

**BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD
MEETING HELD FEBRUARY 8, 2010 GOSHEN, INDIANA**

The Board of Public Works, Safety, and Storm Water Board of the City of Goshen met in the Council Chambers, 111 East Jefferson Street on February 8, 2010, 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, Clerk-Treasurer Office Assistant, City Attorney, City Planner, Assistant 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 & Recreation Maintenance Director, Superintendent of Waste Water, Superintendent of Water and Sewer, Utilities Office Manager, Administrative Utilities Engineer, Central Garage Fleet Manager.

Minutes of the meeting of February 1, 2010 were presented. On motion of Board Member Stegelmann and second by Board Member Landis, the minutes were approved as presented.

**REQUEST TO APPROVE RESOLUTION DESIGNATING A CERTIFYING OFFICER
FOR PROJECTS FUNDED BY HUD**

Assistant City Planner Rhonda Yoder requested Board approval of a Resolution Designating a Certifying Officer for Projects Funded by the Department of Housing and Urban Development (HUD). Under the national Environmental Policy Act (NEPA), for HUD grants awarded to the City of Goshen, such as the Community Development Block Grant and Neighborhood Stabilization Program grant, have multiple forms documenting environmental compliance that are required and must be signed by the City's Certifying Officer, which is the Mayor.

In order to streamline the process, the City would like to designate an additional Certifying Officer, Rhonda Yoder, who would be authorized to sign the required forms as the City's Certifying Officer.

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

REQUEST TO APPROVE MECHANICAL LICENSE FOR J.A. TOEPP

Building Inspector Gary Haney requested Board approval for Jeffrey A. Toepp, of Bales Mechanical., located at 400 E. Michigan Street, New Carlisle, IN 46552, who has met the requirements for a City of Goshen Mechanical License. He achieved a score of 80% on the Master Mechanical exam.

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

REQUEST TO APPROVE AGREEMENT AMENDMENT WITH ELKHART COUNTY FOR THE HUMANE SOCIETY

Legal Compliance Administrator Shannon Marks requested Board approval of an Agreement Amendment with the County of Elkhart and the City of Goshen for animal shelter management and animal control services from the Elkhart County Humane Shelter. The Agreement will have no changes other than the change to the calendar year for 2010. The City agrees to reimburse the County for the services, which are to be paid in two installments of \$32,322.00 each with the first installment being due on or before April 1, 2010 and the second installment due on or before August 1, 2010 for a total of \$64,644.00. These are the same payments rates as in 2009.

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

REQUEST TO APPROVE AGREEMENT AMENDMENT WITH DIAMOND ENVIRONMENTAL SERVICES, INC.

Legal Compliance Administrator Shannon Marks requested Board approval of an Agreement Amendment with Diamond Environmental Services, Inc. The City and Diamond Environmental Services, Inc. entered into an agreement on February 4, 2010 for the removal and disposal of asbestos pipe insulation at the former Western Rubber building. The City would like to amend this agreement for Diamond to also perform random sampling of window glazing at the former Western Rubber building to verify the asbestos content and provide a written report on the results. This written report will amend the inspection report completed by Envirocorp on July 2, 2010. The cost for the additional services under this amendment is a lump sum fee of \$425.00. In addition, Diamond will perform point counting on any samples that are positive for asbestos with a content of less than 4% at a unit cost of \$95.00 per sample.

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

REQUEST TO APPROVE RESOLUTION OF THE INTERLOCAL AGREEMENT WITH GOSHEN COMMUNITY SCHOOLS FOR THE POTENTIAL CONSTRUCTION AND OPERATION OF A COMMUNITY CENTER

Legal Compliance Administrator Shannon Marks requested Board approval of an Interlocal Agreement with Goshen Community Schools for the potential construction and operation of a community center. The City and School are exploring the possibility of designing, constructing and operating a facility to accommodate certain educational, athletic, and other activities and thereby serve the students and patrons of the School and the citizens of the City. Certain preliminary expenses need to be incurred to properly evaluate the efficiency and practicality of a joint venture. The preliminary expenses to evaluate the potential projects are for a total cost of \$57,000. The City and School have received commitments from other sources to provide a portion of the needed funding and per the agreement; the School agrees to pay the City 25% of the actual costs of the preliminary expenses up to a maximum of \$15,000. The City will provide

the remaining funding necessary to complete the preliminary expenses. Shannon Marks stated the Common Council approved the agreement at their February 2, 2010 meeting.

Mayor Kauffman questioned the wording in number 5 on page 2 regarding if the City will have to incur more than \$15,000 in expenses. City Attorney Larry Barks stated per the agreement the City is also agreeing to pay a maximum of \$15,000 for the preliminary expenses.

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

REQUEST TO APPROVE TWO AGREEMENTS WITH DIXON ENGINEERING, INC.

Legal Contracts and Claims Manager Keitha Windsor requested Board approval of two Agreements with Dixon Engineering, Inc. The City wishes to paint the Clinton Water Tower. The first Agreement with Dixon is a professional engineering services agreement for Dixon to write the technical specifications for the bid package. The draft specifications are due February 8, 2010 and the final specifications are due within 10 days from receipt of the City's edits, with the lump sum fee being \$1,800.00.

The second Agreement with Dixon is for Dixon to provide inspection services during the painting of the Clinton Water Tower. All work for this agreement is due to be completed by April 30, 2010 for a lump sum fee of \$6,250.00.

