

**BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD
MEETING HELD NOVEMBER 2, 2009 GOSHEN, INDIANA**

The Board of Public Works and Safety and Storm Water Board of the City of Goshen met in the Council Chambers, 111 East Jefferson Street on November 2, 2009, at 4:00 P.M. for their weekly Board meeting. Mayor Kauffman was the presiding officer with members of the Board present or absent as follows:

PRESENT: Mayor Kauffman, Board Member Stegelmann, Board Member Landis

ABSENT:

OTHERS: Clerk-Treasurer Office Assistants, City Attorney, City Planner, Fire Chief, Police Chief, Building Inspector Haney, Street Commissioner, Legal Contracts and Claims Manager, Legal Compliance Administrator, Mayor's Administrative Assistant Lung, Park and Recreation Coordinator, Superintendent of Waste Water, Superintendent of Water and Sewer, Utilities Office Manager, Administrative Utilities Engineer, Central Garage Fleet Manager.

Minutes of the meeting of October 26, 2009 were presented. On motion of Board Member Landis and second by Board Member Stegelmann, the minutes were approved as presented.

**REQUEST TO APPROVE RESOLUTION APPROVING AND RATIFYING
THE EXECUTION OF AN INTERLOCAL AGREEMENT WITH ELKHART
TOWNSHIP FOR THE CONTRIBUTION OF FUNDS TO SUPPORT
SCHOOL RESOURCE OFFICERS**

Legal Compliance Administrator Shannon Marks requested Board approval and ratification of a Resolution Approving and Ratifying the Execution of the Interlocal Agreement with Elkhart Township for the Contribution of Funds to Support Providing School Resource Officers. Elkhart Township would like to contribute funding to the City to support providing the school resource officers in the Goshen Community Schools as students residing in the unincorporated area of Elkhart Township also benefit from this service. The agreement is an annual agreement and is renewed on an annual basis under the same terms and conditions for up to four additional years, and Elkhart Township agrees to pay \$1000.00 for each calendar year during the initial term of this agreement.

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

**REQUEST TO APPROVE INVITATION FOR QUOTES FOR TESTING AND
REPAIRING COLD WATER METERS**

Legal Contracts and Claims Manager Keitha Windsor requested Board approval for the City to obtain quotes for testing and when necessary, making repairs of a total of 105 cold water meters.

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

**REQUEST TO APPROVE U.S. BUSINESS SYSTEMS SERVICE AGREEMENT FOR
MAINTENANCE OF FIRE SCANNER**

Legal Contracts and Claims Manager Keitha Windsor requested Board approval for the City's Fire Department to purchase a connection protection maintenance agreement for a scanner from U.S. Business Systems.

The connection protection maintenance agreement is for a three-year term at a cost of \$90.00 per year. U.S.B.S. service includes:

- All replacement parts required to effect repairs.
- All labor associated with repairs and/or maintenance.
- Telephone help desk assistance
- Digital Lab is available for testing equipment and for additional training as needed
- Certified digital power filter that protects the hardware device for the network interface
- Remote support

Mayor Kauffman asked Fire Chief Dan Sink if it would protect the connection to the internet. Fire Chief Dan Sink stated that yes, it would just protect the I.T.

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

**REQUEST FOR THE AUTHORIZATION TO AWARD CONTRACT FOR PAVING OF
BASHOR ROAD AND EIGHT STREET:DES NO. 0900780, 0900782**

Administrative Utilities Engineer Dustin Sailor requested Board approval to award the contract for Paving of Bashor Road and Eight Street. The City of Goshen and the State of Indiana entered into a project coordination contract for the paving of Bashor Road from Reliance Road/County Road 17 to Elkhart Road/US 33, and 8th Street from College Avenue to Madison Street/US 33 in Goshen. Under this contract, the Indiana Department of Transportation (INDOT) has agreed to solicit bids for this project using plans and specifications prepared by the City. INDOT received bids for this project on October 21, 2009. Subject to the City's written approval, INDOT shall award the construction contract for the project according to applicable laws and rules. It is recommended that the Goshen Board of Public Works and Safety approve and authorize INDOT to award the contract for the construction of this project to Niblock Excavating, Inc. of Bristol as the lowest responsible and responsive bidder based on the bid submitted of \$379,217.00. The Engineering Department will confirm this approval with INDOT in writing.

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

**REQUEST FOR THE AUTHORIZATION TO AWARD CONTRACT FOR
CONSTRUCTION OF NEW YORK STREET SIDEWALK**

Administrative Utilities Engineer Dustin Sailor requested Board approval to award the contract for Construction of the New York Street Sidewalk Improvements. The City of Goshen and State of Indiana entered into a project coordination contract for the construction of sidewalk improvements along the south side of New York Street from the railroad to 12th Street, and along the west side of 11th Street from College Avenue to Plymouth Avenue in Goshen. Under this contract, the Indiana Department of Transportation (INDOT) has agreed to solicit bids for this project using plans and specifications prepared by the City. INDOT received bids for this project on October 21, 2009. Subject to the City's written approval, INDOT shall award the construction contract for the project according to applicable laws and rules. It is recommended that the Goshen Board of Public Works and Safety approve and authorize INDOT to award the contract for the construction of this project to Niblock Excavating, Inc. of Bristol as the lowest responsible and responsive bidder based on the bid submitted of \$209,790.00. The Engineering Department will confirm this approval with INDOT in writing.

