

PERSONAL AUDIO ENHANCERS ARE AVAILABLE FROM THE COUNCIL SECRETARY

AGENDA FOR REGULAR ELKHART CITY COUNCIL MEETING

LOCATION: CITY HALL, 2ND FLOOR, COUNCIL CHAMBERS

March 20, 2023

7:00 P.M.

1. Call to Order, Pledge, Moment of Silent Meditation, Roll Call

2. Minutes for Approval

Minutes of **March 6, 2023** – City Council

Presentations and Introductions

Fair Housing Poster Contest Winners

Presented by the Elkhart County Board of Realtors

Nic Wyse – President

Toni Bontrager – President Elect

Steve Bottom – Secretary/Treasurer

Elkhart Human Relations Commission

Dana Irving – Chairperson

3. Unfinished Business

a) Reports of Council Committees

b) Ordinances on Second-Third Reading

PROPOSED ORDINANCE 23-O-04, an ordinance appropriating One Hundred Sixteen thousand Eight Hundred Sixty-Four and 33/100 dollars (\$116,864.33) from the Cumulative Capital Development fund to the Other Equipment Account for the purchase of Cisco phone system

c) Ordinances and Resolutions Referred to Committees

There are no ordinances or resolutions referred to committee

d) Tabled Ordinances and Resolutions

There are no tabled ordinances or resolutions

4. **New Business**

a) **Ordinances on First Reading**

PROPOSED ORDINANCE 23-O-06, an ordinance appropriating One Hundred Sixty-Five Thousand Dollars (\$165,000.00) from the Motor Vehicle Highway Fund for the purchase of a new snow plow

b) **Resolutions**

PROPOSED RESOLUTION 23-R-04, a resolution authorizing the submission of a substantial amendment of the 2022 Community Development Block Grant Program Annual Action Plan

Vacation Hearings

There are no vacation hearings

c) **Other New Business**

d) **Reports of Mayor, Board of Works, Board of Safety or City Departments**

e) **Neighborhood Association Reports**

f) **Privilege of the Floor**

g) **Scheduling of Committee Meetings**

5. **Acceptance of Communications**

Minutes of February 28, 2023 – Board of Public Safety

Minutes of February 21, 2023 – Board of Public Works

Minutes of February 8, 2023 – Lerner Theatre Board

Minutes of February 6, 2023 – Plan Commission

Report – February 2023 Month End – Elkhart Communications Center

6. **Adjournment**

**MINUTES OF THE REGULAR COMMON COUNCIL MEETING
OF MARCH 6, 2023**

Present: Council President Arvis Dawson
Council Members Kevin Bullard, Brent Curry, Brian Thomas, Aaron Mishler, Tonda Hines, Megan Baughman, Dwight Fish, David Henke

Absent:

This meeting was made available to the public electronically through WebEx and live-streamed on Facebook. All Council Members were present in Council Chambers.

President Dawson called the meeting to order at 7:00 p.m. in the Council Chambers at City Hall, 229 S. Second Street, in Elkhart.

Councilman Mishler led the assembly in the Pledge of Allegiance. President Dawson asked for a moment of silent reflection.

The clerk called the roll.

APPROVAL OF MINUTES

Minutes of January 30, 2023 – Finance Committee

Minutes of February 6, 2023 – City Council

Minutes of February 13, 2023 – City Council

Motion to approve minutes made by Councilman Fish and seconded by Councilman Mishler.

By a unanimous voice vote, the minutes were approved.

PRESENTATIONS AND INTRODUCTIONS

There were no presentations or introductions

UNFINISHED BUSINESS

REPORTS OF COUNCIL COMMITTEES

There were no reports of council committees

ORDINANCES ON SECOND-THIRD READING

Proposed Ordinance 23-O-04

A ORDINANCE APPROPRIATING ONE HUNDRED SIXTEEN THOUSAND EIGHT HUNDRED SIXTY-FOUR AND 33/100 DOLLARS (\$116,864.33) FROM THE CUMULATIVE CAPITAL DEVELOPMENT FUND TO OTHER EQUIPMENT ACCOUNT FOR THE PURCHASE OF CISCO PHONE SYSTEM

This ordinance was held over to the March 20th meeting to allow for a public hearing

Proposed Ordinance 23-O-05

AN ORDINANCE APPROVING A MAJOR AMENDMENT TO THE “PARKWAY AT 17 DPUD-PHASE III”, A DETAILED PLANNED UNIT DEVELOPMENT, TO CHANGE THE ZONING DISTRICT FROM B-3, SERVICE BUSINESS DISTRICT TO R-4, MULTI-FAMILY DISTRICT

President Dawson asked the clerk to read the proposed ordinance by title only. Motion to adopt on second reading by Councilman Fish, seconded by Councilwoman Hines.

PRESENTATION ON PROPOSED ORDINANCE 23-O-05

Eric Trotter, Planning Department, stated that on February 6th of this year, the plan commission voted unanimously to approve the rezoning request to amend the PUD at Parkway at 17 to allow the change from a B3 to an R4 district. This would allow for a 252-unit apartment development on the site on the southeast corner of Verdant Drive and Parkway Avenue. He said that the staff is very excited to see some apartments coming forward, and they very much enthusiastically recommended approval. He said it is sent to the council with a Do Pass Recommendation. **Councilman Fish** stated it is a very exciting project. He asked changing the zoning from B3 to R4 is that going to be for the entire complex or just this section. **Eric Trotter** said no, that is just for this Lot 9. **Councilman Bullard** asked if he could tell the council what the zoning around this. He said apparently along the road where the assisted living facility is, that zone was probably changed from what it originally was also so, what is the zoning around this area? **Eric Trotter** said the zoning in and around this area is all zoned. The underlying zoning is B3 the intensity and the intensity of use of this proposed rezoning. They felt it meshed and did not increase the intensity in that beauty. **Councilman Henke** stated he had the privilege of having a presentation. He said it seems smart as far as location and proximity to the highways. He said it has an expandable place, it has a water retention area and he said he thinks it fits in well with the retirement/assisted living across the road. The best news for us, there are 37,000 people that we know come to Elkhart every day to work without a place to live. This is just a scratch the surface of need on housing in Elkhart. He is thrilled that part of it is being answered. He thanked them for investing in the community. He thanked them for investing in Elkhart.

James Randolph, Parkwel Development LLC, said that they have presented the project a number of times already to everybody in the community and try to socialize the idea of this project with, initial feedback from everybody to see how it was going to be received. He said this is a project that they can match the city's enthusiasm and excitement. This is something that they saw the need for and he thinks they have a housing project that helps the community over the housing need. They hope that it is one of the many housing projects that comes to that area. What they see is once one housing project starts, you tend to see other followers. They hope that this this project does exactly that. It is the 37,000 daily commuters that are coming in into city to work, but they are not finding homes or housing solutions near their places of work. He said they selected this location because they feel like it is close to many employment centers, and largely close to the industries that you can see along County Road 17 in Elkhart. They feel that providing workforce housing for the people who work at these locations is drastically important to the economy and for that area. The complex is back off Verdant and Parkway, so it is not directly on County Road 17. It is tucked back on the site, which is good for the residents and great for the traffic, as this community will correspond with the public roads that are right there. He said the project would consist of 252 units. They will have 117 one bedroom units, 117 two-bedroom units and 18 three-bedroom units that will be configured in 11 residential buildings. It will have half a dozen ancillary parking structures and a centralized clubhouse-leasing center for the residents on the site. There will be 441 parking spaces and 43 of those will be garage spaces, which puts the parking ratio at 1.75 per unit. For amenities, they will have the onsite lease, onsite maintenance, and a fitness center, nature walk, Pup Park, the pool and the grill stations, which are the standard that you will see in most new housing developments as they are delivered today. He showed a power point that is attached to these minutes that show drawings of what the buildings will look like along with pictures of the unit amenities. They think it is a very thoughtful site plan that makes the best use of the site that they have right now. It is going to be a new modern contemporary but moderate level of finish, because of their costs and price constraints. He did say it will be high quality and very nice.

COUNCIL COMMENTS ON PROPOSED ORDINANCE 23-O-05

President Dawson opened the council comments. **Councilman Mishler** stated that he agrees with Councilman Henke that they are in desperate need of housing. He went one-step further and said but they are in more desperate need of affordable housing. He said the one thing he did notice, is this is quite a few units, but there was no talk of price points here. He asked what kind of rent could be expected, what are you aiming here for? **James Randolph** said the rent is one of those very fun things that they have to solve almost on a daily basis to understand what the market is doing and where they can price things out. What they plan on doing is solving for the workforce-housing segment, which is, roughly speaking to 80 to 120% AMI base. That is where the largest need is and that is where the largest demand is within Elkhart. He said on a price point standpoint it puts them in a very close relation to the existing housing that is on the market right now. The one bedroom units, they are looking at anywhere between \$975 and \$1,250, the two bedroom units are \$1,375 to \$1,800 and the three bedroom units are \$1,950 to \$2,150. He said that is about as affordable as they can make the deal and still have the deal move forward. **Councilman Mishler** said the other thing that he noticed is that there are not a lot of amenities around the location. There is nowhere close by to get groceries outside of the complex. If you are a kid with a bicycle, it is difficult, as you do not want them to go out on 17. Is there a bus stop that is close? It is an aspect that he is concerned about with the public infrastructure aspect of building something so away from grocery stores and other needs. **James Randolph** said one of the things they hope that this project does is become transformative and it does entice some of those other users, a grocery specifically to come and take a look at the area. He said he has sent what they are considering doing here. He said he has sent it to groups like Kroger and Aldi's. He stated he has tried to start the conversation with some of the larger grocers out there to find out what they do in terms of how they do their due diligence to find markets, find sites. **Councilman Mishler** said, he knows that this is just a rezoning request, but are you expecting to come back and ask for any incentives or anything like that in the future from the city? **James Randolph** stated they foresee a gap being there and that is something that they do not know what it is going to be today. They need to process the rest of their design development and get pricing to kind of understand what the market is doing and see what their price point is going to be and what their constraints are. He said that they are working with Mike Huber and Kristen Smole on exactly what the tools in the toolbox are. **Councilman Fish** stated that on your sheet here, you have a retention pond with a lot of open space. What are you planning to do with that area? **James Randolph** said that currently they have no plans for the area. He said optimistically they want to see how this first phase does, what a lease up looks like, what the life cycle of this project, and how well it performs. The reason they are securing that and requesting the rezoning is so they can consider that at a future date. **Councilman Fish** stated that he would just put an idea out there, the affordability is really important. He thinks that area companies could be raising their wages to help people in market value housing and with all the price increases. He said one of the ways that you might want to consider helping your future residents is by utilizing that space for some solar, which would offset some of your costs. There are tax incentives, even though this is not a real friendly state for solar. **James Randolph** said if it decreases our operational expenses, he is all for looking into that option. **Councilman Henke** said he finds it interesting obligating people to go to low-income housing but we want you to build a highest price thing. Nevertheless, we want you to rent it out at the lowest price. He said this is a business, and we have to allow the people in the private sector who do it best that are investing their dollars not our dollars. They are taking the risk. We are not, let them run their business. There are people in line waiting for an apartment and price has not been the barrier. The market demand is market demand and he hopes they stay with market price. He stated the best thing they can do is flood the area with housing and the demand will drop and so will prices. You cannot ask employers to raise prices and

create their own inflation. He said this again is just a scratch of the surface as far as what the city needs. He asked who the principles are for Parkwel Development LLC. **James Randolph** said the principles are Paul Phair, John Phair and Tim Haley. **Councilman Henke** stated he was surprised that it is listed as Middlebury Community Schools. The timing as far as lateral amenities, they are the first ones out there. You are the ones taking the risk, the amenities will follow

PUBLIC COMMENTS ON PROPOSED ORDINANCE 23-O-05

President Dawson opened the public comments. **Dan Brekke, resident of Elkhart, Indiana** stated he is in favor of this project. He is excited that the Holladay Group that is out of the area, Mishawaka/South Bend area, and that they are coming to Elkhart. They see the excitement of our community and the willingness to pursue this. It has been a long process up to this point and there is still a lot of hard work to be done. They have a great plan and a lot of good ideas. They have done it before and he looks forward to watching them, do it again.

COUNCIL COMMENTS ON PROPOSED ORDINANCE 23-O-05

President Dawson returned the comments to the council. **Councilman Bullard** said just to remind the council, this is just a rezoning issue. This is going to come back to the council once twice. It is going to go through planning and development. It is going to be a long process. They are just going to start it by giving them confidence that they are behind it and they are willing to change the zoning.

President Dawson asked the clerk to read the proposed ordinance by title only. He asked the clerk to do a Roll Call vote.

AYES: Bullard, Curry, Thomas, Mishler, Hines, Baughman, Fish, Henke, Dawson

NAYES:

By a unanimous vote, the proposed ordinance passed on second reading.

Motion by Councilman Bullard for third and final, second by Councilwoman Hines.

AYES: Bullard, Curry, Thomas, Mishler, Hines, Baughman, Fish, Henke, Dawson

NAYES:

By a unanimous vote, the proposed ordinance was adopted on third and final reading.

ORDINANCES AND RESOLUTIONS REFERRED TO COMMITTEES

There are no ordinances or resolutions referred to committees

TABLED ORDINANCES AND RESOLUTIONS

There are no tabled ordinances or resolution

ORDINANCES ON FIRST READING

There were no ordinances on first reading

RESOLUTIONS

There are no resolutions

VACATION HEARINGS

There were no vacation hearings

OTHER NEW BUSINESS

COUNCIL COMMENTS

Councilwoman Hines said she just wanted to take this time to thank the citizens of the 6th district for their trust and their confidence in her, when they elected her in 2019 as their council representative. She said a personal family issue has come upon her and has taken a bigger need. She is sure many of you can relate. Her mom has developed a health challenge that has led her and her husband to become her primary caregiver. As a result they recently needed to purchase a new home that would accommodate their newly responsibilities. Even though they tried very hard to find a home in the 6th district, they were unable to. They were able to find a home in the City of Elkhart. With that being said, this is her last council meeting for this term. She said she would continue to stay engaged and present, as they draw near to the end of this term. She said she is committed to you, those in the 6th district and the City of Elkhart as a whole. Because of that commitment, she is looking forward to the possibility of serving again on this council again in 2024.

Councilwoman Baughman stated she has something to bring up under new business. She said she just has a question on the minutes from the Board of Aviation Commissioner's meeting. Under new business, it is stated that they were going to resume reimbursing the board for attending meetings. The amount per state statute is \$35 dollars per meeting. She asked if someone could address that. She said she has some questions in relation to that. Like, how often does it meet, what is the percentage of members who typically attend, is membership challenging to get? Will they be paid if they attend virtually? **Andy Jones, Municipal Airport Director** said for many years, the aviation board members were paid \$35 dollars a meeting. Back in 2008 or 2009, the board voluntarily stopped taking pay because of the economic downturn and the city had some financial challenges. They spend so much of their time coming to meetings, traveling to meetings and other times they thought it was fair for them to be able to resume that compensation, so they budgeted for it in the 2023 budget. He said that this

is on hold right now. The mayor is looking into this, as there are a number of boards and commissions that can be compensated for a meeting. There are some challenges in finding people to serve on boards and commissions. They are kind of doing a comprehensive study to decide how or if that might be rolled out. He said they have never had to reschedule a meeting because they did not have a quorum. They are one of the few departments that has WebEx capability at the airport, so some do take advantage of that option. Councilwoman Baughman stated it is just a concern, and thinks it is a slippery slope and recognizing these are taxpayer dollars and to go down that way to start paying per meeting at \$35 dollars is something she would like to see the city to reevaluate. She said it says here that the motion passed unanimously. **Andy Jones** said it was but they have been asked to put the brakes on it for right now. **Councilwoman Baughman** said there is everybody sitting up here and out in the city who volunteers their time on different boards and things that are not compensated. She just thinks they have to be good stewards. If it has not been paid out for the last 13 years, it might be something just to leave on the back burner especially now, with the rate of inflation. Every dollar they pay out is on the backs of the taxpayers.

Councilman Bullard stated that at the last couple of council meetings, he brought up the car wash that is east of Cassopolis Street on County Road 6. He said he drove by there Sunday and noticed that it is been cleaned up. They are working on the trees along the buildings and they have been pulled up. Thank you for that, it looks a 1,000 times better than it did. He said he is sure a lot of us watching the news and two words come to mind, Norfolk Southern. It is in the news East Palestine had to train derailment. They said most likely that came out of Cleveland, which then is a possibility that train might have passed through, or parts of it passed through Elkhart. Fire probably thinks about as well as EMS and they probably have a plan. He stated he did not know if the mayor, administration or EMS could talk to them and try to figure out what is going on. He said that sometimes they are not the best stewards at fixing crossings. We have the crossing at Division and Waterfall Drive. How long have they been beating that drum to get that fixed and he had a phone call about that today. With Elkhart being the rail capital at one time in the world, and all the trains that go through here on US 33, it makes one think that it is not a matter of when but, if something like that happens.

