

**BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD
MEETING HELD OCTOBER 17, 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 October 17, 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 Administrative Assistants, City Attorney, Fire Chief, Police Chief, Building Inspector – Bice & Grise, Street Commissioner, Assistant Street Commissioner, Legal Compliance Administrator, Legal Administrative Assistant, Assistant Park Superintendent, Superintendent of Waste Water, Superintendent of Water and Sewer, Utilities Billing Office Supervisor, Administrative Utilities Engineer, Engineering Administrative Assistant, Central Garage Fleet Manager, Communications Coordinator.

Minutes of the meeting of August 29th and September 6th, 2016 were presented. On motion of Board Member Landis and second by Board Member Day, the minutes were approved as presented.

**REQUEST TO AWARD BID FOR ANNEX BUILDING SIDEWALK
REPLACEMENT- PN: 2016-0036**

Administrative Utilities Engineer Dustin Sailor requested Board approval to award bid for the Annex Building Sidewalk Replacement. The bids were received on October 7, 2016 with the following results:

	<u>Base Bid</u>	<u>Alternate Bid</u>
Niblock Excavating	\$ 99,797.50	\$ 77,297.50
Rieth-Riley	\$ 89,500.00	\$ 92,500.00
Selge Construction	\$112,138.10	\$112,139.10
Walsh & Kelly	\$140,995.00	\$155,995.00

The Engineering Department is requesting the Board of Public Works and Safety to award the contract to Niblock Excavating as the lowest responsive and responsible bidder. Engineering wishes to award the Alternate Bid with the completion date of May 26, 2017.

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

REQUEST TO APPROVE POST-CONSTRUCTION PLAN

Supreme Corporation South Campus Improvements

Administrative Utilities Engineer Dustin Sailor requested Board approval of Post-Construction Plan Approval JN: 2014-2028. The Developer of the Supreme Corporation South Campus Improvement project, affecting 1 or more acres of land, has submitted a sufficient post-construction plan that is compliant with Ordinance 4329, “Uniform Requirements for Post-Construction Stormwater Management.”

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

Dutchmen Site Improvements (2016)

Administrative Utilities Engineer Dustin Sailor requested Board approval of Post-Construction Plan Approval JN: 2013-2023. The developer of Dutchmen Site Improvements (2016), as part of a larger common plan of development affecting 1 or more acres of land, has submitted a sufficient amended post-construction plan that is compliant with Ordinance 4329, “Uniform Requirements for Post-Construction Stormwater Management” and will amend the previous Dutchmen Manufacturing Post-Construction Plan approved on August 5, 2013.

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

REQUEST TO APPROVE KERCHER ROAD RECONSTRUCTION - JN: 32016-0012

Administrative Utilities Engineer Dustin Sailor requested Board approval of an Agreement Ratification for a topo survey provided by Brads-Ko Engineering for the alignment of a bike trail near the Elkhart Township Cemetery along Kercher Road. The Agreement is for \$3,455.00

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

REQUEST FOR ROAD CLOSURE AT BOYS & GIRLS CLUB - JN: 2016-2009

Administrative Utilities Engineer Dustin Sailor requested Board approval of a road closure of North Seventh Street from Center Street to Crescent Street starting October 18, 2016 until October 21, 2016 for a sewer connection at the sewer main for the Boys & Girls Club. Schools will be out for Fall break at this time.

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

REQUEST TO APPROVE RELEASE OF MAINTENANCE BOND FOR DICKERSON LANDING PHASE II – JN: 2012-0048

Administrative Utilities Engineer Dustin Sailor requested Board approval to release the Maintenance Bond for Dickerson Landing Phase II. Final Inspection for this project has taken place. The infrastructure (water, sewer, curb & concrete roadway) has been found to meet City standards and specifications. It is, therefore, recommended that the City of Goshen release the 3-

year maintenance bond, which was posted by C&E Excavating for water, sewer, curb, and concrete roadway in the amount of \$17,772.00. Please approve the release of the bond and accept this project for permanent maintenance.

