

**BOARD OF PUBLIC WORKS AND SAFETY AND STORMWATER BOARD MEETING
HELD, AUGUST 19, 2019, GOSHEN, INDIANA**

The Board of Public Works and Safety and Stormwater Board of the City of Goshen met in the Council Chambers, 111 E. Jefferson St., on August 19, 2019, at 2 p.m. for their weekly Board meeting. Mayor Jeremy Stutsman was the presiding officer with members of the Board present or absent as follows:

PRESENT: Mayor Jeremy Stutsman, Board Member Mitch Day, Board Member Mike Landis

ABSENT:

OTHERS:

Clerk-Treas. Admin Assistants
~~Asst. Brownfield Coordinator~~
Central Fleet Manager
Fire Chief
Street Commissioner
~~Human Resources~~
Director of Public Works
Wastewater Superintendent
Mayor's Admin Assistant

Police Chief
Utilities Office Manager
Contracts & Claims Manager
~~Water & Sewer Superintendent~~
City Attorney
~~Asst. Street Commissioner~~
Civil Traffic Engineer
~~Brownfield Coordinator~~
~~Assistant Fire Chief~~

Asst. Building Commissioner
~~City Planner~~
Assistant City Planner
Legal Compliance Administrator
Communications Coordinator
~~Assistant Police Chief~~
~~Building Inspector~~
Parks Superintendent

No minutes were presented for approval.

REQUEST TO APPROVE PROBATIONARY FIREFIGHTER

Fire Chief Danny Sink requested Board approval to hire Matthew L. White as a probationary firefighter effective August 19, 2019. Mr. White has passed the pension requirements for the State of Indiana.

Board Member Day moved to approve the request. Second by Board Member Landis and motion passed unanimously.

OPEN BIDS FOR METAL ROOF REPLACEMENT AT 320 STEURY AVE.

Mayor Stutsman opened the following bids:

One bid was received from Master Steel Roofing for \$93,922.00

Mayor Stutsman moved to refer the request to the Legal Department for review and recommendation. Second by Board Member Day and motion passed unanimously.

OPEN BIDS FOR SURPLUS PROPERTY

Mayor Stutsman opened the following bids:

**Bid Tabulation Surplus
Property**

DESCRIPTION	Jerod Erb	Todd Turner	Julie Christoffel	Michael Hrynewycz	Mason Pratt	Matt Beard	Carl Gaines	Thad Turner
2006 F-350 with Boss snow plow - VIN 1F1WW31526EC85879 With 7'6" Boss V-plow blade only no controls - Serial# 61015		\$3,521.00	\$3,051.42	\$3,001.00			\$3,455.00	
2000 F-550 Dump - VIN 1FDAF56F2YRD85941 With 8'2" Boss V-plow blade only no controls - Serial# 45601	\$855.00			\$2,001.00	\$2,500.00	\$2,350.00		\$1,056.00
9'2" Boss V-plow blade only no controls - Serial# # 97744	\$150.00	\$50.00						\$50.00
10' Snow plow only - Serial# 37209.05								\$5.00
10' Snow plow only - Serial# 37199.05								\$5.00

Mayor Stutsman moved to refer the request to the Legal Department for review and recommendation. Second by Board Member Landis and motion passed unanimously.

REQUEST TO APPROVE VENTURI ALLEY SIGNAGE

Stacy Dechnik of Venturi Pizza requested Board approval for an alley sign at 119 E. Lincoln Avenue.

Goshen Engineering has evaluated the proposed placement of a sign at the northwest corner of 119 E. Lincoln Avenue off of Alley No. 141. Considering the other object encroachments (i.e. power poles, trash containers, gas meters, etc.) in the alley, the proposed sign with a projection of no more than 24 inches into the alley should not pose an issue for the movement of vehicles.

Of larger concern to Goshen Engineering is the regular movement of pedestrians in the alley from East Lincoln Avenue or City Parking Lot F to the entry door at the northeast corner of the building. The alley is not configured for routine pedestrian movement, and 119 E. Lincoln has downspouts that discharge runoff into the alley that will contribute to icing conditions in the winter months.

