

**BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD
MEETING HELD MAY 2, 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 May 2, 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 Office Assistants, City Attorney, Assistant City Planner, Fire Chief, Police Chief, Building Inspector Grise, Street Commissioner, Assistant Street Commissioner, Legal Contracts and Claims Manager, Mayor's Administrative Assistant Lung, Superintendent of Waste Water, Superintendent of Water and Sewer, Wastewater Maintenance Technician, Utilities 1st Deputy, Administrative Utilities Engineer, Administrative City Engineer, Central Garage Fleet Manager.

Minutes of the meeting of March 28th, 2016 and April 4th, 2016 were presented. On motion of Board Member Landis and second by Board Member Day, the minutes were approved as presented.

**REQUEST FOR USE OF RIGHT OF WAY AT MONROE STREET AND THE ALLEY
FOR CELEBRATION OF CORPUS CHRISTI**

Reverend Steinacker on behalf of St. John the Evangelist Catholic Church requested Board approval for the use of right of way at Monroe Street and the alley for the Corpus Christi celebration. The church plans for a procession in celebration of Corpus Christi to be held on Sunday, May 29th, 2016 beginning at approximately 3:00 pm. The procession will begin at the church and in order to safely allow their parishioners to cross the street to congregate at our parish grotto, located next to the rectory, it is requested that the alley west of the church at 417 South Main Street be blocked and also the street at the alley east of the parish rectory at 114 West Monroe Street to the corner of South 3rd Street for the event. The church will also be having a picnic at the rectory grotto following the procession and would like to set up tables on the street between the grotto and school. They anticipate 400 to 500 participants and the event will end, including clean-up, at approximately 8:00 pm.

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

**REQUEST FOR USE OF RIGHT OF WAY ON SIDEWALK AT 109 EAST LINCOLN
AVENUE FOR PATIO SEATING AT 2016 FIRST FRIDAYS**

Anna Wiebe representing Blank Space, 109 East Lincoln Avenue, requested Board approval for the use of right of way on the sidewalk for patio seating for First Friday events. Ms. Wiebe stated that a similar request was made last June and she was granted permission to set up tables and chairs in a patio seating arrangement for the following First Friday: July 3rd, August 7th, September 4th and October 2nd, with all dates in 2015. It is requested the Board allow the patio seating for the following dates for 2016: May 6th, June 3rd, July 1st, August 5, September 2nd and October 7th. The seating area would extend ten feet out from the building façade. This is only four feet further than the existing iron staircase at 111 East Lincoln Avenue immediately adjacent to the east. Ten feet of clear sidewalk would remain for pedestrians. Blank Space is primarily a private meetings and events space available for rent, but on First Friday's they will be open to the public and would like to provide outdoor seating. The establishment has a restaurant/retail liquor license and they have been approved by and have met all requirements set forth by the Indiana Excise Police related to alcohol service in the proposed outdoor seating area. It is also requested to extend this seasonal seating arrangement for the next 3 years.

Board Member Landis moved to approve the request for seasonal seating for the next 3 years. Second by Board Member Day and motion passed unanimously.

REQUEST TO APPROVE RESOLUTION TO DECLARE AS SURPLUS & APPROVAL OF DISPOSAL OF SURPLUS PROPERTY

Legal Contracts and Claims Manager Keitha Windsor requested Board approval of a Resolution to Declare as Surplus & Approval of Disposal of Surplus Property. The City's Wastewater Treatment Plant wishes to have the following mower with accessory equipment declared as surplus property and to dispose of the surplus property in accordance with IC 5-22-22:

1997 F935 Mower	M0F935X140837
1997 Snow Blower Attachment	M02451x525552

The Board of Public Works and Safety is requested to:

1. Declare the above equipment as surplus property; and
2. Resolve to dispose of the surplus property in accordance with IC 5-22-22.

Permission is also requested for the Mayor to sign a Limited Power of Attorney for the Fort Wayne Auto Truck Auction to sell the mower and snow blower attachment.

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

REQUEST TO APPROVE THE HIRING OF KEVIN D. KOONTZ FOR THE POSITION OF SPECIAL POLICE OFFICER

Police Chief Wade Branson requested Board approval of the hiring of Kevin D. Koontz for the Position of Special Police Officer. The position and compensation was established by Resolution 2015-S on September 4th, 2015 by the Goshen Board of Public Works and Safety. This Special Police Officer shall be a civilian position and is governed by Indiana Code 36-8-3-7. It is requested the hiring date be effective on Friday, May 6th, 2016.

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

REQUEST TO APPROVE KERCHER ROAD FROM DIERDORFF ROAD TO US 33 – DES. NO. 1401747 – FMIS REQUEST FOR PE FEDERAL FUNDS

Administrative City Engineer Mary Cripe requested Board approval of the FMIS request for PE Federal Funds – Kercher Road from Dierdorff Road to US 33. In order to receive the Federal funds for the Preliminary Engineering (PE) portion of the Kercher Road Reconstruction from Dierdorff Road to US 33, the City of Goshen must submit a request to the Federal Financial Management Information System (FMIS) for approval. Attached for the Board's approval is the Request for Federal authorization (FMIS). It is requested for authorization for Mary Cripe, P.E. to sign as the Employee of Responsible Charge on this project.

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

REQUEST TO APPROVE PLYMOUTH AVENUE TRAIL CROSSING MODIFICATION – PROJECT NO. 2015-0051

Administrative City Engineer Mary Cripe requested Board approval for the Plymouth Avenue Trail Crossing Modification. The Engineer Department is requesting permission for bids for the project. The bids for the project will be due Monday, May 23, 2016. This is a joint project with Goshen Community School, INDOT and the City. The city funds have been appropriated and are available for this project.

