

**BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD
MEETING HELD JULY 20, 2015 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 July 20, 2015, at 2:00 P.M. for their weekly Board meeting. Mayor Kauffman was the presiding officer with members of the Board present or absent as follows:

PRESENT: Mayor Kauffman, Board Member Day, Board Member Landis

ABSENT:

OTHERS: Clerk-Treasurer Office Assistants, City Attorney, City Planner, Fire Chief, Assistant Police Chief Miller, Building Inspector Haney, Street Commissioner, Assistant Street Commissioner, Legal Contracts and Claims Manager, Mayor's Administrative Assistant Lung, Park & Recreation Coordinator, Superintendent of Water and Sewer, Utilities 2nd Deputy, Administrative Utilities Engineer, Administrative City Engineer, Central Garage Fleet Manager.

**OPEN BIDS FOR THE 14TH STREET MICRO-SURFACING PROJECT – PROJECT
NO. 2015-0038**

Mayor Kauffman opened the following bids:

Pavement Solutions:	<u>Item #1</u>	<u>Item #2</u>
	\$2,000.00	\$42,350.00

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

**OPEN BIDS FOR THE MURRAY STREET BRIDGE ABUTMENT REPAIRS –
PROJECT NO. 2010-0007**

Mayor Kauffman opened the following bids:

Northern Indiana Construction Company: \$126,394.00

LaPorte Construction: \$248,535.00

Mayor Kauffman moved to refer the bid to the Engineering Department for review and recommendation. Second by Board Member Landis and motion passed unanimously.

ROAD SALT PURCHASE – INFORMATION ONLY

Legal Contracts and Claims Manager Keitha Windsor stated to Board Members that in March, the Board gave permission to enter the City's requirements onto the State's website for the purchase of road salt to be bid out by the State in a QPA. The City has been informed that our contract for 1600 tons of untreated road salt was awarded to Detroit Salt at \$72.31 per ton.

2014/2015 price: \$99.07

2013/2014 price: \$61.43
2012/2013 price: \$62.71

REQUEST TO APPROVE 5TH STREET RAILROAD CLOSURE

Mayor Kauffman asked if anyone else would like to speak on the 5th Street Railroad Closure. Mayor Kauffman asked the Board Members if they would like to speak on closing the 5th Street railroad. Board Member Landis stated he has talked with residents in Goshen about the closure and the biggest concern was the pedestrian/bicycle routes. Board Member Landis was in agreement to close the 5th Street Railroad Crossing. Mayor Kauffman also agreed with the closure of the 5th Street Railroad Crossing.

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

REQUEST TO APPROVE THE HIRING OF A. ROSALES, D. DAESCHLER, K. KREAGER AND S. JOHNSON AS GOSHEN POLICE RESERVE PATROL OFFICERS

Assistant Police Chief Jose Miller requested Board approval for the hiring of Alexandro Rosales, Donald J. Daeschler, Kristopher R. J. Kreager and Sammy A. Johnson as Goshen Police Reserve Patrol Officers. It is requested for the hiring to be effective today, July 20th, 2015.

Mayor Kauffman swore in Donald J. Daeschler, Kristopher R. J. Kreager and Sammy A. Johnson as Goshen Police Reserve Patrol Officers. Alexandro Rosales was not present to be sworn in.

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

REQUEST FOR RELIEF FROM SEWER CHARGES FOR 521 SOUTH MAIN STREET

Owner of 521 South Main Street Ron Davidhizar requested Board approval for relief of sewer charges at the address mentioned. Mr. Davidhizar stated there was a water line break which he had repaired that caused the extreme usage on the bill. Mr. Davidhizar further stated the Water and Sewer Department did come out to verify that the water did not go down the sewer on March 20th, 2015, and he is requesting relief in the amount of \$450.00. Superintendent of Water and Sewer Kent Holdren stated the billing has calculated the amount for the sewer portion of the billing at \$264.47.

Board Member Landis moved to approve the request for relief of the sewer portion of the billing in the amount of \$264.47 or by other calculation of the Utility Department. Second by Board Member Day and motion passed unanimously.

REQUEST TO APPROVE CLOSURE OF THE 1800 BLOCK OF SOUTH 13TH STREET FOR COLLEGE FARM NEIGHBORHOOD PARTY

Chet Peachey on behalf of the College Farm Neighborhood requested Board approval to have a block party and to have the 1800 block of South 13th Street closed between Mervin Avenue and Leroy Street on Saturday, August 1st, 2015 from 3:00 pm to 9:00 pm.

