IC 5-11-10-1.6. I ALSO HEREBY CERTIFY THAT THESE VOUCHERS AND INVOICES REPRESENT GOODS AND/OR SERVICES THAT ARE FOR THE BENEFIT OF THE CITY OF ELKHART AND THAT APPROPRIATIONS FOR THESE EXPENDITURES HAVE BEEN DULY MADE OR OTHERWISE AUTHORIZED BY THE CITY COUNCIL AND OTHER APPROPRIATE AUTHORITY.

January 15

,2025



JAIME ARCE - CITY CONTROLLER

IN RELIANCE ON THE ABOVE CERTIFICATION, CLAIMS IN THE TOTAL AMOUNT OF \$6,746,570.74 AS LISTED ON THE REGISTER ATTACHED HERETO **CONSISTING OF 38 PAGES**, ARE HEREBY APPROVED EXCLUDING ANY CLAIMS WITHHELD AS SHOWN ON THE SEPARATE SUMMARY OF PENDING CLAIMS.

**EXECUTED THIS 21ST DAY OF JANUARY 2025 BY:**

PRESIDENT

\_\_\_\_\_  
MICHAEL C. MACHLAN

VICE PRESIDENT

\_\_\_\_\_  
JAMIE ARCE

MEMBER

\_\_\_\_\_  
RON DAVIS

MEMBER

\_\_\_\_\_  
ROSE RIVERA

MEMBER

\_\_\_\_\_  
ANDY JONES

**ORIGINAL COPY MUST BE RETAINED IN THE CONTROLLER'S OFFICE**

## Board of Public Works

### Accounts Payable Summary 1.21.25

**Individual Claims Over \$25,000 each:**

Fund	Vendor	Description	Amount
2560	K2 POWER SOLUTIONS, INC	Woodland Cr Parking Pole Light Relamp	\$ 25,899.30
2560	LANDMARK ROOFING LLC	Woodland Crossing Roof Replace	\$ 27,128.06
1101	YODER OIL COMPANY INC	GASOLINE	\$ 31,935.19
4402	CIVICPLUS LLC	SEELCLICKFIX 311 APP RENEWAL	\$ 37,044.00
2560	DANIELLE D STEWART	Woodland Cr Snow and Salt December, 2024	\$ 43,365.75
6103	HACH COMPANY	CHLORINE ANALYZERS	\$ 44,695.80
7704	EVERSIDE HEALTH LLC	Everside	\$ 58,687.94
4436	AMERICAN CONSULTING, INC	Public Safety Building PSA	\$ 64,223.77
1101	FLOCK GROUP INC	FLOCK CAMERA MAINTENANCE	\$ 65,000.00
1101	MOTOROLA SOLUTIONS, INC.	SQUAD RADIOS NEW SQUADS	\$ 68,543.64
4428	JOHN BOETTCHER SEWER AND EXCAVATING	HUNTERS POND TO BROOKWOOD DR DRAINAGE IMPROVEMENT	\$ 68,989.60
4428	JOHN BOETTCHER SEWER AND EXCAVATING	WORTHMROE AV DRAINAGE IMPROVEMENTS	\$ 69,278.50
4428	PREMIUM CONCRETE SERVICES, INC.	WOLF AV DRAINAGE IMPROVEMENTS	\$ 75,825.20
4453	LANDMARK ROOFING LLC	Woodland Crossing Roof Replace	\$ 132,460.00
4436	BORDEN WASTE-AWAY SERVICE, INC.	01/25 TRASH SVCS	\$ 199,335.21
Total Claims over \$25,000			\$1,012,411.96
Regular Claims under \$25,000:			\$ 777,680.97
Total Regular Departmental Claims:			\$1,790,092.93

**Pre-Approved Claims Over \$25,000 each: (a)**

6106	IN DEPARTMENT OF REVENUE	EPU Sales Tax for November 2024	\$ 30,794.04
6201	INDIANA MICHIGAN POWER COMPANY	04656645704 1201 S NAPPANEE ST	\$ 32,501.88
1101	INDIANA MICHIGAN POWER COMPANY	04994485706 229 S 2ND ST	\$ 33,708.44
7704	ANTHEM INSURANCE COMPANIES INC	CLAIMS PHARMACY	\$ 35,217.28
7704	ANTHEM INSURANCE COMPANIES INC	CLAIMS - PHARMACY	\$ 36,160.77
4445	MERIDIAN TITLE CORPORATION	WIRE TRANSFER FOR PURCHASE OF PARCELS FROM LACASA	\$ 43,240.09
4445	CITY OF ELKHART	GLC LOAN 1- CALCULATION AS OF 12-31-24	\$ 60,720.00
7704	ANTHEM INSURANCE COMPANIES INC	CLAIMS - MEDICAL	\$ 65,193.27
4445	CITY OF ELKHART	GLC LOAN 1- CALCULATION AS OF 12-31-24	\$ 80,000.00
7704	ANTHEM INSURANCE COMPANIES INC	CLAIMS - MEDICAL	\$ 94,611.59
8806	INDIANA PUBLIC RETIREMENT SYSTEM-POLICE	INPRS - Police 11.22.2024 Regular Payroll	\$ 95,025.96
8806	INDIANA PUBLIC RETIREMENT SYSTEM-POLICE	INPRS- Police 12.06.2024 Regular Payroll	\$ 96,606.00
8806	INDIANA PUBLIC RETIREMENT SYSTEM-FIRE	INPRS - Fire 12/06/2024 Regular Payroll	\$ 108,820.44
8806	INDIANA PUBLIC RETIREMENT SYSTEM-FIRE	INPRS- Fire Regular Payroll 12./20/2024	\$ 108,820.44
8806	INDIANA PUBLIC RETIREMENT SYSTEM	INPRS-CIVIL CITY	\$ 147,581.74
4436	TOLSON CENTER INC	TOLSON LEASE AGREEMENT 01/25 PAYMENT	\$ 350,000.00
1101	CITY OF ELKHART	Transfer of Interest Income to Capital Outlay 2nd half 2024	\$ 3,000,000.00
Total Pre-Approved over \$25,000:			\$ 4,207,379.44
Total Pre-Approved Claims under \$25,000:			\$ 592,434.40
Total Pre-Approved Claims:			\$ 4,799,813.84

**American Rescue Plan Claims:**

2474	HEART CITY HEALTH CENTER INC	Elkhart Thrive Neighborhood Hub Initiative	\$ 4,038.46
2474	HEART CITY HEALTH CENTER INC	Elkhart Thrive Neighborhood Hub Initiative	\$ 8,076.92
2474	NEIGHBORHOOD EVOLUTION LLC	ELKHART THRIVE NEIGHBORHOOD HUB INITIATIVE	\$ 8,500.00
2474	NEIGHBORHOOD EVOLUTION LLC	ELKHART THRIVE NEIGHBORHOOD HUB INITIATIVE	\$ 9,500.00
Total American Resuce Plan Claims:			\$ 30,115.38

**UTILITY REFUNDS**

\$ 1,456.42

**Payroll and Pension Payments:**

Uniform Allowance Payroll	\$ 125,092.17
Police & Fire Pension	
Bi-weekly Payroll	
Total Payroll:	\$ 125,092.17

Total All Claims, Internal Payments, and Payroll: \$ 6,746,570.74

*(a) Claims with rigid payment deadlines. As provided for in the Elkhart Municipal Code §33.415, certain payments may be made prior to review and approval by the Board of Public Works. Typically such payments include utility bills, credit card bills, central services, association dues, employer-paid benefits, training, and employee reimbursements. Unusual items in excess of \$25,000 are noted in detail.*



## BOARD OF PUBLIC WORKS

Tuesday, January 7, 2025

President Mike Machlan called a regular meeting of the Board of Public Works to order at 9:00 a.m., Tuesday, January 7, 2025. Clerk of the Board Nancy Wilson called the roll. Andy Jones, Rose Rivera, Ron Davis, and Mike Machlan attended in person. Jamie Arce was absent.

### 1. Approve Agenda

A motion was made by Rose Rivera and seconded by Ron Davis to approve the agenda. On motion by Rose Rivera, seconded by Andy Jones and carried 4-0, the agenda was amended by removing the Notice of Violation for Simonton Lake Conservancy from VII. Utilities Pretreatment. The amended agenda carried 4-0.

### 2 Election of 2025 Board of Works Officers

On motion by Rose Rivera, seconded by Andy Jones and carried 4-0, the Board retained Mike Machlan as President and Jamie Arce as Vice-President for the Board of Works officers in 2025.

### 3. Public Hearing on Preliminary Engineering Report (PER) Addendum to Clean Water State Revolving Fund Program

Mike Machlan opened the Public Hearing. Samantha Rouhselang from DLZ introduced the PER. This addendum is the second one for the Oakland A Loan which was the first project in the Oakland Long Term Control Plan. This is the Addendum to add in Oakland B as a project which has gone out to bid and the low bidder was Selge Construction. This is to ensure that Change Orders can occur during this project if need be, and that we don't have to do this process any faster during construction and it is all ready to go. Samantha explained the process. Once the Board approves the PER they will send it with proof of publication to the Indiana Finance Authority to be reviewed. When they approve it they will include Oakland B in the Oakland A Loan. A letter was previously sent it IFA to add this to the project. Mike asked Maggie Marnocha, Attorney for the Utilities and the Board of Works if there were any formal steps to take during the hearing. Maggie said they need to allow the public to speak. Mike opened the floor to questions from the Board. Seeing none, he opened the floor to the public for comments on the PER addendum in the council chambers or on line on Webex. Seeing none, Mike closed public comment and returned the matter to the Board. There were no more comments and Mike closed the Public Hearing.

### 4. Minutes Regular Meeting December 27, 2024

On motion by Rose Rivera, seconded by Andy Jones and carried 4-0, the Board approved the Minutes of the Regular Meeting December 27, 2024.

### 5. Engineering

#### (A.) Administration

#### Oakland Avenue Project A PER Amendment #2

#### Election of 2025 Board of Works Officers

On motion by Rose Rivera, seconded by Ron Davis and carried 4-0, the Board approved Amendment #2 revising the Oakland A Preliminary Engineering report to include Oakland B Construction.

#### Award Bid #25-02 2025 On-call Street and Drainage Construction

On motion by Rose Rivera, seconded by Ron Davis and carried 4-0, the Board awarded Bid #25-01, Street Materials 2025 Bid, to the various contractors who



BOARD OF PUBLIC WORKS  
Tuesday, January 7, 2025

submitted the lowest responsive bids at the unit prices included in their respective bids as presented in the Bid Tabulation included with this memorandum.

Award Bid #25-02 2025 On-call Street and Drainage Construction

On motion by Rose Rivera, seconded by Ron Davis and carried 4-0, the Board awarded Bid #25-02 2025 On-call Street and Drainage Construction, to the contractor who submitted the lowest responsive bids at the unit prices included in their respective bid as presented in the Bid Tabulation included with this memorandum.

Award Bid #25-03 2025 Utility Materials Bid

On motion by Rose Rivera, seconded by Ron Davis and carried 4-0, the Board awarded Bid #25-03, Utility Materials 2025 Bid, to the various contractors who submitted the lowest responsive bids at the unit prices included in their respective bids as presented in the Bid Tabulation included with this memorandum.

Change Order #1 and Final for Quote #24-21, Hunters Pond to Brookwood Drive Drainage Project

On motion by Rose Rivera, seconded by Ron Davis and carried 4-0, the Board approved Change Order #1 and Final for Quote #24-21, Hunters Pond to Brookwood Drive Drainage Project, increasing the contract by \$3,409.67, resulting in a contract price of \$68,989.60.

Change Order #1 and Final for Quote #24-22 Worthmore Avenue Drainage Improvements

On motion by Rose Rivera, seconded by Ron Davis and carried 4-0, the Board approved Change Order #1 and Final for Quote #24-22 Worthmore Avenue Drainage Improvements, increasing the contract value by \$857.75, resulting in a contract price of \$69,278.50.

Change Order #1 and Final for Quote #24-28 Wolf Avenue Drainage Improvements

On motion by Rose Rivera, seconded by Ron Davis and carried 4-0, the Board approved Change Order #1 and Final for Quote #24-28 Wolf Avenue Drainage Improvements, increasing the contract value by \$10,143.00, resulting in a contract price of \$99,965.00.

PSA with United Consulting for Indiana Avenue Underpass Assessment

On motion by Rose Rivera, seconded by Ron Davis and carried 4-0, the Board authorized the Board President to execute the Professional Services Agreement with United Consulting for the Indiana Avenue Underpass Assessment with a fee not to exceed \$30,000.00.

6. Utilities

(A.) Pretreatment

Notice of Violation: Norfolk Southern Permit #85-27

On motion by Rose Rivera, seconded by Ron Davis and carried 4-0, the Board found Norfolk Southern Permit #85-27 in violation for failing to respond to Notice of Violations issued on November 13, 2024 and assigned a penalty of \$750.00. Steve Brown explained the three violations to the Board. Norfolk Southern was not present.

Delisting of Atlas Chem Milling Permit #85-16

On motion by Rose Rivera, seconded by Ron Davis and carried 4-0, the Board approved the delisting Atlas Chem Milling Industrial Wastewater Discharge Permit #85-16, located at 1627 W. Lusher Avenue.



BOARD OF PUBLIC WORKS

Tuesday, January 7, 2025

7. New Business

Professional Services Agreement with Barnes & Thornburg LLP for Legal Consultation Services

On motion by Rose Rivera, seconded by Andy Jones and carried 4-0, the Board approved a Professional Services Agreement with Barnes & Thornburg for Legal Consultation Services. On motion by Rose Rivera, seconded by Andy Jones and carried 4-0, the motion was amended authorizing Corporation Counsel to sign on behalf of the Board. The amended motion carried 4-0.

8. Adjournment

On motion by Andy Jones, seconded by Rose Rivera and carried 4-0, the Board of Works adjourned at 9:28 a.m.

\_\_\_\_\_ Mike Machlan, President

Attest: \_\_\_\_\_ Nancy Wilson, Clerk of the Board



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## M E M O R A N D U M

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**DATE:** January 13, 2025

**TO:** Board of Public Works

**FROM:** Tory Irwin, Director of Public Works **TI**

**RE: Resolution 25-R-02 – SRF Loan Program - Signatory Authorization Resolution**

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The Water and Sewer Utilities are moving forward with a multitude of unfunded Federally mandated projects. Those projects include the remainder of the Long Term Control Plan Oakland Phases C & D, CSO 13 Sewer Separation, and lead service line removals. In addition, we are anticipating all near-future water capital projects will be required to be bonded based on Indiana Utility Regulatory Commission discussions.

The Utility will seek financing of all the project through the Wastewater State Revolving Fund and Clean Water State Revolving Fund loan programs (SRF).

The SRF requires that a Preliminary Engineering Reports (PER) be submitted to the Indiana Finance Authority (IFA) prior to SRF money being awarded for a project.

IFA requires the BOW to adopt the Signatory Authorization Resolution as part of the PER.

It is requested the Board of Public Works:

**adopt the Signatory Authorization Resolution, No 25-R-02 for all 2025 SRF Loan applications.**



Resolution No. 25-R-02

**The City of Elkhart Board of Public Works  
SRF Loan Program  
Signatory Authorization Resolution**

Whereas, the City of Elkhart, Indiana through its Board of Public Works, (the “Participant”) has plans for a clean water (wastewater) and drinking water infrastructure improvement projects to meet State and Federal regulations and the Participant intends to proceed with the construction of such project:

Now, therefore, be it resolved by the Participant, the governing body of the Participant, that:

1. Mr. Tory Irwin, P.E, City Engineer and Director of Public Works, be authorized to make application for a State Revolving Fund Loan (“SRF Loan”) and provide the SRF Loan Program such information, data and documents pertaining to the loan process as may be required, and otherwise act as the authorized representative of the Participant; and
2. The Participant agrees to comply with State and Federal requirements as they pertain to the SRF Loan Program; and
3. Two certified copies of this Resolution be prepared and submitted as part of the Participant’s Preliminary Engineering Report.

Adopted and Passed by the Board of Public Works of the City of Elkhart, Indiana, this \_\_\_\_\_ day of \_\_\_\_\_, of 2025 at their regularly scheduled meeting.

\_\_\_\_\_  
Michael Machlan, President

\_\_\_\_\_  
Jamie Arce, Vice-President

\_\_\_\_\_  
Ronnie Davis, Member

\_\_\_\_\_  
Andy Jones, Member

\_\_\_\_\_  
Rose Rivera, Member

\_\_\_\_\_  
Nancy Wilson, Clerk



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## MEMORANDUM

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**DATE:** January 21, 2025  
**TO:** Board of Public Works  
**FROM:** Jeffrey Schaffer, Engineering *JJS*  
**RE:** **Permission to Advertise Bid #25-04, Fire Station Number 6**

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The Engineering Staff requests approval of bid documents and permission to advertise and accept bids for Bid #25-04, Fire Station Number 6.

Fire Station Number 6 will be a newly constructed building to be located at 2650 Ada Drive, south of County Road 6 and east of Jeanwood Drive. It will replace the current Fire Station Number 6 building that is located at Bristol Street and Osolo Road. The proposed building will be larger to accommodate modern firefighting equipment and will be better locate to serve both the residential and industrial areas in the northeastern parts of the City.

The action requested by the Board of Public Works is as follows:

**Approval the Bid Documents and Grant Permission to Advertise Bid #25-04, Fire Station Number 6.**





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## MEMORANDUM

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**DATE:** January 21, 2025

**TO:** Board of Public Works

**FROM:** Jeffrey Schaffer, Engineering *JJS*

**RE:** **Permission to Advertise Bid #25-06, 2025 ADA-Funded Curb Ramp Replacement Project**

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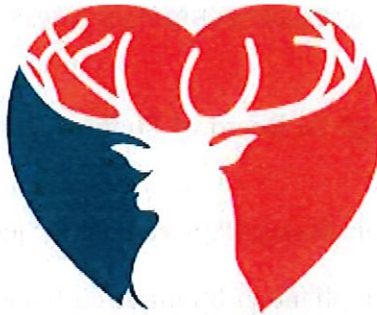
The engineering staff requests approval of the specifications, and permission to advertise Bid #25-6, 2025 ADA-Funded Curb Ramp Replacement Project.

The project will consist of removing non-compliant curb ramps, curbs, and portions of sidewalk in order to install ADA-compliant curb ramps according to the “Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way.”

This project will be funded through the annual ADA budget approved by the Common Council.

The action requested by the Board of Public Works is as follows:

**Approve the Bid Documents and Grant Permission to Advertise Bid #25-06, 2025 ADA-Funded Curb Ramp Replacement Project.**



City of Elkhart  
*Engineering*

DEPARTMENT OF PUBLIC WORKS & UTILITIES

ELKHART, INDIANA

**SPECIFICATIONS AND CONTRACT DOCUMENTS  
FOR**

**2025 ADA-FUNDED CURB RAMP REPLACEMENT PROJECT**  
**BID # 25-06**

APPROVED BY THE BOARD OF PUBLIC WORKS

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025

\_\_\_\_\_  
Michael Machlan  
President

\_\_\_\_\_  
Jamie Arce  
Vice President

\_\_\_\_\_  
Ronnie Davis

\_\_\_\_\_  
Rose Rivera

\_\_\_\_\_  
Andy Jones



NOTICE TO BIDDERS

The City of Elkhart, Indiana through its Board of Public Works will receive sealed bids for the following:

Bid #25-06: 2025 ADA-Funded Curb Ramp Replacement Project

Project Summary: Remove non-compliant curb ramps, curb and gutter, and portions of sidewalk in order to install ADA compliant curb ramps according to the “Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way.”

Project Location: Specific scattered sites throughout the city. See list and maps in the bid documents.

Bids shall be filed with:

Clerk of the Board of Public Works, City of Elkhart  
229 South Second St, Third Floor, Elkhart, IN 46516.

Bids will be accepted during the hours of 8:00 A.M. to 5:00 P.M. (ET), up until 9:00 A.M. (ET) Tuesday, February 18, 2025 (the “Deadline”). All bids received by the Clerk of the Board by the Deadline will be opened and read aloud at the meeting of the Board scheduled to start at 9:00 A.M. (ET) on Tuesday, February 18, 2025. Any bid received after the Deadline, will be returned to the bidder unopened. After opening the bids, the Board will take all bids under advisement and refer them to City staff for review and tabulation.

All bid documents may be obtained from the following sources:

1. [www.elkhartplanroom.com](http://www.elkhartplanroom.com) (\$15/\$25/\$35 fee to download)
2. Printed from Triangle Digital Printing, Mishawaka via [www.elkhartplanroom.com](http://www.elkhartplanroom.com)
3. Viewed at City of Elkhart – Public Works and Utilities, 1201 S. Nappanee Street, Elkhart, IN 46516

A bid, proposal or quotation submitted by a trust (as defined in IC 30-4-1-1(a)) must identify each Beneficiary of the trust and each Settler empowered to revoke or modify the trust.

Bids must be submitted on State Board of Accounts 2013 REVISED BID FORM 96. A certified check or bank draft drawn on a solvent bank in the State of Indiana, payable without condition to the City of Elkhart, or a satisfactory bid bond executed by bidder and surety company in an amount not less than five (5) percent of the bid, shall be submitted with each bid. Any deviation from the bid documents must be explained by bidder.

The Board will award a contract to the lowest responsive and responsible bidder. The Board reserves the right to waive informalities or irregularities, and to reject any and all bids or portions thereof.

BOARD OF PUBLIC WORKS  
Michael Machlan, President



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**MEMORANDUM**

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**DATE:** January 21, 2025

**TO:** Board of Public Works

**FROM:** Jeffrey Schaffer, Engineering 

**RE:** **Permission to Advertise Bid #25-07, 2025 Street Department Resurfacing Curb Ramp Replacement Project**

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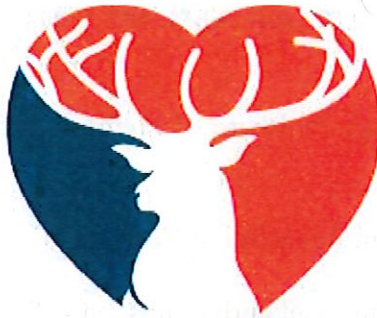
The engineering staff requests approval of the specifications, and permission to advertise Bid #25-07, 2025 Street Department Resurfacing Curb Ramp Replacement Project.