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

JEFFERSON STREET RAILROAD CROSSING: PROJECT NO. 2015-0018/ SEEK COMMENTS ON POSSIBLE CLOSURE

Administrative City Engineer Mary Cripe informed Board Members and the public that the City of Goshen has been in discussions with Norfolk Southern Railroad and the Federal Railroad Administration about the implementation of a quiet zone along Norfolk Southern's Marion Branch rail line from CR. 40 north to Lincoln Avenue. The first step is to improve the safety at

each railroad crossing or to close under-utilized crossings. Minimum improvement requirements are to install gates, add a center median barrier, and install flashing lights.

Many residents have expressed concerns about the increased traffic and traffic speeds on Jefferson Street and how motorists are using Jefferson Street as a short cut to avoid the traffic on US 33. The closure of the Jefferson Street crossing would reduce the extra traffic in the neighborhood.

The City applied for and received Federal funding to install the gates and flashing lights at the Jefferson Street Railroad Crossing. The total cost of the project is approximately \$370,000.00, with Federal funds covering 90% and local funds will cover 10% of the project.

City Officials are encouraging residents to provide their questions, comments and concerns by Friday, May 6th, 2016 to the Goshen Engineering Department. Comments will be read at the Board of Public Works meeting on Monday, May 9th, 2016. A decision will be made to either allow the crossing to remain open or to close the crossing following the discussion at the May 9th meeting.

Administrative City Engineer Mary Cripe stated they had a meeting last Tuesday about the crossing, and the majority of the residents stated they would like it to remain open but was concerned about the safety and the traffic through that area. Mary Cripe further stated that they had internal meeting with staff including the Police, Fire, Engineering and Planning Departments to get their input about the possible closing with staff wanting to keep it open. Mayor Stutsman opened the floor to comments about the possible closure:

Kevin Bontrager of Goshen stated he would like to leave it open, he further addressed the speeding and would like to see the quiet zone in place.

Councilwoman Julia King stated she would like to say she supports the people wanting to keep it open.

Jose (Last name and comments inaudible) of Goshen spoke on the possible closure.

Mayor Stutsman stated the Board will be making a decision at the next meeting.

No further person wished to speak.

NOTIFICATION FOR BEAUTIFY GOSHEN WEEK

Street Commissioner Denny Long stated that in conjunction with the Goshen Chamber of Commerce's "Beautify Goshen" week, the Goshen Street Department will be making additional disposal services available to assist city residents in their "Beautify Goshen" tasks.

This is a free service May 7th through to May 14th, 2016 only (an eight-day week with two Saturdays), and there is no limit to the quantity of items that may be disposed of. Residents must make arrangements to transport the items; there will **not** be curbside pickup.

The collection site will be the Goshen Street Department, 475 Steury Avenue. Hours that items will be accepted are:

Saturday, May 7th from 7 am to 3 pm
Sunday, May 8th: Closed
Monday – Friday, May 9th – 13th from 7 am to 6 pm
Saturday, May 14th from 7 am to 3 pm

Detailed program information is posted on the City of Goshen's website and Facebook: www.goshenindiana.org; www.goshenindiana.org/street-department and www.facebook.com/CityOfGoshen/. Residents may also contract the Street Department at 534-9711 or streets@goshencity.com.

Street Commissioner Denny Long further stated they were grateful to two area organizations for providing free or reduced fees for their services during Beautify Goshen week. OmniSource

Goshen disposes of the white goods at no charge, and Lewis Salvage, Warsaw, disposes of computers and certain electronics at a reduced rate.

**REQUEST TO APPROVE KERCHER ROAD RECONSTRUCTION FROM
DIERDORFF ROAD TO US 33 – DES. NO. 1401747**

Administrative City Engineer Mary Cripe requested Board approval of a LPA-Consulting contract with DLZ. At the request of the City of Goshen, the Indiana Department of Transportation solicited a request for proposals for design engineering services for the Kercher Road Reconstruction from Dierdorff Road to US 33. Proposals were received from five design firms. A review committee evaluated each proposal based upon the established INDOT review process, and chose DLZ, Inc.

DLZ Inc. has submitted a LPA –Consulting contract for complete design services with the following associated costs.

Design Engineering Services \$273,220.00
(Includes Survey, Design, Environmental, Utility Coordination, Erosion Control, and Misc. fees)

Right-of-Way Engineering Services \$96,650.00
(Includes Title Reports, Descriptions, Parcels Plats, Transfer Documents and Appraisal Problem Analysis)

Total Fee Not to Exceed \$384,870.00

This contract is a lump sum basis per each itemized service, except where referenced otherwise, and details are found in Appendix “D”. The design fees will be 80% federally funded with STP Funds and 20% locally funded. It is requested the Board of Public Works and the Redevelopment Commission’s approval of the DLZ, Inc. contract in the not to exceed fee of \$384,870.00

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

PRIVILEGE OF THE FLOOR

Councilman Adam Scharf wanted to bring up the program about railroad trespassing enforcement and some of the coverage that was brought out about that. Enforcing the safety measures on railroads is important, and reading the Goshen News coverage for example, it wasn’t necessarily clear to him and probably others, what constitutes railroad crossing trespassing? Councilman Scharf stated that he would like some clarification on that. For example, would just walking across the railroad tracks or along the tracks be a violation of trespassing and risk a citation or arrests. He would like to know what the dividing lines are and maybe would hopefully get some public information or education out there before some people are cited for something they do routinely. Mayor Stutsman stated that the Legal Department can look into that and have it for a Council meeting.

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