Councilman Henke stated that he appreciates that because there was a studied not that long ago in regards to the amount of waste product, nuclear waste that runs our toll roads as well as other products that run the rails. He said it has been probably 25 years ago, the last ammonia spill, that sealed off hospitals and sealed off school systems. It is a real threat and someone should actually look at that, monitor, and risk manage that up. The aviation Commission, he talked about the Las Vegas trip that was taken on tax dollars, by aviation representatives, including the liaison. He said it gets concerning when all of us have some travel on behalf of our jobs, but if some of it is totally consumed by that level of trip, it is still taxpayer dollars so just need to be purposeful to the operation. He said he has a short list. They did get a notice about chickens in the community. He was given addresses of two (2) locations. People have free-range chickens and their backyards and they are city properties. He does hope we manage up, whether you are for or against right now it is against the law in the City of Elkhart. He said that in driving here from the hospital, there were five (5) vehicles in the yard on the northeast corner of Bridge and Franklin Street no backyard visible, full of vehicles parked in the grass. There are still four (4) trucks in the yard on Prairie that he has turned in several times, but they are still there, the full yard, it is four (4) houses south of Lampert on the west side. It has been called in multiple times, and he does not see any action. Fifty plus box trucks parked in the grass at 1408 Bristol Street, which is the old golf course, and they are in the grass and they get multiple complaints about realtors trying to show Elkhart yet, there is that eyesore and they need to do something about that. There has been multiple complaints on properties and Mike Huber has gotten back to him on some of those. There are compliance issues and whether we need to stagger shifts, so people can see the vehicles like we do when we drive home from work and see people pulling up in their yard, it is not the look for Elkhart. Trash down roads; he said if he looks down Kroger and he is looking towards Roy's Avenue, whatever the crossroad is, the fence is just littered with bags and junk. Someone has to manage that and it should not be a taxpayer's expense every time. He said he did get a complaint from that the merit commission

and public safety minutes are not posted or posted timely. He just wanted to lay that out there, maybe for Mr. Tracy to look after. There was another concern brought up and he did send it forward to Eric and a couple of other people. There had been a cemetery at the school site of Middlebury Street school and before that would be developed any further they wanted to make sure that any remains were appropriately moved to one (1) of the current cemeteries out of respect.

Councilman Mishler stated he wanted to agree with Councilman Bullard and Councilman Henke regarding the trains and other dangerous material, which is why, he is glad that we do have the hazmat vehicle with our fire department that we can utilize if needed. He went on to thank the fire department and the police department for their quick reaction to the fire that we had in our city this past weekend. It really exemplifies selfless service in our community. He said that they had a very large swim meet in the community this past weekend. Not only was it great for Beacon Aquatic Center, but for the downtown businesses as well. It is great to see that kind of attention come to the community. He said that he just returned home from a medical aid mission in Ukraine. He was there for about three (3) weeks and one thing that he brought back was this piece of a destroyed Russian BMP, which was likely destroyed using American made, and produced Javelin antitank missiles or precision guided by American intelligence. Materials are not the only thing that we have done for the people of Ukraine. In fact, this very council in March of 2022 passed Resolution 22-R-13, which was a resolution in support of the people of Ukraine with bipartisan support. While he was in Ukraine, he had a little time in the city of Odessa. He visited their city hall and delivered a copy of that resolution as well as one of our city flags. They responded in an email, which he would like to read so we have in the record.

Dear Aaron Mishler:

Yesterday, we received resolution on behalf of the people of the City of Elkhart in support of the people of Ukraine as well as the flag of your city. We are sincerely grateful to you for the support and attention to our people in such difficult times. We appreciate it very much. Respectfully,
Department of Cultural International Relations and European Integration of the City of Odessa City Council

He said you know, we do a lot of arguing sometimes on this council, we go back and forth some times, but they are capable of doing great things. Not only for our community, but to represent who we really are as the city of with a heart.

President Dawson said he would like to give a shout out to the street department. This past Friday they were awesome. He said somebody complained about the slush and when he got up Saturday morning it was like where did it go.

Councilwoman Baughman gave hats off to Levon Johnson who quietly sits in the back of these meetings, hosted the chamber luncheon, in which some of them attended. Just to see the amazing job he has done and champion our community within the business community, sold out lunch and to celebrate this past year was amazing. Hats off to him and his entire team, and everybody who supports the chamber as well.

**REPORTS OF THE MAYOR, BOARD OF WORKS, BOARD OF SAFETY OR CITY
DEPARTMENT HEADS**

Mayor Roberson said that he wanted to rise to also give the administration thanks to the service of Councilwoman Hines. For all of you to give your time and effort above and beyond, and obviously running into all of the difficulties that we run into in life. Yet, still be able to come and serve 12 years in the seat in the 6th district is a wonderful tribute to who you are. Therefore, we, as administration, want to make sure that it was on record that we said, thank you as well.

NEIGHBORHOOD ASSOCIATION REPORTS

Councilman Curry reported on the Pierre Moran Neighborhood Association. He said they had another good meeting yesterday and he sees in audience, some of the members of the Pierre Moran Neighborhood Association. As always, they love their neighbors and talk about the things in the neighborhood, they talk about personal things; they even had 2 dogs visit the meeting. The main thing they are talking about is beautification, maintenance and upkeep of their neighborhood where they live. They have been talking about it for a couple of meetings now that they are trying to reach out and have everybody in the neighborhood, trim their lawns this year. They want to see what their neighborhood would look like when everything is so neat. He said even if they have to reach out and help each other, they talking about doing that. Their biggest concerns are is just like some of the things Mr. Henke brought up is trash. People throwing trash down in the neighborhood and they have to pick it up. Also, people parking on the lawn. They have reached out to these people several times. They put out a flyer and had information on the flyer to tell people about the ordinances. Some people just do not get it, and they want to park on the lawn. There is a truck on Thorndale that has been parked there for a couple of months. They have had them removed in the past, but some people, think they can go back and do the things that they had already taken care of in the past. Those are some of the challenges. Rental property has been challenging in the past. They have a house now that is empty and they are glad it is empty because they were not good renters. They have reached out to the people representing that house. They are waiting on the owner to contact them, because they would like to invite them to the association meeting. They want to help them find a good tenant that wants to be active in the neighborhood. Pierre Moran swimming pool is the only pool in the city. There are some commercial vehicles being parked there and people are concerned about that too. With all these concerns, right after the meeting, he reached out to the mayor and they discussed these things. The ordinances are there, he thinks, that they can enforce them and make things a little better. Some people just going to have to pay a fine before they get it.

Jeff Szyarto from the Edwardsburg Avenue Neighborhood Association. He said it has been 59 days since he was here last talking about the house on for 412 and 414 East Beardsley. He used a quote that every day is exactly the same still the same. The invitations open for you to attend any day. If Councilman Thomas would like to watch the mania that occurs at that house in his district. He said they have left messages that have gone unheard, pick the phone up, he will always answer. They know that there are police that are present there. Last Saturday night, there was a fire trucks and three (3) EMS

trucks there for one (1) call. It is a waste of resources for a house that is not supposed to have anybody in it because the tenant is in jail right now. This house continues to be a nuisance, continues to be a problem. Things have gotten a little bit better but it has also gotten a little bit worse; now there is chemical smell. Do you want a small, a train derailment? Come by any night, you can smell propane, acetone, and bleach coming out of the back of that house. He said he is two (2) houses down and can smell it. We all know what that is. You do not have to be a rocket scientist to put two (2) and two (2) together.

PRIVILEGE OF THE FLOOR

Thomas Butler, 209 N. 3rd, Elkhart. This is two (2) plots over from 220 Jefferson Street, which was a horrible fire Friday night. He said he thinks that everyone is aware that it was a seven (7) alarm fire. The fire department responded very well and very quickly to put out that fire. As he understands it, Concord Fire Department help cover some of the shifts if there were any other calls, and there was an overtime crew that was brought in. 220 Jefferson is the largest building in his neighborhood and it has been empty and abandoned for at least three (3) to four (4) years. There has been four (4) sets of owners there that have bought and sold that property. He said it was a very scary fire. It was big enough that his furnace kicked off in his house. He could feel the heat on the windows. The light was so bright that the ice in the street was fluorescing blue with the heat and the light from it. Luckily the house, right next door had a steel roof and quite a bit of heavy snow fall on it. He stated that he has been scared for that house for a couple of weeks now, because they have had squatters breaking into that house. It was reported to the police department, and there has actually been a couple of reports that he wanted to deliver directly to the mayor and directly to the police department of people breaking into that building. If we look at the amount of empty buildings in Elkhart, there is probably only a handful of them, especially ones that have been around for a long time. As he understands it, there is some difficulty now that there is not a landlord registry. That was an idea that has been very helpful in cities. With all the rapid property transfers that have occurred, with investment bankers becoming involved with residential properties, it is sometimes difficult to know who is actually responsible and who actually owns a building when it is switching hands so many times and so quickly. He said we lost 17 low income units, probably for good. Low income housing is what is needed more than anywhere else. He said that the neighborhood has actually improved quite a bit. It has a bad reputation, but he went down and met some neighbors just this past Saturday. There is a brand new heating and cooling business that started there and there is someone else that is starting a new business to deal home foreclosures that has experienced in the industry. There is a lot of activity going on in that neighborhood that is positive. He said just recently he has noticed the homeless population has increased significantly. In the past three (3) years that he has lived there, they have come and gone based on various sets of conditions.

He stated we have shared responsibility as it is a complex problem. He would like to give this to council to look at because that is what a city council is for, is to solve complex problems. He said he is going to be presenting some ideas on this in the near future and how we work with various homeless agencies that are bringing in people to our community. We are a very wealthy community from a business perspective that has many job.

President Dawson stated that they do not allow people to come up here and campaign. If you are a candidate come up here and say you are a candidate. If it is pertinent to what they are talking about, you will be allowed to speak. This is not a bully pulpit or a podium for anyone to come up here in campaign. He said if anyone here disagrees, to please let him know.

Linda Loftus, a member of Hearing Loss Association of America. She said a couple who attended one of the council meetings and had a concern about being able to hear contacted them. She said she has tried our device and the sound person is correct it has a static sound. It drives her absolutely nuts and she had to take it off. She stated that they did talk to President Dawson, and he mentioned that you were getting something that was similar to the Lerner. They reached out to the Lerner people and they are not aware of anything. **President Dawson** said what she needed to do is speak with the chief of staff. He said that is the person that is heading up that project. **Linda Loftus** said she had just one more question. She said she is part of a subcommittee of the Indiana Association for the Deaf. She said they are trying to go city the city or county the county to try and get an ordinance passed that would require businesses such as restaurants, doctor's offices, wherever there is a public television, not necessarily the big box stores that the closed captioning would be turned on. She said she asked the legal person and he said that she would have to have the council help her. She asked if there is anyone on the council who would be interested in helping with this.

SCHEDULING OF COMMITTEE MEETINGS

There were no committee meetings to schedule

ACCEPTANCE OF COMMUNICATIONS

Minutes of January 25, 2023 – Board of Aviation Commissioners
Minutes of January 24, 2023 – Board of Public Safety
Minutes of February 14, 2023 – Board of Public Safety
Minutes of February 7, 2023 – Board of Public Works
Minutes of January 12, 2023 – Board of Zoning Appeals
Minutes of June 16, 2022 – Elkhart Historic & Cultural Preservation Commission
Minutes of July 21, 2022 – Elkhart Historic & Cultural Preservation Commission
Minutes of October 20, 2022 – Elkhart Historic & Cultural Preservation Commission
Minutes of December 14, 2022 – Elkhart Historic & Cultural Preservation Comm.
Minutes of January 11, 2023 – Lerner Theatre Board

Motion by Councilman Fish, seconded by Councilwoman Hines **moved to accept communications.**

By a unanimous voice vote, the communications were accepted.

ADJOURNMENT

Motion by Councilman Fish seconded by Councilwoman Hines, **moved for adjournment, which motion carried unanimously, by voice vote, and the meeting was adjourned.**

Debra D. Barrett, City Clerk

Arvis Dawson
President of the Elkhart City Council



MEMORANDUM

DATE: 02-07-2023

TO: Common Council

FROM: James Gerald, IT Director

RE: Proposed Ordinance to replace end of life Frontier phone system with Cisco phone system

The current Frontier PRI phone system utilized by City emergency services is failing and end of life. The purchase of the new Cisco phone system will mitigate emergency services losing telephone capabilities. Furthermore, it will consolidate the City as a whole down to one, backup redundant service instead of several disparate systems saving the City thousands per month financially as well as labor savings with more streamlined billing processes once the City is fully converted. The purchase is \$116,864.33.

Thank you for your consideration and I am available for any questions you may have.

ORDINANCE NO. _____

AN ORDINANCE APPROPRIATING ONE HUNDRED SIXTEEN THOUSAND EIGHT HUNDRED SIXTY-FOUR AND 33/100 DOLLARS (\$116,864.33) FROM THE CUMULATIVE CAPITAL DEVELOPMENT FUND TO THE OTHER EQUIPMENT ACCOUNT FOR THE PURCHASE OF CISCO PHONE SYSTEM

WHEREAS, the current Frontier PRI phone system utilized by the City of Elkhart's emergency services has reached "End of Life" status with Frontier PRI and is no longer supported by the provider; and

WHEREAS, the Frontier PRI system has recently demonstrated that it is a failing system and in need of replacement; and

WHEREAS, the Department of Information and Technology has evaluated various systems to replace the Frontier PRI system, and determined that a premise-based Cisco Unified Communications system, which is available through Network Solutions Inc., is the best solution for the present and immediate needs of the City's emergency services departments, and will be the system of choice, as the less-immediate telephone systems are replaced in future phases of the project to replace the other telephone systems in other departments of the City; and

WHEREAS, the Cisco system will eventually allow the City to consolidate all of its telephone systems into one solution with backup and redundant service; and

WHEREAS, the estimated cost to replace the telephone systems of the Elkhart Police, Fire Department and IT Department with a new state-of-the-art Cisco Systems telephone system is estimated to cost One Hundred Sixteen Thousand Eight Hundred Sixty-Four and 33/100 Dollars (\$116,864.33); and

WHEREAS, the Cisco Unified Communications system has been quoted under Cisco's Quantity Purchase Agreement with the State of Indiana (QPA #12921) by Network Solutions Inc., a Cisco-authorized reseller under the QPA; and

WHEREAS, the City of Elkhart's IT Department requests that the Common Council appropriate One Hundred Sixteen Thousand Eight Hundred Sixty-Four and 33/100 Dollars (\$116,864.33) from the Cumulative Capital Development Fund to the Other Equipment Account for the purpose described herein; and

WHEREAS, Cumulative Capital Development Fund contains funds sufficient and appropriate for the stated purpose; and

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF ELKHART, INDIANA, THAT:

Section 1. The amount of One Hundred Sixteen Thousand Eight Hundred Sixty-Four and 33/100 Dollars (\$116,864.33) be, and hereby is, appropriated from the Cumulative Capital Development Fund and assigned to the following account line:

Account No. 4402-5-030-4440500 Other Equipment \$116,864.33

Section 2. The Common Council has fixed the ____ day of _____, _____, at 7:00 p.m., in the Council Chambers, as the date, time and place when the Common Council will consider and determine the appropriation, and all taxpayers and interested persons will have the opportunity to appear and express their views.

Section 3. This Ordinance shall be in effect from and after its passage by the Common Council and approval by the Mayor according to law.

[Balance of page is intentionally blank.]

SO ORDAINED this _____ day of _____, _____.

Arvis Dawson
President of the Common Council

ATTEST:

Debra D. Barrett, City Clerk

PRESENTED to the Mayor by me this _____ day of _____, _____,
at _____ a.m./p.m.

Debra D. Barrett, City Clerk

Approved by me this _____ day of _____, _____.

Rod Roberson, Mayor

ATTEST:

Debra D. Barrett, City Clerk



NetworkSolutions

City of Elkhart Police Phone System, Fire & IT

Quote # 080999
Version 4

City of Elkhart

Les Dant

WHY we do is as important as WHAT we do



Indiana State QPA

This quote is in accordance to the terms and conditions of the Quantity Purchase Agreement with the State of Indiana. For pricing to be valid the following information must be on your PO, and agreed upon.

QPA 12921, EDS #D20-3-12921



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Fax: 574.271.7117

Scope of Work - Police Phone System

Project Request

REQUESTED FEATURES

- City of Elkhart Police would like to deploy a new on-premise enterprise-grade VOIP communications solution.

Proposed Solution

OVERVIEW

- The proposed solution is a premise-based Cisco Unified Communications solution consisting of Cisco Unified Communications Manager (CUCM) for call processing and setup, Cisco Unity Connection (CUCM) for voicemail and auto attendant features, Cisco Paging Server for paging through the phones, Cisco Emergency Responder (CER) for E911 features, Cisco Attendant Console Standard for advanced call handling functionality and CallReplay for call recording.
- All applications will be deployed across two new Cisco UCS C220 M6 servers.
- CUCM, CUC and CER will be deployed redundantly for the solution, ensuring that critical functionality of the system remains operational in the event that one of the physical servers were to have an unforeseen failure.
- The ISDN PRI telco circuit will be eliminated as the City of Elkhart Police would like to migrate to SIP trunking for PSTN connectivity. The Catalyst 8200L will terminate the new SIP trunk for PSTN access.
- The Catalyst 8200L will also be the SIP integration point for the 911 dispatch system.

Initiating and Planning Phase

DEPLOYMENT PLANNING

NSI Responsibilities:

- NSI will develop a migration plan including steps, timelines and responsibilities to migrate all equipment/locations in a single cut over event.
- Provide a base amount of up to 8 hours for call flow design, data collection questions, telco interactions and endpoint testing.
- Provide an additional 2 hours of call flow collection and consulting work per site.



Customer Responsibilities:

- Designate a location for any ordered equipment to be delivered to. If the installation location is at a different address from the shipping/staging location, the customer is responsible for transporting the equipment to each respective installation location.
- Plan for a single cutover event and provide a maintenance window for the cutover.
- Communicate the expected maintenance window to stakeholders.
- Approve the migration plan provided by NSI.
- After reviewing with NSI, complete the data collection worksheet.

