

**BOARD OF PUBLIC WORKS AND SAFETY AND STORMWATER BOARD
MEETING HELD APRIL 30, 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 April 30, 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, Assistant City Planning and Zoning Administrator, Fire Chief, Assistant Fire Chief, Assistant Building Commissioner, Building Inspectors, Street Commissioner, Contracts and Claims Manager, Legal Compliance Administrator, 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 April 23, 2018 were presented. On motion of Board Member Day and second by Mayor Stutsman, the minutes were approved as presented.

REQUEST TO APPROVE NEW HIRE—FIRE DEPARTMENT

Fire Chief Danny Sink requested Board approval to hire Brant C. Lehman as a probationary firefighter for the Goshen Fire Department.

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

REQUEST TO OPEN PROPOSALS—ICE RINK/MULTI-USE FACILITY

Brownfield Coordinator Becky Hershberger requested Board approval to open proposals. On March 30, 2018, a Request for Proposals was released for architectural and engineering services for the Ice Rink/Multi-Use Pavilion Project proposed for the west side of the Millrace Canal. Proposals have been received and the Board is requested to open the sealed proposals and read aloud the names of the firms that have submitted the proposals. A review committee has been established and a recommendation on award will be made to the Goshen Redevelopment Commission on May 23, 2018. The following firms have submitted proposals:

- JRP
- American Structurepoint
- CSO Architects
- KIL Architecture/Planning
- Design Collaborative
- Cripe

Mayor Stutsman moved to refer the proposals to Redevelopment for review and recommendation. Second by Board Member Landis and motion passed unanimously.

**REQUEST TO AWARD BIDS—ROOF REPLACEMENT AT
308 NORTH FIFTH STREET**

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to award a bid. On April 2, 2018, the Board of Public Works and Safety opened quotes for the roof replacement at 308 North Fifth Street. It is recommended that the Board of Public Works and Safety award the contract to Borntreger Enterprises, Inc. as the lowest responsible and responsive quoter.

The City negotiated with Borntreger Enterprises, Inc. for additional work to include the total roof replacement of the approximately 26' x 15' rood on building #1 at 308 North Fifth Street making the total contract price \$136,790.00 plus the cost of any decking replacement at a rate of \$3.75 per square foot.

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

REQUEST TO APPROVE ALLEY CLOSURE FOR FIRST FRIDAYS--VENTURI

Mr. Justin Venturi requested Board approval to close the alley between 115 and 119 East Lincoln Avenue during First Friday events for 2018. The alley would be closed from 4:30 p.m. until 10:00 p.m. Neighboring businesses have been contacted and there were no objections.

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

REQUEST TO APPROVE TEMPORARY FENCING FOR FIRST FRIDAYS--VENTURI

Mr. Justin Venturi requested Board approval to install temporary fencing along the outdoor seating area for First Friday events for years 2018, 2019, 2020, and 2021. Space will be left for pedestrian traffic and "NO BICYCLES ALLOWED" signs would be placed to deter bicycle traffic in pedestrian walkways.

Temporary fencing would only be allowed one year at a time, beginning with 2018.

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

REQUEST TO APPROVE DUMPSTER PLACEMENT—LACASA HELP-A-HOUSE

Mr. Aaron Lehman requested Board approval to place a dumpster in the public right-of-way at 1008 South Seventh Street. The driveway is cracked and there is concern for further damage due to the weight of the dumpster.

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

REQUEST TO APPROVE ALLEY CLOSURE—LACASA HELP-A-HOUSE

Mr. Aaron Lehman requested Board approval to close the alley between South Seventh Street and South Cottage Avenue to allow for exterior painting at 513 South Cottage Avenue.

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

REQUEST TO APPROVE LOADING ZONE SIGN JN: 2018-0007

Director of Public Works Dustin Sailor requested Board approval to install a loading zone sign. The Engineering Department presented the request to install a “15 MINUTE LOADING ZONE” sign to help accommodate the traffic going to and from ADEC on Lincoln Avenue. This item was approved by the Traffic Commission.