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

**REQUEST TO APPROVE CHANGE ORDER NO. 1 FOR THE 7TH STREET
SIDEWALK IMPROVEMENTS: JN – 2009-0038**

Administrative Utilities Engineer Dustin Sailor requested Board approval of Change Order No. 1 for the 7th Street Sidewalk Improvement project with Niblock Excavating. This Change Order serves to balance the contract and close the project. This will increase the contract price \$5,733.60, which is 11.18%, making the total contract price for this project \$57,020.60.

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

**REQUEST TO VOID PREVIOUS CHANGE ORDER AND APPROVE
REVISED CHANGE ORDER NO. 1 FOR THE 2009 FALL TREE
PLANTING – STANGER TREES: JN – 2009-0061**

Administrative Utilities Engineer Dustin Sailor requested Board approval of a revised Change Order No. 1 for the 2009 Fall Tree Planting with Stanger Trees. Change Order No. 1 that was previously submitted and approved by the Board of Works last week to reduce Stanger Trees contract by \$1,691.00 was incorrect, and the Engineering is requesting that the change order be voided. A revised Change Order No. 1, which reduces the number of purchased trees and the base contract amount with Stanger Excavating by \$1,352.00 and brings the total contract price to \$25,789.50, is now presented for Board approval.

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

**REQUEST TO APPROVE MAYOR'S TRAFFIC COMMISSION RECOMMENDATION
FOR CRESCENT STREET, BRIDGE STREET AND COTTAGE AVENUE**

Administrative Utilities Engineer Dustin Sailor requested Board approval of the following recommendation from the Mayor's Traffic Commission:

Crescent Street, Bridge Street, and Cottage Avenue 3-WAY STOP request

The Engineering Department presents this request to install 3-WAY STOP signs at the intersection of Crescent Street, Bridge Street, and Cottage Avenue. This request was approved by the Mayor's Traffic Commission.

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

BEAVER LANE CROSSING CLOSURE

Administrative Utilities Engineer Dustin Sailor stated to the Board Members that Norfolk Southern Railroad will be closing the railroad crossing at Beaver Lane for repairs beginning Monday, November 2nd 2009 in the morning and it is scheduled to reopen in the evening of Friday, November 6th 2009.

**REQUEST TO APPROVE AGREEMENT WITH J. & K. STICHTER
AND MAPLE LEAF DEVELOPMENT CORPORATION FOR THE
ISSUANCE OF A CITY BUILDING PERMIT**

City Attorney Larry Barkes requested Board approval of an agreement between the City and James A. Stichter and Katherine J. Stichter and Maple Leaf Development Corporation. Building cannot commence until Community Redevelopment Director Mark Brinson gives the notice to proceed as listed on the agreement. The real estate owners, James A. and Katherine J. Stichter and the real estate purchasers, Maple Leaf Development Corporation have submitted an application for the issuance of a building permit to which the Goshen Board of Zoning Appeals have granted certain developmental variances based on conditions described as follows:

1. The City will issue the Real Estate Owners and Real Estate Purchaser a building permit.
2. Real Estate Owners and Real Estate Purchaser agree that no construction will commence until the City has issued a written notice to proceed. The notice to proceed will be issued by Mark Brinson, Community Development Director.
3. Mark Brinson will not issue the notice to proceed unless and until the Real Estate Owners and/or Real Estate Purchaser have the following:
 - a. INDOT approval for the project's access to US 33.
 - b. An executed agreement providing for proper maintenance of the private drive that provides the project's access to US 33.
 - c. Approval for the project's stormwater retention plan from the City's Stormwater Department.
 - d. Approval for the proposed site plan and project design by the City's Engineering Department and the City's Planning and Zoning Department.
 - e. Approved zoning clearance from the City's Planning and Zoning Department.

Housing Authority Director and president of Maple Leaf Development Corporation, Bob Brenneman stated to Board Members that everything is ready to go for closing, and that the Indiana Housing Community Development Authority is the funding source for most of the project, but cannot close until the approval of the building permit. Mayor Kauffman asked if the additional permit would satisfy the Indiana Housing Community Development Authority. Mr. Brenneman stated that yes it would to which Mayor Kauffman asked if the project would start in the spring. Mr. Brenneman stated that yes the project would start around March. Mr. Brenneman also added that they were looking to close for the project on Tuesday or Thursday and then will be able to draw money off the project account.

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

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