Assumptions/Exclusions:

- For physical hardware, the location should provide a secure temperate area for storage and staging of equipment.

Executing/Implementation Phase

COLLABORATION IMPLEMENTATION - PHYSICAL SERVERS AND VMWARE

NSI Responsibilities:

- Install Business Edition server(s) into the customer-provided rack(s).
- Upgrade server firmware to latest stable and NSI-recommended release.
- Perform base system configuration on server CIMC (out-of-band management) from data collection workbook to include hostname(s), management address(es), logging, NTP, DNS, authentication credentials, SMTP notifications, etc.
- Perform base system configuration on embedded ESXi from data collection workbook to include hostname(s), management address(es), NTP, DNS, authentication credentials, vSwitches, port groups, network redundancy with virtual port-based load balancing, etc.
- Configure switch ports on the corresponding switch(es) to interface with the server ports. CIMC will be configured as an access port. All other ports will be configured as trunk ports. Virtual port-based load balancing will be configured in VMware ESXi. VMware ESXi management network will be the native (untagged) VLAN.
- Upgrade VMware ESXi to latest stable and NSI-recommended release supporting Cisco Unified Communications.

Customer Responsibilities:

- Provide proper power, necessary number of power receptacles and sufficient rack space.
- Provide adequate HVAC.
- Ensure enough switch ports are available.
- If connecting switches are any other vendor than Cisco and/or Meraki, customer to perform configuration on connecting switch ports for server connectivity.

Assumptions/Exclusions:

- None.



COLLABORATION IMPLEMENTATION- VIRTUAL SERVER INSTALLATIONS AND BASE CONFIGURATIONS

NSI Responsibilities:

- Configure enterprise parameters and service parameters to NSI-recommended best practices across all Unified Communications virtual machines.
- Configure Unified Communications virtual machines that support Cisco Smart Licensing to synchronize with the Cisco Smart Account for license usage and compliance.
- Install licenses on Unified Communications virtual machines that don't support Cisco Smart Licensing and checked for compliance.
- Configure CUCM and Unity Connection to leverage LDAPS with customer Microsoft Active Directory.
- Map directory URI to mail and phone number to iPhone for the LDAP integration.
- Configure Unified Communications systems that support built-in Disaster Recovery System (DRS) to perform scheduled backups as agreed upon by both parties. DRS only supports SFTP protocol and will need a Cisco-supported SFTP server deployed.
- Install Cisco Unified Communications Manager (CUCM) virtual machine(s) to latest NSI-recommended release.
- Install Cisco Unity Connection virtual machine(s) to the latest NSI-recommended release.
- Configure Unified Messaging with the customer's MS Office 365, Google Gmail or on-premise MS Exchange environment.
- Implement the CUCM/Cisco Unity Connection PIN synchronization feature.
- Provision and configure Webex Control Hub with NSI-recommended settings for any purchased services.
- Install the directory synchronization tool on a customer-provided server to perform directory synchronization for Webex Control Hub users.
- Configure UC services for the Webex app clients within CUCM if applicable, including voice messaging, directory, CTI, mailstore, etc.
- Configure a single UC service profile within CUCM as the default for all users.
- Generate certificate signing requests off of Unified Communications cluster(s) and provide them to the customer for signing.
- Install Cisco Emergency Responder virtual machine(s) to the latest NSI-recommended release.
- Configure up to five CTI ports for Cisco Emergency Responder onsite alert calls.
- Install CallReplay application to the latest NSI-recommended release on a customer-supplied Windows Server virtual machine.
- Integrate CallReplay with Cisco Unified Communications Manager.
- Configure CallReplay retention policy, recording policy, group policies and SMTP settings as agreed upon.
- Install Cisco Paging Server virtual machine and integrate with Cisco Unified Communications Manager cluster.

Customer Responsibilities:

- Provide access to a compatible NTP source if needed.
- Add any internal and/or public DNS records required for a successful implementation.
- Perform any updates to end-user accounts in MS Active Directory to pull required information in to Unified Communications servers (Ex. IP Phone field within the telephony tab).
- Provide service account with proper permissions and connectivity information for LDAP connection from Unified Communications servers.
- Provide access to Cisco Smart Account for licensing.
- Perform necessary configuration on SMTP solution to relay emails on behalf of the Unified Communications servers.
- Perform necessary configuration on MS Exchange, MS Office 365 or Google Gmail environment for the successful implementation of Unified Messaging.
- Provide NSI with a server/virtual machine and administrative rights for deployment of the Webex directory synchronization tool.





Server/virtual machine must be a member of the domain.

- Assist in testing Webex app client functionality on desired end user devices.
- Perform mass deployment of Webex client across the organization.
- Sign the provided certificate signing requests from the Unified Communications cluster(s) and provide the certificate chain(s) back to NSI for installation.
- Customer must provide a Windows virtual machine and Windows Server OS license key to host CallReplay Server.
- Customer is responsible for applying corporate security standards to the CallReplay server after implementation.
- CallReplay server must have an active internet connection for license registration.

Assumptions/Exclusions:

- All infrastructure cabling is of Category 5e or greater.
- Sufficient bandwidth exists on customer network (LAN, WAN and Internet egress/ingress) and meets required delay, jitter and RTT for voice services.
- Unified Communications virtual machines will be able to resolve DNS and communicate to the Cisco Smart Account securely on port 443 through the customer firewall for license synchronization.
- Secure LDAP on MS Active Directory environment is already configured and ready to accept secure connections from the server(s).
- A single Active Directory forest exists. Multiple Active Directory forests require AD LDS implementation and integration, which is out of scope for this implementation.
- Email platform is running on a version that supports Unified Messaging integration from Cisco Unity Connection.
- Customer is running a supported directory structure (such as Microsoft Active Directory) for the Webex directory synchronization tool.
- Customer end user devices meet minimum requirements for Webex application functionality.
- Publicly-signed SSL certificates will be required for the Webex app in Unified CM mode.
- Customer already has E911 service enabled with PSTN provider for proper E911 routing over the PSTN.
- Usable consecutive directory numbers will be reserved for CER CTI port requirements.
- G711 codec is the only codec licensed for the CallReplay call recording solution at this time.
- Recording encryption is not needed or licensed at this time.

COLLABORATION IMPLEMENTATION- SITE IMPLEMENTATION(S)

NSI Responsibilities:

- Build out Unified Communications configurations from the data collection workbook with Cisco and NSI best practices pertaining to device pools, regions, locations, partitions, dial-plan constructs, etc.
- Bulk import all phones, lines and voicemail accounts from customer-provided end-user worksheets.
- Document and review call flows with the customer.
- Configure all call flows as documented and agreed upon by both parties.
- Configure voice gateways in the CUCM with recommended Cisco and NSI best practices.
- Select call control protocol(s) for voice gateway(s) for the implementation on a per-voice gateway basis.
- Perform SIP integration with existing dispatch communications system.
- Conduct detailed acceptance testing at site(s) to ensure features and functionality are working as expected prior to cutover.
- Implement up to one auto attendant call tree per site if needed to accomplish any desired call flows for the solution. Any additional auto attendants required beyond this will be handled as a time and materials add-on.
- Install Attendant Console client(s) on workstation(s).



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- Physically install IP phones/endpoints in desired locations.
- Create or bulk import Emergency Response Locations as outlined by completed data collection workbook.
- Create IP subnets for phone tracking as outlined by completed data collection workbook.
- Configure paging zones and phone paging zone membership as outlined in data collection workbook.

Customer Responsibilities:

- Provide testing plan and list of critical services for testing.
- Assist in acceptance testing for the site(s).
- Provide voice recordings for any auto attendants for the implementation.
- Provide remote access and administrative access to workstations for attendant console software installation.
- Provide longer Ethernet cables if included cables aren't long enough to place the endpoint(s) in desired location(s).
- Provide building floor plan with detailed locations of where endpoints should be placed.
- Customer to always install headsets for use with the phones regardless of whether they are existing headsets that will be reused with the new phones or if they are new headsets provided with the solution

Assumptions/Exclusions:

- NSI will provide assistance and guidance with regard to E911 but it is ultimately up to the customer to determine if their organization is compliant with E911 regulations and laws.
- IP phones come with a 5-foot patch cable. No other patch cables have been included with this solution other than what comes with the phones.
- Customer workstations meet requirements for attendant console software application.
- NSI will not move large furniture to reach network jacks for physical endpoint deployment.
- For any wireless phones and softphones, it is assumed that the customer wireless network is optimized to run voice over and a site survey will not be performed as part of this project.
- Current cabling and infrastructure switches support PoE and will provide sufficient power to IP phones.
- There are sufficient unused DIDs in the environment to support the number of ERLs for the CER implementation if 911 callback feature is to be implemented.
- Existing IP subnet design and implementation is sufficient for IP subnet-based phone tracking and ERL assignment.
- Network is configured for multicast routing to support phone paging.

COLLABORATION IMPLEMENTATION - USER TRAINING

NSI Responsibilities:

- Provide onsite train-the-trainer end user training session to customer designated technology advocates.

Customer Responsibilities:

- Coordinate the end user train-the-trainer session(s) with the end users and NSI with reasonable advanced notice for scheduling.

Assumptions/Exclusions:

- Digital training material available upon request.



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Monitoring & Controlling / Closing Phase

PROJECT UPDATE MEETINGS

NSI Responsibilities:

- The NSI project manager will schedule project update meetings throughout the project as needed.

Customer Responsibilities:

- Attend cadence meetings and provide timely feedback on action items.

Assumptions/Exclusions:

- The NSI project manager will determine schedule and frequency of update meetings to drive project completion.
- Additional meetings can be coordinated but may result in additional charges.

POST-CUT SUPPORT

NSI Responsibilities:

- Provide remote support up to 4-hours for the business-day following any cutover.

Customer Responsibilities:

- Provide a single point person who is responsible to escalate suspected issues to NSI engineers and the project manager.
- Any issues identified after the post-cut support window should be reported to the NSI project manager. The project manager will respond and provide a schedule for appropriate resources and time-line based on the priority of the issue reported.
- Perform any workstation troubleshooting and/or end-user support.

Assumptions/Exclusions:

- None.

FINAL DOCUMENTATION

NSI Responsibilities:

- As-built documentation will be provided digitally.

Customer Responsibilities:

- Maintain copies of all documentation. (NSI does not guarantee access to these documents following initial delivery of the documents.)



Assumptions/Exclusions:

- Any documentation will be provided at the conclusion of the project.

EXTENDED SUPPORT

NSI Responsibilities:

- NSI will provide two weeks of extended support beginning on the date of project closure.

Customer Responsibilities:

- Contact NSI support at [support@nsi1.com] or by calling (800)-247-0900 - Option 3.
- When contacting NSI support, provide the project number, project description, project engineer, and project manager to ensure assignment to the appropriate project engineer.

Assumptions/Exclusions:

- Billing will align with the original project.

Pricing

FIXED FEE ENGAGEMENT

This project is being billed as a fixed-price engagement. Hardware purchases are billed upon receipt of equipment. Services will be billed at the conclusion of the project in total.



Scope of Work - Phone System Expansion Fire & IT

Project Request

REQUESTED FEATURES

- City of Elkhart has requested a proposal for adding Fire and IT to the premise Cisco Unified Communications system.

Proposed Solution

OVERVIEW

- The proposed solution is the product and professional services for adding Fire and IT to the Cisco Unified Communications system as City of Elkhart has requested.

Initiating and Planning Phase

DEPLOYMENT PLANNING

NSI Responsibilities:

- NSI will develop a migration plan including steps, timelines and responsibilities to migrate all equipment/locations in multiple cut over event.
- Provide a base amount of up to 4 hours for call flow design, data collection questions, telco interactions and endpoint testing.
- Provide an additional 2 hours of call flow collection and consulting work per site.

Customer Responsibilities:

- Designate a location for any ordered equipment to be delivered to. If the installation location is at a different address from the shipping/staging location, the customer is responsible for transporting the equipment to each respective installation location.
- Plan for a multiple cutover events and provide a maintenance window for the cutovers.
- Communicate the expected maintenance windows to stakeholders.
- Approve the migration plan provided by NSI.





- After reviewing with NSI, complete the data collection worksheet.

Assumptions/Exclusions:

- For physical hardware, the location should provide a secure temperate area for storage and staging of equipment.

Executing/Implementation Phase

COLLABORATION IMPLEMENTATION- SITE IMPLEMENTATION(S)

NSI Responsibilities:

- Build out Unified Communications configurations from the data collection workbook with Cisco and NSI best practices pertaining to device pools, regions, locations, partitions, dial-plan constructs, etc.
- Bulk import all phones, lines and voicemail accounts from customer-provided end-user worksheets.
- Document and review call flows with the customer.
- Configure all call flows as documented and agreed upon by both parties.
- Configure voice gateways in the CUCM with recommended Cisco and NSI best practices.
- Select call control protocol(s) for voice gateway(s) for the implementation on a per-voice gateway basis.
- Conduct detailed acceptance testing at site(s) to ensure features and functionality are working as expected prior to cutover.
- Implement up to one auto attendant call tree for Fire location if needed to accomplish any desired call flows for the solution. Any additional auto attendants required beyond this will be handled as a time and materials add-on.
- Install Attendant Console client(s) on workstation(s).
- Physically install IP phones/endpoints in desired locations.
- Create or bulk import Emergency Response Locations as outlined by completed data collection workbook.
- Create IP subnets for phone tracking as outlined by completed data collection workbook.

Customer Responsibilities:

- Provide testing plan and list of critical services for testing.
- Assist in acceptance testing for the site(s).
- Provide voice recordings for any auto attendants for the implementation.
- Provide remote access and administrative access to workstations for attendant console software installation.
- Provide longer Ethernet cables if included cables aren't long enough to place the endpoint(s) in desired location(s).
- Provide building floor plan with detailed locations of where endpoints should be placed.
- Customer to always install headsets for use with the phones regardless of whether they are existing headsets that will be reused with the new phones or if they are new headsets provided with the solution

Assumptions/Exclusions:

- NSI will provide assistance and guidance with regard to E911 but it is ultimately up to the customer to determine if their organization is compliant with E911 regulations and laws.



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- IP phones come with a 5-foot patch cable. No other patch cables have been included with this solution other than what comes with the phones.
- Customer workstations meet requirements for attendant console software application.
- NSI will not move large furniture to reach network jacks for physical endpoint deployment.
- For any wireless phones and softphones, it is assumed that the customer wireless network is optimized to run voice over and a site survey will not be performed as part of this project.
- Current cabling and infrastructure switches support PoE and will provide sufficient power to IP phones.
- There are sufficient unused DIDs in the environment to support the number of ERLs for the CER implementation if 911 callback feature is to be implemented.
- Existing IP subnet design and implementation is sufficient for IP subnet-based phone tracking and ERL assignment.
- This proposal assumes that the Cisco Unified Communications system is installed and in production with no known issues.

COLLABORATION IMPLEMENTATION- USER TRAINING

NSI Responsibilities:

- Provide one onsite train-the-trainer end user training session to customer designated technology advocates.

Customer Responsibilities:

- Coordinate the end user train-the-trainer session(s) with the end users and NSI with reasonable advanced notice for scheduling.

Assumptions/Exclusions:

- Digital training material available upon request.

Monitoring & Controlling / Closing Phase

PROJECT UPDATE MEETINGS

NSI Responsibilities:

- The NSI project manager will schedule project update meetings throughout the project as needed.

Customer Responsibilities:

- Attend cadence meetings and provide timely feedback on action items.

Assumptions/Exclusions:

- The NSI project manager will determine schedule and frequency of update meetings to drive project completion.
- Additional meetings can be coordinated but may result in additional charges.



POST-CUT SUPPORT

NSI Responsibilities:

- Provide remote support up to 2-hours for the business-day following any cutover.

Customer Responsibilities:

- Provide a single point person who is responsible to escalate suspected issues to NSI engineers and the project manager.
- Any issues identified after the post-cut support window should be reported to the NSI project manager. The project manager will respond and provide a schedule for appropriate resources and time-line based on the priority of the issue reported.
- Perform any workstation troubleshooting and/or end-user support.

Assumptions/Exclusions:

- None.

FINAL DOCUMENTATION

NSI Responsibilities:

- As-built documentation will be provided digitally.

Customer Responsibilities:

- Maintain copies of all documentation. (NSI does not guarantee access to these documents following initial delivery of the documents.)

Assumptions/Exclusions:

- Any documentation will be provided at the conclusion of the project.

EXTENDED SUPPORT

NSI Responsibilities:

- NSI will provide two weeks of extended support beginning on the date of project closure.

Customer Responsibilities:

- Contact NSI support at [support@nsi1.com] or by calling (800)-247-0900 - Option 3.
- When contacting NSI support, provide the project number, project description, project engineer, and project manager to ensure assignment to the appropriate project engineer.

Assumptions/Exclusions:

- Billing will align with the original project.



Pricing

FIXED FEE (PHASED/MILESTONE) ENGAGEMENT

This project is being billed as a fixed-price engagement. Services will be billed according to the following milestones.

- Milestone 1 - 20% will be billed when kick off meetings, project plan review and prep work as defined in the project plan have been completed.
- Milestone 2 - 60% will be billed when equipment defined as core components in the project plan have been installed, configuration and cutover have been completed.
- Milestone 3 - 20% - System verification/testing, admin training and run changes have been completed.



