

**BOARD OF PUBLIC WORKS AND SAFETY AND STORMWATER BOARD
MEETING HELD SEPTEMBER 5, 2017, GOSHEN, INDIANA**

The Board of Public Works and Safety and Stormwater Board of the City of Goshen met in the Council Chambers, 111 East Jefferson Street on September 5, 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, Board Member Landis

ABSENT:

OTHERS: Clerk-Treasurer Administrative Assistants, City Attorney, Assistant City Planning and Zoning Administrator, Fire Chief, Assistant Fire Chiefs, Police Chief, Assistant Police Chief, Street Commissioner, Assistant Street Commissioner, Contracts and Claims Manager, Mayor's Administrative Assistant, Parks and Recreation Superintendent, Wastewater Superintendent, Water and Sewer Superintendent, Utilities Billing Office Manager, Director of Public Works, Central Garage Fleet Maintenance Manager, Brownfield Coordinator, Communications Coordinator.

Minutes of the meeting of August 28, 2017 were presented. On motion of Board Member Landis and second by Board Member Day, the minutes were approved as presented.

REQUEST TO APPROVE PROMOTION—M.A. DUNITHAN

Fire Chief Danny Sink requested Board approval to promote Matthew A. Dunithan. Mr. Dunithan will complete his probationary year at Goshen Fire Department on September 6, 2017. Based on his performance with recommendations from his shift Battalion Chief and Training Officer, it is recommended that Mr. Dunithan be promoted to Private First Class for the Goshen Fire Department effective September 6, 2017.

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

REQUEST TO APPROVE DRAINAGE BASIN VARIANCE—SYNERGY RV

Marbach, Brady, & Weaver, Inc. Project Engineer Debra Hughes, Synergy RV owner Kyle Newcomer, and Director of Public Works Dustin Sailor reported to the Board that an agreement has been reached regarding the drainage basin variance request. Synergy RV will utilize a small pipe discharge system similar to that of Supreme Corporation that will consist of a 4" to 6" perforated pipe with a positive release into the Horn Ditch with a defined release rate relative to the size of the retention basin. All parties have agreed that this should adequately address the stormwater concerns initially expressed by City staff, and no action by the Board was necessary.

REQUEST TO AWARD BID—TEST AND REPAIR COLD WATER METERS

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to award the bid for the cold water meter test and repair. On August 28, 2017, The Board of Public Works and Safety opened the following quotes:

Utility Sales of America, LLC	\$32,441.14
Vanguard Utility Sales	\$33,485.00
ME Simpson	\$53,400.00

It is recommended that the Board of Public Works and Safety award the contract to Utility Sales Agency of America, LLC as the lowest responsible and responsive quoter.

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

REQUEST TO AWARD BID—UNIFORM SERVICE

Legal Contracts and Claims Manger Keitha Windsor requested Board approval to award the bid for uniform service. On August 28, 2017, the Board of Public Works and Safety opened the following bids:

Wildman Business Group	\$354.25
Cintas Corporation	\$544.69
Unifirst Corporation	\$591.70

It is recommended that the Board of Public Works and Safety award the contract to Wildman Business Group as the lowest responsible and responsive quoter and permission is requested to authorize execution of the contract for the uniform service at the unit prices quoted for a two-year term with optional renewal terms of two additional two-year terms under the same terms and conditions.

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

REQUEST TO AWARD—NORTH FIFTH STREET PAVING PN: 2017-0002

Director of Public Works Dustin Sailor requested Board approval to award the bid for the North Fifth Street Paving project. On August 28, 2017, the Board of Public Works and Safety opened the following bids:

Rieth-Riley Construction	\$139,255.06
Niblock Excavating	\$144,737.50
Phend & Brown	\$244,420.00

The Engineering Department is requesting the Board of Public Works and Safety to award the contract to the lowest bid from Rieth-Riley Excavating for the base bid price of \$139,255.06.

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

**REQUEST TO AWARD BID—GREENE, INDIANA, LINCOLN, AND BAKER PAVING
PROJECT PN: 2017-0002**

Director of Public Works Dustin Sailor requested Board approval to award the bid for the Greene, Indiana, Lincoln, and Baker Paving project. On August 28, 2017, the Board of Public Works and Safety opened the following bids:

Rieth-Riley Construction	\$843,680.30
Niblock Excavating	\$1,179,872.50
Phend & Brown	\$1,608,980.20

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

REQUEST TO APPROVE LAND VARIANCE—119 NORTH TWENTY-FIRST STREET

Property Owner Greg Korte requested Board approval for a land variance for his property located at 119 North Twenty-First Street. Due to a surveying error, Mr. Korte planted trees, bushes, and flowers in the City's right-of-way. To date, the City has not needed to access the right-of-way; however, need may arise in the future. Per City Attorney Larry Barkes, a variance would not be appropriate in this situation.