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

REQUEST TO MOVE HANDICAP ACCESSIBLE SIGNAGE LOT J JN: 2018-0007

Director of Public Works Dustin Sailor requested Board approval to relocate handicap accessible parking signage to the west side of Parking Lot J. The number of spots will not change. The Street Department will need to relocate the signs and restripe the row of parking. This item was approved by the Traffic Commission.

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

REQUEST TO APPROVE LANE RESTRICTION JN:2012-0016

Director of Public Works Dustin Sailor requested Board approval for a lane restriction. On Tuesday, May 1, 2018, NIPSCO will be installing underground fiber and will need to pothole some locations in the intersection of Dierdorff and Kercher Roads to make sure where the gas line is. In order to do so, they will need to work in the intersection and will need to shift southbound traffic into the turn lane. Once they find the gas line, they will fill the patch and restore traffic.

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

REQUEST TO APPROVE ROAD CLOSURE JN: 2016-0017

Director of Public Works Dustin Sailor requested Board approval for a road closure. Niblock Excavating, Inc. has requested permission to close both lanes on Supreme Court from Kercher Road to the north in order to install a new storm system, new concrete curb, and pavement. A business access detour will be clearly marked with signs directing traffic to an existing drive approach on US Highway 33, which leads to Supreme Court. Horse and buggies that use the Walmart Trail will need to venture along US Highway 33 to access the bordering businesses. The full closure will begin Monday, May 14, 2018 and be substantially completed by July 27, 2018.

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

REQUEST TO APPROVE PATIO—MAPLE CITY MARKET

Civil Traffic Engineer Leslie Biek requested Board approval for an outdoor patio. Maple City Market would like permission to install a patio in front of their business at 314 South Main Street. They will be placing a fence 10 feet away from the curb allowing a minimum of 4 feet accessible route for pedestrians. If approved, they will need to obtain a permit from INDOT as Main Street is still in their jurisdiction.

The fencing must be removable to keep in line with previous fencing requests.

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

**REQUEST TO APPROVE QUOTES AND INTEREST RATE FOR YEAR 2018
SIDEWALK AND CURB 50/50 PROGRAM**

Civil Traffic Engineer Leslie Biek requested Board approval to request quotes for the 2018 Sidewalk and Curb 50/50 Program. The Engineering Department also requests that an interest rate be established for the period up to default and after default, should default occur. The interest rate for the 2017 Sidewalk Program was 3% per annum until default, and then 12% after default.

The interest rate for the 2018 Sidewalk and Curb Program shall be 3% per annum until default, and then 12% after default.

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

REQUEST FOR AGREEMENT AMENDMENT—ELMER'S BODY SHOP

Legal Contracts and Claims Manager Keitha Windsor requested Board approval for an agreement amendment. On March 12, 2018, the Board of Public Works and Safety approved an agreement with Elmer's Body Shop, Inc. for repairs and repaint on the Goshen Fire Department's Rescue #1 vehicle for an amount not to exceed \$16,501.85. When Elmer's Body Shop, Inc. took the vehicle apart they discovered more damage and met with the City to review the additional work. The amended scope of work totals \$9,514.79 for a total contract price of \$26,016.64.

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

**REQUEST TO APPROVE FIRE DEPARTMENT EMPLOYMENT AGREEMENT
AMENDMENTS**

Legal Compliance Administrator Shannon Marks requested Board approval to amendments to the Paramedic Agreement. The City entered into agreements with the employees listed below which included prerequisites to beginning employment with the Fire Department and agreeing to

complete paramedic training and serve as a paramedic as a condition of employment. The City and Goshen Firefighters Association negotiated new terms applicable to paramedics, and the City agreed to extend the new terms to employees hired on or after November 27, 2017.

