

**BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD
MEETING HELD MAY 1, 2017 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 1, 2017, 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

ABSENT: Board Member Landis

OTHERS: Clerk-Treasurer Administrative Assistants, City Attorney, Assistant City Planner, Assistant Fire Chief, Police Chief, Building Inspectors, Assistant Street Commissioner, Legal Contracts and Claims Manager, Legal Compliance Administrator, Park Superintendent, Superintendent of Waste Water, Superintendent of Water and Sewer, Utilities Billing Office Supervisor, Director of Public Works, Civil Traffic Engineer, Central Garage Fleet Manager.

LIFESAVING AWARD—OFFICER J. HAVENS

Police Captain Matt Shultz presented the Life Saving award to Officer Joshua Havens in recognition of his heroic actions on March 23, 2017 that saved the life of a local teenager.

REQUEST TO OPEN BIDS—WILDEN AVENUE REAL ESTATE

Mayor Stutsman opened the following bid:

Solscient Energy, LLC

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

REQUEST TO AWARD CONTRACT—CONCRETE SERVICES

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to award a contract for concrete services. On April 24, 2017, the Board of Public Works and Safety opened quotes for concrete services. One quote from Ozinga Indiana Ready Mix, Inc. was received as follows:

Item 1	Flowable Backfill	\$14,000.00
Item 2.1	PCCP for Patching, Plain	\$ 5,750.00
Item 2.2	PCCP for Patching, 0.5% High Early Accelerator 0.5% Calcium Chloride	\$ 12,025.00
Item 2.3	PCCP for Patching, 1.0% High Early Accelerator 1.0% Calcium Chloride	\$ 56,475.00
Item 2.4	PCCP for Patching, 2.0% High Early Accelerator 2.0% Calcium Chloride	\$ 27,200.00
	<u>Total Quote</u>	<u>\$115,450.00</u>

It is recommended that the Board of Public Works and Safety award the contract to Ozinga Indiana Ready Mix, Inc. as the lowest responsible and responsive quoter for a total contract price not to exceed \$115,450.00.

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

REQUEST TO CLOSE STREET—FIRST FRIDAY EVENTS

Eyedart Creative Studio Event Coordinator Adrienne Nesbitt requested Board approval to close East Washington Street between Main Street and 5th Street for the Taste of Goshen Event On May 5, 2017 from 10:00 a.m. until 10:00 p.m. Ms. Nesbitt also submitted the First Fridays calendar of proposed street closures from May until December 2017 for approval.

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

REQUEST TO APPROVE UNPAID FINALED ACCOUNTS—UTILITIES

Utilities Billing Office Supervisor Kelly Saenz requested Board approval to move unpaid finalized accounts from active to Collection, Sewer Liens, and Write Offs. The original amount of unpaid/final Water/Sewer accounts for this period was \$14,299.18. Collection letters were sent out and payments of \$5,771.72 have been collected. The uncollected amount is as follows:

Water:	\$5,730.33
Sewer:	<u>\$2,797.13</u>
Total	\$8,527.46

These are accounts that are for the most part finalized through Wednesday, March 22, 2017.

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

REQUEST TO APPROVE PARTIAL LANE RESTRICTION ON KERCHER ROAD EAST OF STATE ROAD 15 JN: 2012-0017

Director of Public Works Dustin Sailor requested Board approval for a partial lane restriction. Rieth-Riley has requested permission to partially restrict the eastbound lane on Kercher Road between Norfolk Southern’s Marion railroad line and State Road 15 in order to install a new storm main along the south side. The partial lane restriction will begin Tuesday, May 2, 2017 and end May 19, 2017. A single eastbound and westbound lane will remain open to traffic during the work.

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

REQUEST TO APPROVE RESOLUTION 2017-14 “DONATION TO LACASA TO STRENGTHEN NEIGHBORHOOD ASSOCIATIONS”

Legal Compliance Administrator Shannon Marks requested Board approval for Resolution 2017-14. LaCasa of Goshen, Inc. is a Community Housing Development Organization which works with neighborhood organizations within the City of Goshen to keep the City’s neighborhoods safe and attractive.