Statement of Work Terminology

● Statement of Work Terminology

Description of a Change Request

Throughout the project, it may be necessary to amend the scope of work to include additional tasks or provide additional equipment to accomplish the original scope. These changes can be identified at various stages of the project but are usually identified in the initial review of the statement of work, during prework or just before implementation.

The requested change may impact the scope, cost and timeline but is deemed necessary to accomplish the original scope so it will be important the entire team discuss the findings and agree the change is necessary.

Once the requested change has been reviewed, a change request form will need to be completed. The change request will be submitted to initiate a re-design to define and document the required changes for final customer approval.

Definition of Meetings

Meetings are very important for ensuring all team members are working towards the same goal and completing tasks to accomplish the goal. Therefore, the following meetings may be scheduled during the duration of the project.

- Kick Off Meeting – to discuss the requirements, verify the scope, identify the team members and their role, outline an initial timeline.
- Update Meetings
 - The frequency will be based on the size of the project and outlined in the project plan.
 - Additional meetings are available for an additional charge.
 - All team members are expected to be present.
 - Purpose is to review the project plan.
 - Provide updates on tasks completed.
 - Review next tasks to be completed and agree on due dates.
- Closing Meeting
 - Confirm all work has been completed and all issues resolved.
 - Retrospective (what went well and where improvements can be made).
 - Provide approval to close the project.

Description of the Closing Process

Once the engineer has indicated the deliverables have been completed, a request will be sent

- Asking for an update on the implementation
- Verifying everything is working as planned
- Confirming all deliverables have been completed



- Requesting approval to close the project

The closing process should take less than 15 days.

Potential Impacts to the Timeline

NSI does not carry inventory which means all equipment is ordered once

- The quote is accepted by the customer
- A PO is received
- The project is created if professional services are included

The ship date / delivery date for equipment will define when the project will be scheduled to begin.

In certain situations, an expedite in shipping may be requested. The expedite does not mean the vendor can fulfill the request.

The work effort, resource availability and equipment delivery date, if applicable, will be utilized to define the earliest date when a solution could be implemented.

Timeliness of the data collection effort may impact the implementation date.

Timeliness on providing access to the customer's environment or access to the customer's key technical resource may impact the schedule and implementation date.



Project Change Request

● Project Change Request

Throughout the project, it may be necessary to amend the scope of work to include additional tasks or provide additional equipment to accomplish the original scope. These requests will need to be submitted to NSI on this change request form.

The change request will serve as permission to request the re-design and quote for the requested amendment of scope.

● Project Change Request Form

1. Project Information			
a.	Project Name:		
b.	Account Manager:		
c.	Project Manager:		
d.	Customer Sponsor:		
2. Change Request			
a.	Change Category:	<input type="checkbox"/> Requirements Change	<input type="checkbox"/> Equipment Change
		<input type="checkbox"/> Other	
b.	Change Description:	{Be Detailed}	
c.	Change Justification:	{Be Detailed}	
d.	Change Impact:	<input type="checkbox"/> Cost	<input type="checkbox"/> Duration
		<input type="checkbox"/> Implementation Date	
3. Acceptance			
Customer acceptance of proposed change: The customer project team has reviewed and accepts the proposed change to the project scope and modification of the terms of the governing SOW.			
Signature: _____		Date: _____	
Customer Name and Title: _____			



Project Completion Form

● Project Completion Form

This document serves to confirm that the requested work has been completed and all of its deliverables have been met per the Statement of Work.

1. Project Information			
	Project Name:		
	Project Manager:		
2. Customer Information			
	Customer Name:		
	Customer Address:		
	Sponsor:		
	Sponsor's Title:		
	Sponsor's Email:	Sponsor's Phone:	
3. Summary of Deliverables			
	<input type="checkbox"/> Project Completion Form <input type="checkbox"/> Documentation		
4. Acceptance			
<p>The customer's project team has received and reviewed all expected deliverables of the project, accepts all the services provided, and considers the terms of the Statement of Work fulfilled.</p> <p>Customer authorizes Network Solutions, Inc. to invoice any outstanding balance for services rendered by signing this document.</p> <p>Please sign and return this document within 3 days after receipt.</p>			
Signature: _____		Date: _____	
Print Name _____		Title: _____	



Voice Products - Police Phone System

Part #	Description	Price	Qty	Ext. Price
CP-7841-K9=	Cisco IP Phone 7841 - VoIP phone - SIP, SRTP - 4 lines	\$196.82	80	\$15,745.60
				
CP-8811-K9=	Cisco IP Phone 8811 - VoIP phone - SIP, RTCP, RTP, SRTP, SDP - 5 lines	\$258.84	5	\$1,294.20
				
			Subtotal	\$17,039.80



Non-Voice Products - Police Phone System

Part #	Description	Price	Qty	Ext. Price
C8200L-1N-4T	Cisco Catalyst 8200L-1N-4T - Router - GigE - rack-mountable 	\$1,105.50	1	\$1,105.50
C8000-HSEC	Cisco U.S. Export Restriction Compliance - License - for Catalyst 8300, 8500, 8500-12, 8500-12X10	\$0.56	1	\$0.56
Initial Term - 60.00 Months Auto Renewal Term - 0 Months if not canceled within 60 days of renewal date Billing Model - Prepaid Term				
DSTACK-T0-A	Cisco Digital Network Architecture Advantage Stack - License - 30 Mbps aggregated throughput, up to 15 Mbps	\$0.00	1	\$0.00
NWSTACK-T0-A	Cisco Network Stack Advantage - License - 30 Mbps aggregated throughput, up to 15 Mbps	\$0.00	1	\$0.00
SDWAN-UMB-ADV	Cisco Umbrella - License - hosted - for Cisco DNA Advantage	\$0.00	1	\$0.00
DNAC-ONPREM-PF	Cisco Digital Network Architecture Center - On-Premise license - Deployment	\$0.00	1	\$0.00
DNA-P-T0-A-5Y	Cisco Digital Network Architecture Advantage - On-Premise subscription license (5 years) - 30 Mbps aggregated throughput, up to 15 Mbps New DNA Contract Term - 5 Yrs	\$3,850.11	1	\$3,850.11
SVS-PDNA-ADV	Cisco Digital Network Architecture Advantage - On-Premise license + Embedded Support - tiered pricing	\$0.00	1	\$0.00
UCSC-C220-M6S	Cisco UCS C220 M6 SFF Rack Server - Server - rack-mountable - 1U - 2-way - no CPU - RAM 0 GB - SATA/SAS/PCI Express - hot-swap 2.5" bay (s) - no HDD - G200e - GigE - monitor: none 	\$3,094.85	2	\$6,189.70
UCSX-TPM-002C	Cisco Trusted Platform Module 2.0 - Trusted Platform Module (TPM) 2.0 - for P/N: UCSC-C240-M6SN-BR, UCSC-C240-M6SX, UCSC-C240-M6SX-BR, UCSC-C245-M6SX, UCSX-M6-MLB	\$41.46	2	\$82.92



Non-Voice Products - Police Phone System

Part #	Description	Price	Qty	Ext. Price
UCSC-RAIL-M6	Cisco Ball Bearing Rail Kit - Rack rail kit - for P/N: UCSC-C240-M6SN, UCSC-C240-M6SN-BR, UCSC-C240-M6SX, UCSC-C240-M6SX-BR, UCSC-C245-M6SX	\$168.50	2	\$337.00
UCS-CPU-I4310T	Intel Xeon Silver 4310T - 2.3 GHz - 10-core - 15 MB cache - for P/N: UCSC-C220-M6N=, UCSC-C240-M6L=, UCSC-C240-M6N=, UCSC-C240-M6SN=, UCSC-C240-M6SX-RF	\$1,310.57	2	\$2,621.14
UCS-MR-X16G1RW	Cisco UCS - DDR4 - module - 16 GB - DIMM 288-pin - 3200 MHz / PC4-25600 - 1.2 V - registered - ECC - for UCS C125 M5, C220 M6, C225 M6, C240 M6, C245 M6	\$735.71	8	\$5,885.68
UCSC-RAID-220M6	Cisco - Storage controller (RAID) - SATA / SAS 12Gb/s - RAID 0, 1, 5, 6, 10, 50, JBOD, 60 - for P/N: UCSC-C220-M6S, UCSC-C220-M6S=, UCSC-C220-M6S-BR, UCSC-C225-M6S	\$1,719.05	2	\$3,438.10
R2XX-RAID5	Cisco Enable RAID 5 Setting - RAID controller upgrade key - for UCS C125 M5, C200 M1, C200 M2, C210 M1, C210 M2, C250 M1, C250 M2, C460 M1, C460 M2, C480	\$0.56	2	\$1.12
UCS-HD300G10K12N	Cisco - Hard drive - 300 GB - hot-swap - 2.5" SFF - SAS 12Gb/s - 10000 rpm - for UCS C240 M5, SmartPlay Select C220 M5SX, SmartPlay Select C240 M5	\$359.29	12	\$4,311.48
UCSC-PSU1-1050W	Cisco - Power supply - hot-plug / redundant (plug-in module) - AC 100 -240 V - 1050 Watt - for UCS C220 M5SN, C240 M5, S3260, SmartPlay Select C220 M5SX, SmartPlay Select C3260	\$402.96	4	\$1,611.84
VMW-VSP-STD-5A	VMware vSphere Standard - (v. 6) - license - 1 CPU - 5 years Support and Subscription required - for P/N: HX-C220-M6S, HX-C240-M6L, HX-C240-M6N, HX-C240-M6S, HX-C240-M6SN, HX-C240-M6SX	\$916.64	2	\$1,833.28
Subtotal				\$31,268.43



Non-Cisco Product - Police Phone System

Part #	Description	Price	Qty	Ext. Price
Start Date: 2/1/2023 End Date: 2/1/2026				
MCR2-5	CallReplay Enterprise Server / year	\$1,202.30	1	\$1,202.30
MCR2-6	CallReplay Enterprise Recording Channel / year	\$405.18	5	\$2,025.90
			Subtotal	\$3,228.20



5-Year SMARTnet - Police Phone System

Part #	Description	Price	Qty	Ext. Price
<p>The SmartNet contract is for a term of 5 years. The SmartNet contract will begin one day after equipment has been shipped. Pricing for SmartNet contract is guaranteed at quoted pricing. Co-term is not available. SmartNet contract will begin when product ships, regardless of partial product delivery.</p>				
CON-SNT-C8200TL1	SNTC-8X5XNBD Cisco Catalyst 8200L with 1 New SNT Contract Term - 5 Yrs	\$1,432.00	1	\$1,432.00
CON-SNT-UCSCSC22	Cisco Smart Net Total Care - Extended service agreement - replacement - 8x5 - response time: NBD - for P/N: UCSC-C220-M6S, UCSC-C220-M6S= New SNT Contract Term - 5 Yrs	\$1,880.00	2	\$3,760.00
CON-ISV1-VSXSTD5A	Cisco Independent Software Vendor Application Services - Technical support - phone consulting - 1 year - 24x7 - for P/N: HX-VSP-STD-5A, HX-VSP-STD-5A=, VMW-VSP-STD-5A, VMW-VSP-STD-5A= New ISV Contract Term - 5 Yrs	\$1,704.00	2	\$3,408.00
Subtotal				\$8,600.00

Professional Services - Police Phone System

Part #	Description	Price	Qty	Ext. Price
Professional Services - NSI Collaboration	Professional Services - NSI Collaboration <u>Professional Services will be billed in Phases</u> Phase 1 - \$ 4,704.97 Phase 2 - \$14,114.90 Phase 3 - \$ 4,704.97	\$23,524.8299	1	\$23,524.8299
Subtotal				\$23,524.83



Recurring Services - Police Phone System

Part #	Description	Recurring	Qty	Ext. Recurring
Initial Term - 60.00 Months Billing Frequency: Monthly Billing Auto Renewal On if not cancelled within 60 days of renewal date				
A-FLEX-3	Collaboration Flex Plan 3.0	\$0.00	1	\$0.00
SVS-FLEX-SUPT-BAS	SKU DESC: SVS-FLEX-SUPT-BAS	\$0.00	1	\$0.00
A-FLEX-P-UCXN	Unity Connection Smart License (1)	\$0.00	200	\$0.00
A-FLEX-P-ER	Cisco Collaboration Flex Plan Emergency Responder - License	\$0.00	235	\$0.00
A-FLEX-CCUCS-NU	Cisco Collaboration Flex Plan Cloud Connected UC - Standard License - hosted - Enterprise	\$0.00	85	\$0.00
A-FLEX-FILESTG-ENT	SKU DESC: A-FLEX-FILESTG-ENT	\$0.00	1700	\$0.00
A-FLEX-PROPACK-ENT	Pro Pack for Cisco Control Hub Entitlement	\$0.00	85	\$0.00
A-FLEX-MSG-NU-ENT	Cisco Collaboration Flex Plan Messaging Entitlement - License - 1 named user - hosted	\$0.00	85	\$0.00
A-FLEX-SW-14-K9	On-Premises amp Partner Hosted Calling	\$0.00	1	\$0.00
A-FLEX-NUPL-P	Cisco Collaboration Flex Plan Calling Professional - On-Premise license - 1 named user - hosted	\$3.85	75	\$288.75
A-FLEX-NUPL-E	Cisco Collaboration Flex Plan Calling Enhanced - On-Premise license - 1 named user - hosted	\$2.66	10	\$26.60
A-FLEX-PL-VM	Cisco Collaboration Flex Plan 3.0 Unity Connection - Add-on license - on-premise	\$1.26	125	\$157.50
A-FLEX-STD-CUBE	Cisco Unified Border Element - License - 1 trunk session - standard tier	\$1.57	25	\$39.25
A-FLEX-CUAC-S	Unified Attendant Console Standard	\$10.45	2	\$20.90
A-FLEX-SRST-E	Cisco Collaboration Flex Plan 3.0 Survivable Remote Site Telephony - License - 1 endpoint	\$0.00	160	\$0.00
A-FLEX-P-PRO	Unified Communications Manager Smart Lic	\$0.00	75	\$0.00
A-FLEX-P-ENH	Cisco Collaboration Flex Plan Enhanced - Smart License - hosted	\$0.00	10	\$0.00





Recurring Services - Police Phone System

Part #	Description	Recurring	Qty	Ext. Recurring
			Recurring Subtotal	\$533.00



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Voice Products - Fire

Part #	Description	Price	Qty	Ext. Price
CP-8851-K9=	Cisco IP Phone 8851 - VoIP phone - SIP, RTCP, RTP, SRTP, SDP - 5 lines	\$363.91	3	\$1,091.73
				
CP-8811-K9=	Cisco IP Phone 8811 - VoIP phone - SIP, RTCP, RTP, SRTP, SDP - 5 lines	\$281.90	39	\$10,994.10
				
			Subtotal	\$12,085.83



Non-Voice Products - Fire

Part #	Description	Price	Qty	Ext. Price
C8200L-1N-4T	Cisco Catalyst 8200L-1N-4T - Router - GigE - rack-mountable	\$1,301.17	1	\$1,301.17
C8000-HSEC	Cisco U.S. Export Restriction Compliance - License - for Catalyst 8300, 8500, 8500-12, 8500-12X10	\$0.56	1	\$0.56
Initial Term - 60 Months Auto Renewal Term - 0 Months if not canceled within 60 days of renewal date Billing Model - Prepaid Term				
DNA-P-T0-A-5Y	Cisco Digital Network Architecture Advantage - On-Premise subscription license (5 years) - 30 Mbps aggregated throughput, up to 15 Mbps <i>New DNA Contract Term - 5Yrs</i>	\$3,079.89	1	\$3,079.89
SVS-PDNA-ADV	Cisco Digital Network Architecture Advantage - On-Premise license + Embedded Support - tiered pricing	\$0.00	1	\$0.00
DSTACK-T0-A	Cisco Digital Network Architecture Advantage Stack - License - 30 Mbps aggregated throughput, up to 15 Mbps	\$0.00	1	\$0.00
NWSTACK-T0-A	Cisco Network Stack Advantage - License - 30 Mbps aggregated throughput, up to 15 Mbps	\$0.00	1	\$0.00
SDWAN-UMB-ADV	Cisco Umbrella - License - hosted - for Cisco DNA Advantage	\$0.00	1	\$0.00
DNAC-ONPREM-PF	Cisco Digital Network Architecture Center - On-Premise license - Deployment	\$0.00	1	\$0.00
Subtotal				\$4,381.62



5-Year SMARTnet - Fire

Part #	Description	Price	Qty	Ext. Price
CON-SNTP-C8200TL1	Cisco Smart Net Total Care - Extended service agreement - replacement - 24x7 - response time: 4 h - for P/N: C8200L-1N-4T, C8200L-1N-4T= New SNTP Contract Term - 5 Yrs The SmartNet contract is for a term of 5 years. The SmartNet contract will begin one day after equipment has been shipped. Pricing for SmartNet contract is guaranteed at quoted pricing. Co-term is not available. SmartNet contract will begin when product ships, regardless of partial product delivery.	\$2,292.00	1	\$2,292.00
Subtotal				\$2,292.00

Professional Services - Fire

Part #	Description	Price	Qty	Ext. Price
Professional Services - NSI Collaboration	Professional Services - NSI Collaboration Fixed Fee Engagement in Milestones Professional Services will be billed in Milestones Milestone 1 - \$ 1,213.70 Milestone 2 - \$ 3,641.09 Milestone 3 - \$ 1,213.70	\$6,068.48	1	\$6,068.48
Subtotal				\$6,068.48





