



**BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD**  
**MINUTES OF THE THURSDAY, JANUARY 11, 2024 REGULAR MEETING**  
*Convened in the Goshen Police & Court Building, 111 East Jefferson St., Goshen, Indiana*

**Present:** Mayor Gina Leichty, Mike Landis, Orv Myers, and Mary Nichols

**Absent:** Barb Swartley

**CALL TO ORDER:** Mayor Gina Leichty called the meeting to order at 4:00 p.m.

Mayor Leichty wished Board member Orv Myers a happy birthday. The audience responded with applause.

**REVIEW/APPROVE MINUTES:** Mayor Leichty presented the minutes of the Jan. 4, 2024, Regular Meeting as prepared by Clerk-Treasurer Aguirre. Board Member Mary Nichols moved to approve the minutes as presented and the motion was seconded by Board Member Orv Myers. Motion passed 4-0.

**REVIEW/APPROVE AGENDA:** Mayor Leichty presented the agenda submitted by the Clerk-Treasurer with the suggested removal of agenda item #11 "Approve an extension of the two-day closure of 10th Street, south of Douglas Street, through Feb. 2, 2024," because it was no longer needed. Board member Nichols moved to accept the agenda as amended. Board member Myers seconded the motion. The motion passed 4-0.

**1) Fire Department request: Approve the hiring of Douglas Burggraf as a Private First Class Firefighter**  
**Assistant Chief of Operations Anthony Powell** told the Board that **Douglas A. Burggraf** completed his probationary year at the Goshen Fire Department on Jan. 9, 2024.

Based on his performance and recommendations from his shift Battalion Chief and Training Officer; **Chief Powell** said it was his pleasure to request that Burggraf be promoted to the rank of Private First Class for the Fire Department, retroactive to Jan. 9, 2024.

**Nichols/Myers** made a motion that **Douglas A. Burggraf** be promoted to the rank of Private First Class for the Goshen Fire Department, retroactive to Jan. 9, 2024. Motion passed 4-0.

*After approval, Mayor Leichty swore Douglas A. Burggraf in as a Private First Class in the Fire Department.*

**2) Fire Department request: Approve the hiring of James Michael White as a Private First Class Firefighter**  
**Assistant Chief of Operations Anthony Powell** told the Board that **James Michael White** completed his probationary year at the Goshen Fire Department on Jan. 9, 2024.

Based on his performance and recommendations from his shift Battalion Chief and Training Officer; **Chief Powell** said it was his pleasure to request that White be promoted to the rank of Private First Class for the Fire Department, retroactive to Jan. 9, 2024.

**Nichols/Myers** made a motion that **James Michael White** be promoted to the rank of Private First Class for the Goshen Fire Department, retroactive to Jan. 9, 2024. Motion passed 4-0.

*After approval, Mayor Leichty swore James Michael White in as a Private First Class in the Fire Department.*

**3) Fire Department request: Approve the hiring of Jordan Hunter as a Private First Class Firefighter**  
**Assistant Chief of Operations Anthony Powell** told the Board that **Jordan L. Hunter** completed his probationary year at the Goshen Fire Department on Jan. 9, 2024.

Based on his performance and recommendations from his shift Battalion Chief and Training Officer; **Chief Powell** said it was his pleasure to request that Hunter be promoted to the rank of Private First Class for the Fire Department, retroactive to Jan. 9, 2024.





Nichols/Myers made a motion that Jordan L. Hunter be promoted to the rank of Private First Class for the Goshen Fire Department, retroactive to Jan. 9, 2024. Motion passed 4-0.

*After approval, Mayor Leichthy swore Jordan L. Hunter in as a Private First Class in the Fire Department.*

**4) Police Department request: Promote Sergeant Corey Mosher to the rank of Lieutenant**

Police Chief José Miller asked the Board to approve the promotion of Officer Corey M. Mosher from the rank of Sergeant to the rank of Lieutenant.

Chief Miller said that after reviewing the results of all officers who tested, Officer Mosher was selected as the candidate for the position. He said Officer Mosher has worked on the Police Department for over eight years and currently oversees the K-9 unit.

Chief Miller added, "Corey has demonstrated he will continue to be an asset to our department and our leadership team. I request the promotion to be effective Friday Jan. 12, 2024."