Recommendations for the Board to consider are:

- 1.) Request the downspouts to be connected to the 6" storm pipe running in the alley along the building. Note that because the storm pipe is only 6" a downspout overflow would still be required.
- 2.) Require the installation of a couple of wall pack lights or decorative wall lights along the building to highlight pedestrians traveling within alley corridor.

Public input – Stephanie Honderich lives 2 doors down from Venturi and likes the extra lights.

Board Member Landis moved to approve the request contingent on Venturi completing the recommendations from Engineering. Second by Board Member Day and motion passed unanimously.

REQUEST TO APPROVE AGREEMENTS—SELKING INTERNATIONAL INC

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to purchase a Single Axle Dump Truck from Selking International Inc.

On May 6, 2019 the Board of Public Works and Safety opened bids for the purchase of a single axle dump truck. Two bids were received and each of the bidders took exceptions to the City's specifications.

Supplier	Total Cost
Selking International 4849 W. Western Ave South Bend, IN 46619	\$176,731.53
Truck Centers, Inc 1011 W. Sample St. South Bend, IN 46619	\$178,372.00

It is recommended that the Board of Public Works and Safety award the contract to Selking International LLC as the lowest responsible and responsive bidder for a total contract price of \$176,731.53.

Board Member Day moved to approve the request. Second by Board Member Landis and motion passed unanimously.

**REQUEST TO APPROVE ROAD CLOSURE— GOSHEN HIGH SCHOOL
BAND BOOSTERS**

Goshen High School Band Boosters President Kristy Nissley requested Board approval to close the following streets between 11:00 a.m. and 11:00 p.m. for the Marching Band Invitational held at Goshen High School on September 14, 2019:

1. East Purl Street from Ninth Street east to school campus
2. Tenth Street from the intersection of Tenth Street and US 33 to Reynolds Street

It is also requested that the grassy knoll area along Tenth Street, between Douglas and Plymouth Avenue be used for parking. A police officer will be present before, during, and after the event.

Board Member Landis moved to approve the request. Second by Board Member Day and motion passed unanimously.

REQUEST TO APPROVE ROAD CLOSURE

Stephanie Honderich, owner of GoDance Studio, requested Board approval to close the alley on the north side of Lincoln between Main and 5th on August 31, 2019 from 4 p.m. -8 p.m. for an anniversary party for GoDance Studio.

Ms. Honderich has received approval from all neighboring properties as far as 3 businesses down.

Board Member Day moved to approve the request. Second by Board Member Landis and motion passed unanimously.

REQUEST TO APPROVE ROAD CLOSURE – GRA-ROY DRIVE

Director of Public Works Dustin Sailor requested Board approval for closure of Gra-Roy Drive between South Main Street and Woodward Place for installation of sewer and water service laterals from their mains for the new office at Goshen Health Systems at 1701 S. Main Street between August 26-30, 2019.

Board Member Landis moved to approve the request. Second by Board Member Day and motion passed unanimously.

REQUEST TO APPROVE SURETY BOND

Civil Traffic Engineer Leslie Biek requested Board approval for the Pickwick Surety Bond for Water Main.

Spring Run Partners has provided a surety bond for the construction of a public water main in Pickwick Village. The water main will be placed in an easement west of Wake Field Road near Wilden Avenue north to Pickwick Lane. The surety bond covers the cost of the utility work and will allow the contractor to begin installation of the water main for the purpose of providing utilities to proposed residential homes that will be constructed along Wakefield.

Board Member Day moved to approve the request. Second by Board Member Landis and motion passed unanimously.

REQUEST TO APPROVE SIDEWALK & CURB 50/50 AGREEMENTS

Director of Public Works Dustin Sailor requested Board approval for the following Sidewalk & Curb 50/50 agreements:

1. Lester Eger of 914 South 10th Street. The City's contractor provided a written estimate of \$3,180.00. Resident's share equals \$1,590.00.
2. Fred Driver of 320 South 6th Street. The City's contractor provided a written estimate of \$10,969.20. Resident's share equals \$5,484.60.
3. Beverly Deter of 117 North 6th Street. The City's contractor provided a written estimate of \$11,000.27. Resident's share equals \$3,775.50.
4. Edie Gray of 122 Huron Street. The City's contractor provided a written estimate of \$3,980.00. Resident's share equals \$1,990.00.
5. Jason & Laura Moshier of 805 South 7th Street. The City's contractor provided a written estimate of \$1,620.00. Resident's share equals \$810.00

Board Member Landis moved to approve the request. Second by Board Member Day and motion passed unanimously.