The project will consist of removing non-compliant curb ramps, curbs, and portions of sidewalk in order to install ADA compliant curb ramps according to the “Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way.”

This project will be funded by the annual Street Department budget approved by the Common Council.

The action requested by the Board of Public Works is as follows:

**Approve the Bid Documents and Grant Permission to Advertise Bid #25-07, 2025 Street Department Resurfacing Curb Ramp Replacement Project.**



City of Elkhart  
Engineering

DEPARTMENT OF PUBLIC WORKS & UTILITIES

ELKHART, INDIANA

SPECIFICATIONS AND CONTRACT DOCUMENTS  
FOR

**2025 STREET DEPARTMENT RESURFACING CURB RAMP PROJECT**  
**BID # 25-07**

APPROVED BY THE BOARD OF PUBLIC WORKS

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025

\_\_\_\_\_  
Michael Machlan  
President

\_\_\_\_\_  
Jamie Arce  
Vice President

\_\_\_\_\_  
Ronnie Davis

\_\_\_\_\_  
Rose Rivera

\_\_\_\_\_  
Andy Jones



NOTICE TO BIDDERS

The City of Elkhart, Indiana through its Board of Public Works will receive sealed bids for the following:

**Bid #25-07: 2025 Street Department Resurfacing Curb Ramp Project**

Project Summary: Remove non-compliant curb ramps, curb & gutter, and portions of sidewalk in order to install ADA compliant curb ramps according to the “Proposed Guidelines for Pedestrian Facilities in the Public Right-of-Way.”

Project Location: Specific scattered sites throughout the city. See list and maps in the bid documents.

Bids shall be filed with:

Clerk of the Board of Public Works, City of Elkhart  
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The Board will award a contract to the lowest responsive and responsible bidder. The Board reserves the right to waive informalities or irregularities, and to reject any and all bids or portions thereof.

BOARD OF PUBLIC WORKS  
Michael Machlan, President



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## MEMORANDUM

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**DATE:** January 21, 2025

**TO:** Board of Public Works

**FROM:** Jeffrey Schaffer, Engineering *JDS*

**RE:** **Permission to Advertise Bid #25-08, 2025 Contract Paving Project 1**

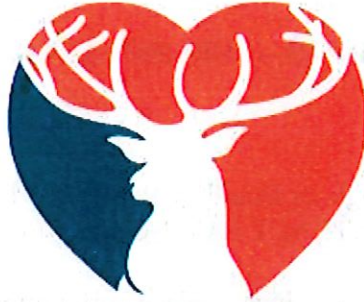
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The Engineering Staff requests approval of bid documents and permission to advertise and accept bids for Bid #25-08, 2025 Contract Paving Project 1.

This project includes replacement of the pavement surface on Bristol Street, from Cassopolis Street to Osolo Road, and the pavement surfaces on the streets in the Park Six Industrial Park. This project is partially funded by a Community Crossings Matching Grant.

The action requested by the Board of Public Works is as follows:

**Approve the Bid Documents and Grant Permission to Advertise Bid #25-08, 2025 Contract Paving Project 1.**



City of Elkhart  
Engineering

DEPARTMENT OF PUBLIC WORKS & UTILITIES

ELKHART, INDIANA

SPECIFICATIONS AND CONTRACT DOCUMENTS  
FOR

**BID #25-08**  
**2025 CONTRACT PAVING PROJECT 1**

APPROVED BY THE BOARD OF PUBLIC WORKS

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2025

\_\_\_\_\_  
Michael Machlan  
President

\_\_\_\_\_  
Jamie Arce  
Vice President

\_\_\_\_\_  
Ronnie Davis

\_\_\_\_\_  
Rose Rivera

\_\_\_\_\_  
Andy Jones



BOARD OF WORKS

LEGAL NOTICE - ELKHART TRUTH – PUBLISH FEBRUARY 1, 2025, AND FEBRUARY 8, 2025

NOTICE TO BIDDERS

The City of Elkhart, Indiana through its Board of Public Works will receive sealed bids for the following: BID #25-08, 2025 CONTRACT PAVING PROJECT 1.

Project Summary: Mobilize, adjust castings, replace curb ramps, mill, place HMA Surface Mix, replace traffic signal detection, and place lane striping on Bristol Street, between Cassopolis Street and Osolo Road, as well as Park Six Drive, Park Six Court, Leer Drive, and Leer Court.

Bids shall be filed with:

Clerk of the Board of Public Works  
City of Elkhart  
229 South Second St, Third Floor  
Elkhart, IN 46516.

Bids will be accepted during the hours of 8:00 A.M. to 5:00 P.M. (ET), up until 9:00 A.M. (ET) Tuesday, February 18, 2025 (the “Deadline”). All bids received by the Clerk of the Board by the Deadline will be opened and read aloud at the meeting of the Board scheduled to start at 9:00 A.M. (ET) on Tuesday, February 18, 2025. Any bid received after the Deadline, will be returned to the bidder unopened. After opening the bids, the Board will take all bids under advisement and refer them to City staff for review and tabulation.

All bid documents may be obtained from the following sources:

1. [www.elkhartplanroom.com](http://www.elkhartplanroom.com) (\$15/\$25/\$35 fee to download)
2. Printed from Triangle Digital Printing, Mishawaka via [www.elkhartplanroom.com](http://www.elkhartplanroom.com)
3. Viewed at City of Elkhart – Public Works and Utilities, 1201 S. Nappanee Street, Elkhart, IN 46516

A bid, proposal or quotation submitted by a trust (as defined in IC 30-4-1-1(a) must identify each Beneficiary of the trust and each Settler empowered to revoke or modify the trust.

Bids must be submitted on State Board of Accounts 2013 REVISED BID FORM 96. A certified check or bank draft drawn on a solvent bank in the State of Indiana, payable without condition to the City of Elkhart, or a satisfactory bid bond executed by bidder and surety company in an amount not less than five (5) percent of the bid, shall be submitted with each bid. Any deviation from the bid documents must be explained by bidder.

The Board will award a contract to the lowest responsive and responsible bidder. The Board reserves the right to waive informalities or irregularities, and to reject any and all bids or portions thereof.

BOARD OF PUBLIC WORKS

Michael Machlan, President



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## MEMORANDUM

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**DATE:** Original January 7, 2025  
Amended January 21, 2025

**TO:** Board of Public Works

**FROM:** Jeffrey Schaffer, Engineering *JSS*

**RE:** Amended Award of Bid #25-01, Street Materials 2025 Bid

---

At the December 17, 2024, Board of Public Works meeting, bids were opened for Bid #25-01, Street Materials 2025 Bid. The results are as follows:

Contractor	Bid
See attached Bid Tabulation	

This material purchases, when made, are funded by the 2025 approved Civil City and Utility Budgets.

*The January 7, 2021, award of Bid #25-01 excluded one of the bid items; this amended award has added that bid item.*

The action requested by the Board of Public Works is as follows:

**Approve the Amended Award of Bid #25-01, Street Materials 2025 Bid, to the various contractors who submitted the lowest responsive bids at the unit prices included in their respective bids as presented in the Bid Tabulation included with this memorandum.**







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**MEMORANDUM**

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**DATE:** January 21, 2025

**TO:** Board of Public Works

**FROM:** Jeffrey Schaffer, Engineering *JSS*  
Eric Trotter, Planning and Zoning

**RE:** **Revocable Right-of-Way Permit for Perpendicular Parking in Alma Street at Linde Gas & Equipment (1820 Mishawaka Street)**

---

On July 8, 2024, the Engineering Staff sent the attached letter to Linde Gas & Equipment regarding improvements constructed in right-of-way of Alma Street that were completed without a driveway permit and/or excavation permit. The work in question was the construction of a new concrete parking pad for perpendicular parking that is partially in the right-of-way of Alma Street, as well as a new driveway from Alma Street. While there had historically been parking on the gravel within the right-of-way, this work was constructed without permits or without a review through the Technical Review Process, as is required for any improvements in the right-of-way.

On August 4, 2024, the City received a Technical Review Application for work that had been completed. After comments were made, revised plans were received on October 30, 2024. Those plans are attached. The applicant also provide an after-the-fact application for an Excavation Permit.

As part of the Technical Review Process, the staff determined that the proposed parking should only be allowed under the Revocable Right-of-Way Permit Process. That application is also attached and is the purpose of this Board item.

While the staff does not generally support perpendicular parking in the right-of-way, there is historical precedence in this location. However, the staff believes additional justification is needed and the applicant has been notified that they must provide the Board with further information to support the Revocable Right-of-Way Permit Application. It should be noted that the application has been signed by the Contractor, rather than by the applicant. A revised application must be provided with the applicant's signature.



Should the Board approve the application, the staff is recommending that the applicant sign a statement that they will take responsibility for any and all on-going drainage maintenance in the right-of-way of Alma Street, on the east side of the right-of-way, from the north property line of the applicant's property to the north curb line of Mishawaka Street. Also, the applicant will be required to excavate, raise, and place a new traffic-rated valve box and lid on the water service valve for the property. It appears this was buried and concrete was placed over the current valve and valve box.

The starting motion suggested by the staff for Board discussion purposes is as follows:

**Approve the Revocable Right-of-Way Permit for perpendicular parking in Alma Street at Linde Gas & Equipment, subject to the conditions suggested by the staff in the Board memorandum.**



Rod Roberson  
Mayor

Tory Irwin, PE  
Director & City Engineer



1201 South Nappanee Street  
Elkhart, Indiana 46516

(574) 293-2572  
www.elkhartindiana.org

July 8, 2024

Linde Gas and Equipment Inc.  
10 Riverview Drive  
Danbury, Connecticut 06810

Regarding: Linde Welding Gas and Equipment Center  
1820 West Mishawaka Street, Elkhart, Indiana  
Construction in public right-of-way without a permit

Linde Gas and Equipment Inc.:

On July 3, 2024, a City Zoning Inspector notified Public Works and Utilities that a parking pad was under construction in the right-of-way of Alma Street adjacent to the address listed in this letter. A Public Works Inspector visited the site and confirmed that the parking pad was under construction and that no permit had been issued for the work. This is a direct violation of Sections 97.001 through 97.018 (concerning Excavations in Streets) and Sections 97.025 through 97.029 (concerning Construction of Private Driveways) of the City of Elkhart Code of Ordinances.

A project of this scope must be reviewed prior to construction under the City's Technical Review Process. In addition, improvement of the parking perpendicular to Alma Street requires approval by the City's Board of Public Works under the Revocable Right-of-Way Permit Process.

A complete application for Technical Review must be submitted to the City prior to the August 7, 2024, regular submittal deadline. That application and supporting documents can be found at:  
<https://elkhartindiana.org/government/government-planning-zoning/>

Upon receipt of the application, the City staff will determine if the work completed to date meets the requirements of the Zoning Ordinance and standards adopted by the Board of Public Works. Any work that does not meet those requirements and is not approved by the Board of Public Works must be removed.

Failure to complete this process will result in a referral to the Board of Public Works. The Board of Public Works may order the work to be removed by the City with the costs to be paid by the property owner. In addition, the matter may be referred to the City Court for additional penalties. It should be noted that penalties can be assessed to both the property owner and the contractor.

Sincerely,  
City of Elkhart  
Public Works and Utilities



Jeffrey D. Schaffer, PE  
Assistant City Engineer

cc: Local Manager, Linde Welding Gas and Equipment Center, Elkhart, Indiana  
Mid-States Construction, Elkhart, Indiana

**TECHNICAL REVIEW CHECKLIST:**

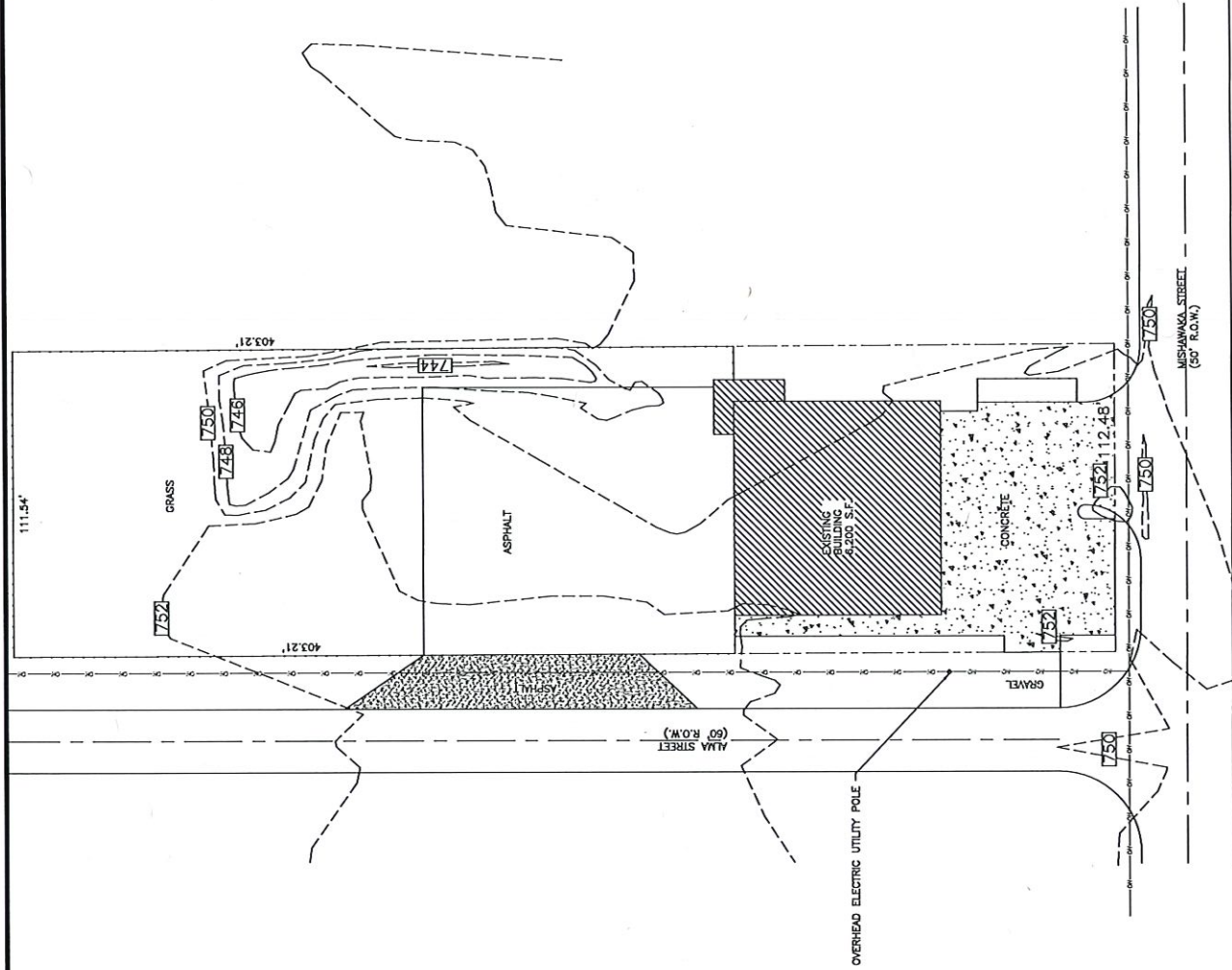
**EXISTING CONDITIONS:**  
**2024 CONCRETE**  
 1820 ELKHART, IN

**PROPERTY OWNER:**  
 LINDE GAS  
 1820 ELKHART, IN

**CONTRACTOR:** MID-STATES CONSTRUCTION  
**CONTACT:** JIM ULLERY  
**ADDRESS:** 53487 CR 9  
 ELKHART, IN 46514  
**EMAIL:** JIMULLERY@MIDSTATESCONSTRUCTION.COM

**PROPERTY OWNER:** MARK MC LAUGHLIN  
**CONTACT:** MARK MC LAUGHLIN  
**ADDRESS:** 1820 MISHAWKA STREET  
 ELKHART, IN 46514  
**EMAIL:** MARK.MCCLAUGHLIN@LINDE.COM

**EXISTING CONDITIONS PACE:**  
 - CONTOURS TAKEN FROM ELKHART COUNTY LIDAR CONTOURS



- LEGEND**
- OVERHEAD ELECTRIC LINES
  - - - FENCING
  - - - PROPERTY LINES
  - - - ELEVATION CONTOUR LINES



**EXISTING CONDITIONS**  
 SCALE: 1" = 20'

ALL DIMENSIONS ARE IN FEET  
 UNLESS OTHERWISE NOTED  
 THE ENGINEER'S OFFICE SHALL  
 BE RESPONSIBLE FOR ANY  
 ERRORS OR OMISSIONS  
 WHICH MAY BE MADE  
 HEREON AND SHALL  
 BE RESPONSIBLE FOR  
 THE ACCURACY OF THE  
 INFORMATION PROVIDED  
 TO THE ENGINEER THEREON

DATE: 07/24  
 SCALE: 1" = 20'

PROJECT NO. C1

**mid-states construction, inc.**  
 53487 CR 9  
 ELKHART, IN 46514  
 (574) 244-5547

**EXISTING CONDITIONS**

NO.	DESCRIPTION	DATE
1	2024 CONCRETE	07/24
2	LINDE GAS	07/24

NO.	DESCRIPTION	DATE
1	2024 CONCRETE	07/24
2	LINDE GAS	07/24

PROJECT NO. C1

AL SHOWN WITH THE  
THESE CHANGES SHALL  
BE RECORDED FOR THE  
PROJECT. THE CHANGES  
TO THE ORIGINAL PLAN  
SHALL BE RECORDED  
WITH THE ORIGINAL  
CONTRACT.

DATE: 8/2/24  
BY: [Signature]  
CHECKED BY: [Signature]  
SCALE: 1" = 20'

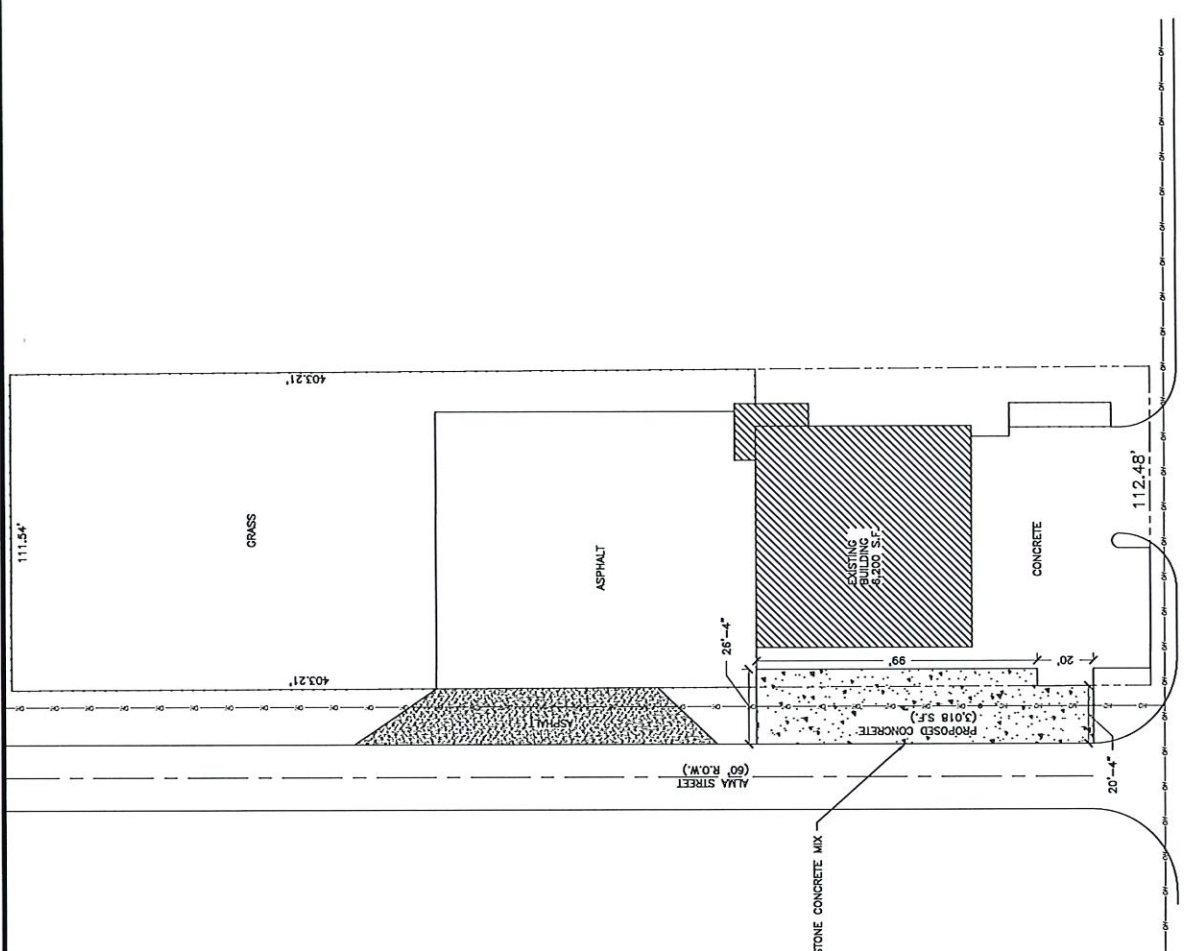
PROJECT: PROPOSED GEOMETRY PLAN  
SHEET NO. C2

mid-states construction, inc.  
55007 E. RIVER ST. # 100  
EVANSTON, ILLINOIS 60120  
(708) 264-5547

NO.	DATE	DESCRIPTION
1	8/2/24	ISSUED FOR PERMITS
2		
3		
4		
5		
6		
7		
8		
9		
10		

NO.	DATE	DESCRIPTION
1	8/2/24	ISSUED FOR PERMITS
2		
3		
4		
5		
6		
7		
8		
9		
10		

SCALE: 1" = 20'



**LINDE GAS  
2024 CONCRETE**  
1820 MISHAWAKA STREET  
EVANSTON, IL

- TECHNICAL REVIEW CHECKLIST:**
- PROPOSED GEOMETRY
  - NO CHANGES TO EXISTING BUILDING PROPOSED
  - NO CHANGES TO EXISTING DRIVEWAYS PROPOSED
  - NO CURBS PROPOSED IN NEW CONCRETE
  - ANTICIPATED VEHICLE TRAFFIC: 20 VEHICLES PER DAY
  - NUMBER OF EMPLOYEES (LARGEST SHIFT): 5 EMPLOYEES
  - NO PROPOSALS BEYOND TRAIL MARKS ON SITE
  - NO PROPOSED FENCING IMPROVEMENTS
  - PROPOSED LIGHTING/IRRIGATION:
  - PROPOSED LIGHTING IMPROVEMENTS OR ALTERATIONS TO EXISTING
  - LANDSCAPING AND LIGHTING
  - PROPOSED UTILITIES PLAN:
  - NO PROPOSED CHANGES TO EXISTING UTILITY CONNECTIONS

- LEGEND**
- OVERHEAD ELECTRIC LINES
  - FENCING
  - PROPERTY LINES
  - ELEVATION CONTOUR LINES

**PROPOSED GEOMETRY**  
SCALE: 1" = 20'





**TECHNICAL REVIEW CHECKLIST:**

**NEW CONCRETE REPLACES:**  
 -0.069 ACRES OF IMPERMEABLE SURFACE (GRAVEL- COEFF.=0.6)

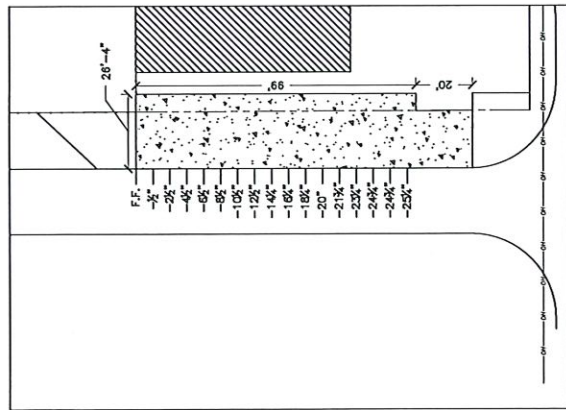
**WITH:**  
 -0.069 ACRES OF IMPERMEABLE SURFACE (CONCRETE- COEFF.=0.9)

EXISTING SURFACE	COEFFICIENT	INTENSITY (FT)	AREA(ACRE)	TOTAL (ACRE-FT)
GRAVEL	0.6	0.25	0.069	0.010

PROPOSED SURFACE	COEFFICIENT	INTENSITY (FT)	AREA(ACRE)	TOTAL (ACRE-FT)
CONCRETE	0.9	0.25	0.069	0.016

RESULTING IN AN INCREASE OF 0.006 ACRE-FT (262 CF) OF STORAGE FOR THE AFFECTED AREA WHICH IS PUSHED TO THE CITY STORM SEWER INLET LOCATED ON THE RADIUS OF ALMA STREET AND MISHAWAKA STREET'S NORTHEAST INTERSECTION.

