

**BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD
MEETING HELD JANUARY 11, 2016 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 11, 2016, at 2:00 P.M. for their weekly Board meeting. Mayor Stutsman was the presiding officer with members of the Board present or absent as follows:

PRESENT: Mayor Stutsman, Board Member Day, Board Member Landis

ABSENT:

OTHERS: Clerk-Treasurer, Clerk-Treasurer Office Assistants, City Attorney, Assistant City Planner, Assistant Fire Chief Ramer, Police Chief, Assistant Police Chief Miller, Building Inspector Bice, Street Commissioner, Assistant Street Commissioner, Legal Contracts and Claims Manager, Legal Compliance Administrator, Park & Recreation Coordinator, Superintendent of Waste Water, Wastewater Maintenance Technician, Superintendent of Water and Sewer, Administrative Utilities Engineer, Administrative City Engineer, Central Garage Fleet Manager.

Minutes of the meeting of December 14th, December 21st and December 28th, 2015 were presented. On motion of Board Member Landis and second by Board Member Day, the minutes were approved as presented.

OPEN BIDS FOR THE DEMOLITION OF 417 SOUTH 3RD STREET

Mayor Stutsman opened the following bids:

Demolition Project at 417 South 3rd Street - Solicitation No.: Q-15-12-018

Jerry Reed Excavating	\$7,000.00
John Ward Concrete Inc.	\$10,160.00

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

OPEN BIDS TO INSPECT AND TEST CITY'S GENERATORS

Mayor Stutsman opened the following bids:

Inspection and Diagnostic Testing of City Generators - Solicitation No.: Q15-12-017

Item	Description	Cummins Crosspoint	MacAllister Machinery	Buckeye Power Sales
A.1.	Street Dept. 1 generator	\$305.58	No Quote	\$300.00
A.2-4	Fire Dept. 3 generators	\$771.21	No Quote	\$900.00
A.5.	Police Dept. 1 generator	\$305.58	No Quote	\$300.00
B	WWTP 15 generators	\$4,195.62	\$6,291.06	\$4,500.00
C	Water Dept. 5 generators	\$3,451.38	\$3,993.52	\$2,850.00
Total Quote		\$9,029.37	\$10,284.58	\$8,850.00

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

REQUEST TO APPROVE AGREEMENT WITH PEERLESS MIDWEST INC.

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to enter into an agreement with Peerless Midwest, Inc. to provide well and pump maintenance service on Wells 1A, 5A, 6A, 7A and 12 that is based on the Contractor's November 9, 2015 inspection recommendation letter. Work on the project shall be completed within 4 months from receipt of a notice to proceed and the total cost for all work shall not exceed \$94,400.00.

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

**REQUEST TO APPROVE AMENDMENT CONTRACT
FOR COMBINATION SEWER TRUCK**

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to amend the Contract for Combination Sewer Truck. On October 5th, 2015 the Board of Public Works and Safety awarded the contract for the purchase of a combination sewer truck to Jack Doheny Companies, Inc. for a base bid of \$405,000.00 minus the trade-in of a 2005 Vactor 2110 combination sewer truck for \$55,500.00 for a total contract price of \$349,500.00.

The City continued to use the trade-in sewer truck and incurred mechanical problems causing severe damages to the truck's auxiliary motor that has resulted in the need to reduce the trade-in value of the sewer truck.

Jack Doheny Companies, Inc. offered \$30,500.00 for the damaged trade-in truck. They also offered to accept the damaged truck for \$35,500.00 if the City would add an additional 30 days to the delivery due date.

The City wishes to amend to October 27th, 2015 Contract to \$405,000.00 minus the trade-in value of \$35,500.00 for a total contract price of \$369,500.00 for the 2016 Freightliner combination sewer truck. The delivery date has been amended to March 31st, 2016.

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

**REQUEST TO APPROVE ANNUAL REVIEW OF THE RESIDENTIAL
WATER AND SEWER LINE MAINTENANCE**

Superintendent of Water and Sewer Kent Holdren requested Board approval of the annual review of the Residential Water and Sewer Line Maintenance. As per Ordinance No. 4531, the Board of Public Works and Safety and Stormwater Board is to annually review the Residential Water and Sewer Line Maintenance Repair Fund balances and make a determination on how the 0.70 cent repair fee is to be divided and assessed per the monthly water and sewer bills. The total expenditure in 2015 for water repair costs was \$33,903.39 and \$41,852.98 for sewer. Based on the attached expenditure and year-end balance information, it is recommended that 0.25 cents be allocated to the Water Fund and 0.45 cents be allocated to the Sewer Fund in 2016.