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

REQUEST TO APPROVE AGREEMENT WITH KIEFER CONSULTING FOR SOIL SAMPLING AND ANALYSIS

Legal Contracts and Claims Manager Keitha Windsor requested Board approval of an Agreement with Kiefer Consulting for Soil Sampling and Analysis. The City of Goshen has certain obligations with their Land Application Permit with IDEM regarding the application of biosolids that the City has applied in farmer's fields in the spring and in the fall.

Kiefer Consulting will conduct soil sampling and analysis in the spring, provide results to IDEM, provide annual fertilizer and lime recommendations to the farmers in the biosolid application program in order to maintain balanced soil fertility and maximum productivity and provide the farmers the nutrients information of City's biosolids applications.

Kiefer Consulting also sets the biosolids applications rates based on the projected crops, analysis of material applied and IDEM's permitted rates and provides assistance during biosolids applications.

All work is throughout the 2010 season for a flat rate of \$8,911.00 plus \$10.75 per soil analysis for an amount not to exceed \$400.00 for a total contract amount not to exceed \$9,311.00

Upon written approval of the contracting parties, the contract may be renewed for up to two additional one-year terms under the same terms and conditions.

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

REQUEST TO APPROVE NIPSCO POWER RATE ADJUSTMENT AGREEMENT

Legal Contracts and Claims Manager Keitha Windsor requested Board approval of an Agreement with NIPSCO for a Power Rate Adjustment. NIPSCO has offered a power rate adjustment for 2414 Bashor Road, commonly known as the Bashor Road Lift Station. Review of NIPSCO's 821 and 841 rate sheets shows that rate 841 would have saved the Wastewater Utility more than \$1,000.00 in billing last year.

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

**REQUEST TO APPROVE PROJECT COORDINATION CONTRACTS WITH INDOT:
LINCOLN AVENUE MAINTENANCE**

Legal Compliance Administrator Shannon Marks requested Board approval and authorization for the Mayor to execute a Project Coordination Contract with the State of Indiana for Bidding, Construction, and Funding of the Lincoln Avenue Preventative Maintenance Project. INDOT has approved the City's bid packet for preventative maintenance of Lincoln Avenue from Indiana Avenue to Chicago Avenue. Certain project costs will be funded through the American Recovery and Reinvestment Act of 2009. The bidding, construction and funding of this project will be coordinated between the City and INDOT pursuant to the terms and conditions of the contract and resolution.

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

**REQUEST TO APPROVE PROJECT COORDINATION CONTRACTS WITH INDOT:
MONROE STREET BICYCLE/PEDESTRIAN PATH**

Legal Compliance Administrator Shannon Marks requested Board approval and authorization for the Mayor to execute a Project Coordination Contract with the State of Indiana for Bidding, Construction, and Funding of the Monroe Street Bicycle/Pedestrian Path Project. The City of Goshen has submitted an application for federal funds to INDOT and INDOT has approved the City's application for federal funds for the Monroe Street bicycle/pedestrian path from US 33 to Gate 5 of the Elkhart County Fairgrounds. The bidding, construction and funding of the Project will be coordinated between the City and INDOT pursuant to the terms and conditions of the contract and resolution.

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

**REQUEST TO APPROVE CHANGE ORDER FOR WESTERN RUBBER
DEMOLITION EXTENDING COMPLETION DATE**

Administrative Utilities Engineer Dustin Sailor requested Board approval of a Change Order for the Western Rubber Demolition. Bob Helt and Son, Inc. are working on the Western Rubber Demolition, and have had some issues that have caused delays with the demolition process. The

Engineering Department is requesting the Board of Works extend the project substantial completion date to August 27, 2010, at which time the building and foundation shall be removed. The completion date would then be September 30, 2010, at which time the mulched seeding shall be planted. The original completion date in the contract is June 2, 2010.

Some of the more extensive of the unexpected items that the contractor has encountered are oil-filled pipes, asbestos material needing to be removed, IDEM permit to commence with knocking down walls, and several other miscellaneous items.

Bob Helt and Son, Inc. have a lot of work completed in the interior of the building, and they anticipate commencing with the interior wall removal in late February. Once they start with the exterior walls, they will commence on the south end of the building, and work their way north. This contractor has been recycling most of the materials removed from this building.

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

**REQUEST TO APPROVE TRAFFIC COMMISSION RECOMMENDATIONS:
HANDICAP PARKING AT 520 SOUTH THIRD STREET**

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

1. **Handicap Parking space request:** The Engineering Department presents this request to create a Handicap Parking space for The Church of God in Christ at 520 South 3rd Street. The parking space would be restricted to Handicap Parking for all day on Sunday and from 6 p.m. to 9 p.m. on Wednesday's only. This request was approved by the Traffic Commission.

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

**REQUEST TO APPROVE TRAFFIC COMMISSION RECOMMENDATIONS: STOP
SIGN REMOVAL AT SOUTH TENTH STREET AND DOUGLAS STREET**

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

1. **South 10th Street and Douglas Street STOP sign removal request:** The Engineering Department presents this request to remove the STOP signs on South 10th Street at Douglas Street, the intersection is currently a FOUR-WAY STOP. The amount of traffic using this intersection does not warrant having it remain a FOUR-WAY STOP. This request was approved by the Traffic Commission.

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

APPOINTMENT OF J. WELZ TO THE BOARD OF AVIATION COMMISSIONERS

Mayor Kauffman was pleased to announce the appointment of James Welz to the Board of Aviation Commissioners. Jim will complete the term vacated by Keith Swihart, which ends on December 31, 2011.

There being no further business Mayor Kauffman moved to process claims and then to adjourn. Second by Board Member Stegelmann 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