**LINDE GAS**  
**2024 CONCRETE**  
 1820 MISHAWAKA STREET  
 ELKHART, IN

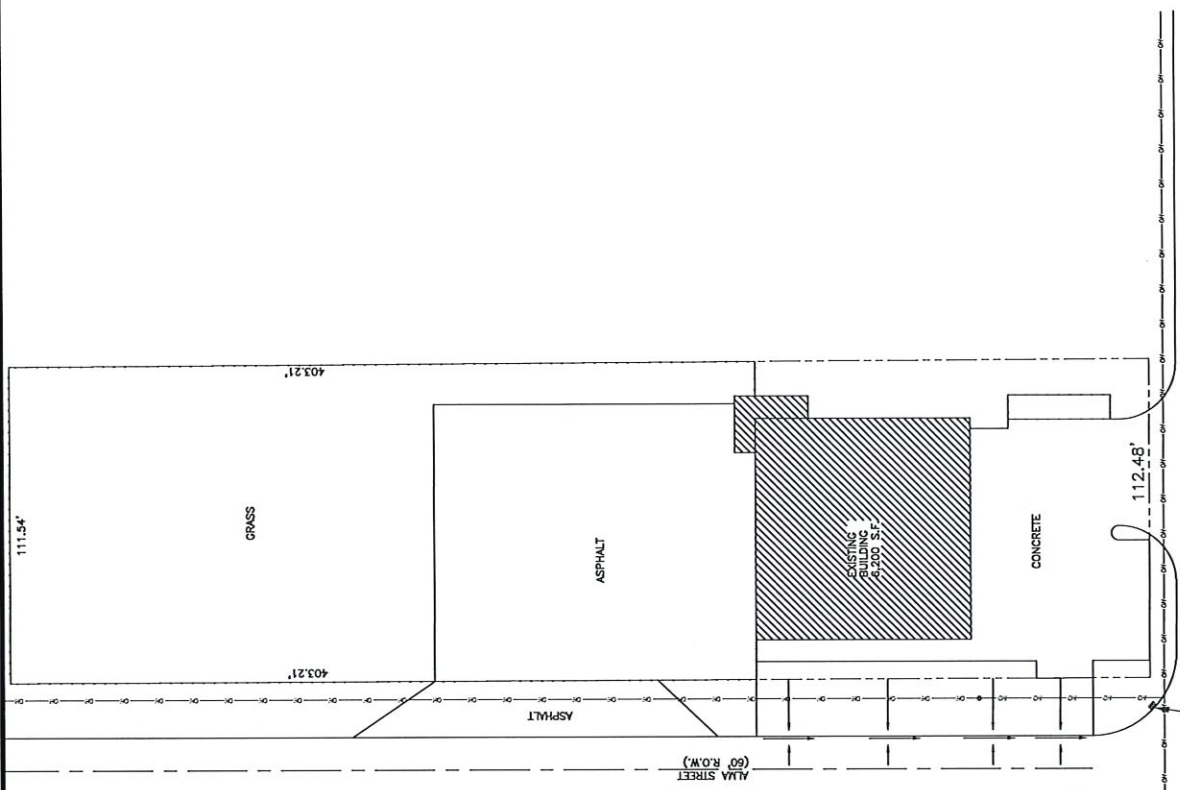


SPOT ELEVATIONS

- LEGEND**
- - - OVERHEAD ELECTRIC LINES
  - - - FENCING
  - - - PROPERTY LINES
  - - - ELEVATION CONTOUR LINES



**PROPOSED DRAINAGE**  
 SCALE: 1" = 20'



INLET LOCATION TO CITY COVERED SEWER SYSTEM  
 (TO RECEIVE THE DRAINAGE INCREASE OF 0.006 CFS)  
 STORMWATER MANAGEMENT SYSTEM TO BE AGREED  
 UPON WITH THE CITY OF ELKHART AND INSTALLED

MISHAWAKA STREET  
 (50' R.O.W.)

ALMA STREET  
 (60' R.O.W.)

ALL DIMENSIONS ARE IN FEET  
 UNLESS OTHERWISE NOTED  
 THIS PLAN IS FOR INFORMATION ONLY  
 AND DOES NOT CONSTITUTE A CONTRACT  
 FOR CONSTRUCTION

SHEET NO. 03

**mid-states construction, inc.**  
 50521 CLARKSON AVE. #200  
 ELKHART, INDIANA 46515  
 (774) 264-9547



**PROPOSED DRAINAGE**  
**2024 CONCRETE**  
**LINDE GAS**

NO.	DESCRIPTION	DATE	BY	CHKD.
1	PREPARED FOR PERMIT	05/24/24		
2	REVISED			
3				
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16				
17				
18				
19				
20				

SCALE: 1" = 20'



Elkhart Public Works & Utilities  
 1201 S. Nappanee Street  
 Elkhart, IN 46516  
 Ph. 574-293-2572  
 Fax 574-293-7658

**APPLICATION FOR EXCAVATION PERMIT**

Permit Number: _____	Receipt Number: _____
Date: _____	Paid: _____
<input type="checkbox"/> Pretreatment Questionnaire Received or Not Applicable <input type="checkbox"/> Engineering Drawing Received – Required      Engineering Signoff: _____	

**PLEASE GIVE (2) TWO HOUR NOTICE FOR INSPECTIONS (574) 293-2572 Initial: \_\_\_\_\_**

**Permit Issued to:**  
 Mid-States Construction  
 Address: 53697 CR 9 Elkhart IN 46515  
 Phone: 574-264-9547  
 E-mail jimulery@midstatesconstruction.com  
 Date excavation work is to begin: completed  
 Date restoration work is to be complete: completed

**Type of Work:**  
 Excavation in right of way for new concrete  
 Location: (address) 1820 Mishawaka Street,  
Elkhart IN 46516  
 Owner: Mittler Supply Inc  
 Permit will expire on: \_\_\_\_\_

In accordance with Ordinance No. 5192, the following information is required to obtain an Excavation Permit with the City of Elkhart, IN

- (a) In the absence of a lateral to the property a plan or sketch of the proposed connection must be attached to this permit
- (b) A bond or certified check guaranteeing performance in an amount of **\$10,000** or a blanket bond must be on file with Elkhart Public Works & Utilities. In lieu of this requirement any person may post a performance bond in the amount of **\$100,000** and bond shall remain in force for a period of two (2) years after completion of last work performed.
- (c) The excavation permit fee is **\$25.00** for each tunnel, opening, or excavation of 100 L.F. or less. An additional charge of **\$25.00** required for each additional one hundred L.F.
- (d) Written explanation of emergency, if applicable, in accordance with Ordinance No. 5192

**ADA CERTIFICATION**

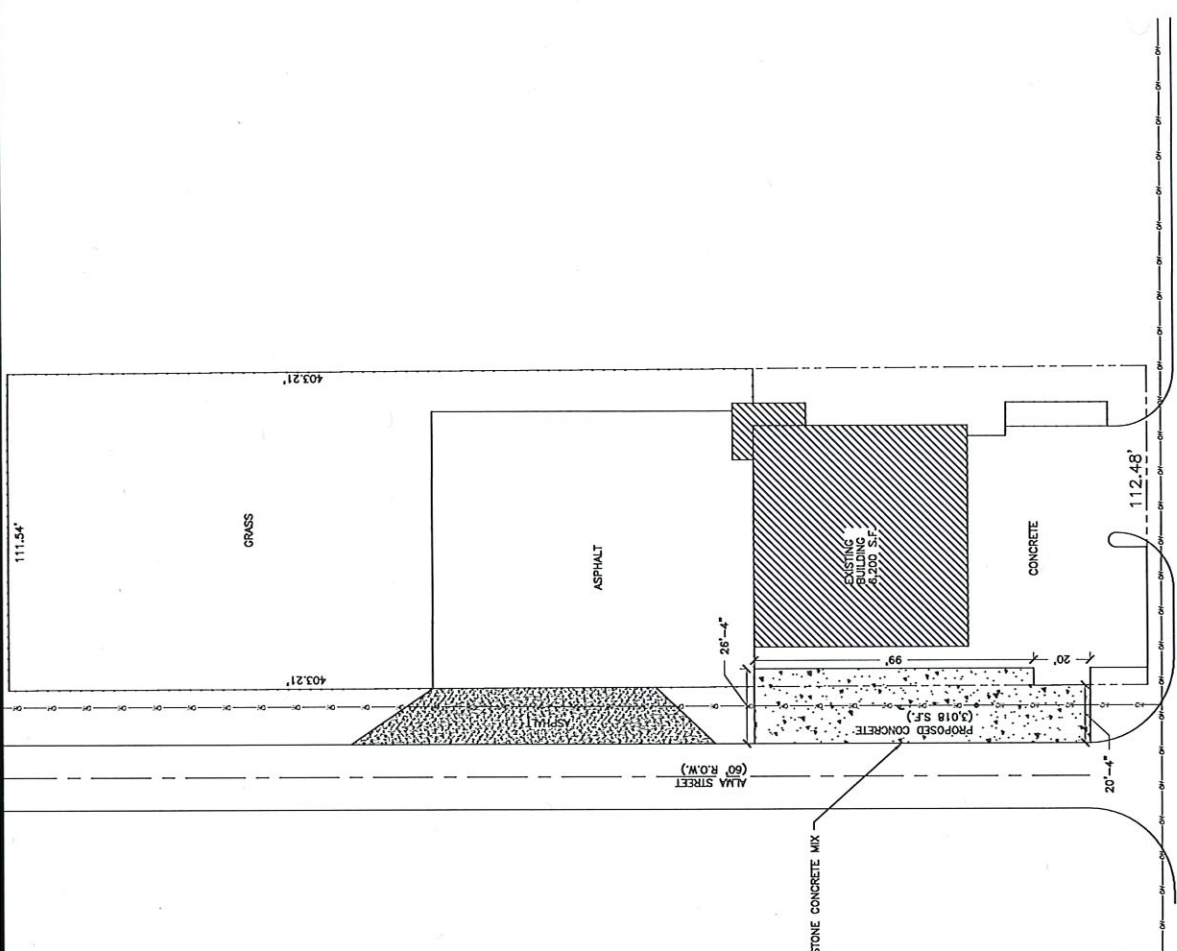
The City of Elkhart is committed to providing accessibility to all of its citizens and visitors. I understand that any project in the right-of-way, or any other public place, must conform to ADA specifications and guidelines. I acknowledge that it is my responsibility to assure that the finished work product of this project will meet those specifications and guidelines. **YOU MUST RESTORE THE SITE USING CITY OF ELKHART STANDARD CONSTRUCTION SPECIFICATIONS PARTICULARLY FOR 4" CONCRETE SIDEWALK WHICH MEET ADA REQUIREMENTS.**

_____	
Issuing Authority Signature	Signature of Excavation Contractor
	<u>Dylan Troyer</u>
	Contractor Print Name

**TECHNICAL REVIEW CHECKLIST:**

- PROPOSED GEOMETRY**  
 -NO CHANGES TO EXISTING BUILDING PROPOSED  
 -NO NEW DOORS OR OVERHEAD DOORS PROPOSED  
 -NO CURBS PROPOSED IN NEW CONCRETE  
 -NO SIDEWALKS OR PEDESTRIAN WALKWAYS ON SITE  
 -NO PROPOSED RETENTION CHANGES  
 -NO PROPOSED FENCING IMPROVEMENTS
- PROPOSED LIGHTING/LANDSCAPING**  
 -NO PROPOSED NEW IMPROVEMENTS OR ALTERATIONS TO EXISTING LANDSCAPING AND LIGHTING
- PROPOSED UTILITIES PLAN**  
 -NO PROPOSED CHANGES TO EXISTING UTILITY CONNECTIONS

**LINDE GAS  
 2024 CONCRETE**  
 1820 MISHAWAKA STREET  
 ELKHART, IN



- LEGEND**
- - - OVER-HEAD ELECTRIC LINES
  - - - FENCING
  - - - PROPERTY LINES
  - - - ELEVATION CONTOUR LINES



**PROPOSED GEOMETRY**  
 SCALE: 1" = 20'

MISHAWAKA STREET  
 (50' R.O.W.)

Sheet No. **C2**

NO.	REVISION	DATE
1	ISSUED FOR PERMIT	8/2/24

**PROPOSED GEOMETRY PLAN**  
**2024 CONCRETE**  
**LINDE GAS**



**mid-states construction, inc.**  
 5557 E. 83RD ST. • ELKHART, IN 46515  
 (774) 264-6647

ALL DIMENSIONS ARE IN FEET  
 UNLESS OTHERWISE NOTED  
 THE ENGINEER'S RESPONSIBILITY  
 IS LIMITED TO THE DESIGN  
 AND CONSTRUCTION OF THE  
 CONCRETE





### Revocable Permit Application

Public Works & Utilities 1201 S. Nappanee St. Elkhart, IN 46516  
Phone (574) 293-2572 Fax (574) 293-7658

Revocable Permit No. \_\_\_\_\_

Encroachment Dates: \_\_\_\_\_ to \_\_\_\_\_

Application Date: \_\_\_\_\_

- |  |  |
|--|--|
| <input type="checkbox"/> Single Family | <input type="checkbox"/> Manufactured Housing Park |
| <input type="checkbox"/> Duplex        | <input type="checkbox"/> Business                  |
| <input type="checkbox"/> Multi-Unit    | <input checked="" type="checkbox"/> Manufacturing  |

Property Address: 1820 Mishawaka Street

Owner: Mittler Supply Inc Phone No.: 574-264-2104 Cell No.: \_\_\_\_\_

Address (If different than property Address): \_\_\_\_\_

Permit Holder: Mid-States Construction Phone No.: 574-264-9547 Cell No.: 574-536-3809

Address: 53697 CR 9 Elkhart IN

Placed by: Mid-States Construction

Description of Encroachment: 120' Wide concrete slab for owner and staff parking and access

**Provide a map or drawing showing the location of the encroachment**

#### Completed by Staff:

Right of Way Width: 60' Encroachment into R/W: 20' Size of Encroachment: 120'

Details of Encroachment and Comments:

5" thick concrete pad for parking of site owner and staff

**The above information is to the best of my knowledge accurate and correct with regard to the encroachment in the city's right of way.**

Inspected by: \_\_\_\_\_

Inspector's recommendation:  Approve  Decline

#### Board of Public Works Approval:

By: \_\_\_\_\_ Date: \_\_\_\_\_

Title: \_\_\_\_\_

**REVOCABLE PERMIT**

**RECOGNITION OF ENCROACHMENT UPON CITY-CONTROLLED PROPERTY  
AND PROVISIONS ALLOWING TEMPORARY CONTINUANCE OF SAME**

Notice to: Mittler Supply Inc herein, the "Applicant"

Pursuant to City of Elkhart Zoning Codes 14.2A & B, 14.3B, 15.4, the following described condition upon real estate in the City of Elkhart constitutes an illegal encroachment, to-wit:

The encroachment will be permitted to remain and continue under the following terms and conditions:

- 1) Until such time as the BOARD OF PUBLIC WORKS of the City of Elkhart shall determine that such encroachment is in any way impairing or interfering with the highway or with the free and safe flow of traffic thereon:
- 2) Said encroachment shall not in any way prejudice or preclude the City's rights with respect to the future use of that portion of the right-of-way;
- 3) The encroachment as it now exists shall in no manner be added to or enlarged in its present scope or dimension.
- 4) In the event of change of ownership of the fixture or any other item of personal property which constitutes the aforesaid encroachment, this permit shall become null and void.
- 5) The City of Elkhart shall not be liable to Applicant for any damages caused to Applicant that arise out of or is incidental to any activity and/or incidences authorized by this permit.
- 6) In consideration of the granting of this Permit by the BOARD OF PUBLIC WORKS, Applicant shall indemnify, hold harmless and defend the City of Elkhart ("City") from and against any and all actions or causes of action, claims, demands, liabilities, loss, damage or expense of whatsoever kind and nature, including attorney's fees, which the City may suffer or incur by reason of bodily injury, including death, to any person or persons, or by reason of damage to or destruction of any property, including the loss thereof, arising out of or in any manner connected with any activity and/or incidences authorized by this permit and/or any activities and/or incidences incidental thereto, or which the City may sustain or incur in connection with any litigation, investigation or other expenditures incidental thereto, including any suit instituted by the City to enforce the obligation of this agreement of indemnity.

It is the intent of the parties hereto that the Applicant shall indemnify the City under this indemnification clause to the fullest extent permitted by law, except that Applicant shall not indemnify City for any damage or expense caused by the sole negligence of City.

This approval shall be binding upon everyone past or present, claiming any interest in and to the aforementioned real estate.

APPROVED BY THE BOARD OF PUBLIC WORKS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Michael Machlan, President

\_\_\_\_\_  
Chad Crabtree, Vice-President

\_\_\_\_\_  
Ronnie Davis, Member

\_\_\_\_\_  
C. James Arce, Member

\_\_\_\_\_  
Member

COUNTY OF ELKHART }  
STATE OF INDIANA }

Before me, the undersigned, a Notary Public in and for said County and State, personally appeared: Michael Machlan, Chad Crabtree, Ronnie Davis, C. James Arce, and \_\_\_\_\_ personally known to me to be members of the BOARD OF PUBLIC WORKS, and acknowledged execution of the above this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Nancy A. Wilson Notary Public My Commission Expires: \_\_\_\_\_ Residing in \_\_\_\_\_ County, Indiana

**ACCEPTANCE OF TERMS AND CONDITIONS** I accept and agree to be bound by all of the terms and conditions of this permit:

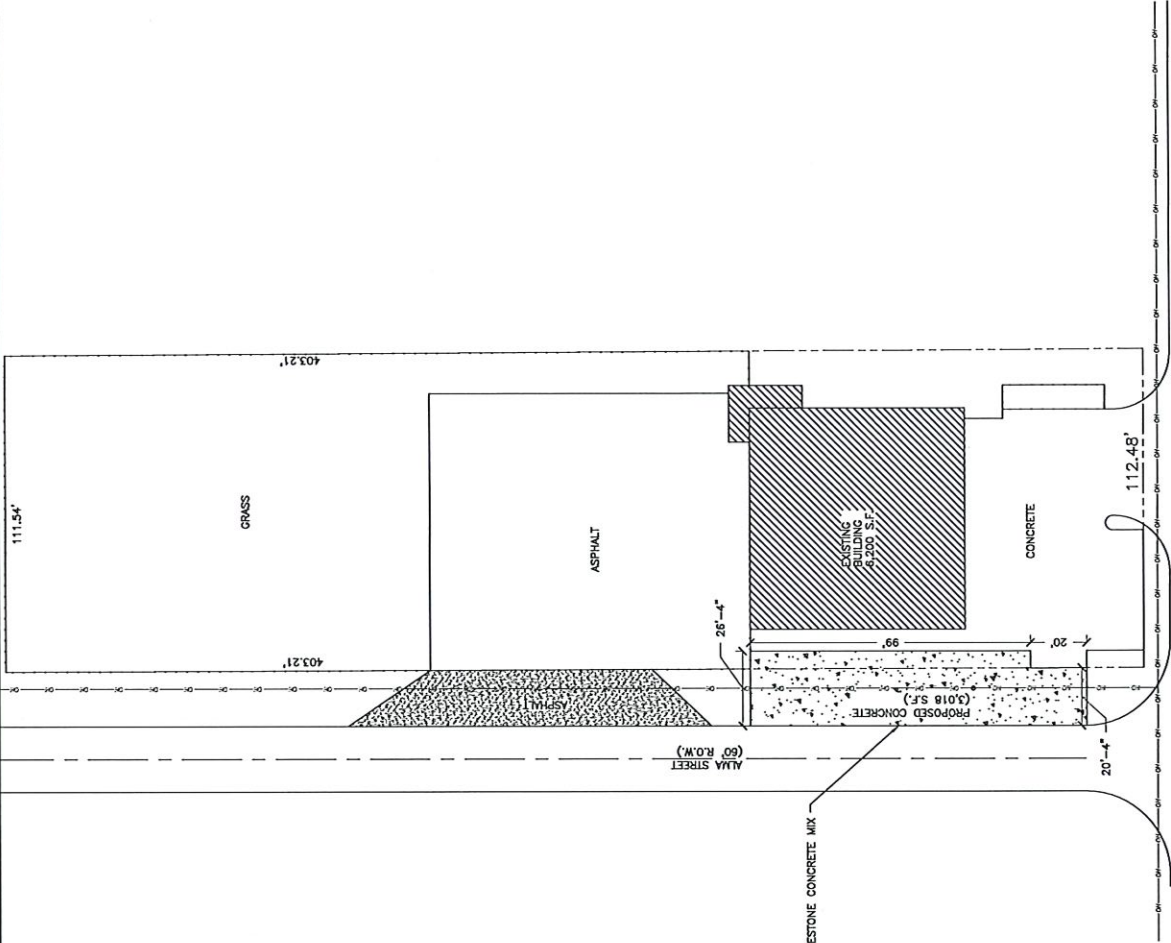
  
\_\_\_\_\_  
Applicant's Signature

\_\_\_\_\_  
10/22/24  
Date

**TECHNICAL REVIEW CHECKLIST:**

- PROPOSED GEOMETRY**  
 -NO CHANGES TO EXISTING BUILDING PROPOSED  
 -NO NEW DOORS OR OVERHEAD DOORS PROPOSED  
 -NO NEW DRIVEWAYS OR DRIVEWAYS TO EXISTING CONCRETE  
 -INTEGRATED VEHICLE TRAFFIC  
 -NUMBER OF EMPLOYEES (LARGEST SHIFT): 20 VEHICLES PER DAY  
 -NO SIDEWALKS OR PEDESTRIAN WALKWAYS ON SITE  
 -NO PROPOSED FENCING IMPROVEMENTS
- PROPOSED LIGHTING/LANDSCAPING:**  
 -NO PROPOSED LIGHTING IMPROVEMENTS OR ALTERATIONS TO EXISTING LANDSCAPING AND LIGHTING
- PROPOSED UTILITIES PLAN:**  
 -NO PROPOSED CHANGES TO EXISTING UTILITY CONNECTIONS

**LINDE GAS**  
**2024 CONCRETE**  
 1820 MISHAWAKA STREET  
 ELKHART, IN



- LEGEND**
- - - OVERHEAD ELECTRIC LINES
  - - - FENCING
  - - - PROPERTY LINES
  - - - ELEVATION CONTOUR LINES



**PROPOSED GEOMETRY**  
 SCALE: 1" = 20'

MISHAWAKA STREET  
 (50' R.O.W.)