Recurring Services - Fire

Part #	Description	Recurring	Qty	Ext. Recurring
Initial Term - 60.00 Months Billing Frequency: Monthly Billing Auto Renewal On if not cancelled within 60 days of renewal date				
A-FLEX-3	Collaboration Flex Plan 3.0	\$0.00	1	\$0.00
SVS-FLEX-SUPT-BAS	SKU DESC: SVS-FLEX-SUPT-BAS	\$0.00	1	\$0.00
A-FLEX-NUPL-P	Cisco Collaboration Flex Plan Calling Professional - On-Premise license - 1 named user - hosted	\$3.85	42	\$161.70
A-FLEX-STD-CUBE	Cisco Unified Border Element - License - 1 trunk session - standard tier	\$1.57	10	\$15.70
A-FLEX-CUAC-S	Unified Attendant Console Standard	\$10.45	3	\$31.35
A-FLEX-SRST-E	Cisco Collaboration Flex Plan 3.0 Survivable Remote Site Telephony - License - 1 endpoint	\$0.00	84	\$0.00
A-FLEX-P-PRO	Unified Communications Manager Smart Lic	\$0.00	42	\$0.00
A-FLEX-P-UCXN	Unity Connection Smart License (1)	\$0.00	42	\$0.00
A-FLEX-P-ER	Cisco Collaboration Flex Plan Emergency Responder - License	\$0.00	126	\$0.00
A-FLEX-CCUCS-NU	Cisco Collaboration Flex Plan Cloud Connected UC - Standard License - hosted - Enterprise	\$0.00	42	\$0.00
A-FLEX-FILESTG-ENT	SKU DESC: A-FLEX-FILESTG-ENT	\$0.00	840	\$0.00
A-FLEX-PROPACK-ENT	Pro Pack for Cisco Control Hub Entitlement	\$0.00	42	\$0.00
A-FLEX-MSG-NU-ENT	Cisco Collaboration Flex Plan Messaging Entitlement - License - 1 named user - hosted	\$0.00	42	\$0.00
A-FLEX-SW-14-K9	On-Premises amp Partner Hosted Calling	\$0.00	1	\$0.00
Recurring Subtotal				\$208.75



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Voice Products - IT

Part #	Description	Price	Qty	Ext. Price
CP-8851-K9=	Cisco IP Phone 8851 - VoIP phone - SIP, RTCP, RTP, SRTP, SDP - 5 lines 	\$363.91	1	\$363.91
CP-8811-K9=	Cisco IP Phone 8811 - VoIP phone - SIP, RTCP, RTP, SRTP, SDP - 5 lines 	\$281.90	13	\$3,664.70
Subtotal				\$4,028.61

Professional Services - IT

Part #	Description	Price	Qty	Ext. Price
Professional Services - NSI Collaboration	Professional Services - NSI Collaboration <u>Fixed Fee Engagement in Milestones</u> Professional Services will be billed in Milestones Milestone 1 - \$ 869.31 Milestone 2 - \$ 2,607.92 Milestone 3 - \$ 869.31	\$4,346.53	1	\$4,346.53
Subtotal				\$4,346.53





Recurring Services - IT

Part #	Description	Recurring	Qty	Ext. Recurring
Service Duration: 36 Months Auto Renewal: On if not canceled within 60 days of renewal date Billing Frequency: Monthly Billing				
A-FLEX-3	Collaboration Flex Plan 3.0	\$0.00	1	\$0.00
SVS-FLEX-SUPT-BAS	SKU DESC: SVS-FLEX-SUPT-BAS	\$0.00	1	\$0.00
A-FLEX-NUPL-P	Cisco Collaboration Flex Plan Calling Professional - On-Premise license - 1 named user - hosted	\$3.92	14	\$54.88
A-FLEX-CUAC-S	Unified Attendant Console Standard	\$10.64	1	\$10.64
A-FLEX-SRST-E	Cisco Collaboration Flex Plan 3.0 Survivable Remote Site Telephony - License - 1 endpoint	\$0.00	28	\$0.00
A-FLEX-P-PRO	Unified Communications Manager Smart Lic	\$0.00	14	\$0.00
A-FLEX-P-UCXN	Unity Connection Smart License (1)	\$0.00	14	\$0.00
A-FLEX-P-ER	Cisco Collaboration Flex Plan Emergency Responder - License	\$0.00	42	\$0.00
A-FLEX-CCUCS-NU	Cisco Collaboration Flex Plan Cloud Connected UC - Standard License - hosted - Enterprise	\$0.00	14	\$0.00
A-FLEX-FILESTG-ENT	SKU DESC: A-FLEX-FILESTG-ENT	\$0.00	280	\$0.00
A-FLEX-PROPACK-ENT	Pro Pack for Cisco Control Hub Entitlement	\$0.00	14	\$0.00
A-FLEX-MSG-NU-ENT	Cisco Collaboration Flex Plan Messaging Entitlement - License - 1 named user - hosted	\$0.00	14	\$0.00
A-FLEX-SW-14-K9	On-Premises amp Partner Hosted Calling	\$0.00	1	\$0.00
Recurring Subtotal				\$65.52



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City of Elkhart Police Phone System, Fire & IT

Prepared by:

HQ Granger Office
Les Dant
(574) 302-2568
Fax (574) 271-7117
lesd@nsi1.com

Prepared for:

City of Elkhart
229 South 2nd St
Elkhart, IN 46516
Tony Newton
(574) 218-7865
Anthony.Newton@coei.org

Quote Information:

Quote #: 080999
Version: 4
Delivery Date: 01/30/2023
Expiration Date: 02/25/2023

Quote Summary

Description	Amount
Voice Products - Police Phone System	\$17,039.80
Non-Voice Products - Police Phone System	\$31,268.43
Non-Cisco Product - Police Phone System	\$3,228.20
5-Year SMARTnet - Police Phone System	\$8,600.00
Professional Services - Police Phone System	\$23,524.83
Voice Products - Fire	\$12,085.83
Non-Voice Products - Fire	\$4,381.62
5-Year SMARTnet - Fire	\$2,292.00
Professional Services - Fire	\$6,068.48
Voice Products - IT	\$4,028.61
Professional Services - IT	\$4,346.53
Total:	\$116,864.33

Recurring Expenses Summary

Description	Amount
Recurring Services - Police Phone System	\$533.00
Recurring Services - Fire	\$208.75
Recurring Services - IT	\$65.52
Recurring Total:	\$807.27



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Payment Options

Description	Payments	Interval	Amount
Recurring Services			
60 Month Term	60	Monthly	\$807.27
	1	One-Time	\$116,864.33

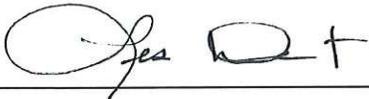
Summary of Selected Payment Options

Description	Amount
Recurring Services: 60 Month Term	
Selected Recurring Payment	\$807.27
Total of Recurring Payments	\$48,436.20
Total of Payments	\$116,864.33

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

HQ Granger Office

City of Elkhart

Signature: 
 Name: Les Dant
 Title: Account Manager
 Date: 01/30/2023

Signature: _____
 Name: Tony Newton
 Date: _____



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Terms and Conditions

- 1. SHIPPING AND HANDLING.** All equipment purchased by Customer (the "Equipment") is provided FOB at the shipping location. Shipment will be made as specified by Customer and Customer is solely responsible for all expenses in connection with the delivery of the Equipment. The Equipment will be deemed accepted by Customer upon receipt.
- 2. PURCHASE PRICE AND TAXES.** Customer shall pay to Network Solutions, Inc. the purchase price set forth in the applicable invoice ("Purchase Price") for each item of Equipment and installation. Customer hereby grants and Network Solutions, Inc. reserves a purchase money security interest in the Equipment and the proceeds thereof as a security for its obligations hereunder until payment of the full Purchase Price to Network Solutions, Inc. Customer authorizes Network Solutions, Inc. to file financing statements to perfect its purchase money security interest. Customer acknowledges that in the event of Customer's default and the exercise by Network Solutions, Inc. of its security interest in the Equipment, all of Customer's systems and activities which depend on the Equipment will be disrupted or rendered inoperable. The Purchase Price is due and payable upon delivery of the Equipment in accordance with the terms on the face of the invoice. Customer shall pay all taxes and other governmental charges assessed in connection with the rental, use or possession of the Equipment including, without limitation, any and all sales and/or use taxes and personal property taxes.
- 3. PAST DUE INVOICES.** Invoices are past due the day following the date payment is due. Interest charges shall accrue from that date. In the event of past due invoices, Customer agrees to pay to Network Solutions, Inc., as interest, an amount equal to 2% per month, or the maximum provided by law, (whichever is less) for invoice amounts that are past due. Should Network Solutions, Inc. be forced to initiate legal action to collect unpaid amounts from past due invoices, Customer agrees to pay Network Solutions, Inc.'s reasonable attorney's fees and costs of collection in addition to the interest described above.
- 4. TITLE.** Customer shall acquire title to the Equipment upon full payment of the purchase price(s) set forth herein. Notwithstanding the foregoing, Network Solutions, Inc. and any licensor of rights to Network Solutions, Inc. shall retain title to and rights in the intellectual property (whether or not subject to patent or copyright) and content contained in the materials supplied under the terms of this Agreement.
- 5. RETURNS.** All returns must be approved by Network Solutions, Inc. and a RMA number assigned prior to return shipment. Customary restocking fees of 15% will apply to all non-defective returns. Returns delivered to Network Solutions, Inc. without prior consent will be rejected and returned. If evaluation product is not returned at the end of the evaluation period, evaluation unit invoices are due and payable on the day following the invoice date.
- 6. SELECTION OF EQUIPMENT; MANUFACTURER WARRANTY.** Customer acknowledges that customer has selected the Equipment and disclaims any statements made by Network Solutions, Inc. Customer acknowledges and agrees that use and possession of the Equipment by Customer shall be subject to and controlled by the terms of any manufacturer's or, if appropriate, supplier's warranty, and Customer agrees to look solely to the manufacturer or, if appropriate, supplier with respect to all mechanical, service and other claims, and the right to enforce all warranties made by said manufacturer are hereby, to the extent Network Solutions, Inc. has the right, assigned to Customer. THE FOREGOING WARRANTY IS THE EXCLUSIVE WARRANTY AND IS IN LIEU OF ANY ORAL REPRESENTATION AND ALL OTHER WARRANTIES AND DAMAGES, WHETHER EXPRESSED, IMPLIED OR STATUTORY. NETWORK SOLUTIONS, INC. HAS NOT MADE NOR DOES MAKE ANY OTHER WARRANTIES OF ANY KIND, EXPRESSED OR IMPLIED, INCLUDING WITHOUT LIMITATION ANY WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE, MERCHANTABILITY, OR OF NONINFRINGEMENT OF THIRD PARTY RIGHTS AND AS TO NETWORK SOLUTIONS, INC. AND ITS ASSIGNEES, CUSTOMER PURCHASES THE EQUIPMENT "AS IS".
- 7. LIMITATION OF LIABILITY.** Network Solutions, Inc.'s entire liability for any damages which may arise hereunder, for any cause whatsoever, and regardless of the form of action, whether in contract or in tort, including Network Solution, Inc.'s negligence, or otherwise, shall be limited to the Purchase Price paid by Customer for the Equipment. IN NO EVENT WILL NETWORK SOLUTIONS, INC. BE LIABLE FOR ANY SPECIAL, INDIRECT, INCIDENTAL, OR CONSEQUENTIAL DAMAGES, OR FOR ANY LOSS OF BUSINESS OR PROSPECTIVE BUSINESS OPPORTUNITIES, PROFITS, SAVINGS, INFORMATION, USE OR OTHER COMMERCIAL OR ECONOMIC LOSS, EVEN IF NETWORK SOLUTIONS, INC. HAS BEEN ADVISED OF THE POSSIBILITY OF SUCH DAMAGES.
- 8. GOVERNING LAW; DISPUTE RESOLUTION.** This Agreement is made under and will be governed by and construed in accordance with the laws of the State of Indiana (except that body of law controlling conflicts of law) and specifically excluding from application to this Agreement that law known as the United Nations Convention on the International Sale of Goods. The parties will endeavor to settle amicably by mutual discussions any disputes, differences, or claims whatsoever related to this Agreement. Failing such amicable settlement, any controversy, claim, or dispute arising under or relating to this Agreement, including the existence, validity, interpretation, performance, termination or breach thereof, the parties to this Agreement hereby consent to jurisdiction and venue in the courts of the state of Indiana.
- 9. SUBSCRIPTION TERM.** For Active User Subscription services provided for a specified term, the following applies:
 - A purchase of an Active User Subscription is an obligation on the part of the Customer to purchase that service for the duration of the Subscription term. The Subscription Term may be for one (1), two (2), three (3) or five (5) years.
 - Network Solutions, Inc has a constant obligation to recalculate the Subscription quantity and Minimum Subscription Fee at the end of every subscription period, should the Subscription quantity increase. Customer agrees to compensate Network Solutions based on the actual Subscription quantity at the end of the Subscription period. Each consecutive twelve (12) month period in a Subscription Term is a Subscription Period.
 - A subscription may not be terminated without cause by either party at any time during the Subscription Term. The Subscription Term shall begin from the earlier of (a) the service



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activation date, or (b) upon expiration of the Activation Grace Period adjusted for any delay in subject to the Activation Grace Period section.

10. NON-SOLICIT. Customer agrees that, during the term of this Agreement and for a period of one (1) year thereafter, customer shall not without NSI's written consent, directly or indirectly: Solicit any personnel of NSI or its affiliates to accept any employment with customer or any other employer. In the event that customer breaches its obligations listed, then customer shall pay to NSI an amount equal to \$100,000 (Liquidated Damages). The parties intend that the NSI Breach Liquidated Damages constitute compensation, and not a penalty. The parties acknowledge and agree that NSI's harm caused by such breach would be impossible or very difficult to accurately estimate, and the NSI breach Liquidated Damages are a reasonable estimate of the anticipated or actual harm that might arise from such breach by customer.

11. MISCELLANEOUS. The above terms and conditions are the only terms and conditions upon which Network Solutions, Inc. is willing to sell the Equipment and supersede all previous agreements, promises or representations, oral or written. (ELDS01 JST 139057v2)



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ELKHART STREET DEPARTMENT

2421 S. 17TH ST. ELKHART, IN 46517

PHONE #: 574-293-5518

WWW.ELKHARTINDIANA.ORG

DEPARTMENT: STREET DEPARTMENT

DATE: MARCH 14TH, 2023

SUBMITTED BY: MICHAEL D. SZUCS - STREET COMMISSIONER

To: CITY OF ELKHART COMMON COUNCIL

.....

COUNCIL MEMBERS,

WITHIN OUR APPROVED 2023 BUDGET, WE WERE ALLOTTED FUNDS FOR 3 TANDEM AXLE DUMP TRUCKS (WE'LL CALL THEM SNOW PLOWS) AND 4 PICK UP TRUCKS (SMALL SNOW PLOWS/ETC.). WE HAVE 5 SNOW PLOWS THAT ARE 2009 MODELS (14 YEARS OLD) THAT ARE DUE FOR REPLACEMENT AND ONE SNOW PLOW THAT IS DEEMED UNSAFE AND NOT ROAD WORTHY DUE TO IRREPARABLE FRAME DAMAGE FROM RUST. WE HAVE ON ORDER FROM THE 2022 BUDGET 2 REPLACEMENTS, AS WELL AS 3 ON ORDER FROM THE 2023 BUDGET.

WE ARE ASKING FOR AN APPROPRIATION OF \$165,000 TO PURCHASE A 4TH SNOW PLOW THIS YEAR TO REPLACE OUR IRREPARABLE SNOW PLOW. THIS WILL KEEP US "UP TO DATE" ON OUR REPLACEMENT POLICY AS WELL AS MAKING US MORE EFFICIENT THROUGHOUT THE YEAR.

SINCERELY,

MICHAEL SZUCS

CITY OF ELKHART

STREET COMMISSIONER

ORDINANCE NO. _____

AN ORDINANCE APPROPRIATING ONE HUNDRED SIXTY-FIVE THOUSAND DOLLARS (\$165,000.00) FROM THE MOTOR VEHICLE HIGHWAY FUND FOR THE PURCHASE OF A NEW SNOW PLOW

WHEREAS, the Street Department's 2023 approved budget allowed funds for three (3) snow plows and four (4) pick-up trucks. The Street Department has five (5) snow plows that are in need of replacement and one (1) snow plow that has been considered unsafe to be on the road. This particular snow plow has damage to the frame from rust and cannot be replaced; and

WHEREAS, the Street Department has utilized funds from the 2022 budget to undertake two (2) snow plow replacements. In addition to the three (3) snow plow replacements that have been ordered from the 2023 budget, the extraordinary replacement of snow plows this year has exhausted the available funds for this purpose, as well as the reserves that the administration seeks to replenish; and

WHEREAS, the City Administration therefore requests that the Common Council of the City of Elkhart appropriate One Hundred Sixty-Five Thousand Dollars (\$165,000.00) from the Motor Vehicle Highway Fund as follows: One Hundred Sixty-Five Thousand Dollars (\$165,000.00) to the Street Machinery Account, respectively, for the general purposes described herein; and

WHEREAS, the One Hundred Sixty-Five Thousand Dollars (\$165,000.00) from the Motor Vehicle Highway Fund contains funds sufficient and appropriate for the stated purposes; and

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF ELKHART, INDIANA, THAT:

Section 1. The amount of One Hundred Sixty-Five Thousand Dollars (\$165,000.00) be, and hereby is, appropriated from the Motor Vehicle Highway Fund and assigned to the following account lines:

Account No. 2201-5-310-440400	Street Machinery	\$165,000.00
-------------------------------	------------------	--------------

Section 2. The Common Council has fixed the ____ day of _____, _____, at 7:00 p.m., in the Council Chambers, as the date, time and place when the Common Council will consider and determine the appropriation, and all taxpayers and interested persons will have the opportunity to appear and express their views.