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

**REQUEST TO APPROVE CLOSURE OF ALLEYWAY BEHIND
BETTER WORLD BOOKS STORE**

Rick Neubert on behalf of Better World Books requested Board approval to close the alleyway between their store at 215 South Main, and Constant Spring at 219 South Main, starting at 3:00 pm on Friday, August 14th, through the end of the day on Saturday, August 15th, 2015. Better World Books will be having their annual “Box Sale” event that will be for teachers and other customers who are interested in used children’s books. They staged the sale last year and the alleyway was also closed at that time. They expect several hundred customers from through Elkhart and St. Joseph Counties to take part in the sale. They also have obtained approval from the owner of Constant Spring.

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

REQUEST TO APPROVE MECHANICAL LICENSE FOR T. ROBINSON

Building Inspector Gary Haney requested Board approval to issue a Mechanical License for Timothy E. Robinson of Wood Air Conditioning, Inc., located at 1164 US Highway 67 East, Mt. Pleasant, Texas 75455. Mr. Robinson has met the requirements for a City of Goshen Mechanical License. He achieved a score of 76% on the Master Unlimited Air Conditioning exam.

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

REQUEST TO APPROVE ELECTRICAL LICENSE FOR R. KISTLER

Building Inspector Gary Haney requested Board approval to issue an Electrical License for Robert M. Kistler, of Rizor-K Electric, Inc., located at 4924 East 23rd Street, Suite F, Indianapolis, IN, 46218. Mr. Kistler has met the requirements for a City of Goshen Electrical license. He achieved a score of 87.4% on the Master Electrical exam.

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

**REQUEST TO APPROVE ACCEPTANCE OF PLAT FOR CO-HOUSING ON THE
GOSHEN MILLRACE SUBDIVISION, LOTS 1 THROUGH 15**

City Planner Rhonda Yoder requested Board approval for the Acceptance of Plat for Co-Housing on the Goshen Millrace Subdivision, Lots 1 through 15. The Plan Commission at their meeting of July 21st, 2015, is scheduled to review secondary approval for a 15-lot major residential subdivision, Co-Housing on the Goshen Millrace R-2 PUD. The subject property is Lot 2 of River Race Subdivision, generally located north of Douglas Street, south of Purl Street, between River Race Drive and the Millrace Canal, and zoned Residential R-2 PUD (Planned Unit Development).

The proposed subdivision will create 15 single family residential lots and common space, with 13 lots for detached single family use and two lots for attached single family use. The common space will be for shared use by all property owners.

Millrace Neighborhood, LLC, has entered into an agreement with Goshen Redevelopment Commission to purchase the subject property. Because Millrace Neighborhood, LLC, is not yet the legal owner, but an equitable owner, the typical plat language has been modified so the plat can be accepted, approved and recorded before the transfer of ownership.

Lots as proposed meet the Co-Housing PUD requirements, including Lot 12 which was permitted through PUD final site plan approval with a lot area of 3,680 SF.

Per SO Sections 512 and 812, an overall subdivision drainage plan shall be prepared and certified by a registered engineer or registered land surveyor, submitted to the City Engineer, and approved by the Board of Works before construction begins and secondary approval is granted.

Infrastructure improvements are being constructed by the City, through an agreement with Goshen Redevelopment Commission, so construction drawings, utility plans and a performance bond are not required. The plat does not include dedication of right of way, as right of way was dedicated through River Race Subdivision and is not changing. The plat includes a number of easements.

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

**REQUEST TO APPROVE ACCEPTANCE OF PLAT FOR
MEIJER SUBDIVISION, LOTS 1 AND 2**

City Planner Rhonda Yoder requested Board approval for Acceptance of Plat for Meijer Subdivision, Lots 1 and 2. The Plan Commission at their meeting of July 21, 2015, is scheduled to review secondary approval for a two-lot, major commercial subdivision, Meijer Subdivision. The subject property is generally located at 4522 Elkhart Road and is zoned Commercial B-3 PUD (Planned Unit Development).

The subdivision establishes two lots, with Lot 1 the existing Meijer store and parking lot, and Lot 2 for development with a Taco Bell drive-through restaurant. Lots as proposed meet the Meijer PUD and B-3 requirements.

In lieu of an overall subdivision drainage plan, each lot will be required to submit a drainage plan and post-construction plan, as applicable, for approval by Goshen Engineering before a zoning clearance form is signed.

The required center median barrier on Ferndale Road and the required sidewalk along Elkhart Road will be constructed as part of a City of Goshen project, through a legal agreement between the City, Meijer Stores Limited Partnership, and Taco Bell of America, LLC. Because infrastructure improvements are being constructed as part of a City project, a performance bond

will not need be filed with and approved by the City Engineer and the Board of Public Works and Safety. The developer's obligation will be included in the legal agreement.

The plat includes dedication of additional right of way along Ferndale Road, for a total of 40' from the centerline, meeting the arterial road requirement. The plat includes a number of easements, including an easement to be vacated.

