

**BOARD OF PUBLIC WORKS AND SAFETY AND STORMWATER BOARD  
MEETING HELD MARCH 26, 2018, 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 March 26, 2018, 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, City Planning and Zoning Administrator, Fire Chief, Assistant Police Chief, Assistant Street Commissioner, , Contracts and Claims Manager, Mayor's Administrative Assistant, Parks and Recreation Superintendent, Wastewater Superintendent, Utilities Billing Office Manager, Director of Public Works, Civil Traffic Engineer, Central Garage Fleet Maintenance Manager, Brownfield Coordinator, Communications Coordinator.

Minutes of the meeting of March 12, 2018 and March 19, 2018 were presented. On motion of Board Member Day and second by Board Member Landis, the minutes were approved as presented.

**REQUEST TO APPROVE PROMOTION—J.M. HAVENS**

Assistant Police Chief Jose Miller requested Board approval for the promotion of Officer Joshua M. Havens from Patrolman to Detective effective March 30, 2018. Officer Havens is a twelve (12) year veteran of the police department and has served on numerous units to include: ERT, F.A.C.T., Field Training Officer, and Evidence. Officer Havens scored the highest on the promotional testing process and was selected to fill the first detective opening.

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

**REQUEST TO AWARD BID—NIBLOCK EXCAVATING**

Mayor Stutsman requested Board approval to award a bid. On March 5, 2018, bids were received for the Supreme Court Reconstruction Project JN: 2016-0017.

Niblock Excavating	\$419,587.75
Rieth-Riley	\$447,258.45
Indiana Earth	\$486,047.64

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.

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

**REQUEST TO APPROVE RETIREMENT—R. KEHR**

Fire Chief Danny Sink requested Board approval for the retirement of Battalion Chief Ross Kehr. After 40 years of dedicated service to the Goshen Community, Battalion Chief Kehr has submitted his letter of intent to retire effective March 31, 2018.

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

**REQUEST TO ACCEPT PLAT**

City Planning and Zoning Administrator Rhonda Yoder requested Board approval for a plat. The secondary subdivision has been submitted for Horn Southeast subdivision (Lots 1-4), a four-lot major industrial subdivision. The subject property is generally located on the north side of East Kercher Road, west of Horn Ditch, east of and including Supreme Court, containing approximately 34.81 acres, parts of the Southeast Quarter and Southwest Quarter of Section 24, Township 36 North, Range 6 East, Elkhart Township, and zones Industrial M-1 District. Primary approval was granted by the Plan Commission on June 20, 2017.

The subdivision meets the Zoning and Subdivision Ordinance (SO) requirements. Developmental variances, 17-13DV, were granted by the Board of Zoning Appeals on June 27, 2017, to permit Lot 2 with no frontage on a dedicated street and no direct access to a public or approved private street, and to permit Lots 1 and 4 to have a 0' driving aisle setback for shared access.

Additional dedication of right-of-way is provided along Supreme Court, meeting the 60' required for a collector street, and for the required cul-de-sac, and additional dedication of right-of-way is provided along the north side of East Kercher Road, meeting the 80' total required for an arterial street.

Infrastructure improvements are being constructed by the City, through a contractual agreement between Goshen Redevelopment Commission and Supreme, and the payment required by the agreement has been made in lieu of a performance bond/surety. The executed agreement and payment have been received.

Because the area is already developed, an overall subdivision drainage plan is not required.

The plat includes dedication of right-of-way and a number of easements. Two additional easements, required for drainage and access, are being established separate from the subdivision plat, as they are located outside the area to be subdivided.

Dedications and easements are normally accepted by the Board of Works prior to secondary approval, but because of the deadlines related to the construction project, secondary approval was granted by the Plan Commission on March 20, 2018, contingent on required final plat corrections and completion steps, with the final plat accepted by the Board of Works before recording. The corrected plat has been received and completion steps fulfilled.

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—CHANGE ORDER NO. 5 JN: 2015-0051**

Director of Public Works Dustin Sailor requested Board approval for Change Order No. 5, which addresses a safety issue at 711 and 801 W. Plymouth Avenue. Additional concrete will be added to the driveways to address stone washing down onto the new path causing a hazard to the public. The original contract was \$763,296.49. Change Orders 1, 2, 3, and 4 increased the contract by \$50,166.91, and this Change Order increases the contract by \$5,277.50 for a total contract of \$818,740.90.

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

**REQUEST TO APPROVE AGREEMENT—GOSHEN DAM POND DREDGING  
JN: 2012-2028**

Director of Public Works Dustin Sailor requested Board approval for an agreement with Abonmarche Consulting for the Goshen Dam Pond Dredging. The City had entered into a Phase 1 contract with Gro America to obtain permits for the dredging project. In 2017, the City attempted to enter into a Phase 2 contract with Gro America to perform the actual dredging work, but was unable to come to an agreement. In order to put the project back out to bid, the original project specifications need to be updated for mechanical dredging versus hydraulic dredging and the permits need to be updated.

Due to Goshen Engineering's 2018 workload and due to the need to get this project back out to bid as soon as possible, Goshen Engineering would like to retain the assistance of an outside engineering firm. Because there is an open contract with Abonmarche Consulting for inspecting this project once awarded, Goshen Engineering would like to retain Abonmarche Consulting under a contract amendment for an amount not to exceed \$15,500.00 to update the project specifications and permits for this project/

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

**REQUEST TO APPROVE EPA CLOSEOUT**

Brownfield Coordinator Becky Hershberger requested Board approval for an EPA Closeout Agreement. Because all the administrative and substantive requirements of Cooperative Agreement BF-00E00928-2 (the Cooperative Agreement) have been met, the United States Environmental Protection Agency, Region 5 (U.S. EPA) and the City of Goshen wish to close out the Cooperative Agreement. This Closeout Agreement between the U.S. EPA and the City of Goshen concerning Cooperative Agreement BF-00E00928-2 sets forth the terms and conditions which apply to these parties as part of the process of closing out the Cooperative Agreement and for the duration of the effective period of the Closeout Agreement.

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

**REQUEST TO APPROVE WATER TANK INSPECTIONS**

Legal Contracts and Claims Manager Keitha Windsor requested Board approval for water tank inspections. The City wishes to contract with Dixon Engineering, Inc. for water storage tank inspections for the tanks at 2501 Clinton Street and 2109 Caragana Court. Work on the project shall be completed within 90 days from a notice to proceed and the total cost for all work is \$5,000.00.

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

**PUBLIC HEARING ON ORDER OF THE BOARD OF PUBLIC WORKS AND SAFETY:  
311 NORTH NINTH STREET**

City Attorney Larry Barkes asked if anyone was present on behalf of the property. Attorney Ian Flora was the only party present. Due to the fire that occurred and the damage sustained, Mr. Flora did not object to a demolition order for the property.

Board Member Landis moved to order the structure located at 311 North Ninth Street demolished. Second by Board Member Day 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 STORMWATER BOARD:**

**MAYOR JEREMY STUTSMAN** \_\_\_\_\_

**BOARD MEMBER MITCHELL DAY** \_\_\_\_\_

**BOARD MEMBER MICHAEL A. LANDIS** \_\_\_\_\_

**ATTEST** \_\_\_\_\_

**CLERK-TREASURER ANGIE MCKEE**