Section 3. This Ordinance shall be in effect from and after its passage by the Common Council and approval by the Mayor according to law.

[Balance of page is intentionally blank.]

SO ORDAINED this _____ day of _____, _____.

Arvis Dawson
President of the Common Council

ATTEST:

Debra D. Barrett, City Clerk

PRESENTED to the Mayor by me this _____ day of _____, _____,
at _____ a.m./p.m.

Debra D. Barrett, City Clerk

Approved by me this _____ day of _____, _____.

Rod Roberson, Mayor

ATTEST:

Debra D. Barrett, City Clerk



Memo

To: Common Council
From: Mary K. Kaczka
cc: Mike Huber
Date: February 22, 2023
Re: Amendment to CDBG PY 2022 Annual Action Plan

The Community Development Division of the Development Services Department requests the Council’s approval of a Substantial Amendment to Program Year 2022 Annual Action Plan (AAP) for the Expenditure of Community Development Block Grant (CDBG) Funds.

The purpose of the Substantial Amendment is to re-allocate funds between Annual Action Plan programs to support Public Facilities and Improvements, Residential Rehabilitation, Homebuyer Program, Demolition and to utilize NSP Program Income as CDBG Program Incomes.

Attached find the affidavit of publication of the amendment and the notice to the public.

FUNDING SOURCES	ORIGINAL	AMENDED
NSP Program Income	\$	\$ 55,000.00
PROGRAMS		
Lacasa DPA	\$ 100,000.00	\$ 60,000.00
Residential Rehab	\$ 361,905.03	\$ 190,905.00
209 S. Second Rehab	\$	\$ 266,000.00
Neighborhood Facilities	\$ 200,000.00	\$ 250,000.00
Demolition	\$ 100,000.00	\$ 50,000.00
TOTAL	\$ 761,905.03	\$ 816,905.00

AFFP

Notice to the Public Amendment

Affidavit of Publication

STATE OF IN)
COUNTY OF ELKHART) SS

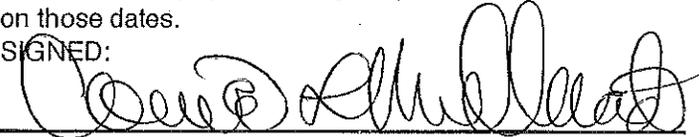
Connie Muhlbradt, being duly sworn, says:

That she is Advertising Clerk of the Elkhart Truth, a daily newspaper of general circulation, printed and published in Elkhart, Elkhart County, IN; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

January 20, 2023

Publication Fees: \$ 72.00

That said newspaper was regularly issued and circulated on those dates.

SIGNED: 

Subscribed to and sworn to me this 20th day of January 2023.



Hope R Stevens, Notary Public 06/07/2024

70083559 70572632

Dana Donald
Elkhart Human Relations
201 S. Second St.
Elkhart, IN 46516

Notice to the Public
Amendments to the City of Elkhart Program Years 2022 CDBG Annual Action Plan

The City of Elkhart, as required by Federal law, has prepared a Substantial Amendment to its program year-2022 Annual Action Plan (AAP) for the expenditure of Community Development Block Grant (CDBG) funds. The changes are summarized below:

Funding Sources	Original	Amended
NSP Program	\$ -	\$55,000.00
Program	Original	Amended
Lacasa DPA	\$100,000.00	\$60,000.00
Residential Rehabilitation	\$361,905.03	\$190,905.00
209 S. Second Neighborhood Facilities	\$ -	\$266,000.00
	\$200,000.00	\$250,000.00
Demolition	\$100,000.00	\$50,000.00
\$ 100,000.00		
\$ 50,000.00		
Total	\$761,905.03	\$816,905.00

A copy of this notice is available at www.elkhartindiana.org under the Community and Redevelopment page, and at the Municipal Building, 229 S Second Street, Elkhart, Indiana, or by contacting Mary Kaczka (574) 294-5471 ex 1062 or email mary.kaczka@coei.org

The review period for the Substantial Amendment for citizen comment will be from Monday, January 23 to February 15, 2023. The City will consider any comments received in writing or orally. A public hearing will be held on February 7, 2023 at 6:00 pm at Hive Dive Pavilion- 500 E. Beardsley Avenue-Elkhart, Indiana 46514

Any comments or questions regarding these substantial amendments shall be directed to Mary Kaczka at the above address or via email. All written and oral comments received for this amendment shall be forwarded to the Department of Housing and Urban Development on or about February 16, 2023. hspaxlp

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE SUBMISSION OF A SUBSTANTIAL
AMENDMENT OF THE 2022 COMMUNITY DEVELOPMENT BLOCK GRANT
PROGRAM ANNUAL ACTION PLAN**

WHEREAS, the City of Elkhart, is a “metropolitan city” as defined by the United States Department of Housing and Urban Development for Housing ("HUD"), and therefore, qualified to apply for Community Development Block Grants (CDBG) funds pursuant to Title I of the Housing and Community Development Act of 1974; and

WHEREAS, the City of Elkhart applied for and was awarded Seven Hundred One Thousand Seven Hundred Thirty-Four Dollars (\$701,734.00) in Community Development Block Grant Entitlement Funds for Program Year 2022; and

WHEREAS, in the City of Elkhart submitted its 2022 Community Development Block Grant Program Annual Action Plan the U.S. Department of Housing and Urban Development, the City realized approximately Fifty-Five Thousand Dollars (\$55,000.00) in unanticipated revenue from the sale of two homes under the Neighborhood Stabilization Program (NSP); and

WHEREAS, the City of Elkhart has prepared a Substantial Amendment to the 2022 Annual Action Plan (Attachment A) to utilize the NSP funds within the 2022 Annual Action Plan and reallocate available funds to better meet the programs objectives related to affordable housing under the CDBG; and

WHEREAS, the draft Substantial Amendment Substantial Amendment to the 2022 Annual Action Plan was published on the City’s website and otherwise made available to the public for review and comment beginning on January 23, 2023, and concluding on February 15, 2023; and

WHEREAS, a public hearing was conducted on February 7, 2023, to solicit feedback and comments from the community; and

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ELKHART that the Mayor is authorized to submit a Substantial Amendment to the 2022 Community Development Block Grant Program Annual Action Plan to the U.S. Department of Housing and Urban Development and is authorized to sign all related Subrecipient and other agreements necessary to further the objectives of the 2022 Annual Action Plan as amended.

SO RESOLVED this _____ day of _____, _____.

Arvis Dawson
President of the Common Council

ATTEST:

Debra D. Barrett, City Clerk

PRESENTED to the Mayor by me this _____ day of _____, _____,
at _____ a.m./p.m.

Debra D. Barrett, City Clerk

Approved by me this _____ day of _____, _____.

Rod Roberson, Mayor

ATTEST:

Debra D. Barrett, City Clerk

ATTACHMENT A



**First Substantial Amendment
2022 Annual Action Plan**

February 21, 2023

First Substantial Amendment to the City of Elkhart 2022 Annual Action Plan

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General Information

This document serves as notification of a Substantial Amendment to the 2022 Annual Action Plan for the City of Elkhart, Indiana. The document describes the proposed changes to the use of CDBG funds and explains how these changes meet the existing Consolidated Plan goals.

Grantee Name:	City of Elkhart
Department Administering Funds	Community Development
Contact Person	Ms. Mary Kaczka, Assistant Director
Address	201 S. Second Street
City, State, Zip	Elkhart, IN 46516
Telephone	574-294-5471
Email	mary.kaczka@coei.org
Authorized Official	Mr. Rod Roberson, Mayor
Address	229 S. Second Street
City, State, Zip	Elkhart, IN 46516
Telephone	574-294-5471
Email	Rod.Roberson@coei.org
Webpage Link	https://elkhartindiana.org/development-services/community-development/

Summary of Substantial Amendment Proposed Changes

The City of Elkhart is submitting this substantial amendment to the 2022 Annual Action Plan as required by the US Department of Housing and Urban Development (HUD), and as outlined in 24 CFR part 91. Based on the City's Citizen Participation Plan, as substantial amendment is necessary when a project or program budget is increased or decreased by 25%, when project or program is added, or when outcomes are substantially reduced due to budgetary or programmatic changes.

Table of Proposed Changes			
Program or Project	2022 Original	2022 Amended	Description and Reason for Change
NSP Program Income	\$0.00	\$55,000	Proceeds are the result of various NSP properties sold. The proceeds are being transferred into CDBG because the NSP program has been completed.
LaCasa DPA / Homebuyer Program	\$100,000	\$60,000	\$40,000 are being reprogrammed to support the renovation of 209 N. Second Street. The remaining funds are adequate to support the existing homebuyer program.
Residential Rehabilitation	\$361,905.03	\$190,905	Funds are being transferred to support the renovation of 209 N. Second Street. ARPA funds will be used to support residential rehabilitation within the City.
209 N. Second Street	\$0.00	\$266,000	Funds will be used to fully renovate an existing 6-unit residential structure for occupancy by low- and moderate-income residents. The property is currently owned by the City but will be transferred to a local non-profit development corporation.
Neighborhood Facilities	\$200,000	\$250,000	Funds will be used to construct a public road to support the construction of up to 8 affordable homes.
Demolition	\$100,000	\$50,000	Funds are being transferred to support the public road constructed under the Neighborhood Facilities program listed above.

Relationship of Proposed Changes to the Consolidated Plan and Annual Action Plan Goals

LaCasa DPA / Homebuyer Program

This change will have no appreciable change to the 2022 Action Plan Goals of providing assistance to 10 – 15 residents to purchase a home. While this change will reduce the funds going to the LaCasa program, funds are being directed to create a new public road that will support the construction of 8 new homeownership units. At the end of the program year, 10 new homeowners will be created through the use of CDBG funds.

Residential Rehabilitation

209 N. Second Street

Residential Rehabilitation funds are being directed to a specific residential rehabilitation project (209 N. Second St.) and will not reduce the overall number of units rehabilitated in the City of Elkhart.

Neighborhood Facilities

Demolition

These changes will support the creation of 8 new affordable homes by constructing a new public street. This change furthers the 2022 Action Plan goal of homeownership and new housing construction. While there is a reduction in funds for demolition, at this time no blighted properties have been identified.

Citizen Participation Process and Public Comments

The City of Elkhart is submitting this substantial amendment to the 2022 Annual Action Plan as required by the US Department of Housing and Urban Development (HUD), and as outlined in 24 CFR part 91, and the City's adopted Citizen Participation Plan.

The City values the receipt of public input into this process, desires to be transparent with Citizens, and wishes for Citizens to be both informed and engaged with the community. In accordance with that desire, and corresponding with the requirements of the Citizen Participation Plan and HUD, the details of this proposed amendment are available for public review and comment.

Citizen Participation Actions:

Action	Date/Time
Legal Notice of Comment Period placed in Elkhart Truth	January 20, 2023
Public Hearing held at High Dive Pavilion – 500 E. Beardsley Ave.	February 7, 2023 6:00 pm
City Council Approval	March 6, 2023

A copy of the amendment is available at www.elkhartindiana.org under the Community and Redevelopment page, and at the Municipal Building, 229 S Second Street, Elkhart, Indiana, or by contacting Mary Kaczka (574) 294-5471 ex 1062 or email mary.kaczka@coei.org

The review period for the Substantial Amendment for citizen comment was from Monday, January 23 to February 15, 2023.

Description of Emails, calls, and letters received relative to this Substantial Amendment:

No emails, calls or letters were received in response to the notice of public comment for this substantial amendment.

Summary of comments received:

No comments were received in response to the notice of public comment for this substantial amendment.

Summary of comments or views not accepted and the reason for not accepting them:

No comments or views were received in response to the notice of public comment for this substantial amendment.

Summary of comments accepted and the reasons for accepting them:

No comments were received in response to the notice of public comment for this substantial amendment.

Authorized Signature

By signing this Amendment, I certify that the statements and records herein are true, complete, and accurate to the best of my knowledge. All public comments have been reviewed, the noted Public Hearing has been held, and this submission includes any revisions resulting from this process. I am authorized to submit this Amendment request on behalf of the City of Elkhart, Indiana.

Date: _____

Mr. Rod Roberson, Mayor

BOARD OF PUBLIC SAFETY
Tuesday, February 28, 2023

Chairman Robert Woods called a regular meeting of the Board of Public Safety to order at 9:03 a.m., Tuesday, February 28, 2023. Clerk Nancy Wilson called the roll. Robert Woods, Carol Loshbough, Kara Boyles and Anthony Coleman were present.

1. APPROVE AGENDA

On motion by Carol Loshbough, seconded by Anthony Coleman and carried 3-0, the agenda was approved as presented.

3. MINUTES- Regular Meeting February 14, 2023

On motion by Carol Loshbough, seconded by Anthony Coleman and carried 3-0, the minutes from February 14, 2023 were approved as presented.

4. POLICE

Request for Proposals: Crossing Guard Services for Elkhart Community Schools

Assistant Chief Dan Milanese presented a request to solicit proposals for Crossing Guard Services for Elkhart Community Schools. Attorneys from the Schools and the City met and are both interested in an outside agency that would fill the requirement for crossing guards that they would staff and manage. On motion by Carol Loshbough, seconded by Anthony Coleman and carried 4-0, the Board authorized the solicitation of proposals Crossing Guard Services for Elkhart Community Schools.

Service Agreement Renewals: Trane U.S., Inc., FARO Technologies, Inc., Cellebrite, Inc., and Canvas Pro

Assistant Chief Milanese presented service agreement renewals for approval. The agreements are in the budget and approved by City Legal. On motion by Carol Loshbough, seconded by Anthony Coleman and carried 4-0, the Board approved all of the service agreement renewals as presented for Trane U.S., Inc., FARO Technologies, Inc., Cellebrite, Inc., and Canvas Pro, giving Chief Seymore authority to sign the agreements.

5. FIRE

New Policy #710 Mobile Audio/Video

On motion by Carol Loshbough, seconded by Anthony Coleman and carried 4-0, the Board approved EFD Policy #710 Mobile Audio and Video.

EFD Year to Date Report

On motion by Carol Loshbough, seconded by Anthony Coleman and carried 4-0, the Board accepted and placed on file the EFD report for January and February, 2023. The Board agreed to receive quarterly reports instead of monthly reports from EFD.

6. COMMUNICATIONS

Dustin McClain recognized the Assistant Department Head for the Communications Center, Becky Scheibelhut. Her last day with the City of Elkhart is March 10, 2023. Becky has served for 20 years in Mishawaka, St. Joseph County, and the last 5 here in Elkhart. Dustin thanked her for her service. Becky came forward and said she enjoyed working for the City of Elkhart. Bob thanked her for her service.

Dustin notified the Board the Grievance has been resolved and will not be held.

BOARD OF PUBLIC SAFETY
Tuesday, February 28, 2023

7. OTHER PUBLIC SAFETY MATTERS

Police & Fire Commission Minutes

On motion by Carol Loshbough, seconded by Anthony Coleman and carried 4-0, the Board accepted and placed on file the Police and Fire Merit Commission minutes.

Interlocal Agreement with Elkhart County for Animal Control

On motion by Carol Loshbough, seconded by Anthony Coleman and carried 4-0, the Board approved the Interlocal Agreement between Elkhart County, Indiana and the City of Elkhart, Indiana for Animal Control for \$139,150.00.

8. ADJOURNMENT

Chairman Robert Woods adjourned the Board of Public Safety meeting at 9:28 a.m.

Carol Loshbough Carol Loshbough, Vice-Chairman

Attest: Nancy Wilson Nancy Wilson, Clerk of the Board

BOARD OF PUBLIC WORKS
Tuesday, February 21, 2023

President Mike Machlan called a regular meeting of the Board of Public Works to order at 9:00 a.m., Tuesday, February 21, 2023. Clerk of the Board Nancy Wilson called the roll. Mike Machlan, Chad Crabtree, Rose Rivera, Ronnie Davis and Jamie Arce attended in person. Mike Machlan said it was after 9:00 a.m. and no more bids would be accepted.

1. Approve Agenda

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the agenda was adopted.

2. Open Bids

Bid #23-03 Greenleaf Blvd. Road Rehabilitation Project

Proof of publication was presented which appeared in The Elkhart Truth on February 4, 2023 and February 11, 2023. The following bids were received:

Niblock Construction submitted a signed and certified bid summary form with all items checked. The base bid was \$445,905.00.

Selge Construction Company submitted a signed and certified bid summary form with all items checked. The base bid was \$522,393.50.

Rieth-Riley Construction submitted a signed and certified bid summary form with all items checked. The base bid was \$445,819.73.00.

Milestone Contractors North submitted a signed and certified bid summary form with all items checked. The base bid was \$585,685.00.

On motion by Jamie Arce, seconded by Chad Crabtree and unanimously carried, the Board referred the bids to the staff of Public Works and Utilities for their review and recommendation at the next meeting.

Quote #23-05 Holly Lane Stormwater Headwall Replacement

One quote was received from Selge Construction Company for \$14,300.00. On motion by Jamie Arce, seconded by Chad Crabtree and carried 5-0, the Board assigned the quote to staff to award later in the meeting.