Nichols/Myers made a motion to approve the promotion of Officer Corey M. Mosher from the rank of Sergeant to the rank of Lieutenant, effective Jan. 12, 2024. Motion passed 4-0.

*After approval, Mayor Leichthy swore Corey M. Mosher in as a Lieutenant in the Police Department.*

**5) Police Department request: Promote Patrol Officer Alexandro Rosales to the rank of Sergeant**

Police Chief José Miller asked the Board to approve the promotion of Officer Alexandro (Alex) Rosales from the rank of Patrol Officer to the rank of Sergeant, effective Jan. 12, 2024.

Chief Miller said that after reviewing the results of all officers who tested, Officer Rosales was selected as the candidate for the position. He said Officer Rosales has worked on the Police Department for approximately eight years and currently is a field training officer for new recruits.

Chief Miller added, "Alex has continuously demonstrated his dedication to our community and department. Alex will be a great asset to our leadership team."

Nichols/Myers made a motion to approve the promotion of Officer Alexandro Rosales from the rank of Patrol Office to the rank of Sergeant, effective Jan. 12, 2024. Motion passed 4-0.

*After approval, Mayor Leichthy swore Alexandro (Alex) Rosales in as a Sergeant in the Police Department.*

**6) Police Department request: Promote Patrol Officer Manuel Aldana Garcia to the rank of Sergeant**

Police Chief José Miller asked the Board to approve the promotion of Manuel Aldana Garcia from the rank of Patrol Officer to the rank of Sergeant, effective Jan. 12, 2024.

Chief Miller said that after reviewing the results of all officers who tested, Officer Aldana was selected as the candidate for the position. He said Officer Aldana has worked on the Police Department for 4½ years and currently serves as a field training officer for new recruits and is a member of the S.W.A.T. Team.

Chief Miller added, "Manuel has continuously demonstrated his dedication to our community and department. Manuel will be a great asset to our leadership team as well."

Nichols/Myers made a motion to approve the promotion of Manuel Aldana Garcia from the rank of Patrol Office to the rank of Sergeant, effective Jan. 12, 2024. Motion passed 4-0.

*After approval, Mayor Leichthy swore Manuel Aldana Garcia in as a Sergeant in the Police Department.*

**7) Oaths of Office: For members of the Board of Public Works and Safety**

Mayor Leichthy told the Board that it was appropriate for members of the Board of Public Works and Safety to take an oath of office at the start of the new year. She said all are mayoral appointees.

The Mayor then swore the Board members into office by seniority in the following order: Mike Landis, Mary Nichols and Orv Myers. Board member Barb Swartley could not be present.





**8) Legal Department: Approve Resolution 2024-03, Special Purchase of Motorola Radios**

**Shannon Marks, the Legal Compliance Administrator for the City Legal Department,** told the Board that the City Police Department wanted to make a special purchase of 10 in-car mount radios, including radio programming. She said the purpose of Resolution 2024-03 was to make a written determination of the basis for the special purchase, and the basis for the selection of this particular contractor.

**Marks** said this purchase is being made from Motorola Solutions, Inc. which has a quantity purchase agreement with the State of Indiana. The cost of the in-car mount radios, including radio programming will be \$55,227.10.

**Marks** indicated the City of Goshen may make a special purchase under Indiana Code § 5-22-10 without soliciting bids or proposals provided a written determination is made of basis for the special purchase, and the basis for the selection of a particular contractor.

**Board member Landis** asked if the radios were for new cars. **Marks** said they were for existing cars that don't have radios. She said numerous police cars don't have radios, adding that several years ago the department switched to hand-held radios, but a determination has been made that in-car radios are also needed.

Asked by **Board member Landis** if the radios can be moved to other cars when the vehicles are replaced, **Goshen Police Public Information Officer and Records Manager Polly Hoover** said the radios are being purchased with a grant because the batteries in the hand-held radio don't last long enough. So, she said the department has decided to purchase both kinds of radios, and the in-car radios can last about 10 years.

**Nichols/Myers made a motion to adopt Resolution 2024-03, Special Purchase of Motorola Radios. Motion passed 4-0.**

**9) Legal Department request: Approve Resolution 2024-04, Grant Agreement for 2024 Edward Byrne Memorial JAG Program Funds**

**Shannon Marks, the Legal Compliance Administrator for the City Legal Department,** told the Board that the City Police Department applied for and was awarded \$60,750 in grant funding from the Edward Byrne Memorial Justice Assistance Grant Program for fiscal year 2024 to be used for the purchase of in-car mount radios being purchased from Motorola Solutions, Inc.