Board Member Landis moved to not object to Mr. Korte's current usage of the right-of-way, but any trees, plants, and/or structures occupying the right-of-way would need to be removed should the City need access. Second by Board Member Day and motion passed unanimously.

REQUEST TO CLOSE ROAD AND PARKING SPACES—CHRISTMAS MARKET

Powerhouse Market representative Macey Judd requested Board approval to close a portion of West Washington Street, including parking spaces, in front of the Goshen Brewing Company for the Christmas Market being held at the Powerhouse on Saturday, November 18, 2017 from 3:00 p.m. until 8:00 p.m.

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

REQUEST FOR PROMOTION—D.J. DAESCHLER

Police Chief Wade Branson requested Board approval to promote Probationary Officer Donald J. Daeschler to the rank of Patrol Officer. Officer Daeschler has successfully completed his one year of probation. The promotion would become effective on September 6, 2017.

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

REQUEST TO ACCEPT RETIREMENT—J.R. PAULS

Police Chief Wade Branson requested Board approval to accept the retirement of Patrol Officer Jennifer R. Pauls effective October 9, 2017. Officer Pauls has served for 22 years and the City wishes her well on her future endeavors.

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

REQUEST TO APPROVE REOLUTION 2017-27 “APPROVE AND AUTHORIZE EXECUTION OF THE AMENDMENT TO LEASE AGREEMENT WITH SOLSCIENT ENERGY OF INDIANA, LLC FOR WILDEN AVENUE REAL ESTATE”

Paralegal Amanda Fisher requested Board approval for Resolution 2017-27. The City of Goshen, Indiana (“City”) and Solscient Energy of Indiana, LLC (“Solscient”) entered into a lease agreement dated July 13, 2017 for the lease of a portion of the real estate located at 1000 West Wilden Avenue, Goshen to install a solar energy generation system (“Solar Array”).

The City will be expanding its wastewater treatment facility in the future and has determined that the Leased Premises for the location of the Solar Array should be relocated approximately 300’ further north of the location described in the original agreement.

Any amendment to the terms and conditions of the agreements shall be made in writing and signed by both parties.

THEREFORE, BE IT RESOLVED that the Goshen Board of Public Works and Safety approves the Amendment to Lease Agreement as attached to and made a part of this resolution, and Mayor Stutsman is authorized to execute the Amendment to Lease 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.

PASSED and ADOPTED by the Goshen Board of Public Works and Safety on September 5, 2017.

REQUEST TO APPROVE RESOLUTION 2017-28 “APPROVE AND RATIFY EXECUTION OF THE INTERLOCAL MEMORANDUM OF UNDERSTANDING BETWEEN COUNTY OF ELKHART, CITY OF ELKHART, AND CITY OF GOSHEN FOR THE 2017 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FORMULA PROGRAM AWARD”

Paralegal Amanda Fisher requested Board approval for Resolution 2017-28. 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 entity if the entities enter into a written agreement.

THEREFORE, BE IT RESOLVED that the Goshen Board of Public Works and Safety approves the terms and conditions of the Interlocal Memorandum of Understanding between County of Elkhart, City of Elkhart, and City of Goshen for the 2017 Edward Byrne Memorial Justice Assistance Grant Formula Program Award attached to and made a part of this resolution,

BE IT FURTHER RESOLVED that the Board ratifies the execution of the Interlocal Memorandum of Understanding by Mayor Jeremy P. Stutsman on behalf of the Goshen Board of Public Works and Safety and the City of Goshen.

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

PASSED and ADOPTED by the Goshen Board of Public Works and Safety on September 5, 2017.

REQUEST TO APPROVE IDEM ACCESS

Water and Sewer Superintendent Kent Holdren requested Board approval to allow IDEM to install a monitoring well on the Water Department property at 308 North Fifth Street.