3. Claims & Allowance Docket.

On motion by Chad Crabtree, seconded by Rose Rivera and carried 5-0, the Board approved the claims and allowance docket totaling \$3,959,921.56, consisting of 30 pages as prepared on February 14, 2023 at 3:43 p.m.

4. Minutes Regular Meeting February 7, 2023

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the Board approved the minutes from February 7, 2023.

5. Engineering

(A.) Administration

St. Joseph County Regional Water and Sewer District Board

On motion by Chad Crabtree, seconded by Jamie Arce and carried 5-0, the Board appointed Utility Engineer Paul Wunderlich as Elkhart's designated Trustee to serve on the St. Joseph County Regional Water & Sewer District Board.

(B.) Utility

Award Bid #22-25 Oakland Project A- Oakland A CSO Forcemain Project

A motion was made by Chad Crabtree, and seconded by Ron Davis to award the Oakland Avenue Project A: CSO Forcemain, Bid #22-25 to C&E Excavating, Inc. who was the lowest, responsive and responsible bidder with a Contract price in the

BOARD OF PUBLIC WORKS
Tuesday, February 21, 2023

amount of \$11,866,259.00. On motion by Jamie Arce, seconded by Chad Crabtree and carried 5-0, the Board amended the motion to make the award contingent upon the receipt of final financing. The amended motion carried 5-0.

Amendment #2 Wessler Engineering: Sunnyside Bridge Utility Coordination

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the Board approved Amendment #2 to the PSA between the City and Wessler Engineering, Inc. for the Sunnyside Bridge Utility Coordination, in an amount not to exceed \$119,600.00.

Change Order #3: Elkhart WWTP Capacity Upgrades Phase 2, Bid #21-13

On motion by Chad Crabtree, seconded by Jamie Arce and carried 5-0, the Board approved Change Order #3 for the Elkhart WWTP Capacity Upgrades Phase 2 project in the form of 18 additional days to the contract time with no change in contract price.

IDEM Permit Review Fee Increase

Mike Machlan passed the chair over to Vice-President Chad Crabtree. On motion by Ron Davis, seconded by Jamie Arce and carried 4-0-1 (Mike Machlan abstained); the Board approved IDEM Permit Review Fee increases as presented.

(C.) Right of Way

Request Bid #23-05 SR 19 Streetscape Project

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the Board approved plans and specifications and granted permission to advertise Bid #23-05 SR 19 Streetscape Project.

Award Quote #23-05 Holly Lane Stormwater Headwall Replacement

On motion by Chad Crabtree, seconded by Jamie Arce and carried 5-0, the Board awarded Quote #23-05 Holly Lane Stormwater Headwall Replacement to Selge Construction, Inc., who was the lowest, responsive, and responsible bidder with a Contract price of \$14,300.00.

(D.) Summary

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the Board ratified the following permits:

Sewer Assessment Application:

Zimmerman Holdings LLC
1316 W. Blaine Ave
Elkhart, IN. 46517
Property: 919 Concord Ave
Paid \$5395.00

L.J.Builders LLC
62309 SR 19
Elkhart, IN 46517
Property: 2324 Stark Ave
Paid \$3775.00

Dubnation LLC
65981 Glenvon Rd
Vandalia, MI 49095

BOARD OF PUBLIC WORKS
Tuesday, February 21, 2023

Property: 1108 N. Nappanee
Paid \$3655.00
Giuseppe Siciliano
2822 Pleasant Plain Ave
Elkhart, IN 46517
Property: 3440 S. Main
Paid \$ 3655.00

Habitat for Humanity for Elkhart County
2910 Elkhart Rd P.O. Box 950
Goshen, IN 46527
Property: 2912 Homer
Paid \$5455.00

Water Assessment Application:

L.J. Builders LLC
62309 SR 19
Elkhart, IN 46517
Property: 2324 Stark Ave
Paid \$1033.80

Revocable Permits: #6551, Owner: Vaughn Hart
Property: 524 Vistula, Elkhart, IN
Permit Holder: Fire Bins Dumpsters
Description: Dumpster placement at 524 Vistula

6. Utilities

(A.) Administration

Transfer of Deed from Elkhart Water Co. to City of Elkhart Board of Works
Resolution 23-R-05

On motion by Chad Crabtree, seconded by Jamie Arce and carried 5-0, the Board approved Board of Works Resolution 23-R-05, a Resolution of the City of Elkhart, Indiana Board of Works transferring the Deed of Real Property from the Elkhart Water Company to the City of Elkhart, Indiana by its Board of Public Works.

Request Bid #23-04 Benham Water Tower Rehabilitation

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the Board granted permission to advertise for the painting and rehabilitation of the Benham Water Tower, Bid #23-04.

Water Utility MRO for January 2023

On motion by Chad Crabtree, seconded by Jamie Arce and carried 5-0, the Board accepted and placed on file the Water Utility MRO for January 2023.

(B.) Regulatory Compliance

Property Determination Memorandum

On motion by Chad Crabtree, seconded by Ron Davis and carried 5-0, the Board accepted and placed on file a Memorandum of Property Determination from Regulatory Compliance Manager Bryan Cress for Parcel ID 20-05-12-351-014.0000-001.

BOARD OF PUBLIC WORKS
Tuesday, February 21, 2023

7. Use & Event Permits

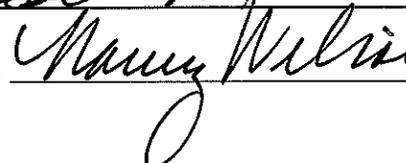
On motion by Rose Rivera, seconded by Ron Davis and carried 5-0 the Board approved the following permits:

- Girls on the Run 5/13- ESS, EMS, Temporary Street Closures, Special Exception from Noise Ordinance, Public Assembly
- EPD K-9 5K Race/ 1 Mile Walk 5/13- ESS, EMS, EPD, Temporary Street Closures, Public Assembly
- Heinniefest 8/4 & 8/5/23- Special Exception from Noise Ordinance
- MHC Annual Health Fair & Back2School 7/29- ESS, EMS, EPD, Temporary Street Closure, Public Assembly, Plaza Sign
- Mary Daly Dash and Block Party 5/6- ESS, EMS, Temporary Street Closures, Public Assembly, Special Exception from Noise Ordinance
- Earth Day 4/22 Event Trailer, PA System, Plaza Sign, Special Exception from Noise Ordinance, Public Assembly
- After Work Bike Rally 5/19- Fencing, Event Trailer, EPD, Public Assembly, Plaza Sign
- 7-Eleven Grand Opening Event 3/2 & 3/3- Special Exception from Noise Ordinance
- Junk in the Trunk 6/4- Temporary Street Closure, Public Assembly, Plaza Sign
- Curbside Concerts Elkhart Public Library- Special Exception from Noise Ordinance

8. Adjournment

On motion by Chad Crabtree, seconded by Jamie Arce and carried 5-0, the Board of Works adjourned at 9:30 a.m.

 Michael C. Machlan, President

Attest:  Nancy Wilson, Clerk of the Board

LERNER THEATRE BOARD
Wednesday, February 8, 2023

President Gary Boyn called the Regular Meeting of the Lerner Theatre Board to order at 10:03 a.m. on Wednesday, January 11, 2023. The Clerk of the Board, Nancy Wilson called the roll. Gary Boyn, Diana Lawson, Jamie Arce Dina Harris, and Carrie Berghoff attended in-person. Dallas Bergl and Ashley Martin were absent.

1. AGENDA

On motion by Dina Harris, seconded by Diana Lawson and carried 5-0, the agenda was adopted as presented.

2. MINUTES: Regular Meeting January 11, 2023

On motion by Dina Harris, seconded by Jamie Arce and carried 5-0, the Board approved the minutes from January 11, 2023.

3. TREASURER'S REPORT

Financials-December 31, 2022

Michelle Adams of Kruggel, Lawton and Co. attended the meeting on WebEx. The December 31, 2022 financial report was submitted to the Board for review. Total operational expenses of \$1,285,564 were covered by a City contribution of \$263,716 (21%) and a Lerner contribution of \$1,021,849 (79%). This compared with 2021 City's contribution of 53% and the Lerner's contribution of 47%. The net income from Theatre operations only (shown as Gross Profit) at the end of the period was \$941,023 which was an increase of \$608,363 from 2021. The YTD net income for all Lerner operations (including City expenses) at the end of the period was \$1,170,000 which was an increase of \$644,843 from the net income on last year's statement of \$525,157. On budgeted City Operational Expenses alone we were under-budget by \$278,220 year to date. On motion by Jamie Arce, seconded by Diana Lawson and carried 5-0, the Board approved the December 31, 2022 financials.

Claims

On motion by Jamie Arce, seconded by Diana Lawson and carried 5-0, the Board approved the claims and allowance docket totaling \$34,369.77 as listed on the register consisting of 5 pages as prepared on February 3, 2023 at 10:34 a.m.

4. CRYSTAL BALLROOM CATERING

Leah Ramanujan attended in-person and said January was just over \$42,000 in sales with \$8,453 in commissions. She said half of their revenue from 2022 is already on the books in 2023, and it looks like the first quarter will triple the sales from the first quarter in 2022. Gary commented the report is phenomenal, and Leah said thank you, the Ballroom is doing really well. She said they are seeing a trend returning to glitz, glamor, and ballroom weddings.

5. PREMIER ARTS

Tanner Smale attended in person. They began January with a theater day camp for 67 kids who were out of school that day. They learned a song and a dance, did a craft, and played some fun acting games to prepare them for opportunities throughout the season. 80 kids came to the audition workshop for Schoolhouse Rock. They got to learn everything they needed to know for the audition to help them feel confident. Auditions were held, and we have 80 kids in the show. Auditions were held for the Drowsy Chaperone. Tanner said he is very excited about it. It is a very small cast but mighty, and a lot of new faces. It is going to be a highly

LERNER THEATRE BOARD
Wednesday, February 8, 2023

entertaining show. They are trying to educate, because it is one of the most underrated shows that was on Broadway.

6. GENERAL MANAGER'S REPORT

The General Managers report has been inserted in the minutes as presented.

PREPARED BY: MICHELLE FRANK

Activity (February-April)	As % of 90 days	
31 Events	34%	Activity in theatre
12 Ticketed Events	13%	Ticketed events
7 Non-Ticketed Events	8%	Non-Ticketed events
19 Rehearsal Dates	21%	Rehearsal Space

Compare to 2022 Board Report Ticketed Events: 17

Compare to 2022 Board Report Non-Ticketed Events +Rehearsals: 18

- The HVAC system replacement is still underway. While the replacement impacted our programming numbers through February with a relatively dark theatre, we are seeing numbers make up for that in March and April to pull us within a decent comparison to last year's February to April time frame.
- Looking ahead, I am working on the silent movie series for 2023, in addition to Lerner on the Lawn programming line-up on the Art & Pat Decio Central Green for 2023.

OPERATIONS MANAGER REPORT PREPARED BY: SARAH MACER

Accomplished in January:

- I'm hoping orientation for new ushers will begin in February and I'm looking forward to bringing on the new part time staff members.
- Google Calendar, Show Manager, and the Lerner Show Folders have all been updated. I have sent off the February Facility Occupancy numbers and am working on updating Prism details. I'm also now checking the new Volunteer applications and will be turning those over to Therese so we can schedule Volunteer orientation.
- Deen and I worked on creating a workable floor plan for the lobbies and Cittadine room. He has been an amazing help and I'm excited that he took the time to work with me on creating a visual aid for promoters and our staff that is clearer on what our building can house in terms of tables, bars and chairs while taking egress into account.

Goals for February:

Updating Manuals:

After going through the manuals and updating the verbiage so there's a consistency between The Lerner and the City expectations, I'm working on updating some of the tech details and other items that haven't updated since the manuals creation. Along those same lines I'm working on updating my SOPs and creating other working

LERNER THEATRE BOARD
Wednesday, February 8, 2023

documents to share with the team so we can better understand some of the particulars of the job.

Prism:

I've recently completed a Front of House template that I'm excited to start putting into practice with our upcoming shows. There are a lot of things to tweak, but over all I'm happy with the initial product. I want to create a few templates for shows that are generally more consistent in what they're asking for – Premier Arts and the Symphony for example but having a general template I believe is helpful.

Volunteer Program:

Our team was asked some questions last month about the Volunteer Program and reached out to Therese Geise and I to assist in creating a better picture, for the Board, about our program. Therese does an amazing job with our Volunteers and I am so appreciative to have her on our team. Her love and knowledge of the Volunteer Corp along with her love and knowledge of the City is invaluable. We recently had a new Volunteer Orientation where we brought on new members and are hoping to schedule another one for those that were unable to attend.

BOX OFFICE MANAGER PREPARED BY: TRISTIN PAUFF

Accomplishments for January 2023

- Updated the Box Office Operations Manual to include language that matches the City of Elkhart's Employee Handbook
- Still in the process of updating any procedures and processes that have changed since July of 2021 (when it was last updated)
- Continued to update the contacts list in our ticketing software, Patron Manager, from erroneous attempts to convert our Patron Contact List from Vendini to Patron Manager - this was due to the software not being compatible with each other when transferring the list
- Planned a Box Office Meeting that will go over the new Box Office Operations Manual in its entirety – This is scheduled for February 23
- Hired 3 new Part-Time Box Office Team Members

Goals for February 2023

- Complete the Box Office Operations Manual updates for policy and procedure changes
- Fully train 3 new Part-Time Team Members
- Host successful Box Office Meeting
- Utilize Tango to create procedures for the different learning styles of my Team

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- Continue to update all Box Office SOPs

Date	Time	Event Name	On Sale Date	Sold	Net Revenue	Hist. Fee	Total Revenue
1/27/2023	8:00 PM	TUSK: The World's #1 Tribute to Fleetwood Mac	9/15/2022	310	\$12,906.75	\$930.00	\$13,836.75
2/5/2023	4:00 PM	Elkhart County Symphony - Legends	8/15/2022	269	\$2,026.35	\$807.00	\$2,833.35
2/17/2023	7:30 PM	Tracy Lawrence	11/9/2022	218	\$16,456.00	\$654.00	\$17,110.00
3/3/2023	8:00 PM	MI Live	9/29/2022	118	\$7,229.00	\$354.00	\$7,583.00
3/10/2023	7:30 PM	Premier Arts Season Tickets 2023 (2 Subscription Options - Premier and Premier PLUS)	1/1/2023	515	\$78,672.00	\$1,545.00	\$80,217.00
3/10/2023	7:30 PM	Director's Circle (Add-on for Premier Arts Subscriptions)	1/1/2023	20	\$11,292.00	\$60.00	\$11,352.00
3/10/2023	7:30 PM	The Drowsy Chaperone (3/10/23 - 3/12/23 - 3 performances)	1/1/2023	134	\$9,395.20	\$402.00	\$9,797.20
3/13/2023	7:00 PM	Killer Queen - A Tribute to Queen	10/12/2022	136	\$8,890.20	\$408.00	\$9,298.20
3/18/2023	3:00 PM	Schoolhouse Rock Live! (All-Youth Production) Note: Comps processed for this show, individual ticket sales not available yet	1/1/2023	16	\$0.00	\$0.00	\$0.00
3/23/2023	7:00 PM	Tim Hawkins Live in Concert	12/15/2022	519	\$25,471.75	\$1,557.00	\$27,028.75
3/26/2023	4:00 PM	Elkhart County Symphony - 75th Anniversary Jubilee Celebration	8/15/2022	12	\$38.00	\$36.00	\$74.00
4/29/2023	3:00 PM	Stunt Dog Experience	1/19/2023	110	\$4,392.25	\$330.00	\$4,722.25
5/5/2023	7:30 PM	9 to 5 the Musical (5/5/23 - 5/7/23 - 3 performances) Note: Comps processed for this show, individual ticket sales not available yet	1/1/2023	12	\$0.00	\$0.00	\$0.00
5/14/2023	4:00 PM	Elkhart County Symphony - Music of our Home, Elkhart County (comps)	8/15/2022	4	\$0.00	\$0.00	\$0.00
5/19/2023	8:00 PM	Direct from Sweden: The Music of ABBA	12/8/2022	76	\$4,283.90	\$228.00	\$4,511.90
7/21/2023	7:30 PM	Disney's Beauty and the Beast (7/21/23 - 7/23/23 - 3 adult performances, 1 youth performance) Note: Comps processed for this show, individual ticket sales not available yet	1/1/2023	18	\$0.00	\$0.00	\$0.00
10/28/2023	8:00 PM	EagleMania - The World's Greatest Eagles Tribute Band	1/27/2023	53	\$3,099.65	\$159.00	\$3,258.65

Total Ticket Revenue	\$191,623.05
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TECHNICAL THEATRE MANAGER PREPARED BY: ANDREW KREIDER

Overview:

January was dominated by the long-awaited HVAC upgrades. The contractors did the work in three stages over the month, choosing which units to replace each time in a way that allowed us to keep the building warm throughout the process. Wagner-Meinert - the General Contractor - did an excellent job throughout. The work was thorough and professional. We couldn't have asked for a better team to work with.

Accomplished in January:

- Network upgrades - fiber run from stage to basement network rack
- Cable and conduit project - running new mic lines and speaker cable from stage to attic catwalk
- HVAC upgrades - all units installed on roof, ready for test and balance

Upcoming tasks:

- Installation of new security cameras
- Audio upgrades - moving more amps to attic catwalk
- Flyrail maintenance

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ASSISTANT TECHNICAL COORDINATOR PREPARED BY: DEEN TUGGLE

Overview:

It's maintenance season! January is always a great time to get to the much-needed maintenance from the previous busy season. I worked on changing out all of the forms for our yearly maintenance tasks. I then started maintenance on some of the tech equipment in the building. I cleaned and calibrated the spotlights, checked the emergency lighting, and made sure our inventory was up to date. I also was able to rehang some of the stage lighting to provide a different look for the new year. I have begun working on revamping my light board show file to make it easier for guest lighting designers when they use our equipment. I have started to work on my yearly maintenance of all of the lighting on the stage. At the end of the month, we had Tusk, the Fleetwood Mac tribute band. I was able to provide lighting for the concert and it was a great time! Now, onto more maintenance!