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

**REQUEST TO APPROVE ACCEPTANCE OF PLAT FOR WESTORIA SEVENTH
SUBDIVISION, LOTS 1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B AND 5A**

City Planner Rhonda Yoder requested Board approval for Acceptance of Plat for Westoria Seventh Subdivision, Lots 1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B and 5A. The Plan Commission at their meeting of July 21st, 2015, is scheduled to review secondary approval for a nine-lot, major residential subdivision, Westoria Seventh PUD, a replat of Lots 1-5 of Westoria PUD. The subject property is generally located on the east side of Winslow Drive, south of Westoria Drive and is zoned Residential R-2 PUD (Planned Unit Development).

The Westoria PUD was established in August 2006 by Ordinance 4372. Portions of the PUD are located in Goshen city limits, and the portion that is not yet annexed is under the jurisdiction of the City of Goshen, subject to an Agreement in Lieu of Annexation, executed March 13, 2006.

Westoria Seventh PUD is a nine-lot major residential subdivision, creating nine lots for detached single family homes, a replat of five existing lots which were platted for the development of ten single family attached units. The five existing lots are Lots 1-5 of Westoria PUD, the first section of the overall Westoria development.

The infrastructure (roadway, water, sewer, drainage) for Westoria Seventh was constructed as part of the first subdivision section, Westoria PUD, and the replat will not affect the existing infrastructure or require changes. The only required modification is the addition of a utility easement on Lot 2B to serve Lot 3A, based on the Asbuilt drawing submitted with the subdivision application and reviewed by Goshen Utilities. No new construction or utility plans are required since these were previously submitted for Lots 1-5.

Because this section was included in the previously approved overall subdivision drainage plan, and the replat will not affect the drainage plan, no new drainage plan is required. Lots as proposed meet the Westoria PUD and R-2 requirements. The plat does not include dedication of right of way, as right of way was previously dedicated and is not changing. The plat includes a number of easements.

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

REQUEST FOR ACCEPTANCE OF EASEMENT FROM JON CUTRELL

City Attorney Larry Barkes requested Board Acceptance of Easement from Jon Cutrell. The City will be installing a water main on the south side of State Road 119/Plymouth Avenue. In addition, there is currently a pedestrian/bicycle path located along the south side of State Road 119/Plymouth Avenue. It is recommended that the Board of Public Works and Safety accept the attached Easement from Jon Cutrell for public utilities and for public pedestrian/bicycle trail purposes upon the real estate at 20622 State Road 119, and authorize Mayor Kauffman to execute the Acceptance on behalf of the City.

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

**REQUEST TO APPROVE AGREEMENT AMENDMENT WITH
OJS BUILDING SERVICES, INC.**

Legal Contracts and Claims Manager Keitha Windsor requested Board approval of an Agreement Amendment with OJS Building Services, Inc. The City entered into an agreement with OJS Building Services, Inc. dated September 1st, 2014 to provide a maintenance service program for the Goshen Police Department building's environmental mechanical system. The agreement also included repairs to the system, the provisions and/or installation of parts, and service calls that are not part of the maintenance service program. The City wishes to contract with OJS Building Services, Inc. to repair the air conditioning chiller on the roof of the Police building that is leaking and not working properly. The work shall not exceed \$6,839.00 and shall be completed within thirty calendar days from receipt of a notice to proceed.

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

**REQUEST TO APPROVE SIDEWALK 50/50 PROGRAM – JN: 2015-0001
AGREEMENT WITH THE ABBOTTS – 435 & 437 NORTH 9TH STREET**

Administrative Utilities Engineer Dustin Sailor requested Board approval of a Sidewalk 50/50 Program Agreement with Mable & Ray Abbott to replace the sidewalk at 435 & 437 North 9th Street. The total cost is \$1,013.00, so the City's portion would be \$506.50. The Abbotts have already submitted their payment of \$506.50.

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

**REQUEST TO APPROVE US NORTH CONNECTOR – INDOT UTILITY
AGREEMENT FOR 5TH STREET UTILITY RELOCATION – JN:2011-0041**

Administrative Utilities Engineer Dustin Sailor requested Board approval of a Revised Agreement with INDOT for the US 33 North Connector Utility Agreement for 5th Street Utility Relocation project. The agreement with INDOT was approved by the Board of Works on April 20th, 2015. The agreement is for the reimbursement amount of \$87,000.00 for the construction of the new water main on 5th Street at Pike Street. INDOT submitted a modification on page 2 of the agreement and requested the City review with the Mayor's initials next to the modifications, which was done on July 16th, 2015.