REQUEST TO APPROVE AGREEMENT—BILL'S HEATING

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to enter into an agreement with Bill's Heating to provide and install the air conditioning unit and air handler in the City Hall north side offices.

Work on the project shall be completed within 45 days from a notice to proceed and the total cost for all work and equipment is \$9,370.00

Board Member Day moved to approve the request. Second by Board Member Landis and motion passed unanimously.

REQUEST TO APPROVE AGREEMENT AMENDMENT—STIVER LAWN CARE

Legal Contracts and Claims Manager Keitha Windsor requested Board approval for a contract amendment with Stiver Lawn Care for 3 additional properties.

On April 23, 2019 the City entered into a contract for lawn mowing services with Stiver Group, Inc. d/b/a Stiver Lawn Care with a contract amendment for 4 additional properties on June 4, 2019 and a contract amendment with another 4 additional properties on August 1, 2019.

The City has 3 more properties to add to the mowing contract for the remainder of the season:

1. 625 East Lincoln Ave @ \$20.00 / per mow
2. 700 East Lincoln Ave @ \$30.00 / per mow
3. 704 East Lincoln Ave @ \$30.00 / per mow.

This additional not to exceed amount of \$630.00 brings the total contract price to not to exceed amount of \$23,280.00

Board Member Landis moved to approve the request. Second by Board Member Day and motion passed unanimously.

REQUEST TO APPROVE FIRE DEPARTMENT 2014 CONTRACTUAL WRITE OFF'S

Fire Chief Dan Sink requested Board approval to write off the ambulance service's Contractual Write-Off's and Bad Debts including Medicare, Medicaid, Worker's Compensation Claims, and Bad Debts/Collection Agency accounts for the time period January 01, 2014 thru December 31, 2014.

AccuMed Billing, Inc. has billed the patient or responsible party and the appropriate insurance companies and received the amount(s) payable for the services rendered. We must now write off the contractual amounts and the bad debts. These accounts total \$951,778.34. Fire collection rate is 69%.

Board Member Day moved to approve the request. Second by Board Member Landis and motion passed unanimously.

PRIVILEGE OF THE FLOOR

City Traffic Engineer Leslie Biek on behalf of Rcith Riley requested Board approval for the closure of Lombardy Drive at Kercher on August 20, 2019 from 7:00 a.m. to 4:00 p.m. They will put barricades up for a hard closure at Kercher and a soft closure on Caragana so local business can still get thru. Closure is for installation of the storm sewer for the Kercher Project.

Mayor Stutsman moved to approve the request. Second by Board Member Landis and motion passed unanimously.

PRIVILEGE OF THE FLOOR

Edward Arnold of 312 South 6th Street requested Board approval for a POD unit from ServPro to be placed on the street for house repairs from October 10 – 22, 2019.

Director of Public Works Dustin Sailor voiced concern on being able to see the dumpster at night and recommends a Type 2 or Type 3 barricade that has reflective light on it. Mr. Arnold mentioned it will be under a street light and will be well lit. Street Commissioner David Gibbs will put out an appropriate barricade for the POD unit.

Board Member Day moved to approve the request. Second by Board Member Landis and motion passed unanimously.

PUBLIC HEARING ON ORDER OF THE BOARD OF PUBLIC WORKS AND SAFETY:
414 RIVER AVENUE

Mayor Jeremy Stutsman opened the Public Hearing:

City Attorney Larry Barks reported that Ron Davidhizar has started some work on 414 River Avenue in the last 5-6 days and is asking the Board for a 4 week continuance to show he is working to bring the property up to code. Mr. Davidhizar had not pulled any permits until August 19, 2019.

Mayor Stutsman is hesitant to grant the 4 week continuance. Mr. Davidhizar was given 60 days to bring a plan to the Board or demolition would take place. The 60 day timeline expired August 16, 2019. Board voiced frustration that Mr. Davidhizar has waited until the last minute and does not have a plan to present.