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

REQUEST TO APPROVE RESOLUTION 2016-A: DOCUMENTING THE SUBMISSION OF THE 2015 ANNUAL CERTIFICATIONS

Legal Compliance Administrator Shannon Marks requested Board approval of Resolution 2016-A; Documenting the Submission of the 2015 Annual Certifications. The Board of Public Works and Safety acknowledges the submission of the 2015 annual certifications by each of the City of Goshen elected officers listed below certifying that:

1. The officer has not violated Indiana Code 36-1-20.2 et seq. or the City's policy regulating the employment of relatives, and;
2. The officer is in compliance with Indiana Code 36-1-21 et seq. and the City's policy regulating contracting with the city.

Allan Kauffman, Mayor

Tina M. Bontrager, Clerk-Treasurer

Bodie Stegelmann, City Court Judge

Jim McKee, Council Member – District 1

Edward A. Ahlersmeyer II, Council Member – District 2

Dixie Robinson, Council Member – District 3

Julia A. Gautsche, Council Member – District 4

Everett J. Thomas, Council Member – District 5

Brett Weddell, Council Member – At Large

Jeremy Stutsman, Council Member – At Large

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

REQUEST TO APPROVE RESOLUTION 2016-C: APPROVING AND AUTHORIZING THE EXECUTION OF THE GRANT AGREEMENT WITH INDIANA DEPARTMENT OF TRANSPORTATION FOR CLOSURE OF FIFTH STREET RAILROAD CROSSING

Legal Compliance Administrator Shannon Marks requested Board approval of Resolution 2016-C; Approving and Authorizing the Execution of the Grant Agreement with Indiana Department of Transportation for Closure of 5th Street Railroad Crossing. The City of Goshen will receive a grant award from the State of Indiana's fiscal year 2016 Grade Crossing Fund in the amount of \$10,000.00 for the permanent closure of the 5th Street railroad crossing. It is requested that the

Goshen Board of Public Works and Safety approve the terms and conditions of the Grant Agreement between Indiana Department of Transportation and the City of Goshen attached to and made a part of this resolution for the award of a grant for the permanent closure of the 5th Street railroad crossing and authorize Mayor Jeremy Stutsman to execute the Grant Agreement on behalf of the Goshen Board of Public Works and Safety and the City of Goshen.

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

REQUEST TO APPROVE RESOLUTION 2016-B: APPROVING AND AUTHORIZING THE EXECUTION OF THE PROJECT COORDINATION CONTRACT WITH THE STATE OF INDIANA FOR THE KERCHER ROAD RECONSTRUCTION PROJECT

Legal Compliance Administrator Shannon Marks requested Board approval of Resolution 2016-B; Approving and Authorizing the Execution of the Project Coordination Contract with the State of Indiana for the Kercher Road Reconstruction project. The City of Goshen has applied, and INDOT has approved the City's application for federal funds for the Kercher Road Reconstruction project between Dierdorff Road and US 33. Federal funds will be made available to pay 80% of eligible project costs. The maximum amount of federal funds allocated to the project is dependent upon the MPO's current TIP allocation. As of December 14th, 2015, the maximum amount is \$513,600.00 according to the TIP dated July 28th, 2015. The City agrees to fund the City's share of cost for this project, including any cost in excess of 20% of eligible project costs for the services covered by this contract. The Goshen Redevelopment Commission has agreed to fund up to \$1,080,000.00 of the City's share of costs for this project over fiscal years 2016 through 2020.

Pursuant to Indiana Code 36-1-7 et seq. a power that may be exercised by one governmental entity may be exercised by one entity on behalf of another governmental entity if the entities enter into a written agreement under Indiana Code 36-1-7-3. All aspects for the completion of the project will be coordinated between the City and INDOT pursuant to the terms and conditions of the contract attached to this resolution. It is requested the Board of Public Works and Safety approves the terms and conditions of the Project Coordination Contract with the State of Indiana for the Kercher Road Reconstruction project attached to and made part of this Resolution. It is requested the Board of Public Works and Safety agrees to fund the City's remaining share of costs for this project after the Goshen Redevelopment Commission's annual contribution to the costs of the project has been used.