SHEET NO. **C2**

NO.	REVISION	DATE	BY
1	ISSUE FOR PERMIT	07/22/24	MM
2	FOR REVIEW		
3	FOR REVIEW		
4	FOR REVIEW		
5	FOR REVIEW		
6	FOR REVIEW		
7	FOR REVIEW		
8	FOR REVIEW		
9	FOR REVIEW		
10	FOR REVIEW		

**PROPOSED GEOMETRY PLAN**  
**LINDE GAS**  
**2024 CONCRETE**



**mid-states construction, inc.**  
 50527 C2 00000  
 ELKHART, IN 46515  
 (574) 264-6647

SCALE AND SPACING

ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.  
 DIMENSIONS SHOWN ON THIS PLAN ARE THE RESULT OF FIELD SURVEYING.  
 THE FIELD SURVEYING HAS BEEN CONDUCTED BY THE COMPANY.  
 THE COMPANY ACCEPTS RESPONSIBILITY FOR THE ACCURACY OF THE SURVEYING.  
 THIS PLAN IS NOT TO BE USED FOR ANY OTHER PURPOSES.  
 NO PART OF THIS PLAN IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.





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## MEMORANDUM

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**DATE:** January 21, 2025  
**TO:** Board of Public Works  
**FROM:** Jeffrey Schaffer, Engineering   
**RE:** **Revised Driveway Permit Application Documents and Updated Bond Amounts**

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Sections 97.025 through 97.029 of the Code of Ordinances regulates the permitting and construction of driveways within the City.

Section 97.026 requires an application. The Engineer Staff has made revisions to the application to better match the current application and inspection process, and is requesting approval of the revised application by the Board.

Section 97.027 requires a bond for every permit. The Board is granted authority to set the bond amounts, but the amount must be no less than \$100.00. In order to better match the current process and the needs of residents, developers, and contractors, the Engineering Staff is recommending the following bond amounts:

- Sidewalk Only \$200.00
- Small Residential Driveway \$200.00
- Standard Residential Driveway \$500.00
- Oversized Residential Driveway \$1500.00
- Standard Commercial Driveway \$1500.00
- Oversize Commercial Driveway \$2000.00
- Multiple Commercial Driveways \$3500.00

The bonds are held by the City during the construction process and are returned to the applicant after the final inspection and acceptance of the driveway.

The action requested by the Board of Public Works is as follows:

**Approve the revised Driveway Permit Application documents and set the bond amounts as recommended by the Engineering Staff.**



# DRIVEWAY/DRAINAGE PERMIT APPLICATION

Public Works & Utilities  
1201 S. Nappanee St. Elkhart, IN 46516  
Phone (574) 293-2572

Driveway Permit No. \_\_\_\_\_

Drainage Permit No. \_\_\_\_\_

Zoning Clearance No. \_\_\_\_\_

\*Application Date: \_\_\_\_\_

Residential

Commercial

**PRE-POUR INSPECTION REQUIRED FOR ALL SIDEWALK & DRIVEWAY PLACED IN THE CITY'S RIGHT OF WAY**

**APPLICANT RESPONSIBLE FOR CONTACTING THE INDIANA 811 SYSTEM FOR UTILITY LOCATES**

*\*Completed by Applicant*

\*Property Address: \_\_\_\_\_

\*Owner: \_\_\_\_\_ Phone No.: \_\_\_\_\_ Cell No.: \_\_\_\_\_

\*Address (If different than Property Address): \_\_\_\_\_

\*Contractor: \_\_\_\_\_ Phone No.: \_\_\_\_\_ Cell No.: \_\_\_\_\_

\*Address: \_\_\_\_\_ Fax No.: \_\_\_\_\_

\*Requested By:  Property Owner  Contractor

\*Bond Posted By:  Property Owner  Contractor

\*Nearest Side Street: \_\_\_\_\_

\*Does a State or County Road Border the Property?  Yes  No Road Name: \_\_\_\_\_

**SEE REVERSE SIDE FOR SPECIFICATIONS**

### Required Bond Amount (Completed by staff)

Blanket Bond of \$10,000 to \$50,000 (Contractors Only-Bond must be filed with city)

#### Sidewalk Only

Sidewalk \$200

#### Residential Drive up to 18' Wide

One Drive \$200

#### Residential Drive 19' - 28' Wide

One Drive \$500

#### Residential Drive Excess Width 29'+

One Drive \$1,500

#### Commercial Drive 30' Wide

\$1,500.00

#### Commercial Drive 40' Wide

\$2,000.00

#### Two Commercial Drives 30'-40' Wide

\$3,500.00

Additional drives, wider drives, or other special considerations may require Board of Works approval and bond amounts greater than these guidelines.

### Approvals

Pre-Pour Inspection: \_\_\_\_\_ Date: \_\_\_\_\_ Final Inspection: \_\_\_\_\_ Date: \_\_\_\_\_

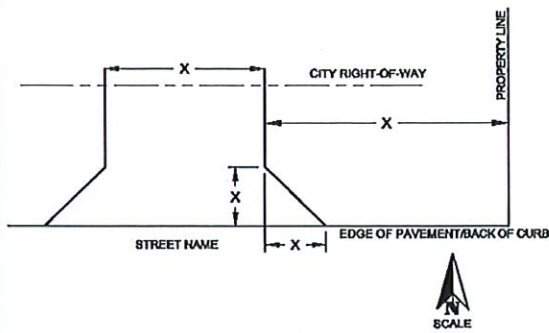
Engineering Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Board of Public Works: \_\_\_\_\_ Date: \_\_\_\_\_



**REQUIRED DRAWINGS WITH PERMIT APPLICATION:**

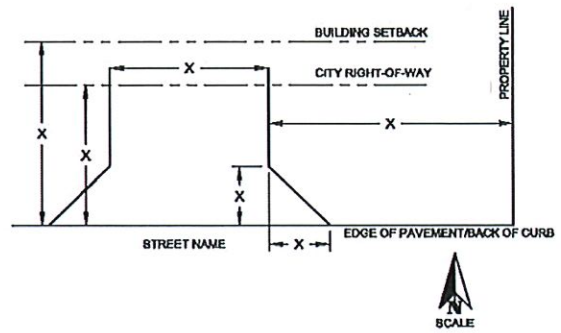
**TYPICAL RESIDENTIAL DRIVEWAY DRAWING**



**REQUIRED:**

- ADDRESS
- STREET NAME
- STREET MATERIAL
- BUILDING(S)
- DRIVEWAY DIMENSIONS
- DRIVEWAY MATERIAL & THICKNESS
- DRIVEWAY LOCATION ON PROPERTY

**TYPICAL COMMERCIAL DRIVEWAY DRAWING**



**REQUIRED:**

- |                     |                               |
|---------------------|-------------------------------|
| ADDRESS             | BUILDING SETBACK              |
| STREET NAME         | BUILDING(S)                   |
| STREET MATERIAL     | DRIVEWAY DIMENSIONS           |
| STREET WIDTH        | DRIVEWAY MATERIAL & THICKNESS |
| STREET NAME         | DRIVEWAY LOCATION ON PROPERTY |
| DRAINAGE STRUCTURES | ADT COUNTS                    |
| RIGHT-OF-WAY        | DECEL/ACCEL LANES IF REQUIRED |

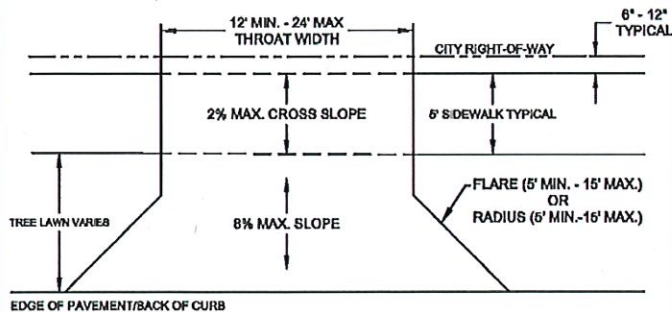
**DRAINAGE REQUIREMENTS: MUST MEET CITY OF ELKHART STANDARDS AND PASS PRE-POUR INSPECTION.**

**REQUIRED DRIVEWAY APPROACH SPECIFICATIONS:**

**TYPICAL RESIDENTIAL DRIVE APPROACH**

**RESIDENTIAL**

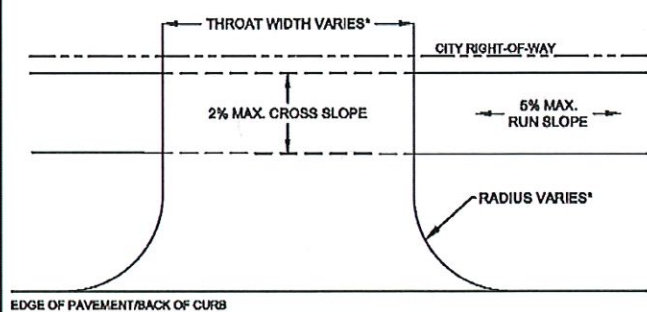
- |                               |           |                               |
|-------------------------------|-----------|-------------------------------|
| <b>CONCRETE</b>               | <b>OR</b> | <b>HOT MIX ASPHALT</b>        |
| 8" CLASS 'A'                  |           | 1 1/2" HMA SURFACE            |
| 3" AGGREGATE BASE (COMPACTED) |           | 2" HMA BINDER                 |
|                               |           | 4" HMA BINDER                 |
|                               |           | 3" AGGREGATE BASE (COMPACTED) |



**TYPICAL COMMERCIAL DRIVE APPROACH**

**COMMERCIAL**

- |                               |           |                               |
|-------------------------------|-----------|-------------------------------|
| <b>CONCRETE</b>               | <b>OR</b> | <b>HOT MIX ASPHALT</b>        |
| 8" CLASS 'A'                  |           | 1 1/2" HMA SURFACE            |
| 3" AGGREGATE BASE (COMPACTED) |           | 3" HMA BINDER                 |
|                               |           | 7" HMA BINDER                 |
|                               |           | 3" AGGREGATE BASE (COMPACTED) |



\*THROAT WITH AND RADIUS REQUIREMENTS: REFER TO CITY OF ELKHART DRIVEWAY CONSTRUCTION STANDARDS.

**Recommendations**





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**M E M O R A N D U M**

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**DATE:** January 7, 2025  
**TO:** Board of Public Works  
**FROM:** Jason Simnick, Project Manager JS  
**RE:** **Oakland Avenue Forcemain – Phase A – SA7878: Approval of Partial Payment Request #19 to C&E Excavating**

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Please see the attached partial pay application #19 from C&E Excavating for construction services provided for the Oakland Avenue Forcemain – Phase A project for work performed during the period thru November 30, 2024. This partial pay application, in the amount of \$492,509.00, includes payment for traffic signal work, pavement, and pavement markings and as payment for retainage. It will be paid through the two SRF loans for this project. The partial payment this application breaks down as follows:

	WW22162005	DW22232001
Payment Due	\$ 467,817.00	\$ 67.00
Retainage Held	\$ 24,622.00	\$ 3.00
Total Amount	\$ 492,439.00	\$ 70.00

To date, including this payment and all retainage, we have paid \$7,374,113.00, or 63.90% of the \$11,539,851.38 current contract price for Division I (WW22162005) and \$284,843.00, or 34.81% of the current \$818,195.00 current contract for Division II (DW22232001).

This will be SRF Disbursement Request #49 from WW22162005 and Request #11 from DW22232001.

It is requested that the BOW:

**ratify partial payment request #19 in the amount of \$492,439.00 to C&E Excavating from SRF loan WW22162005 and \$70.00 from loan DW22232001 for construction on the Oakland Avenue Forcemain – Phase A project.**



**Application For Payment No. 19**

PROJECT: OAKLAND AVENUE - PROJECT A: CSO FORCEMAIN  
 CONTRACT #: 22-25  
 PERIOD ENDING: 11/30/2024

CONTRACTOR: C&E Excavating  
 ADDRESS: 53767 Co Rd 9  
 Elkhart, IN, 46514

CHANGE ORDERS THIS PAYAPP	\$	11,866,259.00
TOTAL CHANGE ORDERS	\$	63,065.00
CURRENT CONTRACT PRICE	\$	491,787.38
		12,358,046.38