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

REQUEST TO APPROVE AGREEMENT FOR THE 5TH STREET RECONSTRUCTION FROM CLINTON STREET TO ROCK RUN CREEK

Administrative Utilities Engineer Dustin Sailor requested Board approval of an Agreement between Norfolk Southern Railroad and the City of Goshen for the water main bore and jack at the 5th Street crossing. This agreement incorporates a \$1,000.00 Risk & Financing Fee and a Certificate of Insurance from the City.

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

REQUEST TO APPROVE MAYOR'S TRAFFIC COMMISSION: COLONIAL MANOR SUBDIVISION

Administrative Utilities Engineer Dustin Sailor requested Board approval of the following recommendation from the Mayor's Traffic Commission:

Colonial Manor Subdivision – No Parking on one side of the Street

The Engineering Department presents the request to install "No Parking" signs on one side of the street in the Colonial Manor Subdivision. It is being proposed that the signs be installed on the same side of the street as fire hydrants. The request for signage was made by a resident in the neighborhood. It is being recommended that this item is held for 1 week for public comment and will be re-presented to the Board on July 27th, 2015 for a final recommendation.

Mayor Kauffman stated that the Board will give two weeks to give notice to the neighborhood and to get opinions from the residents in the neighborhood.

REQUEST TO APPROVE MAYOR'S TRAFFIC COMMISSION: DYKSTRA PARK

Administrative Utilities Engineer Dustin Sailor requested Board approval of the following recommendation from the Mayor's Traffic Commission:

Dykstra Park Children at Play Sign

The Engineering Department presents the request to install two "Children at Play" signs on 21st Street near Dykstra Park. The request came from a resident in the area. The final sign location will be at the discretion of the Street Department.

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

REQUEST TO APPROVE MAYOR'S TRAFFIC COMMISSION: GOSHEN COMMUNITY SCHOOLS

Administrative Utilities Engineer Dustin Sailor requested Board approval of the following recommendation from the Mayor's Traffic Commission:

Goshen Community Schools Administration Building Speed Bump Installation

The Engineering Department presents the request to install two speed bumps at the school's expense and under the direction of the City Engineering Department in the north/south alley at 613 East Purl Street. The request is to install the speed bumps in the alley to the north and south of the side entrance of the Administration Building.

Street Commissioner Denny Long stated that the speed bumps will have to be removed in the winter by the school so the plows can get through the alley as they will damage the plows.

Board Member Landis moved to approve the request on condition that the school will remove the speed bumps so that the Street Department can plow the alley. Second by Board Member Day and motion passed unanimously.

REQUEST TO APPROVE MAYOR'S TRAFFIC COMMISSION:
219 WEST LINCOLN AVENUE

Administrative Utilities Engineer Dustin Sailor requested Board approval of the following recommendation from the Mayor's Traffic Commission:

219 West Lincoln Avenue – 15 Minute Parking Signs

The Engineering Department presents the request to remove the 15 minute parking signs at 219 West Lincoln Avenue. The signs were installed for Best Dry Cleaner's which is no longer in business.

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

REQUEST TO APPROVE MAYOR'S TRAFFIC COMMISSION:
PINE MANOR SUBDIVISION

Administrative Utilities Engineer Dustin Sailor requested Board approval of the following recommendation from the Mayor's Traffic Commission:

Pine Manor Subdivision Stop Sign Installation

The Engineering Department presents the request to install Stop Signs in place of yield signs in the Pine Manor Subdivision. The request would affect the current yield signs for east and west bound traffic on Noelwood Drive and Bayberry Drive intersecting with Pine Manor Drive. The request was made to the Traffic Commission by a resident in the neighborhood.

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

REQUEST TO APPROVE MAYOR'S TRAFFIC COMMISSION:
KENTFIELD WAY AND WINSTED DRIVE

Administrative Utilities Engineer Dustin Sailor requested Board approval of the following recommendation from the Mayor's Traffic Commission:

Kentfield Way and Winsted Drive Stop Sign Installation

The Engineering Department presents the request to install Stop Signs in place of yield signs on the east and west bound approaches of Kentfield Way on Winsted Drive. The request was made to the Traffic Commission by a Homeowners Association.

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

PRIVILEGE OF THE FLOOR

Superintendent of Water and Sewer Kent Holdren stated to Board Members that the Goshen Water and Sewer Department is requesting permission to close the intersection of South 8th Street and East Jackson Street from 7:00 am on Tuesday, July 21st, 2015 to 5:00 pm Thursday July 23rd, 2015. The Water Department will be replacing and relocating a fire hydrant that is leaking and unrepairable. Road closure signs will be placed 1 block in each direction to allow traffic ample notice to take an alternate route.

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

There being no further business Mayor Kauffman 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 ALLAN KAUFFMAN _____

BOARD MEMBER MITCHELL DAY _____

BOARD MEMBER MICHAEL A. LANDIS _____

ATTEST _____
CLERK-TREASURER TINA M. BONTRAGER