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

REQUEST TO APPROVE RIGHT OF WAY ASSURANCE LETTER

City Engineer Mary Cripe requested Board approval of a Right of Way Assurance Letter for the Kercher Road from the Railroad to Dierdorff Road. In compliance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987, the following assurance is made: Where federal funds are involved in any project or program which results in real property

acquisition or displacement, the City of Goshen, Indiana will comply with said Act and Regulations effective April 2nd, 1989

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

**REQUEST TO APPROVE CHANGE ORDER #2 FOR THE
DICKERSON LANDING PHASE IV – JN: 2014-0046**

City Engineer Mary Cripe requested Board approval of Change Order No. 2 for the Dickerson Landing Phase IV project. This change order includes the additional cost of replacing a 6” hydrant valve with an 8” hydrant valve, additional costs of adding double 5’ gates at 219 Wilkinson Street and 324 North 2nd Street, and the additional cost of adding straw blankets for landscape restoration. This change order also serves as the balancing change order to close the project. The original contract amount was \$296,000.00. This balancing change order increases the project cost by \$22,782.10 (7.70%) for a total contract cost of \$318,782.10.

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

**REQUEST TO APPROVE US33, SR 15, LINCOLN AVENUE AND
MONROE STREET CLOSURES (JN: 2011-0030)**

City Engineer Mary Cripe requested Board approval of the US 33, SR 15, Lincoln Avenue and Monroe Street Closures. The Elkhart County 4H-Fair is requesting the closures on Sunday, July 24th, 2016 from 12:00 noon to 6:00 pm for the Elkhart County Fair Parade.

The closure for US 33 would be from Plymouth Avenue on the south side of town to Indiana Avenue on the northwest side of town. SR 15 would be from Plymouth Avenue to the 3rd Street overpass. Lincoln Avenue will be closed from Indiana Avenue to 5th Street. Monroe Street will be closed from US 33 to the City limits. A detour route will be provided using Plymouth Avenue, Indiana Avenue, Pike Street and 5th Street. Police officers will be providing traffic control at all major intersections. The Goshen Street Department will be assisting in the set up and removal of the barricades. The Engineering Department will submit the request to INDOT upon the Board’s approval

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

**REQUEST TO APPROVE SR 119 STREET CLOSURE FOR
KIDS & TEENS TRY-ATHLON – (JN: 2007-0017)**

City Engineer Mary Cripe requested Board approval on behalf of the Parks Department for the closure of SR 119 on Saturday, July 9th, 2016 from 7:00 am to 12:00 pm for the Kids & Teens Try-Athlon event. The closure of SR 119 will be from South 3rd Street to Indiana Avenue. The Goshen Street Department will be assisting in the set up and removal of the barricades. The Engineering Department will be submitting a permit request to INDOT.

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

REQUEST TO APPROVE RE-APPOINTMENT TO PLAN COMMISSION

Mayor Stutsman was pleased to recommend Connie Garber as the Board of Public Works and Safety's appointment to the Plan Commission. Connie has represented us well since 2007 and is willing to continue for another one-year term.

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

**ANNOUNCEMENT OF APPOINTMENTS AND RE-APPOINTMENTS
TO BOARDS AND COMMISSIONS**

Mayor Stutsman made the following appointments and re-appointments to boards and commissions:

Mayor Stutsman appointed Adam Scharf to the Redevelopment Commission as a mayoral appointment and re-appointing Tom Stump and Vince Turner to the Redevelopment Commission.

He is pleased to appoint Joe Mehl to the Housing Authority Board of Directors. Mr. Mehl will be completing Julia King's term which ends March 13th, 2016 and continuing the appointment into the following term. When Julia became an elected official, she was no longer permitted to hold a seat on the Housing Authority. The Housing Authority Board of Director has political balance requirements; Joe Mehl will serve as a Democratic appointment.

The Board of Zoning Appeals has two positions that expired on December 31st, 2015. Ardean Friesen has agreed to be reappointed for another term; he has served since 2004. Mayor Stutsman was please to appoint Felipe Merino as a new member of the BZA; he is filling an opening created when Nina Mishler ended her term.

Dr. David Koronkiewicz and Doug Yoder have agreed to be reappointed to the Parks & Recreation Board. They have served since 1996 and 2007 respectively.

NOTIFICATION TO RESCHEDULE BOARD OF WORKS AND SAFETY MEETING

Mayor Stutsman stated that due to the Martin Luther King holiday, the January 18th, 2016 Board of Works meeting has been moved back to Friday, January 15th, 2016 at 2:00 pm. The regular meeting schedule will resume January 25th, 2016.

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 STORM WATER BOARD:

MAYOR JEREMY STUTSMAN _____

BOARD MEMBER MITCHELL DAY _____

BOARD MEMBER MICHAEL A. LANDIS _____

ATTEST _____
CLERK-TREASURER TINA M. BONTRAGER