Accomplished in January:

- Provided lighting design for Tusk.
- Began maintenance on stage lighting.
- Updated maintenance forms for 2023.

Upcoming tasks:

- Perform yearly maintenance on lighting dimmer racks.
- Continue to update lighting console for ease of use.
- Run cable for the stage feed for a new side stage monitor.

ASSISTANT TECHNICAL COORDINATOR PREPARED BY: MAKAYLA SMITH

Overview:

While January has been relatively slow, I've definitely kept busy with odds-and-ends projects that come with the start of a new year. At the beginning of this month, I spent a lot of time climbing stairs, as we had quite a few projects to complete in our attic. From there, we completed the great task of running new cabling to the attic, which consisted of lots of conduit and new skills under my belt. Heading to the basement, we ran even more wiring from the stage down into our network closet. And throughout the rest of the building, I performed our yearly tech rack inspection, assisted with revamping our lighting array, and made a lot of progress on setting up the equipment and programs to be better prepared for any clients that may be interested in IMAG or live streaming during their event. Lots of housework later, we got to enjoy TUSK, a Fleetwood Mac tribute band, (which after a long month of chores that needed to get done) was a great change of pace, and everyone was so kind!

Done in January

- Assisted with yearly maintenance and annual inspections of equipment
- Completed most necessary tasks to further progress on updated HVAC system

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- Started process of running conduit to the attic

Goals for February

- Finish conduit/cable/power running
- Perform emergency lighting power test
- Complete odds-and-ends tasks in attic

FACILITIES MANAGER PREPARED BY: DAN GOULD

If 2023 is anything like 2022. I am going to need some new boots, and a vacation. This November the Lerner Theater will turn 99 years old. I often wonder, when the Lerner's opened this theater in 1924 if they had any idea how many lives their theater would touch. I know it has definitely touched mine. Heck it is my life now, but I would not have it any other way. After last year, the question that has been going through my mind is "how are we going to top 2022?" I don't know if we can. But you can bet we are going to try our hardest.

After our last event in December of 2022, there were two weeks left in the year and The Crystal Ballroom was still going strong with holiday parties. Every day we would start by cleaning up from the party the night before, then commence with deep cleaning the whole building. We shampooed the carpets and cleaned the tile and the linoleum. If it didn't move, we cleaned it. If it did move, we cleaned it and put it away. When you have a crew like ours, you just take the leash off and get out of the way or you will end up cleaned, shined, and put away in the closet. After January 1st, still on a roll, we started on the rest of the building. Repairing and repainting the walls. Fixing light, and plumbing fixtures. Not to mention that while all that work was going on, we had a crew on our roof replacing our HVAC system. I must confess, my stress level hit an all-time high, when they told me that whole zones of my building would be without heat in January. Fortunately, the contractors doing the work have done this a time or two and there were days that you could not tell that half the heat for the building wasn't even hooked up. I am definitely thanking heaven that we had one of the warmest Januarys that I can remember. Now all the new units are in place, the new duct work has been installed, and only two units are waiting to be started. After that, the only thing left will be to balance the system, and our new HVAC system will be complete. All that and it is only February.

Speaking of February, we have shows coming up. We got off to a great start on January 27th, with the Fleetwood Mac tribute band, Tusk. What a party! We are only moving up from there. Next is the county Symphony, they are celebrating their 75th anniversary. I have worked here long enough to know, that is not something they will take lightly. I think we are in for a treat. That will be followed by country artist Tracy Lawrence. He has written a lot of hits for an assortment of country stars. Expecting another great show from him. In between shows, we will be putting our noses back to the grindstone with more deep cleaning in the Ballroom and Cittadine room. We will also be conducting inspections of our emergency lighting system, our sprinkler system, along with our fire and burglar alarms. Not to forget keeping our sidewalks clear and dry. I am hoping for another good year here at the Lerner Theatre. If January is any kind of indicator, I am definitely going to need those new boots, and a longer vacation. I am looking forward to seeing our theater full of smiling

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happy faces and we hope to see you soon.

LERNER SERVICES COORDINATOR PREPARED BY: DANIEL REECER

Thoughtless and without cruelty the indifferent winter humbles. Upon hearing the plan for our HVAC replacement in January I was expecting a simple, timeless, cold lesson in humility with setbacks and delays. I am rarely accused of being an optimist. Thankfully, I was wrong. We are mostly through our HVAC transition, and it has been going as smoothly as the rest of this month. We were able to fully shampoo the ballroom carpets and upon completion we marked trouble spots to go after with spot remover and solvents as a next step. We did some touch ups on the paint in various areas, mainly around baseboards in the ballroom and second floor. We even had a show in the building that went wonderfully, no mentions of temperature discomfort. All in all, it's not as cold of a January as I was expecting and hopefully spring starts in February.

Accomplished:

- Ballroom carpet treatment
- Paint/Trim touchups
- Accommodating HVAC Contractors

Upcoming:

- Carpet Detailing/Spot Removal
- Upholstery Checks

7. NEW BUSINESS

JPR, Inc. Fire Escape Condition Assessment

On motion by Dina Harris, seconded by Jamie Arce and carried 5-0, the Board ratified a contract with JPR, Inc. for the Fire Escape Condition Assessment.

Eyedart Creative Studio Contract

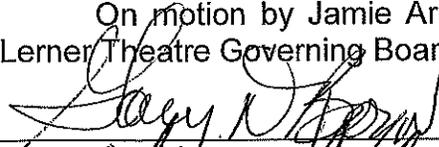
On motion by Diana Lawson, seconded by Jamie Arce and carried 5-0, the Board approved the 2023 contract with Eyedart Creative Studio for \$24,156.02 annually.

Stephanie Krol Public Relations, Inc. Contract

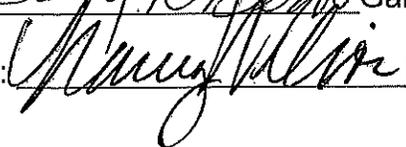
On motion by Dina Harris, seconded by Carrie Berghoff and carried 5-0, the Board ratified the 2023 contract with Stephanie Krol Public Relations for \$15,000.00 annually.

8. ADJOURNMENT

On motion by Jamie Arce, seconded by Dina Harris and carried 5-0, the Lerner Theatre Governing Board was adjourned at 10:28 a.m.



Gary Boyn, President

Attest: 

Nancy Wilson, Clerk of the Board

PLAN COMMISSION
-MINUTES-

Monday, February 6, 2023 - Commenced at 1:49 P.M. & adjourned at 2:08 P.M.
City Council Chambers – Municipal Building

Original

COPY

Elkhart City Plan Commission was called to order by Tory Irwin at 1:49 P.M.

MEMBERS PRESENT

Dave Osborne
Ron Davis
Tory Irwin
Aaron Mishler
PROXY-Danielle Neal

MEMBERS ABSENT

Mark Datema

REPRESENTING THE PLANNING DEPARTMENT

Ryan Smith, Planner- In person
Nathan Hooley, Planner- Webex
Kristen Smole, Asst. Dir. Economic Development-Webex
Michael Huber, Development Services Director-Webex

LEGAL DEPARTMENT

Maggie Marnocha, Corporation Counsel- In person

TECHNOLOGY STAFF

Jon Balog

RECORDING SECRETARY

Jamie Kochanowski

APPROVAL OF AGENDA

Motion to approve by Mishler; Second by Osborne. Voice vote carries.

APPROVAL OF MINUTES

Motion to approve by Mishler; Second by Davis. Voice vote carries.

APPROVAL OF PROOFS OF PUBLICATION

Motion to approve by Osborne; Second by Davis. Voice vote carries.

APPROVAL OF AMENDED 2023 PC CALENDAR TIME

Motion to approve by Davis; Second by Mishler. Voice vote carries.

OLD BUSINESS

None

NEW BUSINESS

23-PUD-01 PETITIONER: Parkwel Development LLC

PROPERTY IS LOCATED AT Vacant Lot, Parkway Avenue (Lot 9 of Parkway at 17 DPUD – Phase III; Parcel I.D. # 20-07-07-300-029.000-039)

Request: Per Section 20.10.B.3, of the City of Elkhart Zoning Ordinance, a Major Amendment to the Parkway at 17 DPUD – Phase III ordinance approved by the Elkhart County Commissioners numbered 10-04. The ordinance establishes the PUD to be developed to the B-3 standards; the proposed amendment would change the base district on Lot Nine (9) to R-4 to allow for multi-family housing. This amendment applies only to the parcel described in the legal description.

STAFF ANALYSIS

The petitioner owns a 20.8-acre property located on the east side of the terminating cul-de-sac at the south end of Parkway Avenue which they wish to develop with a 252-unit apartment complex. The Parkway Development allows generally for B-3 use, which is a relatively intense commercial use.

There has been one PUD amendment in recent years, in Phase IV, to allow for a memory care facility (Harmony at Elkhart) at 1129 Parkway Avenue, which is northwest of this site. Nursing homes and apartment buildings are built to higher densities than single family residences, and they are commonly found in or adjacent to commercial districts since their intensities can be similar.

Staff has reviewed the conceptual plan and does not foresee any major impediments to developing site with the proposed apartments. The project has not been fully engineered and still needs to go through the City's Technical Review process. The Final Site Plan would also need to receive approval by the Plan Commission before any permits could be issued.

The proposed change in the PUD would alter the base district for this parcel only. The remainder of the PUD has the commercial B-3 District as its base; if passed, this would change the base district for the parcel to R-4, which is the City's Multi-Family Residential District.

The R-4 District allows for a range of residential districts, along with other uses commonly associated with residential zones such as schools, churches, and parks. In all likelihood, given the site's size and location, multi-family residential is the highest and best use for the parcel. The amendment would also preclude the site from being used for any commercial uses.

STAFF RECOMMENDATION

The Staff recommends **approval** of the major amendment to the Planned Unit Development based on the following findings of fact:

1. The Comprehensive Plan is anticipated to call for this area to be developed with mixed uses. The proposed use is compatible with mixed uses.
2. The proposed uses should not impact the other permitted uses approved for this PUD. The proposed use should not negatively impact surrounding properties. The site has adequate parking.
3. The proposed use is compatible with other activity already permitted by the planned unit development – B-3 (commercial).

CONDITIONS

None

Smith states there were 2 letters mailed, 0 returned in favor with comments. This is a recommendation to the City Council.

Irwin thanks Mr. Smith. Mishler asks if this is a rezoning request. Smith responds PUD's are a special kind of zoning district that has a specific ordinance that governs the parcel and that we are making an amendment to the PUD ordinance. Irwin asks for any questions from staff. Mishler inquires if there has been any discussion with Public Works and is it something can they provide services. Ryan responds there is water and sewer out there and it is adequate to support the development. Irwin mentions that the sewer capacity is limited and a lift station would need to be upgraded downstream of this development and states this will be worked out in tech review.

Irwin asks if the petitioner is available to speak. James Randolph, 3454 Douglas Drive, South Bend, approaches the stand and gives commissioners handouts of the project and says he represents Holiday Properties on the Crossroads 41 project-a workforce housing project for the east side of Elkhart. Says the project is an 11 building, 252 apartment unit development on 21 acres and that it is adequate to meet the need for workforce housing here. States they feel it is in good proximity to major work centers throughout the region and accessible to commuters from Bristol, Middlebury and others from outside of the community. Randolph also states that they have 5 parking structures, 1 clubhouse, lease and amenities center with onsite leasing, maintenance, fitness center, nature walk, pup park, grill stations and more Class A rental amenities and are requesting use approval to move forward with the project and thanks the staff. Ron Davis asks what the leasing rate is. Randolph responds by saying about \$1.44 per square foot so for the two bedrooms it would be about \$1400 to \$1750. One bedrooms would be about \$1000 and \$1350. Ron Mishler asks if they will be coming to the City for any incentives. Randolph responds they would be figuring out how they will finance this deal working with the City. Mishler mentions the petition says Middlebury Community Schools and asks if they can support the transportation. Randolph responds that there have been conversations, but nothing fully to this point. Irwin mentions about the site plan for the south end. Randolph responds that the 13 acres is what will currently be developed. Mishler mentions that hosing is continuing to be a focus that we need to address in our community and that 30,000 folks in the county commute to the City for work which are potential residents.

Irwin opens the floor for public comment. Dan Brekke 25928 N. Shore Drive, Elkhart approaches the stand and says he is in support of this project and agrees that housing is an important economic driver for our city and is something that particular area with the growth of industrial and manufacturing would be an ideal location and hopes the board sees the positives of that. Louis Snyder, 26722

Roseland Blvd, Elkhart, approaches the stand and speaks in support of this project, mentioning the location is perfect for our centrally located area. Says she is the manager of Berkshire Hathaway Real Estate offices and that there were 146 active listings of residential homes on the market for all of the county and says we are in desperate need of housing. Continues to say she was with the state legislators last week and that the state is so concerned that they said we are about 50,000 homes behind in terms of providing for our workforce.

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Irwin closes the public hearing portion of the meeting and asks for any comments from the commission members. Irwin comments that we do need housing and this is a perfect area to put a housing development like this and that is well served by the road network and although utilities are available details still need to be worked out.

Irwin calls for a motion.

Mishler makes motion to approve with a Do-Pass Recommendation to the Common Council; Second by Neal. Roll Call vote. Motion carries.

- Mishler-Yes
- Osborne-Yes
- Proxy-Neal -Yes
- Davis-Yes
- Irwin-Yes

STAFF ITEMS

23-SI-02

Addressing

STAFF ANALYSIS

The Planning and Zoning Department is requesting approval of the addresses that have been reserved for structures in the City of Elkhart.

Residential

- | | |
|-----------------------------------|-------------------------------|
| 514 S Fifth Street Apt. 100 & 200 | Existing Residential Building |
| 201 N Third Street Apt. 100 & 200 | Existing Residential Building |
| 3708 Bordeaux Court | New Single Family Home |
| 1733 Decamp Avenue | New Single Family Home |
| 2026 Morehouse Ave | New Single Family Home |
| 2028 Morehouse Ave | New Single Family Home |
| 2921 Homer Avenue | New Single Family Home |

Commercial

- | | |
|--------------------------------------|----------------------------------------|
| 3075 W County Road 6 Suites 100 &101 | Multitenant Building |
| 2508 Decio Drive | Existing Industrial Businesses Annexed |

RECOMMENDATION

Staff recommends that the Plan Commission assign the proposed addresses based on staff recommendation.

Irwin asks if there are questions from the Commission.

Irwin calls for a motion.

Neal makes motion to approve; Second by Mishler. Motion carries.

Staff Discussion:

Plan Commission Appointment to the Elkhart Urban Enterprise Association (EUEA)

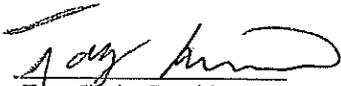
Irwin asks for a motion and a second to table the EUEA Staff Discussion.

Mishler makes motion to table; Second by Osborne. Motion carries.

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ADJOURNMENT

Irwin calls for a motion to adjourn meeting. Davis approves motion to adjourn and is seconded by Mishler. Meeting is adjourned and all are in favor.

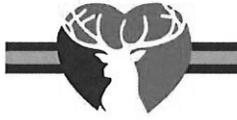

Tory Irwin, President


Dave Osborne, Vice-President

Rod Roberson
Mayor

Dustin McLain
Department Head

ELKHART CITY



911
COMMUNICATIONS

574.293.2175
Fax: 574.294.5530

Elkhart City Communications
135 E Franklin Street
Elkhart, IN 46516

Date: March 6, 2023
To: Mayor Rod Roberson
Elkhart City Board of Public Safety
Common Council
From: Dustin McLain, Department Head
Elkhart Communications Center
Re: **February 2023 Month End Report**

We processed 7784 incoming & outgoing emergency and non-emergency phone calls. This was a decrease of 463 calls from February of 2022. Below is a summary of the calls we handled in Communications.

CALL SOURCES	911 *This includes Landlines, Wireless, VoIP, TextTTY, and abandoned.* (as reported by ECats State reporting online)	Administrative Incoming/Outgoing (non-emergency)	TOTAL
	1787	5997	7784
2022 TOTALS	1838	6409	8247

By shift, we entered 6113 calls into the CAD, a decrease of 44 calls from February of 2022. Below is a breakdown of the call volume by shift.

	POLICE CALLS	FIRE CALLS	OTHER	TOTALS
Day Shift	1740	286	260	2286
Afternoon Shift	1690	290	298	2278
Midnight Shift	1296	147	106	1549
All Shifts	5288	851	743	6882
2022 Totals	5365	899	644	6908

*Other Calls refers to calls made to communications that either required a response by other departments, such as Parks Dept., Street Dept., etc. This also includes calls that are dispatched out as attempts to locate, repossessions and/or private impounds.

OTHER BUSINESS

- For the month of January 2022, we handled 51 AUDIO REQUESTS for the Prosecutor’s Office and Police Dept. We provided 14 (FOIA) Public Records Requests to individuals.
- We currently have six open dispatcher positions and one open assistant director position. We have a new hire starting training on March 28th