**Marks** asked the Board to approve Resolution 2024-03, which would approve the terms and conditions of the grant agreement and authorize **Mayor Leichty** and **Clerk-Treasurer Aguirre** to execute the Grant Agreement on behalf of the Goshen Police Department and the City.

**Nichols/Myers made a motion to adopt Resolution 2024-04, Grant Agreement for 2024 Edward Byrne Memorial Justice Assistance Grant Program Funds. Motion passed 4-0.**

**10) Water & Sewer Office requests: Move uncollected finaled accounts from active to collection, sewer liens and write offs – \$2,006.37 for the period through Aug. 25, 2023 and \$6,937.60 through Oct. 16, 2023**

**Kelly Saenz, Manager of the Goshen City Utilities Office,** asked the Board to move the Goshen Water and Sewer Office's uncollected finaled accounts for two time periods from active to Collection, Sewer Liens and Write offs.

First, Saenz said that the original amount of unpaid final Water/Sewer accounts for the period through Aug. 25, 2023, was \$3,291.91. Collection letters were sent out and payments of \$1,285.54 were collected. The uncollected amount was \$2,006.37. So, Saenz asked the Board to move the office's uncollected final accounts from active to Collection, Sewer Liens and Write offs for the period.

**Nichols/Myers made a motion to move the Goshen Water and Sewer Office's uncollected finaled accounts from active to Collection, Sewer Liens and Write offs for this period. Motion passed 4-0.**

Second, Saenz said that the original amount of unpaid final Water/Sewer accounts for the period through Oct. 16, 2023, was \$9,574.73. Collection letters were sent out and payments of \$2,637.13 were collected. The uncollected amount was \$6,937.60.





So, **Saenz** asked the Board to move the office's uncollected final accounts from active to Collection, Sewer Liens and Write offs for this period.

**Board member Landis** asked why the amount of uncollected final accounts was so much larger for the second than the first period. **Saenz** said many customers charged a flat sewer charge don't pay. She said many in the second period were those type of accounts. She added that many of those customers eventually pay, with extra charges. **Nichols/Myers** made a motion to move the Goshen Water and Sewer Office's uncollected finalized accounts for this period from active to Collection, Sewer Liens and Write offs. Motion passed 4-0.

**11) Engineering Department request: Enter into an agreement with Eaton Corporation for \$73,287.00 to recondition five wastewater DS breakers as backups units for the wastewater treatment plant's switchgear power system**

**City Director of Public Works & Utilities Dustin Sailor** told the Board that the Goshen Wastewater Treatment Plant (WWTP) has five switchgear breakers that were removed and replaced during the last facility upgrade. Because the WWTP primary switchgear power system is obsolete, he said Goshen Wastewater has been working with Eaton, the original manufacturer, to recondition the DS breakers so they can be shelved as emergency spares. Following an evaluation of the removed switchgears, **Sailor** said Eaton has offered the City a proposal to recondition the five switchgears for a fee of \$73,287.00, which includes return shipment. Not foreseeing the plant's switchgear power system being replaced in the next five years, he requested the Board's approval for the reconditioning work. In response to a question from **Mayor Leichty**, **Sailor** said the reconditioned switchgears won't be removed from the delivery truck until they have first been inspected.

**Nichols/Myers** made a motion to enter into an agreement with Eaton Corporation for \$73,287.00 to recondition five wastewater DS breakers as backups units for the wastewater treatment plant's switchgear power system. Motion passed 4-0.

**12) Engineering Department request: Approve the balancing Change Order No. 5 for the Asphalt Paving Project, decreasing the contract by \$516,247.34, for a final contract amount of \$2,134,246.81**

**City Director of Public Works & Utilities Dustin Sailor** told the Board that attached to the agenda packet was Change Order No. 5, a Balancing Change Order. He said it would reduce the contract price by \$516,247.34, making the final contract amount \$2,134,246.81, a 13.86% decrease under the original contract of \$2,477,613.50.