ITEM NO.	DESCRIPTION	ORIGINAL CONTRACT QUANTITIES			QUANTITIES THIS PERIOD			ACTUAL QUANTITIES TO DATE			
		ESTIMATED QUANTITY	UNIT COST	ESTIMATED COST	UNITS THIS PERIOD	COST THIS PERIOD	ACTUAL UNITS	COST TO DATE			
1	MOBILIZATION AND DEMOBILIZATION (DIVISION I), M	1	LS	\$ 361,456.85	\$ 361,456.85	0	LS	\$ -	0.75	LS	\$ 271,092.63
2	CONSTRUCTION STAKING (DIVISION I)	1	LS	\$ 100,000.00	\$ 100,000.00	0	LS	\$ -	0.5	LS	\$ 50,000.00
3	INSPECTION HOLE, DEEPER THAN 3-FEET	10	EACH	\$ 365.00	\$ 3,650.00	0	EACH	\$ -	28	EACH	\$ 10,220.00
4	MAINTENANCE OF TRAFFIC	1	LS	\$ 182,000.00	\$ 182,000.00	0.01	LS	\$ 1,820.00	0.42	LS	\$ 81,900.00
5	POLLUTION PREVENTION AND EROSION CONTROL (	1	LS	\$ 55,000.00	\$ 55,000.00	0.01	LS	\$ 550.00	0.28	LS	\$ 23,650.00
6	CLEARING AND GRUBBING OF RIGHT-OF-WAY	1	LS	\$ 615,000.00	\$ 615,000.00	0.01	LS	\$ 6,150.00	0.32	LS	\$ 252,150.00
7	TREE, REMOVE	61	EACH	\$ 1,150.00	\$ 70,150.00	0	EACH	\$ -	66	EACH	\$ 75,900.00
8	PAVEMENT REMOVAL	20461	SYD	\$ 9.00	\$ 184,149.00	0	SYD	\$ -	8169	SYD	\$ 86,463.00
9	ROTO-MILLING, 1 1/2-INCH	3211	SYD	\$ 7.00	\$ 22,477.00	0	SYD	\$ -	834	SYD	\$ 5,838.00
10	SIDEWALK, REMOVE	7910	LFT	\$ 6.50	\$ 51,415.00	610	LFT	\$ 3,965.00	3788	LFT	\$ 30,179.50
11	WATER MAIN, DUCTILE IRON, 6-INCH	30	LFT	\$ 135.00	\$ 4,050.00	0	LFT	\$ -	13.09	LFT	\$ 2,160.00
12	WATER MAIN, DUCTILE IRON, 8-INCH	600	LFT	\$ 95.00	\$ 57,000.00	0	LFT	\$ -	414.66	LFT	\$ 43,669.60
13	WATER MAIN, DUCTILE IRON, 10-INCH	20	LFT	\$ 300.00	\$ 6,000.00	0	LFT	\$ -	17	LFT	\$ 5,100.00
14	WATER MAIN, DUCTILE IRON, 12-INCH	4630	LFT	\$ 105.00	\$ 486,150.00	0	LFT	\$ -	3513.5	LFT	\$ 386,952.50
15	WATER MAIN, INSULATION	160	LFT	\$ 60.00	\$ 9,600.00	0	LFT	\$ -	53	LFT	\$ 3,180.00
16	WATER MAIN FITTINGS, 8-INCH	12	EACH	\$ 1,600.00	\$ 19,200.00	0	EACH	\$ -	5.85	EACH	\$ 9,360.00
17	WATER MAIN FITTINGS, 8-INCH	74	EACH	\$ 1,200.00	\$ 88,800.00	0	EACH	\$ -	42.19	EACH	\$ 63,300.00
18	WATER MAIN FITTINGS, 10-INCH	1	EACH	\$ 1,200.00	\$ 1,200.00	0	EACH	\$ -	1	EACH	\$ 1,200.00
19	WATER MAIN FITTINGS, 12-INCH	86	EACH	\$ 1,600.00	\$ 137,600.00	0	EACH	\$ -	63.63	EACH	\$ 106,448.00
20	GATE VALVE AND BOX, WATER MAIN, DUCTILE IRON	13	EACH	\$ 2,400.00	\$ 31,200.00	0	EACH	\$ -	11.2	EACH	\$ 28,344.00
21	GATE VALVE AND BOX, WATER MAIN, DUCTILE IRON	20	EACH	\$ 3,900.00	\$ 78,000.00	0	EACH	\$ -	17	EACH	\$ 69,888.00
22	FIRE HYDRANT ASSEMBLY	13	EACH	\$ 8,100.00	\$ 105,300.00	0	EACH	\$ -	10.37	EACH	\$ 91,611.00
23	1-INCH SERVICE RESIDENTIAL (UTILITY)	104	EACH	\$ 1,800.00	\$ 187,200.00	0	EACH	\$ -	44.04	EACH	\$ 104,094.00
24	1-1/2 - INCH SERVICE COMMERCIAL (UTILITY)	3	EACH	\$ 2,200.00	\$ 6,600.00	0	EACH	\$ -	3	EACH	\$ 6,600.00
25	WATER MAIN LINE STOP, 6-INCH	13	EACH	\$ 5,450.00	\$ 70,850.00	0	EACH	\$ -	5	EACH	\$ 27,250.00
26	WATER MAIN LINE STOP, 8-INCH	19	EACH	\$ 5,675.00	\$ 107,825.00	0	EACH	\$ -	4	EACH	\$ 28,375.00
27	WATER MAIN LINE STOP, 10-INCH	2	EACH	\$ 8,225.00	\$ 16,450.00	0	EACH	\$ -	1	EACH	\$ 8,225.00
28	WATER MAIN LINE STOP, 12-INCH	3	EACH	\$ 8,460.00	\$ 25,380.00	0	EACH	\$ -	1	EACH	\$ 8,460.00
29	PIPE, SANITARY SEWER, PVC, 8-INCH	480	LFT	\$ 59.00	\$ 28,320.00	0	LFT	\$ -	114.17	LFT	\$ 6,736.03
30	PIPE, SANITARY SEWER, PVC, 10-INCH	30	LFT	\$ 198.00	\$ 5,940.00	0	LFT	\$ -	4.88	LFT	\$ 966.24
31	PIPE, SANITARY SEWER, PVC, 12-INCH	940	LFT	\$ 95.00	\$ 89,300.00	0	LFT	\$ -	446.05	LFT	\$ 58,955.10
32	PIPE, STORM SEWER, PVC, 12-INCH	912	LFT	\$ 125.00	\$ 114,000.00	0	LFT	\$ -	460.19	LFT	\$ 79,200.00
33	SANITARY SEWER, LATERAL, PRE-CONSTRUCTION	3400	LFT	\$ 9.56	\$ 32,504.00	0	LFT	\$ -	1132.7	LFT	\$ 10,828.61
34	SANITARY SEWER, 8-INCH TO 18-INCH DIAMETER, P	4000	LFT	\$ 3.12	\$ 12,480.00	0	LFT	\$ -	5641.4	LFT	\$ 17,601.16
35	SANITARY SEWER, 24-INCH TO 36-INCH DIAMETER, I	850	LFT	\$ 20.00	\$ 17,000.00	0	LFT	\$ -	1454.1	LFT	\$ 29,082.00
36	SANITARY SEWER, 42-INCH TO 78-INCH DIAMETER, I	4150	LFT	\$ 18.46	\$ 76,609.00	0	LFT	\$ -	5741.8	LFT	\$ 105,993.62
37	SANITARY SEWER, LATERAL, POST-CONSTRUCTION	3400	LFT	\$ 10.92	\$ 37,128.00	0	LFT	\$ -	0	LFT	\$ -
38	SANITARY SEWER, 6-INCH TO 18-INCH DIAMETER, P	4000	LFT	\$ 5.03	\$ 20,120.00	0	LFT	\$ -	0	LFT	\$ -
39	SANITARY SEWER, 24-INCH TO 36-INCH DIAMETER, I	850	LFT	\$ 21.02	\$ 17,867.00	0	LFT	\$ -	0	LFT	\$ -
40	SANITARY SEWER, 42-INCH TO 78-INCH DIAMETER, I	4150	LFT	\$ 20.00	\$ 83,000.00	0	LFT	\$ -	0	LFT	\$ -
41	PIPE, SANITARY SEWER, DUCTILE IRON, 8-INCH	260	LFT	\$ 82.00	\$ 21,320.00	0	LFT	\$ -	135.63	LFT	\$ 11,121.66
42	PIPE, STORM SEWER, DUCTILE IRON, 12-INCH	584	LFT	\$ 161.25	\$ 94,330.00	0	LFT	\$ -	410.84	LFT	\$ 62,139.54
43	PIPE, STORM SEWER, DUCTILE IRON, 18-INCH	29	LFT	\$ 190.00	\$ 5,510.00	0	LFT	\$ -	18.28	LFT	\$ 3,473.20
44	PIPE, STORM SEWER, DUCTILE IRON, 24-INCH	95	LFT	\$ 230.00	\$ 21,850.00	0	LFT	\$ -	92	LFT	\$ 21,160.00
45	PIPE, STORM SEWER, RCP, 18-INCH	849	LFT	\$ 89.00	\$ 75,561.00	0	LFT	\$ -	475.34	LFT	\$ 57,387.20
46	PIPE, STORM SEWER, RCP, 24-INCH	1584	LFT	\$ 121.00	\$ 191,664.00	0	LFT	\$ -	868.15	LFT	\$ 134,689.94
47	PIPE, STORM SEWER, RCP, 36-INCH	861	LFT	\$ 200.00	\$ 172,200.00	0	LFT	\$ -	645.38	LFT	\$ 129,076.00
48	PIPE SADDLE	32	EACH	\$ 2,780.00	\$ 88,960.00	0	EACH	\$ -	9	EACH	\$ 33,360.00
49	FORCEMAIN, SANITARY SEWER, 30-INCH	5230	LFT	\$ 368.00	\$ 1,924,640.00	0	LFT	\$ -	4577.6	LFT	\$ 1,733,202.72
50	FITTINGS, FORCEMAIN, SANITARY SEWER, 30-INCH	15	EACH	\$ 18,190.00	\$ 272,850.00	0	EACH	\$ -	14.22	EACH	\$ 261,754.10
51	PLUG VALVE, FORCEMAIN, 30-INCH	2	EACH	\$ 60,200.00	\$ 120,400.00	0.88	EACH	\$ 52,976.00	0.97	EACH	\$ 111,370.00
52	AIR RELEASE VALVE, 30-INCH	2	EACH	\$ 23,000.00	\$ 46,000.00	0	EACH	\$ -	1.34	EACH	\$ 30,820.00
53	SEWER SANITARY LATERAL, TEE CONNECTION	33	EACH	\$ 420.00	\$ 13,860.00	0	EACH	\$ -	19.4	EACH	\$ 8,220.00
54	SEWER SANITARY LATERAL, RECONNECT	1700	LFT	\$ 41.00	\$ 69,700.00	0	LFT	\$ -	852.46	LFT	\$ 64,461.02
55	SEWER SANITARY CLEANOUT	33	EACH	\$ 725.00	\$ 23,925.00	0	EACH	\$ -	28.64	EACH	\$ 25,947.75
56	SEWER SANITARY LATERAL, CIPP	1250	LFT	\$ 193.00	\$ 241,250.00	0	LFT	\$ -	0	LFT	\$ -
57	SEWER SANITARY LATERAL, CLEANING OF GREATER	25	EACH	\$ 250.00	\$ 6,250.00	0	EACH	\$ -	0	EACH	\$ -
58	SANITARY SEWER MANHOLE, 4-FOOT DIAMETER	9	EACH	\$ 3,600.00	\$ 32,400.00	0	EACH	\$ -	3.14	EACH	\$ 11,304.00
59	STANDARD MANHOLE	14	EACH	\$ 3,900.00	\$ 54,600.00	0	EACH	\$ -	8.37	EACH	\$ 42,900.00
60	STANDARD MANHOLE, 5-FOOT DIAMETER	12	EACH	\$ 5,620.00	\$ 67,440.00	0	EACH	\$ -	2.85	EACH	\$ 31,472.00
61	STANDARD MANHOLE, 6-FOOT DIAMETER	9	EACH	\$ 8,250.00	\$ 74,250.00	0	EACH	\$ -	5	EACH	\$ 41,250.00
62	STANDARD MANHOLE, 8-FOOT DIAMETER	2	EACH	\$ 13,200.00	\$ 26,400.00	0	EACH	\$ -	2	EACH	\$ 26,400.00
63	STANDARD MANHOLE, 9-FOOT DIAMETER	1	EACH	\$ 6,280.00	\$ 6,280.00	0	EACH	\$ -	1	EACH	\$ 6,280.00
64	DOGHOUSE MANHOLE, 8-FOOT DIAMETER	1	EACH	\$ 25,500.00	\$ 25,500.00	0	EACH	\$ -	1	EACH	\$ 25,500.00
65	MANHOLE, RECONSTRUCTION	2	EACH	\$ 17,520.00	\$ 35,040.00	0	EACH	\$ -	2	EACH	\$ 35,040.00
66	SANITARY MANHOLE, WALL REPAIR	18	EACH	\$ 950.00	\$ 17,100.00	0	EACH	\$ -	12	EACH	\$ 12,540.00
67	STANDARD CATCH BASIN	18	EACH	\$ 2,860.00	\$ 51,480.00	0	EACH	\$ -	9.19	EACH	\$ 34,606.00
68	SHALLOW INLET, WITH PIPE SADDLE	8	EACH	\$ 6,650.00	\$ 53,200.00	0	EACH	\$ -	1.47	EACH	\$ 9,775.50
69	STANDARD MANHOLE, LINED	1	EACH	\$ 4,775.00	\$ 4,775.00	0	EACH	\$ -	0.75	EACH	\$ 3,581.25
70	STANDARD CATCH BASIN, LINED	10	EACH	\$ 4,090.00	\$ 40,900.00	0	EACH	\$ -	4.51	EACH	\$ 22,535.90
71	AQUASHIELD AQUA-SWIRL CONCENTRATOR, AS-6 B	1	EACH	\$ 38,000.00	\$ 38,000.00	0	EACH	\$ -	1	EACH	\$ 38,000.00
72	COMPACTED AGGREGATE NO. 53	7403	SYD	\$ 13.00	\$ 96,239.00	1157	SYD	\$ 15,041.00	2123	SYD	\$ 35,425.00
73	COMPACTED AGGREGATE NO. 53, UNDISTRIBUTED	5000	SYD	\$ 11.00	\$ 55,000.00	0	SYD	\$ -	2234	SYD	\$ 29,249.00
74	HMA SURFACE, TYPE B, 1-1/2-INCH	19738	SYD	\$ 8.50	\$ 167,773.00	2920	SYD	\$ 24,820.00	10561	SYD	\$ 89,768.50
75	HMA BINDER, TYPE B, 3-INCH	16527	SYD	\$ 14.45	\$ 238,815.15	2090	SYD	\$ 30,200.50	5191	SYD	\$ 107,666.95
76	HMA BASE, TYPE B, 7-INCH	16527	SYD	\$ 37.00	\$ 611,499.00	1420	SYD	\$ 52,540.00	4695	SYD	\$ 333,074.00
77	HMA PATCHING	539	SYD	\$ 118.00	\$ 63,602.00	0	SYD	\$ -	97	SYD	\$ 14,985.00
78	TEMPORARY ASPHALT	400	SYD	\$ 118.00	\$ 47,200.00	142	SYD	\$ 16,756.00	142	SYD	\$ 16,756.00
79	PCCP FOR APPROACH, 6-INCH	1730	SYD	\$ 114.00	\$ 197,220.00	534	SYD	\$ 60,876.00	772	SYD	\$ 91,200.00
80	PCCP FOR APPROACH, 9-INCH	398	SYD	\$ 133.00	\$ 52,934.00	186	SYD	\$ 24,738.00	242	SYD	\$ 35,511.00
81	CONCRETE SIDEWALK, 4-INCH	20475	SFT	\$ 8.60	\$ 176,085.00	3892	SFT	\$ 33,471.20	7864	SFT	\$ 71,440.20
82	CONCRETE SIDEWALK, 6-INCH	36302	SFT	\$ 7.50	\$ 272,265.00	1069	SFT	\$ 8,017.50	7559	SFT	\$ 80,557.00
83	CONCRETE SIDEWALK, 9-INCH	2471	SFT	\$ 15.00	\$ 37,065.00	0	SFT	\$ -	200	SFT	\$ 9,570.00
84	CURB RAMP, CONCRETE	7668	SFT	\$ 20.00	\$ 153,360.00	793	SFT	\$ 15,860.00	1297	SFT	\$ 38,180.00
85	CONCRETE CURB, 6-INCH	573	LFT	\$ 42.00	\$ 24,066.00	0	LFT	\$ -	0	LFT	\$ -
86	CONCRETE CURB AND GUTTER	7932	LFT	\$ 28.50	\$ 226,062.00	368.5	LFT	\$ 10,502.25	2882.5	LFT	\$ 121,481.25
87	CONCRETE CURB AND GUTTER, MODIFIED	36	LFT	\$ 28.50	\$ 1,026.00	0	LFT	\$ -	0	LFT	\$ -
88	LINE, THERMOPLASTIC, STOP BAR	298	LFT	\$ 9.00	\$ 2,682.00	147	LFT	\$ 1,323.00	147	LFT	\$ 1,323.00
89											



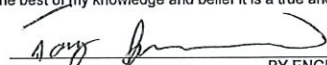
98	CONDUIT, STEEL, GALVANIZED, 2-INCH	1009	LFT	\$ 40.00	\$ 40,360.00	0	LFT	\$ -	1015	LFT	\$ 40,600.00
99	SIGNAL POLE FOUNDATION, 24-INCH X 24-INCH X 36	4	EACH	\$ 1,200.00	\$ 4,800.00	2	EACH	\$ 2,400.00	6	EACH	\$ 7,200.00
100	LOOP DETECTOR DELAY COUNTING AMPLIFIER, 2 C	4	EACH	\$ 500.00	\$ 2,000.00	0	EACH	\$ -	4	EACH	\$ 2,000.00
101	PEDESTRIAN PUSH BUTTON, APS	8	EACH	\$ 1,200.00	\$ 9,600.00	1.11	EACH	\$ 1,332.00	8	EACH	\$ 9,600.00
102	PEDESTRIAN SIGNAL HEAD, COUNTDOWN, 18 IN.	8	EACH	\$ 900.00	\$ 7,200.00	1.38	EACH	\$ 1,242.00	8	EACH	\$ 7,200.00
103	CONTROLLER AND CABINET, SECONDARY, MENU DR	1	EACH	\$ 22,000.00	\$ 22,000.00	0	EACH	\$ -	1	EACH	\$ 22,000.00
104	TRAFFIC SIGNAL HEAD, 3 SECTION, 12-INCH	8	EACH	\$ 1,200.00	\$ 9,600.00	0.86	EACH	\$ 1,032.00	8	EACH	\$ 9,600.00
105	TRAFFIC SIGNAL HEAD, 4 SECTION, 12-INCH	2	EACH	\$ 1,500.00	\$ 3,000.00	0.39	EACH	\$ 585.00	2	EACH	\$ 3,000.00
106	SIGNAL CABLE, ROADWAY LOOP, COPPER, 1C/14GA	3856	LFT	\$ 0.75	\$ 2,892.00	3586	LFT	\$ 2,689.50	3586	LFT	\$ 2,689.50
107	SIGNAL CABLE, CONTROL, COPPER, 3C/14GA	594	LFT	\$ 2.50	\$ 1,485.00	926	LFT	\$ 2,315.00	926	LFT	\$ 2,315.00
108	SIGNAL CABLE, CONTROL, COPPER, 5C/14GA	1516	LFT	\$ 3.00	\$ 4,548.00	1056	LFT	\$ 3,168.00	1056	LFT	\$ 3,168.00
109	SIGNAL CABLE, CONTROL, COPPER, 7C/14GA	126	LFT	\$ 3.50	\$ 441.00	90	LFT	\$ 315.00	90	LFT	\$ 315.00
110	SIGNAL CABLE, CONTROL, COPPER, 9C/14GA	702	LFT	\$ 4.00	\$ 2,808.00	658	LFT	\$ 2,632.00	658	LFT	\$ 2,632.00
111	SIGNAL CABLE, SERVICE, COPPER, 3C/8 GA	38	LFT	\$ 8.00	\$ 304.00	64	LFT	\$ 512.00	64	LFT	\$ 512.00
112	SIGNAL CABLE, DETECTOR LEAD-IN COPPER, 2C/18	1192	LFT	\$ 2.50	\$ 2,980.00	1534	LFT	\$ 3,835.00	1534	LFT	\$ 3,835.00
113	SIGNAL DETECTOR HOUSING	8	EACH	\$ 1,600.00	\$ 12,800.00	8	EACH	\$ 12,800.00	8	EACH	\$ 12,800.00
114	SAW CUT FOR ROADWAY LOOP AND SEALANT	1130	LFT	\$ 14.00	\$ 15,820.00	1147	LFT	\$ 16,058.00	1147	LFT	\$ 16,058.00
115	SIGNAL POLE, PEDESTAL, 10-FOOT	4	EACH	\$ 1,500.00	\$ 6,000.00	2	EACH	\$ 3,000.00	6	EACH	\$ 9,000.00
116	SIGNAL CANTILEVER STRUCTURE, SINGLE ARM 30-F	1	EACH	\$ 23,000.00	\$ 23,000.00	0.0222	EACH	\$ 510.60	0.8722	EACH	\$ 20,060.60
117	SIGNAL CANTILEVER STRUCTURE, SINGLE ARM 35-F	1	EACH	\$ 25,000.00	\$ 25,000.00	0	EACH	\$ -	1	EACH	\$ 25,000.00
118	SIGNAL CANTILEVER STRUCTURE, COMBINATION A	2	EACH	\$ 32,000.00	\$ 64,000.00	0	EACH	\$ -	2	EACH	\$ 64,000.00
119	SIGNAL CANTILEVER STRUCTURE, DRILLED SHAFT	4	EACH	\$ 6,500.00	\$ 26,000.00	0	EACH	\$ -	3	EACH	\$ 19,500.00
120	CONTROLLER CABINET FOUNDATION, P1	1	EACH	\$ 3,500.00	\$ 3,500.00	0	EACH	\$ -	1	EACH	\$ 3,500.00
121	LUMINAIRE, REMOVE AND RELOCATE	2	EACH	\$ 1,300.00	\$ 2,600.00	2	EACH	\$ 2,600.00	2	EACH	\$ 2,600.00
122	OVERHEAD MOUNTED SIGN	8	EACH	\$ 150.00	\$ 1,200.00	0	EACH	\$ -	0	EACH	\$ -
123	GROUND MOUNTED SIGN	36	EACH	\$ 300.00	\$ 10,800.00	0	EACH	\$ -	0	EACH	\$ -
124	SIGN GROUND MOUNTED, RESET	2	EACH	\$ 100.00	\$ 200.00	0	EACH	\$ -	0	EACH	\$ -
125	SODDING WITH 4-INCH OF TOPSOIL	9582	SYD	\$ 19.00	\$ 182,058.00	367	SYD	\$ 6,973.00	2083	SYD	\$ 45,334.00
126	GRASSPAVE SYSTEM	527	SFT	\$ 36.00	\$ 18,972.00	0	SFT	\$ -	0	SFT	\$ -
127	PLANT, DECIDUOUS TREE, SINGLE STEM, OVER 1.25	46	EACH	\$ 480.00	\$ 22,080.00	0	EACH	\$ -	0	EACH	\$ -
128	PLANT, DECIDUOUS TREE, SINGLE STEM, OVER 2IN	82	EACH	\$ 585.00	\$ 47,970.00	0	EACH	\$ -	0	EACH	\$ -
129	PLANT, DECIDUOUS TREE, SCREENING, 4-FOOT HEI	9	EACH	\$ 295.00	\$ 2,655.00	0	EACH	\$ -	0	EACH	\$ -
130	WAYFINDING SIGNAGE, TYPE 1	1	LS	\$ 7,500.00	\$ 7,500.00	0	LS	\$ -	0	LS	\$ -
131	WAYFINDING SIGNAGE, TYPE 2	1	LS	\$ 4,000.00	\$ 4,000.00	0	LS	\$ -	0	LS	\$ -
132	WAYFINDING SIGNAGE, TYPE 3	10	EACH	\$ 1,500.00	\$ 15,000.00	0	EACH	\$ -	0	EACH	\$ -
133	FENCE, REMOVE AND RESET	20	LFT	\$ 187.00	\$ 3,740.00	0	LFT	\$ -	0	LFT	\$ -
134	PRE-CAST WHEEL STOP, CONCRETE	21	EACH	\$ 125.00	\$ 2,625.00	0	EACH	\$ -	0	EACH	\$ -
135	WWTP FORCEMAIN CONNECTION	1	LS	\$ 115,000.00	\$ 115,000.00	0	LS	\$ -	0.35	LS	\$ 40,250.00
136	FORCEMAIN BYPASS CONNECTION	1	LS	\$ 120,000.00	\$ 120,000.00	0	LS	\$ -	0.41	LS	\$ 49,200.00
137	CONTINGENCY ALLOWANCE	1	AL	\$ 100,000.00	\$ 100,000.00	0	AL	\$ -	0.8804	AL	\$ 97,100.00
138	SITE RESTORATION ALLOWANCE	1	AL	\$ 20,000.00	\$ 20,000.00	0	AL	\$ -	0	AL	\$ -
139	CONTAMINATED SOIL REMOVAL ALLOWANCE	1	AL	\$ 75,000.00	\$ 75,000.00	0	AL	\$ -	0.0394	AL	\$ 2,955.00
140	UNSUITABLE SOIL ALLOWANCE	200	TON	\$ 27.00	\$ 5,400.00	0	TON	\$ -	0	TON	\$ 13,149.00
141	STRUCTURE BACKFILL ALLOWANCE	450	CYS	\$ 26.30	\$ 11,835.00	0	CYS	\$ -	47	CYS	\$ 10,388.50
142	MOBILIZATION AND DEMOBILIZATION (DIVISION II), M	1	LS	\$ 40,000.00	\$ 40,000.00	0	LS	\$ -	0.27	LS	\$ 16,000.00
143	CONSTRUCTION STAKING (DIVISION II)	1	LS	\$ 15,000.00	\$ 15,000.00	0	LS	\$ -	0.2	LS	\$ 7,500.00
144	POLLUTION PREVENTION AND EROSION CONTROL (D	1	LS	\$ 30,210.00	\$ 30,210.00	0	LS	\$ -	0.27	LS	\$ 12,084.00
145	POTHOLE SERVICE (CUSTOMER)	97	EACH	\$ 875.00	\$ 84,875.00	0	EACH	\$ -	83	EACH	\$ 75,250.00
146	1-INCH SERVICE RESIDENTIAL (CUSTOMER)	94	EACH	\$ 2,450.00	\$ 230,300.00	0	EACH	\$ -	21.79	EACH	\$ 77,346.50
147	1-1/2-INCH SERVICE COMMERCIAL (CUSTOMER)	3	EACH	\$ 5,350.00	\$ 16,050.00	0	EACH	\$ -	0.3	EACH	\$ 1,605.00
148	WATER CONNECTION INSIDE RESIDENCE (CUSTO	97	EACH	\$ 1,760.00	\$ 170,720.00	0	EACH	\$ -	14	EACH	\$ 45,760.00
149	FLUSHING AND SAMPLING - INITIAL FLUSHING (CUS	97	EACH	\$ 70.00	\$ 6,790.00	1	EACH	\$ 70.00	9	EACH	\$ 1,820.00
150	FLUSHING AND SAMPLING - FOLLOWING - UP FLUSH	97	EACH	\$ 50.00	\$ 4,850.00	0	EACH	\$ -	0	EACH	\$ -
151	ELECTRICAL INSPECTION (CUSTOMER)	97	EACH	\$ 100.00	\$ 9,700.00	0	EACH	\$ -	14	EACH	\$ 2,600.00
152	ELECTRICAL RE-GROUNDING (CUSTOMER)	97	EACH	\$ 100.00	\$ 9,700.00	0	EACH	\$ -	26	EACH	\$ 2,600.00
153	LEAD SERVICE LINE SITE RESTORATION (CUSTOME	1	AL	\$ 100,000.00	\$ 100,000.00	0	AL	\$ -	0.225	AL	\$ 41,590.00
154	LEAD SERVICE LINE RESTORATION, INTERIOR (CUS	1	AL	\$ 100,000.00	\$ 100,000.00	0	AL	\$ -	0.0069	AL	\$ 690.00
CO #1	WORK INTERRUPTED BY CITY	1	LS	\$ 17,797.38	\$ 17,797.38	0	LS	\$ -	0	LS	\$ 17,797.38
CO #2	Mobilization for MH-00009243 & MH-00001725	1	LS	\$ 144,000.00	\$ 144,000.00	0	LS	\$ -	1	LS	\$ 144,000.00
CO #2	Replace MH-00009243	1	LS	\$ 153,000.00	\$ 153,000.00	0	LS	\$ -	1	LS	\$ 153,000.00
CO #2	Replace MH-00001725	1	LS	\$ 111,000.00	\$ 111,000.00	0	LS	\$ -	0	LS	\$ 111,000.00
CO #2	ConShield Manhole Additive	1	EACH	\$ 2,925.00	\$ 2,925.00	0	EACH	\$ -	2	EACH	\$ 5,850.00
CO #3	Signal Cantilever Structure, Single Arm 45ft.	1	EACH	\$ 45,325.00	\$ 45,325.00	1	EACH	\$ 45,325.00	1	EACH	\$ 45,325.00
CO #3	Signal Cantilever Structure, Drilled Shaft Foundation	1	EACH	\$ 11,280.00	\$ 11,280.00	1	EACH	\$ 11,280.00	1	EACH	\$ 11,280.00
CO #3	Service, Signal	1	EACH	\$ 6,460.00	\$ 6,460.00	1	EACH	\$ 6,460.00	1	EACH	\$ 6,460.00
											\$ -
	<b>Total</b>				\$ 12,358,046.38			\$ 492,508.55			\$ 7,658,955.10

GROSS AMOUNT DUE	\$ 7,658,955.10
TOTAL RETAINAGE TO DATE	\$ 382,947.75
GROSS MINUS RETAINAGE	\$ 7,276,007.34
LESS PREVIOUS PAYMENTS	\$ 6,808,124.22
AMOUNT DUE THIS APPLICATION	\$ 467,883.12

CONTRACTOR'S CERTIFICATION:  
The undersigned CONTRACTOR certifies that (1) all previous progress payments received from OWNER on account of work done under the Contract referred to the above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with Work covered by prior Applications for Payment; and (2) title to all materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all liens, claims, security interests and encumbrances (except such as covered by Bond acceptable to OWNER).

