

**BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD
MEETING HELD JANUARY 25, 2010 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 January 25, 2010, at 2:00 P.M. for their weekly Board meeting. Board Member Stegelmann was the presiding officer with members of the Board present or absent as follows:

PRESENT: Board Member Stegelmann, Board Member Landis

ABSENT: Mayor Kauffman

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

Minutes of the meeting of January 20, 2009 were presented. On motion of Board Member Stegelmann and second by Board Member Landis, the minutes were approved as presented.

OPEN BIDS FOR DEMOLITION OF 705 NEW YORK STREET

Board Member Stegelmann opened the following bids:

Contractor	Alternate 1	Alternate 2	Alternate 3	Alternate 4
J. Shoffner	12,288	22,368	22,368	16,141
Beer & Slabaugh	19,185	22,460	21,960	19,900
Ritschard Bros.	11,355	16,401	14,943	11,355
John Ward Concrete	13,184	17,184	17,184	10,000
Quality Excav.	8,610	16,875	16,247.50	9,875
Jackson Trucking	13,000	13,750	12,500	10,000
R&R Excav.	6,470	11,420	11,100	10,000
Clarko	7,900	10,500	9,500	6,500

One bid came in after the official bid opening with the time of 2:05 pm. City Attorney Larry Barks stated that the bid is disqualified as it came after the 2:00 p.m. cut off time.

Board Member Stegelmann moved to refer the bids to the Engineering Department and the Legal Department for review and recommendation. Second by Board Member Landis and motion passed unanimously.

**REQUEST TO INSTALL AWNING OVER THE RIGHT-OF-WAY AT 201 SOUTH
MAIN STREET**

Dave Pottinger of 107 Gra-Roy Drive, Goshen, requested Board approval to install an awning over the right-of-way at 108 West Washington. The material will be the same as and will match the front awning on the Newells building.

City Planner Joseph Hauflaire stated from the drawing presented to the Board Members the measurements from curb line to building where the awning will hang over will be acceptable.

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

**REQUEST TO APPROVE PROFESSIONAL LICENSES: P.J. ALLEN, ELECTRICAL
AND J. RICHARDS, MECHANICAL**

Building Inspector Gary Haney requested Board approval to issue the following licenses:

Phillip J. Allen, representing Custom Home Technology, 2548 Emerson Forest Parkway, South Bend, IN 46614, has met the requirements for a City of Goshen Electrical license. He achieved a score of 91% on the Master Electrician test.

Jason Richards, of A+ Plumbing, Heating, Cooling, Inc., located at 9595 Tyler Road, Bremen, IN 46506, has met the requirements for a City of Goshen Mechanical license. He achieved a score of 75% on the Master Mechanical exam.

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

**REQUEST FOR RESOLUTION APPROVING RESIGNATION AND RETIREMENT
AGREEMENT WITH BARBARA LADOW**

Legal Compliance Administrator Shannon Marks requested Board approval of a Resolution accepting the Resignation of and approving the early Retirement agreement with Barbara LaDow. Barbara LaDow has tendered her resignation, is electing to retire from employment with the City of Goshen effective January 27, 2010, and is eligible for the early retirement incentive as authorized by Salary Ordinance 4555 and dated January 14, 2010. Since Barbara LaDow has retired after December 31, 2009 but before the January 31, 2010 deadline, there was a 10% penalty of what she would have been entitled to had she retired on or before December 31, 2009.

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

**REQUEST TO APPROVE RIGHT-OF-WAY AND EASEMENTS FOR: VINHAN
ENTERPRISES, HABITAT FOR HUMANITY AND JAAD, LLC**

City Planner Joseph Hauflaire requested Board approval and acceptance of rights-of-way and easements for three Minor Subdivisions:

1. **Vinhan Enterprises, LLC** generally located at 3220 Elkhart Road and zoned Commercial B-3 District. Subdivision is replatting of Lot 1 in Vinhan Subdivision. Board of Public Works is accepting right-of-way (affirming current right-of-way), cross access easement over Lot 1 in favor of new Lot 3, and drainage easement between all lots within subdivision. Plat has been accepted by Plan Commission at their meeting of January 19, 2010.