<b>Contract amount as previously amended</b>	<b>\$2,650,494.15</b>
<b>Change Order No. 5</b>	<b>-\$ 510,247.34</b>
<b>Revised contract amount</b>	<b>\$2,134,246.81</b>

**Sailor** said the reasons for the cost reduction were:

1. Brick was found on Indiana Avenue and Chicago Avenue, which significantly reduced the amount of #53 stone and asphalt needed. This also removed the full-depth reclamation-mill in place on Indiana Avenue.
2. Rieth Boulevard didn't need the traffic loop and pull box replaced.
3. There were fewer casting reset and chimney reconstructions than anticipated.
4. Linear grading was less due to surrounding conditions (business traffic, soils & brick).

**Board member Landis** asked if the roads with brick underneath will hold up as well as the previously planned work. **Sailor** said bricks provide a good base foundation and the full-depth reclamation mill would not have been possible under the bricks. He said it was better to pave over the bricks, and the road should last 20 years. At the Mayor's request, he clarified the portion of Indiana Avenue that was affected by the change order.

In response to a question from **Board member Landis**, **Sailor** clarified that the final contract price would be \$2,134,246.81.





Clerk Treasurer Aguirre said he hasn't seen such a large reduction in a change order in the past three years. He asked if a change order this large was unusual. Sailor said it was, adding that the original cost estimate was based on pavement cores, which did not detect the bricks underneath the two roads.

Aguirre asked if the \$516,247.34 saved on this project could be used to pay for other needed street repairs. Sailor said he planned to make that request later. He said a memorandum is being prepared now to request that the Goshen Common Council appropriate those funds for other needed work.

Nichols/Myers made a motion to approve the balancing Change Order No. 5, decreasing the contract by \$516,247.34, for a final contract amount of \$2,134,246.81. Motion passed 4-0.

**13) Clerk-Treasurer's Office request: Approve \$3,401,470.62 of encumbrances from the City of Goshen 2023 budget into the 2024 budget**

Deputy Clerk-Treasurer Jeffery Weaver told the Board that attached the agenda packet for the Board's approval and execution was a list of accounts with a balance in the 2023 budget that the City departments requested be encumbered into the 2024 budget.

Weaver indicated that at the end of each year, Department heads review any unspent budget and compare it to their department's outstanding invoices or contracts. If any 2023 unspent budget is available to pay an outstanding 2023 invoice or contract, then the amount can be encumbered into 2024, but only for the approved expense.

Weaver said the attached budgeted amounts were remaining in the 2023 budget, and department heads requested to encumber the amounts into 2024. For each encumbrance, the department heads presented an invoice, purchase order, or executed agreement or contract.

Weaver said the requested encumbrances were reviewed by the Clerk-Treasurer's and Mayor's offices, and can only include Supplies, Other Services & Charges, and Capital Expenditures. He said he final approval for these encumbrances falls on the Board of Works to approve the total encumbrance amount.

**THE FOLLOWING WERE THE REQUESTED ENCUMBRANCES FROM THE 2023 BUDGET TO 2024:**

<u>Account Number</u>	<u>Account Title</u>	<u>Encumbered Amount</u>
101-510-02-439.0700	Council/Election Expense	\$ 30,833.77
101-510-05-421.0501	Legal/Other Office Expenses	\$ 731.91
101-510-05-431.0000	Legal/Professional Services	\$ 4,000.00
101-510-05-439.0901	Legal/Other Services And Charges	\$ 2,054.69
101-510-05-439.0910	Legal/Instruction	\$ 175.00
101-510-07-431.0507	Bd Works/ERP Maint Upgrade	\$157,838.18
101-510-07-436.0102	Bd Works/Electrical Maintenanc	\$ 18,841.00
101-510-07-439.0930	Bd Works/Trash Collection	\$168,897.90
101-510-15-431.0301	Bldg Dept/Professional Service	\$ 8,600.00
101-520-11-422.0150	Police/PPE	\$ 2,296.00
101-520-11-422.0154	Police/Other Equipment	\$ 13,400.00
101-520-11-432.0301	Police/Travel Expenses	\$ 1,872.31
101-520-11-436.0501	Police/Maintenance Contracts	\$ 15,834.00
101-520-11-439.0911	Police/Instruction	\$ 7,000.00
101-520-11-439.0912	Police/Education & Promotion	\$ 8,225.63
101-520-12-422.0300	Ambulance/Medical Supplies	\$ 6,785.00
101-520-12-439.0910	Fire/Instruction	\$ 1,690.00
101-520-12-445.0201	Ambulance/Other Equipment	\$ 39,143.61
201-530-00-422.0210	Mvh/Gasoline,Diesel,Propane	\$ 4,348.12