Ron Davidhizar reported to the Board that the following work has been done:

1. All of the broken windows have been replaced except for (4) and the ones not finished have sash and will be replacing the window units and have plywood covering them.
2. Vandalized roof will be repaired today (August 19, 2019).
3. Doors are secure and no longer an attractive nuisance for children.
4. Remodeling, Electrical and Plumbing permits have been pulled.
5. Peeling paint has been scraped and in process of repairing plaster and getting ready to paint.

Mayor Stutsman informed Mr. Davidhizar that he had owned the property since December 1977 and not the 10 years Mr. Davidhizar thought he owned the building. The concern is for as long as the property has been in disrepair what will another 4 weeks accomplish. Mr. Davidhizar replied he has tenants that will be renting the property in 4 weeks.

Board Member Landis voiced concerns over no furnace in the house and no plans to have one with space heaters being the main mode of heat. Furnace would be required.

Mr. Davidhizar said the house has been rented through the years, but has not been rented in recent years while he decided to remodel or sell. A contract with LaCasa to purchase the property fell thru and no other buyers were found. Mr. Davidhizar decided then it was a property worth keeping and fixing up. He said his other option is demolition and then the City would lose tax dollars since it would be a vacant lot.

The Board spoke of the past and patterns of dealing with Mr. Davidhizar and his properties and the frustrations that stem from the relationship. The properties can meet the bare minimum of requirements, but are not a credit to the neighborhoods and remain eyesores.

Inspector Travis Eash said the last time this came before the Board, Mr. Davidhizar was given 60 days to come up with a plan or the property be demolished. Mr. Davidhizar has not prepared a sufficient plan. He just started working on the 59th day likely with the thoughts it would be enough. Inspector Eash confirmed some work as stated by Mr. Davidhizar has begun, but nothing has been inspected or approved by the City. Permits were pulled August 19, 2019. He cannot confirm if any of the work has been done correctly.

Attorney Barkes said the requests for repair on this property and timeline began in 2013/2014. LaCasa's plan would have been to demolish the building if they had purchased it. He suggests revisiting this in two weeks from this date.

Mayor Stutsman does not feel comfortable granting an extension and feels the City needs to move forward with the demolition of the structure as his repairs proposal was not a sufficient plan.

Ron Davidhizar made a final request of extension of 14-28 days.

Mayor Stutsman moved to find that 9 of the 10 repairs are still in violation with the exception of number 4 that the back door now closed and secured. Second by Board Member Landis and motion passed unanimously.

Matthew Lind of 407 North First Street reminded the Board of their vote 60 days ago that Mr. Davidhizar was to present a plan to the Board and it has not been done. Mr. Lind believes the Board needs to stand behind their word and make their word meaningful.

Mayor Stutsman voiced his regret at losing a potential rental property in Goshen, but cited the history of the property and the history of the Landlord as reasons to proceed with demolition.

Mayor Stutsman moved to continue ahead with the demolition and will work with Legal Department to contact the Street Department for schedule or hire an outside agency for demolition. Seconded by Board Member Landis and motion passed unanimously.

PUBLIC HEARING ON ORDER OF THE BOARD OF PUBLIC WORKS AND SAFETY:
216 SOUTH 27TH STREET

Mayor Jeremy Stutsman opened the Public Hearing:

City Attorney Larry Barkes reported that nothing has happened at this property in the 60 days and recommends moving ahead with demolition. Ron Davidhizar agrees that the property should be demolished.

Mayor Stutsman moved to find that all items at 216 South 27th Street are still in violation. Second by Board Member Landis and motion passed unanimously.

Mayor Stutsman moved to continue ahead with the demolition and will work with Legal Department to contact the Street Department for schedule or hire an outside agency for demolition. Seconded by Board Member Landis and motion passed unanimously.

There being no further business Mayor Stutsman moved to process claims and then to adjourn. Second by Board Member Landis and motion passed unanimously.

BOARD OF PUBLIC WORKS AND SAFETY AND STORMWATER BOARD:

MAYOR JEREMY STUTSMAN _____


BOARD MEMBER MITCHELL DAY _____


BOARD MEMBER MICHAEL A. LANDIS _____


ATTEST  _____
CLERK-TREASURER ANGIE MCKEE