2. **Habitat for Humanity of Elkhart County** proposes a two lot minor subdivision for property located at 610 and 612 Center Street and zoned Residential R-2 District. Board of Public Works is accepting right-of-way (affirming the current right-of-way of 50') and a 20' utility easement along west side of the new Lot Number 2 to provide sanitary sewer to adjoining lot to the south not part of subdivision. Plat has been accepted by Plan Commission at their meeting of January 19, 2010.

3. **Jaad, LLC**, and Adlai Schrock propose a two lot minor subdivision generally located at 1404 Berkey Avenue and zoned Residential R-1 District. Board of Public Works is accepting right-of-way (affirming current rights-of-way) and accepting an easement on the east side of Lot 1 in favor of Lot 2. Plat has been accepted by Plan Commission at their meeting of January 19, 2010.

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

REQUEST TO ACCEPT INFRASTRUCTURE: SOUTH LINK ROAD, REGENT TO DIERDORFF; EISENHOWER DRIVE NORTH EXTENTION; CRESCENT STREET PHASES I & II

Administrative Utilities Engineer Dustin Sailor requested Board approval and acceptance of Infrastructure for the following:

1. **Utility Infrastructure 2008-0062 South Link Road Construction from Regent Street to Dierdorff Road-CR 27:** The installation of infrastructure (water main, sanitary and storm sewer) has been satisfactorily completed for the above listed project. The Engineering Department recommends that the infrastructure be accepted for permanent maintenance.

2. **2004-0038 Eisenhower Drive North Extension Infrastructure:** The installation of infrastructure (water main, sanitary and storm sewer, curb and asphalt) has been satisfactorily completed for the above listed project. The Engineering Department recommends that the infrastructure be accepted for maintenance. The three-year maintenance bonds (10% of the construction costs) for the water main, sanitary and storm sewer, curb and asphalt have been submitted to the City of Goshen Engineering Department.

3. **2007-0054 Crescent Street Reconstruction Phase I Infrastructure:** The installation of infrastructure (water main, sanitary and storm sewer, curb and asphalt) has been satisfactorily completed for the above listed project. The

Engineering Department recommends that the infrastructure be accepted for maintenance. The three-year maintenance bond (10% of the construction costs) for the water main, sanitary sewer, curb and asphalt has been submitted to the City of Goshen Engineering Department.

4. **2008-0055 Crescent Street Reconstruction Phase II Infrastructure:** The installation of infrastructure (water main, sanitary and storm sewer, curb and asphalt) has been satisfactorily completed for the above listed project, minus the sanitary manhole issue #1 from the Pre-Final inspection Punchlist. The City will monitor the issue monthly and address at Final Acceptance, prior to releasing the contractor's maintenance bond for the project. The Engineering Department recommends that the infrastructure be accepted for maintenance, minus the sanitary manhole issue listed above. The three-year maintenance bond (10% of the construction costs) for the water main, sanitary and storm sewer, curb and asphalt has been submitted to the City of Goshen Engineering Department.

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

REQUEST TO EXTEND SCULPTURE PLACEMENT PERMISSION

Utilities Administrative Engineer Dustin Sailor requested Board approval to extend the temporary placement of sculptures at five locations in the downtown area. In January 2009, the Engineering Department submitted and got approval of a request for the property owners at 107 South Main Street, 132 South Main Street, 208 South Main Street, 211 South Main Street and 314 South Main Street, to temporarily install sculptures in the Main Street right-of-way. At this time, only two of the proposed sculptures have been installed and the Engineering Department requests the renewal of this permit for 2010.

INDOT has renewed their permit for 2010.

These sculptures will not exceed 8 foot in height and will be placed in line with the trees along Main Street at a minimum of 18 inches behind the curb, and will neither block the sidewalk, nor hinder sight distance for vehicular movement. The City will prohibit parallel parking during the setting and removal of the sculptures and there will be no restrictions on the travel lanes of Main Street, and if approved, the sculptures may be in place for up to one year at these locations.