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

NOTIFICATION TO SIGNALIZED INTERSECTION OF KERCHER ROAD AND WEYMOUTH BOULEVARD – JN: 2012-0016

Goshen Engineering is notifying the Board and the Public that Michiana Contracting has completed the installation of the traffic signal at Kercher Road and Weymouth Boulevard, and its operation will commence on Tuesday, October 18th, 2016. Goshen Street Department will have the lights set to flash yellow for Kercher Road and red for Weymouth Boulevard for 2 days to allow drivers to realize it is there. Message boards will be placed to warn drivers of the change in traffic pattern.

REQUEST TO ACCEPT EASEMENT FROM GOSHEN COMMUNITY SCHOOLS

City Attorney Larry Barks requested the Board of Public Works and Safety accept the Easement from Goshen Community Schools for public utility purposes upon the real estate on the South side of State Road 119/Plymouth Avenue near the Middle School, and authorize Mayor Stutsman to execute the Acceptance on behalf of the City.

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

REQUEST TO ACCEPT DEDICATION OF PUBLIC RIGHT-OF-WAY

Legal Compliance Administrator Shannon Marks requested Board approval to accept the Dedication of Right-of-Way at 1375 Lincolnway East.

The City of Goshen is in the process of selling the real estate at 1317 Lincolnway East. Prior to transferring the real estate, it is recommended that the City retain enough real estate so there is 50 feet of right-of-way from the centerline of US Highway 33/Lincolnway East and 30 feet of right-of-way from the centerline of Fairfield Avenue. The Goshen Redevelopment Commission has approved the dedication of this public right-of-way, and the Deed of Dedication has been executed for this purpose.

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

REQUEST TO APPROVE RESOLUTION 2016-U

Legal Compliance Administrator Shannon Marks requested Board approval of Resolution 2016-U, Approving the Annexation Agreement with Lippert Components Inc., Lippert Components Manufacturing, Inc., and Keystone RV Company. This Agreement is for approximately 38 acres of real estate East of Corrie Drive and the North side of CR 40. Redevelopment and Council both approved this Agreement Tuesday, October 11, 2016.

BE IT RESOLVED by the Goshen Board of Public Works and Safety that:

1. The terms and conditions of the Annexation Agreement with Lippert and Keystone RV attached to and made a part of this resolution are approved.
2. Mayor Jeremy P. Stutsman is authorized to execute the Annexation Agreement attached to and made a part of this resolution 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 FOR ROAD CLOSURE TO REPAIR DAMAGED FIRE HYDRANT

Water and Sewer Superintendent Kent Holdren requested Board approval to close the West bound lane of Kercher Avenue between Messic and Industrial Park Dr. to replace a fire hydrant hit by a vehicle. The closure will be Tuesday October 18th until Wednesday October 19th, 2016. There will be a flagmen during the day on Tuesday, until the work is complete, then a detour will be set up for the evening hours going North on Messic, then West on Eisenhower Dr. and then back South to Kercher Road.

**PUBLIC HEARING TO REVIEW COMPLIANCE WITH ORDER
OF BOARD OF PUBLIC WORKS : 217 QUEEN STREET**

Building Inspector Steve Bice notified the Board that the property at 217 Queen Street, Goshen, Indiana is in full compliance.

**PUBLIC HEARING TO REVIEW COMPLIANCE WITH ORDER OF BOARD OF
PUBLIC WORKS: 1109 EGBERT STREET**

Building Inspector Steve Bice requested Board approval for a two week extension on this order due to an incorrect window was ordered and delivered. This was confirmed by City Attorney Larry Barkes and that a new replacement window has been ordered. The inspection of the property has found all other items were in compliance except for the window.

Mayor Stutsman motioned to approve the two week extension. Second by Board Member Landis and motion passed unanimously.

**PUBLIC HEARING TO REVIEW COMPLIANCE WITH ORDER OF BOARD OF
PUBLIC WORKS: 609 S. MAIN STREET**

Building Inspector Steve Bice stated he had an appointment with Michelle Korach to inspect the interior and exterior of the house at 9:30am but Michelle was a no show. He inspected the exterior and did a visual interior inspection through the unsecured front window and stated there was no noticeable compliancy of any of the violations listed on the previous Board hearing.