Dated Dec. 23, 2024  BY CONTRACTOR

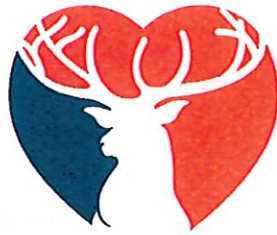
ENGINEER'S RECOMMENDATION:  
This Application (with accompanying documentation) meets the requirements of the Contract documents and payments of the above AMOUNT DUE THIS APPLICATION is recommended. I certify that I have verified this Periodical Estimate, and that to the best of my knowledge and belief it is a true and correct statement of work performed.

Dated 1/7, 2025  BY ENGINEER

APPROVED FOR PAYMENT

DATE:  
DESCRIPTION:  
ACCOUNT LINE:  
PO NO:  
APPROVED BY:





**City of Elkhart**  
*Public Works and Utilities*

Memo To Board of Works  
Memo From Laura Kolo, Utility Services Manager *W*  
Date Jan 06, 2025  
Subject Water Utility Monthly Report of Operations  
for the month of December, 2024

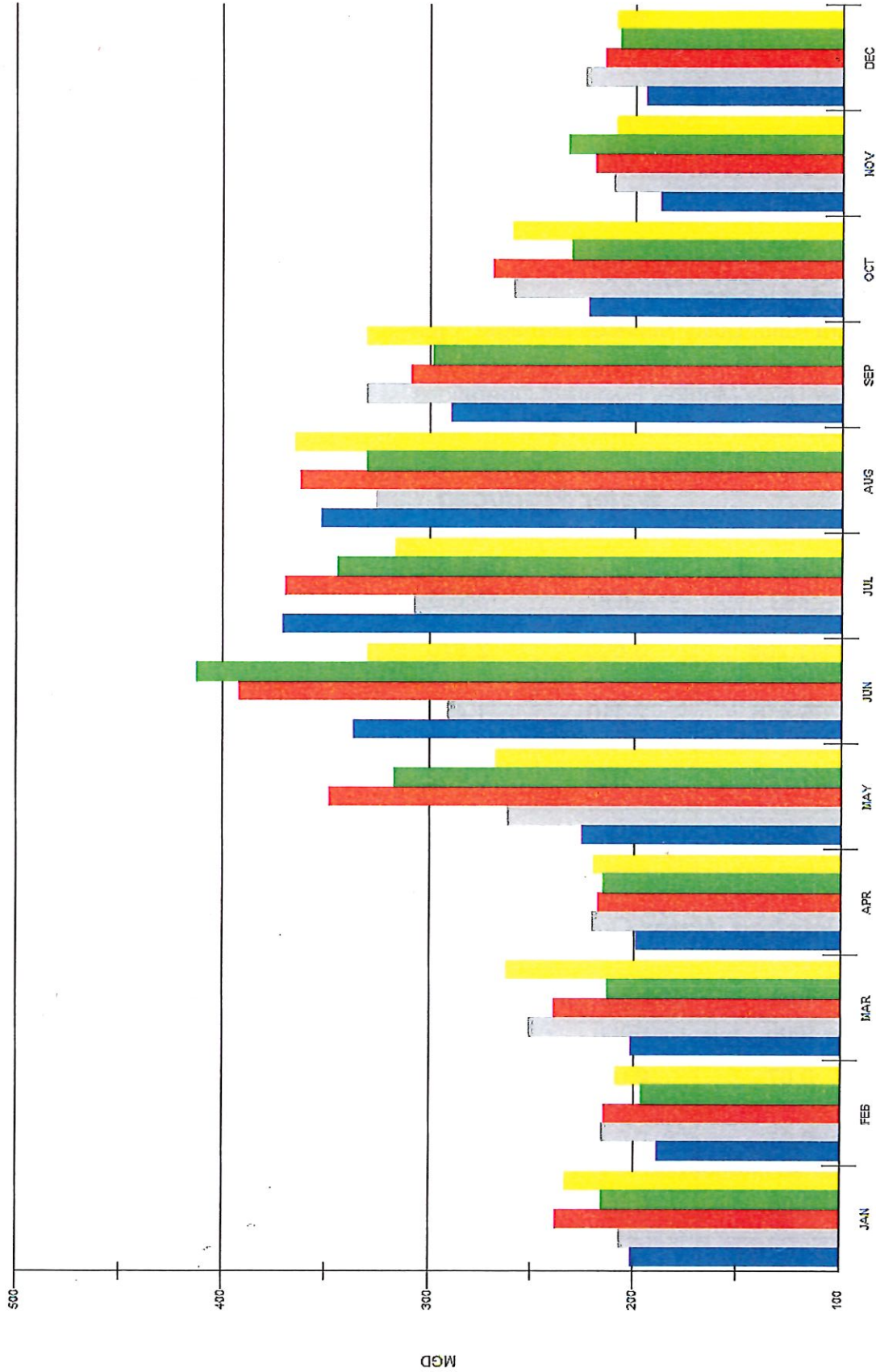
***Water Produced***

	Monthly Total MG	Daily Avg MGD	Daily Min MGD	Daily Max MGD
North Main	111.768	3.605	2.970	4.867
Northwest	65.416	2.110	1.423	2.699
South	31.748	1.024	0.452	1.490
System	208.93	6.74		

***Finished Water Quality Information (Monthly Averages)***

	Iron mg/l	Manganese mg/l	Fluoride mg/l	Chlorine mg/l	Orthophosphate mg/l
North Main	0.07	0.027	0.98	1.35	1.49
Northwest	0.07	0.027	0.91	1.32	0.97
South	0.05	0.025	0.95	1.49	1.08
Secondary Std / Target	0.30	0.050	0.8 - 1.0	0.9 - 1.5	0.5 - 1.0

### Monthly Water Production Comparison



	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
2020	201.13	188.69	201.44	199.21	225.63	336.17	370.93	351.87	289.17	222.62	187.43	194.60
2021	206.82	215.47	251.38	220.28	261.41	290.88	306.88	325.29	329.96	258.98	210.32	224.10
2022	238.16	214.80	239.40	217.71	348.16	392.88	369.59	362.66	308.75	269.06	219.61	214.64
2023	215.56	196.63	213.12	215.02	316.61	412.55	344.29	330.06	298.47	230.88	232.45	207.42
2024	233.36	208.78	262.14	219.75	267.32	329.41	316.17	365.23	329.92	259.84	208.82	208.93



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## M E M O R A N D U M

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**DATE:** January 14, 2025  
**TO:** Board of Public Works  
**FROM:** Timothy Reecer; Assistant Director of Public Works *TR*  
**RE:** **2025 Transfer Schedule**

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Every year, the Utilities prepare a transfer schedule for the fiscal year that covers the monthly transfers out of Water, Wastewater, and Stormwater revenue funds. The purpose of the transfers is to cover the budgeted expenses of various Water, Wastewater, and Stormwater funds.

It is requested the Board of Public Works:

**Approve the 2025 Transfer Schedule for Water, Wastewater, and Stormwater Utilities.**



**City of Elkhart  
Monthly Transfers  
FY 2025**

**6106 Water Revenue**

6101-5-731-6750000

Month	Operating Transfer-Out To 6101	(Capital) Water Depreciation Transfer-Out To 6103	Main Extension Transfer-Out To 6105	Tank Maintenance Transfer-Out To 6108	Pilot Transfer-Out To 1101 from 6101	Admin Fees Transfer-Out To 1101 from 6101
Jan	550,000	10,000	-	-	-	166,644.00
Feb	550,000	10,000	-	-	-	-
Mar	550,000	10,000	-	-	-	-
Apr	550,000	10,000	-	-	-	-
May	550,000	10,000	-	-	-	-
Jun	550,000	10,000	-	-	328,100.00	-
Jul	550,000	10,000	-	-	-	-
Aug	550,000	10,000	-	-	-	-
Sep	550,000	10,000	-	-	-	-
Oct	550,000	10,000	-	-	-	-
Nov	550,000	10,000	-	-	-	-
Dec	550,000	10,000	-	-	328,100.00	-
<b>Annual Total</b>	<b>6,600,000</b>	<b>120,000</b>	<b>-</b>	<b>-</b>	<b>656,200</b>	<b>166,644</b>

<b>Above Total</b>	<b>6,600,000</b>	<b>120,000</b>	<b>-</b>	<b>-</b>
1/1/2025	1,775,318	854,017	746,642	717,435
2024 Encumbered	(209,201)	(380,511)	(590,321)	(178,235)
2025 Budget	(7,933,468)	(397,000)	-	-
2025 Appropriations	-	-	-	-
<b>12/31/25 est Bal</b>	<b>232,649</b>	<b>196,506</b>	<b>156,321</b>	<b>539,200</b>

Water Revenue Fund 6106 As of 1/1/2025	
\$	1,120,177.00 Current Balance
\$	6,000,000.00 Estimated 2025 Revenue
\$	<b>(6,720,000.00) Remaining 2025 Transfers</b>
\$	<b>400,177.00</b>

**City of Elkhart  
Monthly Transfers  
FY 2025**

**6206 Wastewater Revenue**

6201-5-811-7750000

Month	Transfer-Out To 6201	Transfer-Out To 6203	Transfer-Out To 6204	Transfer-Out To 6207	Bond and Interest Transfer-Out To 6202	Bond Reserve Transfer-Out To 6208	Pilot Transfer-Out To 1101	Admin Fees Transfer-Out To 1101
Jan	787,500	21,000	-	-	478,462	72,028	-	208,305.00
Feb	787,500	21,000	-	-	478,462	72,028	-	-
Mar	787,500	21,000	-	-	478,468	72,028	-	-
Apr	787,500	21,000	-	-	470,385	72,028	-	-
May	787,500	21,000	-	-	470,385	72,028	-	-
Jun	787,500	21,000	-	-	470,385	72,028	435,850.00	-
Jul	787,500	21,000	-	-	470,385	72,028	-	-
Aug	787,500	21,000	-	-	470,385	72,028	-	-
Sep	787,500	21,000	-	-	470,385	72,028	-	-
Oct	787,500	21,000	-	-	566,025	72,028	-	-
Nov	787,500	21,000	-	-	566,025	72,028	-	-
Dec	787,500	21,000	-	-	566,025	72,028	435,850.00	-
<b>Annual Total</b>	<b>9,450,000</b>	<b>252,000</b>	-	-	<b>5,925,777</b>	<b>864,336</b>	<b>871,700</b>	<b>208,305</b>

**Above Total 9,450,000.00 252,000 - 5,925,777 864,336**

1/1/2025 Bal	3,440,816	3,800,508	1,208,167	542,183
2024 Encumbered	(81,665)	(3,120,622)	(115,500)	-
2025 Budget	(10,966,173)	(929,700)	-	(505,000)
2025 Appropriations	-	-	-	-
<b>12/31/25 est Bal</b>	<b>1,842,978</b>	<b>2,186</b>	<b>1,092,667</b>	<b>37,183</b>

\*Operating fund must remain at 2 months projected disbursements

Wastewater Revenue Fund 6206	
As of 1/1/2025	
\$ 486,680.00	Current Balance
\$ 17,710,000.00	Estimated 2025 Revenue
<b>\$ (16,492,113.00)</b>	<b>Remaining 2025 Transfers</b>
<b>\$ 1,704,567.00</b>	

Operating Fund Reserve	
2024 Budget	11,047,838
2 Months	16.67%
Positive var.	1,841,306
12/31/24 est Bal	1,672
	1,842,978

**City of Elkhart  
Monthly Transfers  
FY 2025**

6501 Stormwater Revenue		6501-5-931-7750000	
Month	To 6501	Transfer-Out To 6504	Admin Fees Transfer-Out To 1101
Jan	-	-	41,661.00
Feb	-	-	-
Mar	-	-	-
Apr	-	-	-
May	-	-	-
Jun	-	-	-
Jul	-	-	-
Aug	-	-	-
Sep	-	-	-
Oct	-	-	-
Nov	-	-	-
Dec	-	-	-
Annual Total	-	-	41,661

Above Total	-
01/01/2025 Bal	1,156,224
2024 Encumbered	(55,620)
2025 Budget	(1,070,238)
12/31/25 est Bal	30,366
	656,815

Stormwater Revenue Fund 6506	
As of 1/1/2025	
\$ 1,843,039.00	Current Balance
\$ 1,200,000.00	Estimated 2024 Revenue
\$ -	Remaining 2024 Transfers
\$ 3,043,039.00	





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## M E M O R A N D U M

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**DATE:** January 14, 2025  
**TO:** Board of Public Works  
**FROM:** Timothy Reecer; Assistant Director of Public Works *TR*  
**RE:** **Global Payments - Client Satisfaction Offer**

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The Utility recently received the latest Debit Advice from Global Payments for the credit card processing fees for the month of December 2024. Upon review, it was discovered that our fees had seen an increase of nearly 50%.

Contact was made to Global Payments to discuss the sudden increase in fees when it was discovered that our account had been reclassified – no longer receiving the Utility Program fee structure.

After Global conducted their review of our account, they provided the Client Satisfaction Offer for our review changing our classification and restoring our discounted rate structure with an estimated savings of 47%. This offer will be an amendment to our existing contract with Global Payments.

This request has been approved by Legal.

It is requested the Board of Public Works:

**Approve the Client Satisfaction Offer and grant authority for Timothy Reecer to sign on the Board's behalf.**

### CLIENT SATISFACTION OFFER

Merchant Name or DBA Name: CITY OF ELKHART ("Merchant")

Merchant ID(s): 8788242903041\\8788242985598 ("MID" or "MIDs")

Date: 1/13/25

OPENEDGE PAYMENTS LLC ("OpenEdge"), a Global Payments company, values its merchant clients and strives to create mutually beneficial, long-term relationships with them. To that end, OpenEdge offers you, the Merchant, the following terms on behalf of its affiliate, Global Payments Direct, Inc. ("Global Direct"). Accepting this offer will modify your Card Services Agreement (the "Agreement") with Global Direct in accordance with the adjustments listed below (the "Amended Rates"). Capitalized terms not defined herein shall have the meaning given in the Agreement.

#### Amended Rates

Discount Rate	0.60%	Per Item	\$0.15
Settlement Funding Fee	0.50%	Per Item	\$0.50
Risk Assessment fee	0.50%	Per Item	\$0.50
Auth Per Item	\$0.15	0	

Please see the Rate Analysis for full details.

#### Contract Term

The Amended Rates will become effective on the first day of the calendar month of the Effective Date so long as this Client Satisfaction Offer is executed and received by Global Direct by the 10<sup>th</sup> of the calendar month, otherwise the Amended Rates will be effective on the first day of the calendar month following the Effective Date. The Amended Rates remain subject to change as per the terms and conditions of the Agreement. All fees, rates, charges and other terms not otherwise revised per this Client Satisfaction Offer remain in full force and effect.

Merchant agrees to extend the term of the Agreement for 12 months from the last date of execution below (the "Effective Date"). This time period will be referred to as the "Extended Term". At the expiration of the Extended Term, the Agreement will automatically renew as per the terms of the Agreement for successive one-year periods (each a "Renewal Term", and collectively with the Initial Term and the Extended Term, the "Term").

Merchant agrees to pay the following account closure fees per terminating MID upon early termination of the Agreement: (a) \$500.00 if terminated with more than 12 months remaining in the Term; or (b) \$250.00 if terminated with 12 or fewer months remaining in the Term, or such portion of the foregoing as may be permitted by applicable law.

All other terms and conditions of the Agreement remain unchanged. This Client Satisfaction Offer and the details contained herein are confidential and may not be disclosed, displayed, or otherwise transmitted to any third party except to attorneys, accountants or other professional advisers as may be necessary to effect the purposes of this letter between the parties. By signing below, each party acknowledges that it has carefully read and fully understood this amendment, and each agrees to be bound by the terms of this amendment.

OPENEDGE PAYMENTS LLC

DocuSigned by:

Signed By: Dimitri Gomez

5161859B48B14FA...

Name: \_\_\_\_\_

Manager

Title: \_\_\_\_\_

Date: January 13, 2025

CITY OF ELKHART

Signed By: \_\_\_\_\_

Tim Reecer

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



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## M E M O R A N D U M

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**DATE:** January 21, 2025  
**TO:** Board of Public Works  
**FROM:** Martin Noffsinger, <sup>MON</sup>Utility Network Manager  
**RE:** **Declaration of Emergency – Hubbard Ave Sewer Main Repair**

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The Department of Public Works requests the declaration of an emergency for the emergency replacement of the collapsed 12” clay sewer main west of the intersection of Hubbard Ave and Oakland Ave.

Public Works received notice that the approach for Hubbard had dropped presumably from a sinkhole. After reviewing GIS, and seeing that a sewer main was in the vicinity, we checked the upstream manholes which were surcharged, and nothing was flowing to the downstream manhole. We attempted to clean the line and but could not get passed the section of pipe beneath the sinkhole.

C & E excavating completed the repair January 10, 2025 with some restoration still to be completed.

It is requested the BOW take the following action:

**Declare an emergency for the January 7, 2025 Hubbard Ave Sewer Main Repair**





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## M E M O R A N D U M

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Date: January 15, 2025  
To: Board of Public Works  
From: Daragh Deegan, Water Quality Manager  
RE: Contract Authorization For Lab Floor Replacement

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Public Works and Utilities respectfully requests the Board's authorization of a contract with Innovative Spaces to replace the floor in the laboratory. The existing floor tile is in poor condition and overdue for replacement. The contract is to remove the floor tile and adhesive and replace it with an epoxy style covering. The contract total is \$27,004.

The following is requested from the Board of Public Works:

**Authorize the contract with Innovative Spaces to replace the floor in the laboratory for a total of \$27,004.00**



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## M E M O R A N D U M

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Date January 2, 2025  
To Board of Public Works  
From Bryan Cress, Regulatory Compliance Manager *BC*  
RE Resolution Supporting the Amendment to the Wastewater Utility Use Ordinance

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Public Works and Utilities requests the approval of resolution 25-R-01, a resolution supporting updates to the local pollutant limitations in the Wastewater Utility Use Ordinance.

The City operates a sewer system and wastewater treatment plant for the benefit of the citizens of Elkhart. As part of operating this system, the City is required to impose limitations on the amount of certain chemicals that are discharged into the sewers. The limits are calculated to ensure the sewer system and wastewater treatment plant operate correctly. The United States Environmental Protection Agency has reviewed and approved the limits as required by law.

A redline version of the changes is included on the next page.

(Ord. 5746, passed 7-1-2019; Am. Ord. 5799, passed 4-6-2020)

### 5.5 Local Pollutant Limitations.

No Person Shall Discharge Wastewater containing concentrations, referred to as Local Pollutant Limitations, in excess of:

- 2.1 mg/L — arsenic
- 1.2 mg/L — cadmium
- 4.5 mg/L — copper
- 1.75 mg/L — cyanide
- 200 mg/L — total fats, oils or grease (FOG)
- 100 mg/L — total petroleum hydrocarbons (TPH)
- 0.60 mg/L — lead
- 0.009 mg/L — mercury
- 4.1 mg/L — nickel
- 4.0 mg/L — phenol
- 1.2 mg/L — silver
- 7.0 mg/L — chromium
- 4.2 mg/L — zine

<u>Concentration (mg/L)</u>	<u>Pollutant</u>	<u>Limit Duration</u>
<u>2.1</u>	<u>Arsenic</u>	<u>Daily Maximum</u>
<u>1.2</u>	<u>Cadmium</u>	<u>Daily Maximum</u>
<u>7.0</u>	<u>Chromium</u>	<u>Daily Maximum</u>
<u>3.2</u>	<u>Copper</u>	<u>Daily Maximum</u>
<u>1.75</u>	<u>Cyanide</u>	<u>Instantaneous</u>
<u>0.60</u>	<u>Lead</u>	<u>Daily Maximum</u>
<u>0.00018</u>	<u>Mercury</u>	<u>Daily Maximum</u>
<u>4.1</u>	<u>Nickel</u>	<u>Daily Maximum</u>
<u>4.0</u>	<u>Phenol</u>	<u>Instantaneous</u>
<u>200</u>	<u>Total Fats, Oils or Grease (FOG)</u>	<u>Instantaneous</u>
<u>100</u>	<u>Total Petroleum Hydrocarbons</u>	<u>Instantaneous</u>
<u>0.10</u>	<u>Silver</u>	<u>Daily Maximum</u>
<u>4.2</u>	<u>Zinc</u>	<u>Daily Maximum</u>

The above limits apply at the point where the Wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The Control Authority may impose mass limitations in addition to the concentration-based limitations above.