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

REQUEST TO APPROVE PROFESSIONAL SERVICE CONTRACT WITH UмбаUGH FOR INVESTMENT ASSISTANCE (JN: 2004-0026)

Utilities Administrative Engineer Dustin Sailor requested Board approval for the Professional Service Contract with Umbaugh for Investment Assistance. In connection with the recent award of the State Revolving Loan Fund projects for the Wastewater Utility, The City's Wastewater Utility was required to move cash reserves to the Bank of New York Mellon Trust Company, N.A. Interest revenue on the approximately \$2.6 million of transferred funds is anticipated to be

less than 1% annually. To improve interest revenue on the transferred funds, the City would like to retain Umbaugh Cash Advisory Services, LLC., for an annual fee of \$3,000.00. Based upon Umbaugh's initial analysis, they can effectively cover their service fee and provide the City with more revenue than would otherwise be generated.

Board Member Landis questioned Mr. Sailor as to if there was a possibility that these results can be seen at the end of the year. Dustin Sailor replied that he would get the results to the Board Members at the end of the year.

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

REQUEST TO APPROVE CSO DETENTION FACILITY CHANGE
ORDER NO. 1 (JN: 2008-0034)

Utilities Administrative Engineer Dustin Sailor requested Board approval of the CSO Detention Facility Change Order No. 1. The Contractor has encountered urban fill over and above what was estimated in the contract (8000 cyd). Because the proposed improvements cannot be constructed on the identified urban fill, the Contractor will need to remove the material (consisting of concrete, asphalt, wood, tires, cinder blocks, and other construction material) and the intermixed soil. The contract price per cubic yard for removal of urban fill is \$15.50. With an estimated additional 12,000 cyd of urban fill material to be removed, the contract price will increase \$186,000.00. This is a 0.94% increase and will bring the approved contract amount up to \$19,801,000.00.

Board Members and Utilities Administrative Engineer Dustin Sailor discussed the tracking of fill and how it affects the increase and/or decrease of the contract amount.

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

REQUEST TO APPROVE LONG-TERM CLOSURE OF INDIANA AVENUE
BETWEEN RIVER AVENUE AND WILDEN AVENUE (JN: 2008-0034)

Utilities Administrative Engineer Dustin Sailor requested Board approval of Long-Term closure of Indiana Avenue between River Avenue and Wilden Avenue. On behalf of Bowen Engineering, the Goshen Engineering Department is requesting permission to close North Indiana Avenue between River Avenue and Wilden Avenue starting on Monday, February 1, 2010. The closure will continue through December 31, 2010. At the end of the year, the need for the road's closure will be re-evaluated. The road closure request is being made to protect the contractor's employees and the public. Once the road closure is approved, the Engineering Department will send out notices to key entities like the City's trash service and Goshen Community Schools.

Board Members and Utilities Administrative Engineer Dustin Sailor discussed the closure. Board Member Stegelmann moved to approve the request. Second by Board Member Landis and motion passed unanimously.

REQUEST TO APPROVE PLYMOUTH AVENUE PEDESTRIAN TUNNEL (JN: 2005-0032): INDOT CONCURRENCE FOR DETOUR

Utilities Administrative Engineer Dustin Sailor requested Board approval for the INDOT Concurrence for Temporary Use of City or County Streets or Roads for the detour of SR 119 over the following City streets: Indiana Avenue and Lincoln Avenue. By signing this form from INDOT, the City is agreeing to pay for any damages to these streets caused by the detour of SR 119.

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

PLYMOUTH AVENEUE PEDESTRIAN TUNNEL - JN: (2005-0032) LOWERING OF THE MILLRACE CANAL

Utilities Administrative Engineer Dustin Sailor requested Board approval for the lowering of the Millrace Canal. Anlaan Corporation, the contractor installing the Plymouth Avenue Pedestrian Tunnel, has requested that the City lower the water level in the Millrace Canal by February 2nd, in order to proceed with construction. It is required by the Indiana Department of Natural Resources for the water level to be back up by April 1st, which will be met.

Utilities Administrative Engineer Dustin Sailor stated that a letter to the residents along the canal will be sent notifying them about the lowering of the water level, which will allow a chance for them to work on their canal walls if they choose to do so.

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

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

BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD:

MAYOR ALLAN KAUFFMAN _____

BOARD MEMBER RUDY STEGELMANN _____

BOARD MEMBER MICHAEL A. LANDIS_____

ATTEST_____
CLERK-TREASURER TINA M. BONTRAGER