The violations are as follows:

1. Basement wall has caved in and soil is washing into the basement floor – Section 6.3.1.1(2)

2. Interior walls on first floor have been stripped of plaster and dry wall down to the studs. This removes wind shear strength to the structure as well as creates a fire hazard – Section 6.3.1.1(22)
3. Front porch floor and frame are severely deteriorated. Floor boards are rotted, warped with open holes – Section 6.3.1.1(5)
4. The plumbing in the basement shows signs of excessive leakage – Section 6.3.1.1(1)
5. The window at the side door is broken and structure is not secure – Section 6.3.1.1(26)
6. There is no operable kitchen, all fixtures have been removed – Section 6.3.1.2(1)
7. Glass in windows are damaged and windows are boarded – Section 6.3.1.1(4)

Inspector Bice also stated there are now additional broken windows and a new opening in the basement foundation which are unsecure.

Upon review of pictures provided from the inspection, Mayor Stutsman noted that there were several cut 2x4 studs and questioned if this is causing structural issues. It appeared to be a previous door header and if it is a load bearing wall it can cause structural issues. Inspector Bice confirmed but due to no access for inspection he could not say for sure.

Board Member Landis questioned Inspector Bice on how long has this property been on the City's radar and if it was before July 31, 2016. Inspector Bice affirmed that it has been but it is the first time before the Board.

Michelle Korach approached and publically apologized to the City and the Board for not making the morning appointment and stated there were 2 issues that prevented her from being there.

Mr. Davidhizar approached to address the listed violations as noted:

- a. He stated there are no broken windows at this property.
- b. The side doors panel was removed and needs to be reinstalled.
- c. The opening in the basement foundation is not from a broken window and goes into a crawl space only with no access to the house. He did not realize it was open and will install a piece of plywood over it to make it secure.
- d. The cut 2x4 studs were from a former doorway from the parlor to the living room.
- e. Stated that not all the lathe and plaster have been removed. The downstairs had most of the lathe and plaster removed due to weakness and will be replaced with new drywall. The majority of the rooms upstairs have been replaced with new drywall with some plaster still remaining.
- f. He acknowledged that the front porch floor is deteriorated and needs to be replaced with wolmanized lumber.
- g. The front porch has a trim board covering the 2x6 supports and looks like the trim board is the only thing deteriorated and is uncertain about the supports. Once the trim board is removed and it is determined the supports are damaged they will be replaced with wolmanized supports.
- h. The house has not been painted in a long time and acknowledged the paint to be peeling. He stated that it will be scrapped and repainted in the Spring.
- i. The interior lathe and plaster was deteriorating so removal of it was done on the first floor.

Mayor Stutsman questioned Mr. Davidhizar if a building permit had been pulled and the answer was no. Mr. Davidhizar asked the Mayor when he would like him to pull one. The response from the Mayor was today and thanked him.

The Board asked how much time was needed to complete the project. The response was that he will close up the home for winter and make sure the furnace is working properly. Try to get the front porch corrected this Fall and will work on the interior this Winter.

He was asked how many of his properties were currently under projects requested by the City and it was determined that there were 5 properties. Michelle stated there are 3 properties now past due, 1 property was due October 30th and 1 property due November 30th. The Board questions this because they were trying to determine a reasonable time frame to allow for completion of compliance.

City Attorney Larry Barkes stated the City's original Order for the property was in 2011 and is the last of several properties on the Order. He also noted the property has been vacant since at least 2008. The property in question was due to be compliant by July 30, 2016 and that is why the inspection was scheduled.

Mayor Stutsman motioned that Violations 1 thru 6 are still incomplete and not in compliance but amended item #5 to no broken windows but structure is not secure. Second by Board Member Landis and motion passed unanimously.

Mayor Stutsman made a second motion to find Violations 1, 2, 3, 5 to be unsafe. Second by Board Member Landis and motion passed unanimously.

A motion from Mayor Stutsman to extend the deadline for completion of the noted repairs to be done by May 21, 2017, let the record show this is a deadline date the property owners set, and to schedule an inspection with the Building Department by June 1st or 2nd, 2017 so it can come before the Board again on June 5, 2017. Second by Board Member Landis and motion passed unanimously.

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