Resolution 25-R-1

**A RESOLUTION OF THE BOARD OF PUBLIC WORKS OF THE  
CITY OF ELKHART, INDIANA, SUPPORTING THE AMENDMENT TO THE WASTEWATER  
UTILITY USE ORDINANCE**

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WHEREAS, the City of Elkhart, Indiana, in in need of the support of the Board of Public Works for changes to the Wastewater Utility Use Ordinance No. 5746 as amended by Ordinance No. 5799;

WHEREAS, the changes are required to remain in compliance with the City of Elkhart's wastewater treatment plant National Pollutant Discharge Elimination System (NPDES) Permit;

WHEREAS, in compliance with federal regulations under 40 CFR 122.44(j)(2)(ii), the City of Elkhart conducted a technical evaluation of its local limits and determined that an amendment to local limits proscribed under Ordinance No. 5746, as amended by Ordinance No. 5799, is appropriate; and

WHEREAS, the changes have been approved by the United State Environmental Protection Agency.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC WORKS THAT  
THAT:

Ordinance No. 5746 as amended by Ordinance No. 5799 should be further amended to reflect the necessary changes to the local pollutant limitations as follows:

5.5 Local Pollutant Limitations.

No Person Shall Discharge Wastewater containing concentrations, referred to as Local Pollutant Limitations, in excess of:

<b>Concentration (mg/L)</b>	<b>Pollutant</b>	<b>Limit Duration</b>
2.1	Arsenic	Daily Maximum
1.2	Cadmium	Daily Maximum
7.0	Chromium	Daily Maximum
3.2	Copper	Daily Maximum
1.75	Cyanide	Instantaneous
0.60	Lead	Daily Maximum
0.00018	Mercury	Daily Maximum
4.1	Nickel	Daily Maximum
4.0	Phenol	Instantaneous
200	Total Fats, Oils or Grease (FOG)	Instantaneous
100	Total Petroleum Hydrocarbons	Instantaneous
0.10	Silver	Daily Maximum
4.2	Zinc	Daily Maximum

The above limits apply at the point where the Wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The Control Authority may impose mass limitations in addition to the concentration-based limitations above.

RESOLVED this \_\_\_\_\_ day of January, 2025.

\_\_\_\_\_  
Michael C. Machlan, President

\_\_\_\_\_  
Jamie Arce, Vice President

\_\_\_\_\_  
Ronnie Davis, Member

\_\_\_\_\_  
Rose Rivera, Member

\_\_\_\_\_  
Andy Jones, Member

ATTEST:

\_\_\_\_\_  
Nancy Wilson, Clerk



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## M E M O R A N D U M

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Date January 7, 2025  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager<sub>sg</sub>  
RE Continental Industries – Permit # 2003-01

The Pretreatment group requests the Board of Public Works approval of the Industrial Wastewater Discharge Permit for Continental Industries Permit # 2003-01, located at 100 W. Windsor Ave., Elkhart, Indiana.

Continental Industries has a metal finishing process for heating, ventilation and air conditioning registers.

Continental Industries has been a very cooperative and compliant facility; the Pretreatment group recommends this Permit renewal.

**Please issue Continental Industries its five-year Industrial Wastewater Discharge Permit Renewal.**





## M E M O R A N D U M

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Date January 13, 2025  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager  
RE Earthmovers Landfill, LLC – Permit # 2009-01

The Pretreatment group requests the Board of Public Works approval of the Industrial Wastewater Discharge Permit renewal for Earthmover's Landfill, LLC Permit # 2009-01, located at 26488 County Road 26, Elkhart, Indiana.

Earthmover's Landfill is a municipal solid waste landfill.

Earthmover's Landfill has been a very cooperative and compliant facility; the Pretreatment group recommends this Permit renewal.

**Please issue Earthmover's Landfill its five-year Industrial Wastewater Discharge Permit Renewal.**

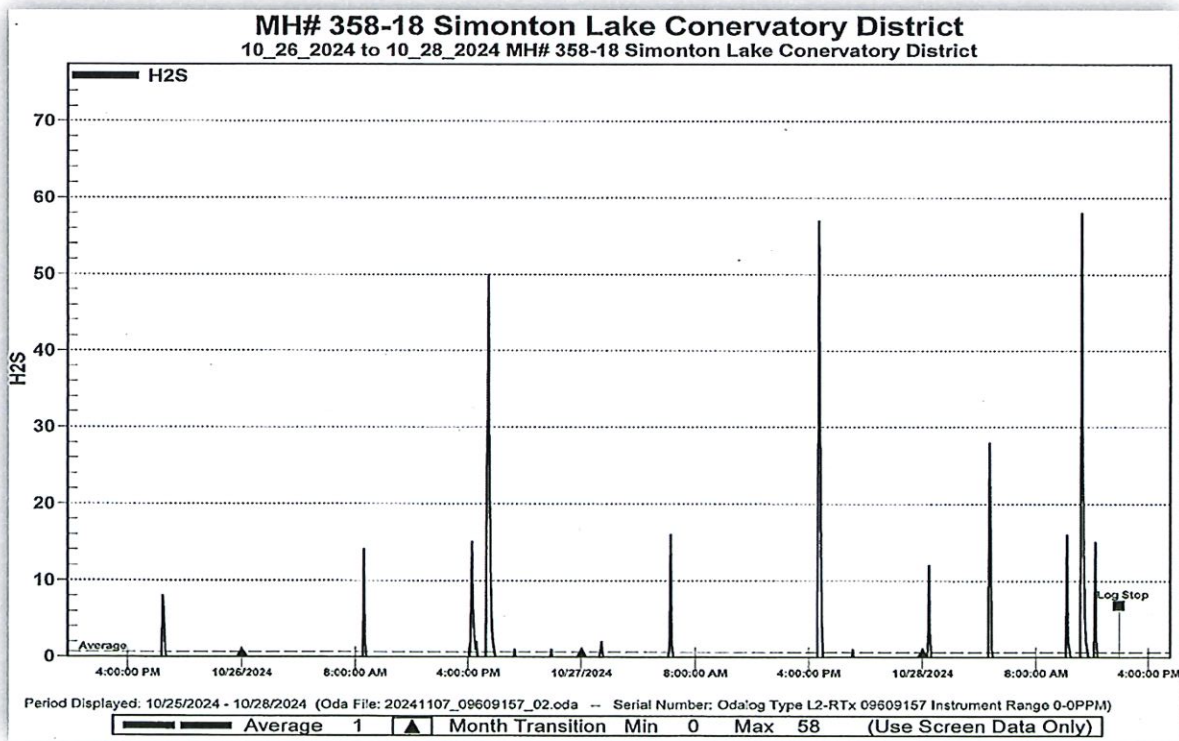


## MEMORANDUM

Date January 13, 2025  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager  
RE Simonton Lake Conservancy District

Pretreatment Staff conducted monthly H<sub>2</sub>S monitoring for Simonton Lake Conservancy District on October 26-28, 2024. The H<sub>2</sub>S result of 58 ppm exceeded the maximum limit of 50 ppm set by the Wastewater Use Ordinance.

The Enforcement Response Plan (ERP) recommends "Discharges that cause average concentration of hydrogen sulfide (H<sub>2</sub>S) gas in the POTW to exceed 5 ppm or the maximum concentration of 50 ppm at any time" for second violation a penalty of \$1,500.



Please find Simonton Lake Conservancy District in violation of the Wastewater Use Ordinance and assign a penalty of \$1,500.



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## M E M O R A N D U M

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Date January 13, 2025  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager  
RE Bimbo Bakeries – Permit # 2006-03

Bimbo Bakeries is required to monitor Total Fats, Oils, and Grease (FOG) monthly, with a daily maximum Local Limit of 200 mg/L.

The Sewer Use Ordinance definition for daily maximum limit is as follows:

**DAILY MAXIMUM LIMIT.** The maximum allowable discharge limit of a pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

On September 5, 2024, three FOG samples were collected:

- 7am: 907 mg/L
- 11am: 640 mg/L
- 1pm: 612 mg/L

The average concentration of these samples is 720 mg/L, which exceeds the 200 mg/L daily maximum Local Limit, for a recommended penalty of \$250.

Since the result is 72.22% above the established limit, there is an additional recommended penalty of \$250.

Therefore, the total recommended penalty is \$500.

Please amend Bimbo Bakeries – Permit # 2006-03 penalty from \$1,500 to \$500 due to a calculation error.





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## M E M O R A N D U M

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Date January 13, 2025  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager  
RE JBS Prepared Foods – Permit # 2002-01

JBS Prepared Foods is required to monitor Total Fats, Oils, and Grease (FOG) monthly, with a daily maximum Local Limit of 200 mg/L.

The Sewer Use Ordinance definition for daily maximum limit is as follows:

**DAILY MAXIMUM LIMIT.** The maximum allowable discharge limit of a pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

On October 18, 2024, the FOG grab sample of 218 mg/L exceeds the 200 mg/L daily maximum Local Limit, for a recommended penalty of \$250.

**Please amend JBS Prepared Foods – Permit # 2002-01 penalty from \$500 to \$250 due to a calculation error.**



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## M E M O R A N D U M

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Date January 14, 2025  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager  
RE Winona Powder Coating, Inc. – Permit # 2003-02

Winona Powder Coating, Inc. failed to monitor cadmium, lead, silver, and cyanide for the first half of 2024. In accordance with the Elkhart Public Works and Utilities Wastewater Utility Enforcement Response Plan, a penalty of \$100 is recommended for each unmonitored parameter.

The total recommended penalty is \$400.

Please find Winona Powder Coating, Inc. – Permit # 2003-02 in violation of their Industrial Wastewater Discharge Permit for failing to monitor cadmium, lead, silver and cyanide and assign a penalty of \$400.



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## M E M O R A N D U M

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Date January 14, 2025  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager  
RE Lippert Components, Plant #58 – Permit # 2011-01

On July 23-24, 2024, Pretreatment Staff conducted a routine 24-hour composite monitoring event at Lippert Components, Plant #58 end of process.

The zinc concentration of 1.640 mg/L from this sample exceeds the daily maximum limit of 0.68 mg/L for Plant #58's end of process, resulting in a recommended penalty of \$250.

Additionally, the result exceeds the established limit by more than 20%, with an exceedance of 141%, which triggers an additional penalty of \$250.

Therefore, the total recommended penalty for this violation is \$500.

Please find Lippert Components, Plant #58 – Permit # 2011-01 in violation of their Industrial Wastewater Discharge Permit limit for zinc and assign a penalty of \$500.





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## M E M O R A N D U M

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Date January 14, 2025  
To Mike Machlan, Board of Works President  
From Steve Brown, Pretreatment Manager  
RE Elkhart Environmental Processing – Permit # 2002-02

Elkhart Environmental Processing failed to monitor arsenic, mercury, cyanide, silver, and total petroleum hydrocarbons (TPH) for November 2024. According to the Elkhart Public Works and Utilities Wastewater Utility Enforcement Response Plan, a penalty of \$500 for the second offense is recommended for each unmonitored parameter.

The total recommended penalty is \$2,500

Please find Elkhart Environmental Processing – Permit # 2002-02 in violation of their Industrial Wastewater Discharge Permit for failing to monitor arsenic, mercury, cyanide, silver, and total petroleum hydrocarbons (TPH) and assign a penalty of \$2,500.

**B.O.W. SUMMARY**

**January 21, 2025**

Driveway Permit:

#5149, Owner: Glenn Henderson  
Property: 463 James St.  
Contractor: R&M Concrete  
\$400 bond

#5145, Owner: LaCasa, Inc.  
Property: 427 Aspenwald Ave  
Contractor: Modway Homes, LLC  
\$400 Cash bond

Release of Bond:

#5149, Paul Goodwin  
Property: 463 James St.  
\$400 Cash bond

#5145, Contractor: Modway Homes  
Property: 427 Aspenwald Ave  
\$400 Cash bond



## M E M O R A N D U M

From: Josh Holt, City of Elkhart Fleet Manager

Date: January 9<sup>th</sup>, 2025

To: Elkhart Board of Works

**Subject:** Request for Authorization to Purchase a 2025 John Deere 644P 4WD Loader for Street Dept.

Dear Board Members,

I am requesting the Board of Public Works' permission to proceed with the purchase of a 2025 John Deere 644P 4WD Loader from West Side Tractor to replace our existing unit. The total purchase price for this unit is \$342,719.44.

As part of this transaction, we will be trading in Unit #335, a 2012 Hyundai HL760-9 Loader, for which West Side Tractor has offered a trade-in value of \$28,000. This brings the total net purchase price to \$314,719.44.

This purchase is being made through Sourcewell, a cooperative purchasing organization that allows governmental agencies to leverage pre-negotiated contracts with competitive pricing. By utilizing Sourcewell, we ensure that this purchase meets procurement standards and provides cost savings to the city.

Funds for this purchase have already been approved by the Elkhart City Council for this year's budget. I fully support and approve this purchase, as it will provide the Street Department with a reliable, updated piece of equipment essential for their operations.



I kindly request the Board's approval to proceed with this transaction as outlined. Thank you for your consideration.

Sincerely,

Joshua J. Holt, City of Elkhart Fleet Manager

A handwritten signature in blue ink, appearing to read "Joshua J. Holt".



**WEST SIDE TRACTOR SALES**  
 25166 State Road 2 South Bend IN 46619  
 (574) 232-1461

Carl Lueth - Sales Representative - Clueth@wstsales.com



January 9, 2025

0  
 CITY OF ELKHART CENTRAL GARAGE  
 1909 W MISHAWAKA RD  
 ELKHART, IN  
 Sourcewell ID #

**2025 John Deere 644 P 4WD Loader**  
**SOURCEWELL Cooperative Contract 011723-JDC**

*Please note that this quote is valid for 30 days.*

Code	Machine Configuration Description	Unit Price
All the prices in the detailed sections are Per machine basis. Qty (1)		
6051D	644 P Wheel Loader	380,532.00
0202	United States	-
0259	English	-
0351	Translated Text Labels	-
0400	Standard Loader	-
0451	Standard Z-BAR	-
0615	Trim Level 2:Flat Black Exhaust,140 Amp Alternator,30 Amp Converter,LED Work & Drive Lights,Premium	5,678.00
0	Seat, Heated & Ventilated w/Heavy Duty Air Suspension,Premium AM/FM/Weather Band (WB) w/Bluetooth,	-
0	Remote Aux & Remote USB Port,Tire Pressure Monitoring System,Ride Control	-
0659	Performance Pkg 4:Locking Front Differential,Locking Rear Differential,Auto Diff Lock,Throttle Lock,Wheel	9,607.00
0	Spin Control,5-Speed Powershift Transmission w/Lock-up Torque Converter	-
0952	Rear Camera (Secondary Display)	1,508.00
1100	Less Detection System	-
1602	Steering Wheel	-
1301	Left Side Steps	-
183E	JDLink™	-
2205	SmartWeigh Ready + Trial	1,288.00
4069	John Deere 6.8L - FT4/SV	39,975.00
6522	Rear Counterweight & Rear Hitch w/ Pin	-
7026	Joystick Controls	-
7054	Three Function Hydraulics	2,377.00
5125	Bridgestone VJT - 23.5R25 L3 1-Star Radial Tires w/ 3 PC Rims	27,165.00
5552	Standard Front Fenders	-
7402	Hydraulic Coupler - JRB 418 Pattern	10,321.00
7806	4.50 YD (3.44 CM) Enhanced Performance	14,251.00
7458	Bolt-On Cutting Edge	2,650.00
7500	Less Fork Frame	-
7700	Less Tines	-
8500	Cold Weather Package	526.00
8295	Heated And Powered Exterior Mirrors	758.00
8501	Debris Package	3,628.00
8505	Guards - Transmission & Bottom	2,717.00
8502	Maintenance and Service Package	1,115.00
8508	Auxiliary Equipment Package	1,193.00
8213	Chrome Curved Stack	711.00
		<b>List Price</b> \$ 506,000.00
		<b>Discount</b> 34.0% \$ 172,040.00
		<b>Net Price</b> \$ 333,960.00

Custom Jobs Description	Qt	Price
Factory Freight Destination South Bend, IN 46619	1	3,350.00
Dlr provide Pre-Delivery Inspection, Supplies and Fuel Fill	1	2,125.00
Dealer Provided Delivery	1	700.00
Labor for field installed kits	1	-
Extended Warranty: • Extended 36/2500 PT&H Warranty Machine Only	1	2,584.44
ROCKLAND GRAPPLE	0	-
<b>Total Price</b>		\$ 8,759.44
<b>Quote Summary (per unit)</b>		

Item Description		Prices
Machine Net Price		\$ 333,960.00
Custom Jobs		\$ 8,759.44
<b>Total Net Price</b>	<b>Quantity (1)</b>	<b>\$ 342,719.44</b>
		-
		-
<b>Adjusted Net Price</b>		<b>\$ 342,719.44</b>

Less Trade-in	
2012 Hyundai HL760-9 with 7736 hours	28,000.00
0	-
	-
	-

**Payoff to Trade** -  
**Net Price less Trade-Ins** \$ 314,719.44

**Warranty Terms**

644 P includes • Full Machine 12 Month -Unlimited Hour Warranty • Extended 36/2500 PT&H Warranty Machine Only





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## M E M O R A N D U M

**From:** Josh Holt, City of Elkhart Fleet Manager

**Date:** January 10<sup>th</sup>, 2025

**To:** Elkhart Board of Works

**Subject:** Request for Authorization to Purchase a 2025 Manitou MT625 Telehandler for Central Garage

Dear Board Members,

I am requesting the Board of Public Works' permission to proceed with the purchase of a 2025 Manitou MT625 Telehandler from Plevna Implement co. to replace our existing unit. The total purchase price for this unit is \$84,000.00.

As part of this transaction, we will be trading in Unit #67612, our 2002 New Holland Loader, for which Plevna Implement co. has offered a trade-in value of \$4,000. This brings the total net purchase price to \$80,000.00.

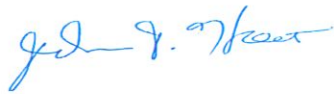
This purchase is being made through Sourcewell, a cooperative purchasing organization that allows governmental agencies to leverage pre-negotiated contracts with competitive pricing. By utilizing Sourcewell, we ensure that this purchase meets procurement standards and provides cost savings to the city.

Funds for this purchase have already been approved by the Elkhart City Council for this year's budget. I fully support and approve this purchase, as it will provide us at the Central Garage with a reliable, updated piece of equipment essential for our operations.

I kindly request the Board's approval to proceed with this transaction as outlined. Thank you for your consideration.

Sincerely,

Joshua J. Holt, City of Elkhart Fleet Manager

A handwritten signature in blue ink, appearing to read "Joshua J. Holt".







Memo from the Elkhart city Central Garage

To: Board of Works

From: Josh Holt

Date: 1/7/2025

Subject: Authorization to Purchase Two Tandem Axle Plow Trucks for the Street Department

Dear Board Members,

I am requesting authorization to proceed with the purchase of two tandem axle plow trucks for the Street Department. These trucks will be purchased through W.A. Jones under a Sourcewell contract, ensuring competitive pricing and compliance with procurement standards. The total purchase price for these vehicles is \$643,964, and the necessary funds have been approved by the City Council as part of the 2025 city budget.

Both trucks will be built to meet our specific operational needs, providing enhanced reliability and efficiency for many years. This investment is essential for maintaining city streets during winter weather events, working with the paving crews and other critical operations crucial to Street Dept. operations.

Your approval of this purchase is greatly appreciated. Please let me know if additional information or documentation is required.

Sincerely,  
Joshua J. Holt

A handwritten signature in blue ink, appearing to read "Joshua J. Holt", is written over the typed name.

Elkhart Central Garage & Fleet Manager



# National Auto Fleet Group

A Division of Chevrolet of Watsonville

490 Auto Center Drive, Watsonville, CA 95076

(855) 289-6572 • (831) 480-8497 Fax

Fleet@NationalAutoFleetGroup.com

4/22/2024

Quote ID#2863HD

Mr. Josh Holt

City of Elkhart  
1909 W. Mishawaka Rd.  
Elkhart, IN 46517

Dear Josh Holt,

National Auto Fleet Group is pleased to quote the following sourced item(s) for your consideration. Note units are not to be scheduled for delivery until after January 2025  
Two (2) New/Unused (2025 Western Star 47X, One unit to have Cummins x12 Engine, with Allison 4000 RDSTransmission and one unit to have Cummins 9L Engine with Allison 3000 RDSTransmission with 14' Monroe Model RDS Body, Front frame extensions and 34" husting hitches.) and provided by Mr.Denny McIntyre with WA JonesEquipment, each for:

	Contract Price	Contract Price
Chassis and Option	\$ 166,593.00	\$ 333,186.00
W.A. Jones Quote	\$ 154,982.00	\$ 309,964.00
Tax (0.00%)	\$ 0.00	\$ 0.00
<b>Total</b>	<b>\$ 321,575.00</b>	<b>\$ 643,150.00</b>

This sourced item(s) is available under the Sourcwell (Formerly Known as NJPA) Contract 060920-NAF. Please reference this Bid Number on all Purchase Orders.

Thank you in advance for your consideration. Should you have any questions, please do not hesitate to call.

Sincerely,

Ben Rodriguez  
HD Contract Manager  
[BEN@NationalAutoFleetGroup.com](mailto:BEN@NationalAutoFleetGroup.com)  
Office (855) 289-6572  
Fax (831) 480-8497











## UNIFORM CONFLICT OF INTEREST DISCLOSURE STATEMENT

State Form 54266 (R2 / 6-15) / Form 236  
STATE BOARD OF ACCOUNTS

### Indiana Code 35-44.1-1-4

A public servant who knowingly or intentionally has a pecuniary interest in or derives a profit from a contract or purchase connected with an action by the governmental entity served by the public servant commits conflict of interest, a Class D Felony. A public servant has a pecuniary interest in a contract or purchase if the contract or purchase will result or is intended to result in an ascertainable increase in the income or net worth of the public servant or a dependent of the public servant. "Dependent" means any of the following: the spouse of a public servant; a child, stepchild, or adoptee (as defined in IC 31-9-2-2) of a public servant who is unemancipated and less than eighteen (18) years of age; and any individual more than one-half (1/2) of whose support is provided during a year by the public servant.

The foregoing consists only of excerpts from IC 35-44.1-1-4. Care should be taken to review IC 35-44.1-1-4 in its entirety.