**THE FOLLOWING WERE MORE REQUESTED ENCUMBRANCES FROM THE 2023 BUDGET TO 2024:**

<u>Account Number</u>	<u>Account Title</u>	<u>Encumbered Amount</u>
202-530-00-431.0501	Local Rd & St/Service Contract	\$ 4,535.00
203-530-00-444.0401	Mvh Rest/Maintenance Materials	\$ 102,176.10
204-550-00-434.0500	P&R/Comprehensive Plan	\$ 7,000.00
204-550-00-436.0101	P&R/Repairs To Bldg & Structures	\$ 6,864.00
204-550-00-442.0001	P&R/Capital Projects	\$ 478,063.96
206-530-00-431.0501	Aviation/Other Prof Services	\$ 2,514.00
218-560-00-431.0501	Edit Tax/Services Contractual	\$ 107,755.63
218-560-00-431.0510	Edit Tax/Econ Dev Corp/Elk Co	\$ 65,219.00
218-560-00-431.0520	Edit Tax/Marketing & Promotion	\$ 19,116.25
218-560-00-442.0006	Edit Tax/Capital Projects	\$ 292,329.77
402-570-00-423.0110	Ccd/Bldg Repairs	\$ 12,024.00
402-570-00-431.0501	Ccd/Serv Contractual	\$ 41,166.95
433-510-00-436.0501	Cci Fire/Repairs To Bldg	\$ 68,124.50
433-510-00-445.0501	Cci Fire/Other Equipment	\$ 184,524.72
439-530-00-431.0502	Stm Wtr Mgmt/Svcs Contractual	\$ 29,247.00
473-560-00-431.0502	Se E.D. Tif/Contr Svcs	\$1,101,965.42
473-560-00-442.0000	Se E.D. Tif/Capital Projects	\$ 53,617.75
480-560-00-442.0000	Cons Rr/Us33/Capital Projects	\$ 332,659.45
<b>Total</b>	<b>\$3,401,470.6</b>	

Nichols/Myers made a motion to approve \$3,401,470.62 of encumbrances from 2023 into the 2024 budget. Motion passed 4-0.

**15) Board of Public Works & Safety action: Appoint a member to the Plan Commission**

Mayor Leichty told the Board that it was its responsibility to appoint a member of the City Plan Commission. The Mayor said the Board previously appointed Richard Worsham, who currently serves as the President of the Plan Commission. His term has now ended, and the Mayor said Worsham was interested in continuing to serve. She recommended Worsham's re-appointment.

Nichols/Myers made a motion to reappoint Richard Worsham to the Plan Commission. Motion passed 4-0.

**Privilege of the Floor (opportunity for public comment for matters not on the agenda):**

Mayor Leichty opened Privilege of the Floor at 4:42 p.m. There were no comments.

**Approval of Civil City and Utility Claims**


As all matters before the Board of Public Works & Safety were concluded, Mayor Leichty/Board member Nichols moved to approve Civil City and Utility claims and adjourn the meeting. Motion passed 4-0.

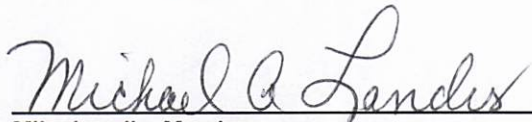
**Adjournment**


Mayor Leichty adjourned the Board of Works meeting at 4:42 p.m.



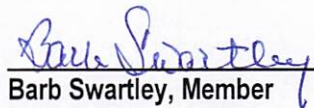
APPROVED:

  
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Mayor Gina Leichthy

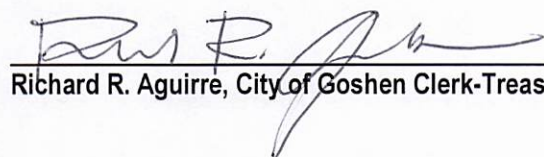
  
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Mike Landis, Member

  
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Orv Myers, Member

  
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Mary Nichols, Member

  
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Barb Swartley, Member

ATTEST:

  
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Richard R. Aguirre, City of Goshen Clerk-Treasurer