As a condition of employment, the employees shall attend and successfully complete a paramedic training course and obtain an Indiana paramedic certification/license. The City will pay for the training and for the employee's time spent in training. If the employee leaves employment before becoming certified/licensed, he agrees to repay the City's actual cost for him to attend the paramedic training course, but not to exceed \$15,000.00. If the employee does not serve as an active paramedic for at least three full years, he agrees to repay the City a prorated portion of the \$15,000.00 for the paramedic training course.

It is recommended that the Board of Public Works and Safety approve and execute the agreements with the following employees based on the new terms:

<u>Employee</u>	<u>Original Agreement Date</u>	<u>Hire Date</u>
Devan A. Garcia	September 25, 2017	November 28, 2017
Joshua N. Ortiz	December 4, 2017	February 6, 2018
Ryan E. Ule	December 4, 2017	February 6, 2018

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:
602 NORTH FIFTH STREET

Mr. Ron Davidhizer was present on behalf of the property. Building Inspector Travis Eash inspected the property on April 30, 2018. The structure appeared to be used as storage for other rental properties. Some repairs were made, but none of the following violations had been completely repaired:

1. Roof leak has caused areas of the mail level ceiling to collapse allowing rain, snow, and rodents to enter the structure.
2. Chimney has begun to deteriorate and areas of brick are coming loose, risk of collapse.
3. Wood has begun to bow at the repair of the basement foundation.
4. Cracked and broken windows are allowing weather and rodents to enter the structure.
5. Multiple areas on the walls, ceilings, and door trim have chipping paint (due to age could be lead based paint).
6. Torn flooring causing a trip hazard and may contain asbestos.
7. Exposed, loose, and hanging electrical wiring.
8. Damaged and missing furnace-venting.

Mr. Davidhizer stipulated that not all of the repairs had been completed, but argued that it was difficult to make the required repairs in a timely manner due to the other properties currently in violation that he is making repairs to.

Mayor Stutsman moved to find items 1-8 not in compliance. Second by Board Member Landis and motion passed unanimously.

Board Member Landis moved that items 2, 3, 5, and 7 made the structure unsafe. Second by Board Member Day and motion passed unanimously.

Mayor Stutsman moved to refer the property to the Legal Department for litigation. Second by Board Member Landis and motion passed unanimously.

PUBLIC HEARING ON ORDER OF THE BOARD OF PUBLIC WORKS AND SAFETY:
804 SOUTH SIXTH STREET

Lake City Bank Vice-President Candy Little was present on behalf of the property. Building Inspector Travis Eash inspected the property on April 30, 2018 but was unable to inspect the interior. The property did not show signs of any improvements. Ms. Little reported difficulty contacting the property owner and that Lake City Bank is in the process of getting a court order to allow them emergency access to the property. Ms. Little informed the Board that once the bank has access, they intend to start making repairs to the property.

Mayor Stutsman moved to postpone until July 30, 2018 in order to allow time for the bank's court proceedings to take place. Second by Board Member Landis and motion passed unanimously.

PUBLIC HEARING ON ORDER OF THE BOARD OF PUBLIC WORKS AND SAFETY:
513 NORTH FIFTH STREET

Mr. Ron Davidhizer was present on behalf of the property. Building Inspector Travis Eash inspected the property on April 30, 2018. The structure appeared to be used as storage for other rental properties. Some repairs were made, but none of the following violations had been completely repaired:

1. Electrical panel needs a cover and all electrical wiring and fixtures need secured.
2. Areas around the house have open masonry joints and cracks.
3. Missing and damaged siding on garage.
4. Multiple areas throughout the structure have chipping paint.

Mr. Davidhizer stipulated that not all of the repairs had been completed, but argued that it was difficult to make the required repairs in a timely manner due to the other properties currently in violation that he is making repairs to.

Mayor Stutsman moved to find items 1-4 not in compliance. Second by Board Member Landis and motion passed unanimously.

Mayor Stutsman moved to allow a 30 day extension, in which 100% of the stated repairs needed to be completed to City Code. If the repairs are not 100% completed within that time frame, the Legal Department is authorized to begin litigation. 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 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