1. Name and Address of Public Servant Submitting Statement: NANCY WILSON  
\_\_\_\_\_
2. Title or Position With Governmental Entity: ADMINISTRATIVE ASSISTANT  
\_\_\_\_\_
3. a. Governmental Entity: CITY OF ELKHART  
\_\_\_\_\_
- b. County: ELKHART  
\_\_\_\_\_
4. This statement is submitted (check one):
  - a.  as a "single transaction" disclosure statement, as to my financial interest in a specific contract or purchase connected with the governmental entity which I serve, proposed to be made by the governmental entity with or from a particular contractor or vendor; or
  - b.  as an "annual" disclosure statement, as to my financial interest connected with any contracts or purchases of the governmental entity which I serve, which are made on an ongoing basis with or from particular contractors or vendors.
5. Name(s) of Contractor(s) or Vendor(s): Jones, Petrie, Rafinski, Inc.  
\_\_\_\_\_  
\_\_\_\_\_
6. Description(s) of Contract(s) or Purchase(s) *(Describe the kind of contract involved, and the effective date and term of the contract or purchase if reasonably determinable. Dates required if 4(a) is selected above. If "dependent" is involved, provide dependent's name and relationship.):*  
Spouse Mark E. Wilson, PE employed at JPR, Inc. Professional Services Agreements, Plans, Specifications, Surveys, Consulting and Engineering Services  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. **Description of My Financial Interest** *(Describe in what manner the public servant or "dependent" expects to derive a profit or financial benefit from, or otherwise has a pecuniary interest in, the above contract(s) or purchase(s); if reasonably determinable, state the approximate dollar value of such profit or benefit.):*

Spouse is a Shareholder in JPR and receives stock dividends which are dispersed during the year.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

*(Attach extra pages if additional space is needed.)*

8. **Approval of Appointing Officer or Body** *(To be completed if the public servant was appointed by an elected public servant or the board of trustees of a state-supported college or university.):*

I (We) being the \_\_\_\_\_ **BOARD OF PUBLIC WORKS** \_\_\_\_\_ of  
*(Title of Officer or Name of Governing Body)*

\_\_\_\_\_ **CITY OF ELKHART INDIANA** \_\_\_\_\_ and having the power to appoint  
*(Name of Governmental Entity)*

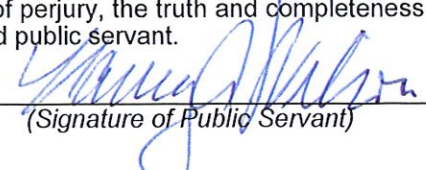
the above named public servant to the public position to which he or she holds, hereby approve the participation to the appointed disclosing public servant in the above described contract(s) or purchase(s) in which said public servant has a conflict of interest as defined in Indiana Code 35-44.1-1-4; however, this approval does not waive any objection to any conflict prohibited by statute, rule, or regulation and is not to be construed as a consent to any illegal act.

_____	_____
_____	_____
_____	_____
Elected Official	Office

9. **Effective Dates** *(Conflict of interest statements must be submitted to the governmental entity prior to final action on the contract or purchase.):*

_____	_____
1-9-25	
Date Submitted <i>(month, day, year)</i>	Date of Action on Contract or Purchase <i>(month, day, year)</i>

10. **Affirmation of Public Servant:** This disclosure was submitted to the governmental entity and accepted by the governmental entity in a public meeting of the governmental entity prior to final action on the contract or purchase. I affirm, under penalty of perjury, the truth and completeness of the statements made above, and that I am the above named public servant.

Signed:   
(Signature of Public Servant)

Date: 01/09/2025  
(month, day, year)

Printed Name: NANCY A WILSON  
(Please print legibly.)

Email Address: NANCY.WILSON@COEI.ORG

Within fifteen (15) days after final action on the contract or purchase, copies of this statement must be filed with the State Board of Accounts by uploading it here [https://gateway.ifionline.org/sboa\\_coi/](https://gateway.ifionline.org/sboa_coi/) which is the preferred method of filing, or by mailing it to the State Board of Accounts, Indiana Government Center South, 302 West Washington Street, Room E418, Indianapolis, Indiana, 46204-2765 and the Clerk of the Circuit Court of the county where the governmental entity took final action on the contract or purchase.





## UNIFORM CONFLICT OF INTEREST DISCLOSURE STATEMENT

State Form 54266 (R2 / 6-15) / Form 236  
STATE BOARD OF ACCOUNTS

### Indiana Code 35-44.1-1-4

A public servant who knowingly or intentionally has a pecuniary interest in or derives a profit from a contract or purchase connected with an action by the governmental entity served by the public servant commits conflict of interest, a Class D Felony. A public servant has a pecuniary interest in a contract or purchase if the contract or purchase will result or is intended to result in an ascertainable increase in the income or net worth of the public servant or a dependent of the public servant. "Dependent" means any of the following: the spouse of a public servant; a child, stepchild, or adoptee (as defined in IC 31-9-2-2) of a public servant who is unemancipated and less than eighteen (18) years of age; and any individual more than one-half (1/2) of whose support is provided during a year by the public servant.

The foregoing consists only of excerpts from IC 35-44.1-1-4. Care should be taken to review IC 35-44.1-1-4 in its entirety.

1. **Name and Address of Public Servant Submitting Statement:** \_\_\_\_\_

Thomas C. Shoff

2. **Title or Position With Governmental Entity:** Commissioner, Board of Aviation

3. a. **Governmental Entity:** Airport

b. **County:** Elkhart

4. **This statement is submitted (check one):**

a.  as a "single transaction" disclosure statement, as to my financial interest in a specific contract or purchase connected with the governmental entity which I serve, proposed to be made by the governmental entity with or from a particular contractor or vendor; or

b.  as an "annual" disclosure statement, as to my financial interest connected with any contracts or purchases of the governmental entity which I serve, which are made on an ongoing basis with or from particular contractors or vendors.

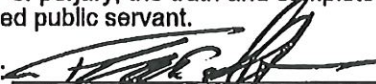
5. **Name(s) of Contractor(s) or Vendor(s):** \_\_\_\_\_

Shoff Security Systems, Inc.

6. **Description(s) of Contract(s) or Purchase(s)** *(Describe the kind of contract involved, and the effective date and term of the contract or purchase if reasonably determinable. Dates required if 4(a) is selected above. If "dependent" is involved, provide dependent's name and relationship.):*

Installation and monitoring of electronic security systems

10. **Affirmation of Public Servant:** This disclosure was submitted to the governmental entity and accepted by the governmental entity in a public meeting of the governmental entity prior to final action on the contract or purchase. I affirm, under penalty of perjury, the truth and completeness of the statements made above, and that I am the above named public servant.

Signed:   
(Signature of Public Servant)

Date: 1/9/25  
(month, day, year)

Printed Name: Thomas C. Shoff  
(Please print legibly.)

Email Address: tom@shoff.com

Within fifteen (15) days after final action on the contract or purchase, copies of this statement must be filed with the State Board of Accounts by uploading it here [https://gateway.ifionline.org/sboa\\_coi/](https://gateway.ifionline.org/sboa_coi/) which is the preferred method of filing, or by mailing it to the State Board of Accounts, Indiana Government Center South, 302 West Washington Street, Room E418, Indianapolis, Indiana, 46204-2765 and the Clerk of the Circuit Court of the county where the governmental entity took final action on the contract or purchase.

7. **Description of My Financial Interest** *(Describe in what manner the public servant or "dependent" expects to derive a profit or financial benefit from, or otherwise has a pecuniary interest in, the above contract(s) or purchase(s); if reasonably determinable, state the approximate dollar value of such profit or benefit.):*

I am the President of Shoff Security Systems, Inc.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*(Attach extra pages if additional space is needed.)*

8. **Approval of Appointing Officer or Body** *(To be completed if the public servant was appointed by an elected public servant or the board of trustees of a state-supported college or university.):*

I (We) being the \_\_\_\_\_ of  
*(Title of Officer or Name of Governing Body)*

\_\_\_\_\_ and having the power to appoint  
*(Name of Governmental Entity)*

the above named public servant to the public position to which he or she holds, hereby approve the participation to the appointed disclosing public servant in the above described contract(s) or purchase(s) in which said public servant has a conflict of interest as defined in Indiana Code 35-44.1-1-4; however, this approval does not waive any objection to any conflict prohibited by statute, rule, or regulation and is not to be construed as a consent to any illegal act.

_____	_____
_____	_____
_____	_____
Elected Official	Office

9. **Effective Dates** *(Conflict of interest statements must be submitted to the governmental entity prior to final action on the contract or purchase.):*

_____	_____
Date Submitted <i>(month, day, year)</i>	Date of Action on Contract or Purchase <i>(month, day, year)</i>





## UNIFORM CONFLICT OF INTEREST DISCLOSURE STATEMENT

State Form 54266 (R2 / 6-15) / Form 236  
STATE BOARD OF ACCOUNTS

### Indiana Code 35-44.1-1-4

A public servant who knowingly or intentionally has a pecuniary interest in or derives a profit from a contract or purchase connected with an action by the governmental entity served by the public servant commits conflict of interest, a Class D Felony. A public servant has a pecuniary interest in a contract or purchase if the contract or purchase will result or is intended to result in an ascertainable increase in the income or net worth of the public servant or a dependent of the public servant. "Dependent" means any of the following: the spouse of a public servant; a child, stepchild, or adoptee (as defined in IC 31-9-2-2) of a public servant who is unemancipated and less than eighteen (18) years of age; and any individual more than one-half (1/2) of whose support is provided during a year by the public servant.

The foregoing consists only of excerpts from IC 35-44.1-1-4. Care should be taken to review IC 35-44.1-1-4 in its entirety.

1. **Name and Address of Public Servant Submitting Statement:** Michael Machlan  
1617 E. Lake Drive W. Elkhart, IN 46514
2. **Title or Position With Governmental Entity:** President of Board of Pubic Works
3. a. **Governmental Entity:** City of Elkhart. IN  
b. **County:** Elkhart
4. **This statement is submitted (check one):**
  - a.  as a "single transaction" disclosure statement, as to my financial interest in a specific contract or purchase connected with the governmental entity which I serve, proposed to be made by the governmental entity with or from a particular contractor or vendor; or
  - b.  as an "annual" disclosure statement, as to my financial interest connected with any contracts or purchases of the governmental entity which I serve, which are made on an ongoing basis with or from particular contractors or vendors.
5. **Name(s) of Contractor(s) or Vendor(s):** Michael MACHlan, PE  
\_\_\_\_\_  
\_\_\_\_\_
6. **Description(s) of Contract(s) or Purchase(s)** *(Describe the kind of contract involved, and the effective date and term of the contract or purchase if reasonably determinable. Dates required if 4(a) is selected above. If "dependent" is involved, provide dependent's name and relationship.):*  
Michael Machlan (self) does ongoing IDEM Permit review for the City Engineer  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. **Description of My Financial Interest** *(Describe in what manner the public servant or "dependent" expects to derive a profit or financial benefit from, or otherwise has a pecuniary interest in, the above contract(s) or purchase(s); if reasonably determinable, state the approximate dollar value of such profit or benefit.):*

I am paid by the City to do the IDEM Permit reviews.

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*(Attach extra pages if additional space is needed.)*

8. **Approval of Appointing Officer or Body** *(To be completed if the public servant was appointed by an elected public servant or the board of trustees of a state-supported college or university.):*

I (We) being the \_\_\_\_\_ of  
*(Title of Officer or Name of Governing Body)*

\_\_\_\_\_ and having the power to appoint  
*(Name of Governmental Entity)*

the above named public servant to the public position to which he or she holds, hereby approve the participation to the appointed disclosing public servant in the above described contract(s) or purchase(s) in which said public servant has a conflict of interest as defined in Indiana Code 35-44.1-1-4; however, this approval does not waive any objection to any conflict prohibited by statute, rule, or regulation and is not to be construed as a consent to any illegal act.

_____	_____
_____	_____
_____	_____
Elected Official	Office

9. **Effective Dates** *(Conflict of interest statements must be submitted to the governmental entity prior to final action on the contract or purchase.):*

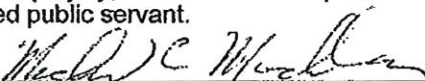
\_\_\_\_\_

Date Submitted *(month, day, year)*

\_\_\_\_\_

Date of Action on Contract or Purchase *(month, day, year)*

10. **Affirmation of Public Servant:** This disclosure was submitted to the governmental entity and accepted by the governmental entity in a public meeting of the governmental entity prior to final action on the contract or purchase. I affirm, under penalty of perjury, the truth and completeness of the statements made above, and that I am the above named public servant.

Signed:   
(Signature of Public Servant)

Date: January 10, 2025  
(month, day, year)

Printed Name: Michael C. Machlan  
(Please print legibly.)

Email Address: mikemachlan@gmail.com

Within fifteen (15) days after final action on the contract or purchase, copies of this statement must be filed with the State Board of Accounts by uploading it here which is the preferred method of filing, or by mailing it to the State Board of Accounts, Indiana Government Center South, 302 West Washington Street, Room E418, Indianapolis, Indiana, 46204-2765 and the Clerk of the Circuit Court of the county where the governmental entity took final action on the contract or purchase.





**UNIFORM CONFLICT OF INTEREST DISCLOSURE STATEMENT**

State Form 54266 (R2 / 6-16) / Form 236  
STATE BOARD OF ACCOUNTS

**Indiana Code 35-44.1-1-4**

A public servant who knowingly or intentionally has a pecuniary interest in or derives a profit from a contract or purchase connected with an action by the governmental entity served by the public servant commits conflict of interest, a Class D Felony. A public servant has a pecuniary interest in a contract or purchase if the contract or purchase will result or is intended to result in an ascertainable increase in the income or net worth of the public servant or a dependent of the public servant. "Dependent" means any of the following: the spouse of a public servant; a child, stepchild, or adoptee (as defined in IC 31-9-2-2) of a public servant who is unemancipated and less than eighteen (18) years of age; and any individual more than one-half (1/2) of whose support is provided during a year by the public servant.

The foregoing consists only of excerpts from IC 35-44.1-1-4. Care should be taken to review IC 35-44.1-1-4 in its entirety.

1. **Name and Address of Public Servant Submitting Statement:** Gary D. Boyn, 3136 Boxwood Ct, Elkhart, IN 46514.

2. **Title or Position With Governmental Entity:** President and Member of the Lerner Governing Board

3. a. **Governmental Entity:** City of Elkhart, IN

b. **County:** Elkhart

4. **This statement is submitted (check one):**

a.  as a "single transaction" disclosure statement, as to my financial interest in a specific contract or purchase connected with the governmental entity which I serve, proposed to be made by the governmental entity with or from a particular contractor or vendor; or

b.  as an "annual" disclosure statement, as to my financial interest connected with any contracts or purchases of the governmental entity which I serve, which are made on an ongoing basis with or from particular contractors or vendors.

5. **Name(s) of Contractor(s) or Vendor(s):** Warrick & Boyn, LLP

6. **Description(s) of Contract(s) or Purchase(s)** *(Describe the kind of contract involved, and the effective date and term of the contract or purchase if reasonably determinable. Dates required if 4(a) is selected above. If "dependent" is involved, provide dependent's name and relationship.)*

The law firm is employed as legal counsel to the City Redevelopment Commission/Dept. of Redevelopment.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

7. **Description of My Financial Interest** *(Describe in what manner the public servant or "dependent" expects to derive a profit or financial benefit from, or otherwise has a pecuniary interest in, the above contract(s) or purchase(s); if reasonably determinable, state the approximate dollar value of such profit or benefit.):*

I am "Of Counsel" at the law firm of Warrick & Boyn, LLP and in that capacity receive a salary from the firm for the legal work I perform. I am no longer a partner in the firm and do not receive a share of the profits.

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*(Attach extra pages if additional space is needed.)*

8. **Approval of Appointing Officer or Body** *(To be completed if the public servant was appointed by an elected public servant or the board of trustees of a state-supported college or university.):*

I (We) being the \_\_\_\_\_ of  
*(Title of Officer or Name of Governing Body)*

\_\_\_\_\_ and having the power to appoint  
*(Name of Governmental Entity)*

the above named public servant to the public position to which he or she holds, hereby approve the participation to the appointed disclosing public servant in the above described contract(s) or purchase(s) in which said public servant has a conflict of interest as defined in Indiana Code 35-44.1-1-4; however, this approval does not waive any objection to any conflict prohibited by statute, rule, or regulation and is not to be construed as a consent to any illegal act.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Elected Official

Office

9. **Effective Dates** *(Conflict of interest statements must be submitted to the governmental entity prior to final action on the contract or purchase.):*

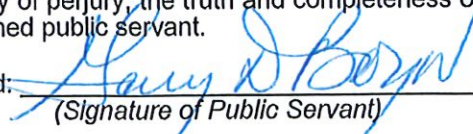
\_\_\_\_\_

Date Submitted *(month, day, year)*

\_\_\_\_\_

Date of Action on Contract or Purchase *(month, day, year)*

10. **Affirmation of Public Servant:** This disclosure was submitted to the governmental entity and accepted by the governmental entity in a public meeting of the governmental entity prior to final action on the contract or purchase. I affirm, under penalty of perjury, the truth and completeness of the statements made above, and that I am the above named public servant.

Signed:   
(Signature of Public Servant)

Date: January 10, 2025  
(month, day, year)

Printed Name: Gary D. Boyn  
(Please print legibly.)

Email Address: gboyn@warrickandboyn.com

Within fifteen (15) days after final action on the contract or purchase, copies of this statement must be filed with the State Board of Accounts by uploading it here [https://gateway.ifionline.org/sboa\\_coi/](https://gateway.ifionline.org/sboa_coi/) which is the preferred method of filing, or by mailing it to the State Board of Accounts, Indiana Government Center South, 302 West Washington Street, Room E418, Indianapolis, Indiana, 46204-2765 and the Clerk of the Circuit Court of the county where the governmental entity took final action on the contract or purchase.





## UNIFORM CONFLICT OF INTEREST DISCLOSURE STATEMENT

State Form 54266 (R2 / 6-15) / Form 236  
STATE BOARD OF ACCOUNTS

### Indiana Code 35-44.1-1-4

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The foregoing consists only of excerpts from IC 35-44.1-1-4. Care should be taken to review IC 35-44.1-1-4 in its entirety.

1. Name and Address of Public Servant Submitting Statement: Blayne LeClair  
3610 W. Chicago Rd. Niles, ME 49120
2. Title or Position With Governmental Entity: Firefighter
3. a. Governmental Entity: City of Elkhart  
b. County: Elkhart
4. This statement is submitted (check one):
  - a.  as a "single transaction" disclosure statement, as to my financial interest in a specific contract or purchase connected with the governmental entity which I serve, proposed to be made by the governmental entity with or from a particular contractor or vendor; or
  - b.  as an "annual" disclosure statement, as to my financial interest connected with any contracts or purchases of the governmental entity which I serve, which are made on an ongoing basis with or from particular contractors or vendors.
5. Name(s) of Contractor(s) or Vendor(s): CNL Properties  
\_\_\_\_\_  
\_\_\_\_\_
6. Description(s) of Contract(s) or Purchase(s) (Describe the kind of contract involved, and the effective date and term of the contract or purchase if reasonably determinable. Dates required if 4(a) is selected above. If "dependent" is involved, provide dependent's name and relationship.):  
Emergency Light / Equipment Vendor/Dealer & upfitting solutions  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



10. **Affirmation of Public Servant:** This disclosure was submitted to the governmental entity and accepted by the governmental entity in a public meeting of the governmental entity prior to final action on the contract or purchase. I affirm, under penalty of perjury, the truth and completeness of the statements made above, and that I am the above named public servant.

Signed:   
(Signature of Public Servant)

Date: 1-16-2025  
(month, day, year)

Printed Name: Blayne LeClair  
(Please print legibly.)

Email Address: blayne.leclair@clerkstg.org

Within fifteen (15) days after final action on the contract or purchase, copies of this statement must be filed with the State Board of Accounts by uploading it here [https://gateway.ifionline.org/sboa\\_coi/](https://gateway.ifionline.org/sboa_coi/) which is the preferred method of filing, or by mailing it to the State Board of Accounts, Indiana Government Center South, 302 West Washington Street, Room E418, Indianapolis, Indiana, 46204-2765 and the Clerk of the Circuit Court of the county where the governmental entity took final action on the contract or purchase.



# Memo

**To:** Members of the Board of Public Works

**From:** Rose Rivera, City Attorney

**Date:** January 16, 2025

**Re:** Lease with Elkhart Art League

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The Elkhart Art League has requested to renew their lease at the Depot. In 2023 the City and the Art League entered into a one year lease with the option to renew up to four (4) subsequent years.

The City had previously received the following requests for renewals:

- On August 1, 2023 for the year of 2024
- On January 1, 2024 for the year of 2025

The current renewal was received on December 28, 2025 for the year of 2026.

I am requesting that the Board accept and place on file the **LEASE RENEWAL WITH THE ELKHART ART LEAGUE.**



December 28, 2024

Ms Rose Rivera  
City of Elkhart  
229 S. Second Street  
Elkhart, Indiana 46516

Dear Ms Rivera,

The Elkhart Art League Board of Directors is requesting the continuation of the lease of space at 131 Tyler Street, Suite 1B for 2025.

The League will be celebrating its 100<sup>th</sup> Anniversary in August of 2025. Hundreds of teachers have instructed Elkhart and surrounding communities' students during these years. Many of them have remained in the area and have become EAL instructors, others have become well-known artists.

As of January 1, 2025, I am stepping down as president of EAL. Kristen Bonelli, 2523 Broadmoor Drive, Elkhart, Indiana 46514-2634 – Telephone: 574-596-6336 is the incoming lead officer.

Sincerely,

ELKHART ART LEAGUE

  
Karin Frey  
574-262-2741  
574-350-7970

## **Use & Event Permits: Event Committee 01-14-25, BOW 01-21-25**

- Frosty 5K 2/8/25- ESS, EMS, Kubota, EPD, Temporary Street Closures, Plaza Sign, Special Exception from Noise, Public Assembly
- MLK March 1/20/25- ESS, EPD, Temporary Street Closures, Parade & Public Assembly, Special Exception from Noise, Plaza Sign
- Girls on the Run 5/10/25- ESS, EMS, Temporary Street Closures Plaza Sign, Special Exception from Noise, Public Assembly
- Mary Daly Dash & Block Party 5/3/25- ESS, EMS, Temporary Street Closures, Plaza Sign, Special Exception from Noise, Public Assembly
- EPD 5K-9 Run- 5/17/25- ESS, EMS, EPD, Public Assembly, Special Exception from Noise
- National Day of Prayer 5/1/25- Central Green Stage, Plaza Sign, Public Assembly, Special Exception from Noise
- Rebuilding the Altars of Prayer 6/29, 7/27, 8/24, 9/28- Central Green Stage, Plaza Sign, Public Assembly, Special Exception from Noise