

**BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD
MEETING HELD DECEMBER 28, 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 December 28, 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 Landis

ABSENT: Board Member Day, City Attorney Larry Barks

OTHERS: Clerk-Treasurer Administrative Assistants, City Planner, Police Chief, Legal Contracts and Claims Manager, Assistant Street Commissioner, Legal Compliance Administrator, Superintendent of Waste Water, Assistant Superintendent of Waste Water, Utilities Billing Office Supervisor, Civil Traffic Engineer, Central Garage Fleet Manager, Communications Coordinator.

Minutes of the meeting of October 31, November 7, and November 14, 2016 were presented. On motion of Board Member Landis and second by Mayor Stutsman, the minutes were approved as presented.

REQUEST TO OPEN BIDS FOR SURPLUS PROPERTY—TOP SOIL AND GRAVEL

Mayor Stutsman opened the following bids for gravel:

Q & E Enterprises, Inc.	\$7,500.00
Beer & Slabaugh	\$7,200.00

There were no bids submitted for the surplus topsoil.

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

REQUEST TO APPROVE AGREEMENTS

Alexander Chemical and PVS Nolwood Chemical-Amendments

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to renew contracts for the purchase of chemicals. The City entered into contracts for the purchase of chemicals for Water and Wastewater in November of 2014.

The initial term of the contract was from January 1, 2015 through December 31, 2015 and upon written approval of the contracting parties, the contract may be renewed for three (3) additional one (1) year terms under the same terms and conditions.

The City renewed the contracts for 2016 and wishes to renew for an additional 1 year term from January 1, 2017 through to December 31, 2017 with the following companies:

Alexander Chemical Corporation, a Carus Company:

Chlorine at \$0.33 per gallon
Sodium Bisulfate at \$0.175 per pound
Sodium Hypochlorite at \$0.63 per gallon

PVS Nolwood Chemicals Inc.

Hydrofluosilicic Acid at \$3.45 per gallon

Informational Only: Kemira Water Solutions, Inc. wanted an increase in price for Ferric Chloride from 2016's price of \$0.511 per pound Fe so the City is sending out quotes for this chemical.

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

Sties Design Agency

Legal Contacts and Claims Manager Keitha Windsor requested Board approval to enter into a contract with Sties Design Agency. The City desires to provide education to the public about the usage of the City's stormwater utilities by way of visual imaging on the side of the City's camera truck.

The City wishes to contract with Sties Design Agency LLC to update the color vinyl graphic design for the city's camera truck initially started in 2009. The wording in the graphic shall be in English on the driver's side of the truck and Spanish on the passenger's side.

Work on the project shall be completed within ninety (90) calendar days from receipt of a notice to proceed and the total cost for all work shall not exceed \$525.00.

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

MA Investments

Legal Compliance Administrator Shannon Marks requested Board approval to enter into an agreement with MA Investments. MA Investments is the developer of the real estate known as the Villas at Waterford Commons Second, P.U.D.

The installation of construction of the infrastructure at this location is substantially complete except for certain work that cannot be completed due to weather conditions. Under this agreement, MA Investments agrees to complete the remaining work itemized in the agreement by June 1, 2017. MA Investments has delivered the City a surety on the amount of \$10,000.00 to ensure the timely and proper completion of the work under the terms of the agreement. The City agrees to sign and release the plat for the Villas at Waterford Commons Second, P.U.D. so it may be recorded.

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

Barkes, Kolbus, Rife and Shuler, LLP

Legal Compliance Administrator Shannon Marks requested Board approval to enter into an agreement with Barkes, Kolbus, Rife and Shuler, LLP for attorney services in 2017. Under the agreement, Jim Kolbus will receive a bi-weekly salary of \$276.26 and the same health insurance benefits as other city employees. Additionally, Barkes, Kolbus, Rife & Shuler, LLP shall be compensated \$165 per hour for all services rendered on behalf of the City or its departments, including acting as local counsel for the issuance of bonds, provided such services are not covered by the salary paid to Jim Kolbus. The firm will be compensated \$210 per hour for projects where the City's legal fees are paid from a non-City funding source. No services rendered by Larry Barkes will be billed to the City as part of this agreement.

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

**REQUEST TO APPROVE POST-CONSTRUCTION PLAN FOR DUNKIN-DONUTS,
1952 LINCOLNWAY EAST JN: 2016-2031**

Civil Traffic Engineer Leslie Biek requested Board approval to accept a post-construction plan for Dunkin-Donuts at 1952 Lincolnway East. The developer of Dunkin-Donuts, 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 Landis moved to approve the request. Second by Mayor Stutsman and motion passed unanimously.

**REQUEST TO APPROVE AND ACCEPT DICKERSON LANDING PHASE IV
INFRASTRUCTURE PN: 2014-0046**

Civil Traffic Engineer Leslie Biek requested Board approval to approve and accept the infrastructure for the Dickerson Landing Phase IV. The infrastructure (water main, sanitary sewer, storm sewer, concrete, 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, storm sewer, concrete, and asphalt has been submitted to the City of Goshen Engineering Department.

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

**REQUEST TO APPROVE CHANGE ORDER #5—PEDESTRIAN SIGNALS FOR
SOUTH LINK ROAD FROM SR 15 TO REGENT STREET CONTRACT NO. R-34132**

Civil Traffic Engineer Leslie Biek requested Board approval for a South Link Road from SR 15 to Regent Street change order. Phend & Brown, Inc. submitted Change Order #5 for the South Link Road project. The original contract was in the amount of \$5,179,821.96.

Change Order #5 is due to the pedestrian signals being inadvertently omitted from the project pay items. The pedestrian signal addition adds \$1,671.40 to the contract amount for a new total contract amount of \$5,124,943.53. The construction of this project is being funded with 80% Surface Transportation Project funds and 20% local funds, which is being paid with State Supplemental Federal Match Resource (SFMR).

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

REQUEST TO APPROVE CHANGE ORDER #6—PEDESTRIAN SIGNALS FOR SOUTH LINK ROAD FROM SR 15 TO REGENT STREET CONTRACT NO. R-34132

Civil Traffic Engineer Leslie Biek requested Board approval for a South Link Road from SR 15 to Regent Street change order. Phend & Brown, Inc. submitted Change Order #6 for the South Link Road project. The original contract was in the amount of \$5,179,821.96.

Change order #6 is for the placement of temporary pavement markings in the configuration of the permanent thermoplastic pavement markings. Due to the project being substantially ahead of schedule, this will allow the road to be used during the winter months as thermoplastic cannot be placed at this time due to weather restrictions.

The temporary pavement markings add \$8,312.66 to the contract amount for a new total contract amount of \$5,131,584.79. The construction of this project is being funded with 80% Surface Transportation Project funds and 20% local funds, which is being paid with State Supplemental Federal Match Resource (SFMR).

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

REQUEST TO APPROVE THE RETIREMENT OF M.R. HERSCHBERGER

Police Chief Wade Branson requested Board approval to accept the retirement of Mitchell R. Herschberger from the Goshen Police Department effective December 28, 20146.

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

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 ANGIE MCKEE