The City of Goshen agrees to donate Five Thousand Dollars (\$5,000.00) to LaCasa of Goshen, Inc. to be used to nurture new neighborhood associations and strengthen existing neighborhood associations. The funds may also be used to enhance communication between residents within the City’s neighborhoods and between neighborhood residents and the City of Goshen. The donation is intended to promote organized neighborhoods which will increase property values and improve quality of life.

BE IT RESOLVED that the Goshen Board of Public Works and Safety authorizes the donation of Five Thousand Dollars (\$5,000.00) from EDIT Promotions to LaCasa of Goshen, Inc. to assist neighborhoods within the City of Goshen. LaCasa of Goshen, Inc. shall provide a report to the Board of Public Works and Safety by the end of 2017 describing how the donated funds were used.

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

PASSED and ADOPTED on May 1, 2017.

REQUEST TO APPROVE RESOLUTION 2017-15 “CONSTRUCTION SITE STORMWATER RUNOFF CONTROL PROGRAM ENFORCEMENT MATRIX”

Legal Compliance Administrator Shannon Marks requested Board approval for Resolution 2017-15. Indiana Code Sections 36-1-3-1 et seq. permit any unit in the State of Indiana to exercise any power or to perform any function necessary to the public interest in the context of its governmental or internal affairs, which is not prohibited by the Constitution of the United States or of the State of Indiana, or denied or pre-empted by any other law, or is not expressly granted by any other law to another governmental entity;

The Indiana Department of Environmental Development (“IDEM”) has designated the City of Elkhart, City of Goshen, Town of Bristol, and County of Elkhart as Municipal Separate Storm Sewer Systems (MS4) entities (collectively referred to as the “Greater Elkhart County MS4”);

IDEM encourages regulated communities and other urban areas to coordinate their MS4 activities;

The City of Elkhart, City of Goshen, Town of Bristol, and Elkhart County entered into an interlocal agreement on October 8, 2005 (“Interlocal Agreement”);

The Interlocal Agreement acknowledged IDEM’s designation of the County of Elkhart as the MS4 operator for the Greater Elkhart County MS4;

The Interlocal Agreement established responsibilities for each of the participating communities including, but not limited to, enforcing any violations of the Construction Site Stormwater Runoff Control Program that occur within the respective communities’ jurisdiction;

The communities in the Greater Elkhart County MS4 believe it is in their collective best interest to use a common approach to evaluate violations of the Construction Site Stormwater Runoff Control Program; and

The Elkhart County MS4 Advisory Board has developed the attached Enforcement Matrix to serve as a guide for each of the communities in the Greater Elkhart County MS4 to independently evaluate the degree of any violations of the Construction Site Stormwater Runoff Control Program.

BE IT ORDERED, ESTABLISHED, AND RESOLVED by the Board of Directors of the City of Goshen Department of Stormwater Management that the attached Enforcement Matrix is adopted for use in all enforcement actions as a guide for evaluating the degree of any violations of the Construction Site Stormwater Runoff Control Program.

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

PASSED and ADOPTED on May 1, 2017.

PUBLIC HEARING ON ORDER OF THE BOARD OF PUBLIC WORKS AND SAFETY:
520 N. 5th STREET

Mayor Stutsman opened the Public Hearing.

Mr. Ronald Davidhizer and Ms. Michelle Korach were present for the hearing. This hearing was held as a follow-up review for the hearing held on March 21, 2017. Building Inspector Steve Bice inspected the property at 520 N. 5th Street on Monday, May 1, 2017 and found that approximately 40% of the items listed have been addressed. The percentage of items listed is not a reflection of the amount of work that remains to be completed to bring this property into a functioning residential home. As of Monday, May 1, 2017, no building permits have been issued for this residence.

Mayor Stutsman moved to find Items 1-6 of the listed violations complete and to find Items 7-14 of the listed violations outstanding. Second by Board Member Day and the motion passed unanimously.

Mayor Stutsman moved to refer the property to the Legal Department for further action. Second by Board Member Day and the 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 ANGIE MCKEE