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

REQUEST TO APPROVE GOSHEN INDUSTRIAL PARK STORMWATER ON-CALL SERVICE AGREEMENT—DLZ CONSULTANTS JN: 2007-0052

Director of Public Works Dustin Sailor requested Board approval for an on-call service agreement with DLZ Consultants. Goshen Engineering worked with DLZ Consulting to develop a stormwater model for the Goshen Industrial Park to evaluate the storm sewer's carrying capacity and to develop the design for the stormwater basin along Kercher Road. Since the development of the stormwater model, businesses within Kercher Wellfield's wellhead protection area have approached the City to request permission to release stormwater into the municipal storm sewer. To consider these requests, new stormwater model scenarios need to be ran and DLZ is ideally suited to perform this task.

Per the agreement, model scenarios will be ran on a case by case basis using a task order system that requires authorization from the Goshen Engineering Department and the Mayor. The on-call service agreement will initially be funded with \$10,000.00 and can run for a period of 3 years or until the initial funding amount is expended.

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

REQUEST TO APPROVE PLYMOUTH AVENUE TRAIL CROSSING MODIFICATION TRAFFIC RESTRICTION PN: 2015-0051

Director of Public Works Dustin Sailor requested Board approval for a traffic restriction. Conco Spray Solutions has requested permission to restrict traffic on the eastbound lane of Plymouth Avenue and right turn lane in order to perform repairs to storm structures. Traffic control will be in place during the restriction. Conco Spray Solutions will be restricted to working between 8:30 a.m. and 2:30 p.m. to reduce the impact to traffic during the morning and afternoon peak times. The lane restriction will begin Thursday, September 7, 2017 and will extend through Friday, September 8, 2017. The lane restriction will be posted to the City's Facebook and website as part of the public notification process.

Board Member Day moved to approve the request. Second by Board Member Mayor and motion passed 2-1. Board Member Landis cast the dissenting vote.

REQUEST TO APPROVE SIDEWALK AND CURB 50/50 PROGRAM—
210 SOUTH COTTAGE AVENUE JN: 2017-0001

Director of Public Works Dustin Sailor requested Board approval for a Sidewalk and Curb 50/50 Program agreement with Kirk Stiffney of 210 South Cottage Avenue. The total cost is \$2,175.50, and the City's portion would be \$1,087.75. Mr. Stiffney has already submitted his payment of \$1,087.75.

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

REQUEST TO APPROVE SIDEWALK AND CURB 50/50 PROGRAM—
401 WEST OAKRIDGE AVENUE JN: 2017-0001

Director of Public Works Dustin Sailor requested Board approval for a Sidewalk and Curb 50/50 Program agreement with Abinelly Pizana of 401 West Oakridge Avenue. The total cost is \$3,824.00 and the City's portion would be \$1,912.00. Mr. Pizana has already submitted his payment of \$1,912.00.

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

REQUEST TO APPROVE KERCHER ROAD AND STATE ROAD 15 INTERSECTION
IMPROVEMENT CHANGE ORDER NO. 4 JN: 2012-0017

Director of Public Works Dustin Sailor requested Board approval for the replacement of an existing brick driveway at 102 East Kercher Road. The original plan did not account for the difference in elevation between the new roadway and the existing driveway. The proposed drive approach slope was over 14%, which is greater than the 6% maximum the City typically allows. The entire existing driveway must be removed in order to adjust the slope of the new drive approach due to the short distance between the new roadway and drive approach. Please approve Change Order No. 4 for \$22,723.00 with Rieth-Riley Construction for a concrete driveway at 102 East Kercher Road, which will increase the City's contribution on the project to \$2,108,258.92. This represents a 3.46% increase when previous change orders are included.

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

ANNOUNCEMENT

Mayor Stutsman announced that in order to accommodate a quorum, the next Board of Public Works and Safety meeting will be held on Monday, September 11, 2017 at 1:00 p.m. in the Council Chambers, Police and Courts building, 111 East Jefferson Street.

PRIVILEGE OF THE FLOOR

Street Commissioner Denny Long announced that the last day for the City's Dial-a-Trailer program would be Friday, August 29, 2017 and the last day for Dial-a-Trailer for brush would be Friday, October 27, 2017. The month of October would be the final month from brush pickup so that the City can prepare for winter snow removal.

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 STORMWATER BOARD:

MAYOR JEREMY STUTSMAN _____

BOARD MEMBER MITCHELL DAY _____

BOARD MEMBER MICHAEL A. LANDIS _____

ATTEST _____
CLERK-TREASURER ANGIE MCKEE