

**BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD
MEETING HELD MARCH 17, 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 March 17, 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 Stegelmann

ABSENT: Board Member Landis

OTHERS: Clerk-Treasurer Office Assistants, City Attorney, Fire Chief, Police Chief, Assistant Police Chief Miller, Building Inspectors Vargas & Haney, Street Commissioner, Assistant Street Commissioner, Legal Contracts and Claims Manager, Legal Compliance Administrator, Mayor's Administrative Assistant Lung, Superintendent of Waste Water, Superintendent of Water and Sewer, Utilities 1st Deputy, Administrative Utilities Engineer, Wastewater Maintenance Technician, Central Garage Fleet Manager.

Minutes of the meeting of January 26th, February 2nd and February 9th, 2015 were presented. On motion of Mayor Kauffman and second by Board Member Stegelmann, the minutes were approved as presented.

REQUEST FOR RELIEF OF SEWER CHARGES AT 522 RIVER AVENUE

Owner Orvilla Cardoza of 522 River Avenue requested Board approval for relief of sewer charges. Ms. Cardoza stated that around February 16th – 20th, 2015 there was a water leak at her residence at 522 River Avenue, the house was unoccupied at the time and she was not aware of the leak until notified by the City Utility Department. The leak was caused by a broken pipe in the attic and the water did not go into the sewer. She is asking for a credit of \$1,115.12. The Goshen Water and Sewer Department had determined that the request for sewer relief for 522 River Avenue is valid and is recommending that based on the calculations from the billing office the relief for the sewer portion should be \$1,099.22.

Mayor Kauffman moved to approve the request in the amount of \$1,099.22. Second by Board Member Stegelmann and motion passed unanimously.

REQUEST FOR RELIEF OF SEWER CHARGES AT 213 MIDDLEBURY STREET

Penny Yarman on behalf of Maple City Health Care Center requested Board approval for relief of sewer charges at 213 Middlebury Street. Ms. Yarman stated that on January 12th, 2015 they discovered an inch of water on the floor of two offices at Maple City Health Care Center and the 315 sq. ft. basement filled with 5 ft. of water. They had the City come and shut off the water to the building as the main water shut off was in the basement. They hired ProService, Inc. from Bristol to pump out the basement at which point they were able to locate the source of water as a broken water line to an outside faucet. They cut the line and capped it so they could turn the water back on and continue to see patients. Ms. Yarman stated that Maple City Health Care Center is asking for a credit of \$134.40. The Goshen Water and Sewer Department had

determined that the request for sewer relief for 213 Middlebury Street is valid and is recommending that based on the calculations from the billing office the relief for the sewer portion should be \$135.31.

Mayor Kauffman moved to approve the request in the amount of \$135.31. Second by Board Member Stegelmann and motion passed unanimously.

**REQUEST TO APPROVE USING THE POWERHOUSE PARKING LOT FOR
INTERRA CREDIT UNION “SHRED-IT” DAYS**

Karen Steffensen requested Board approval for the use of the Powerhouse parking lot for Interra Credit Union’s “Shred-It” Days for Friday, May 15th, 2015 from 7:30 am to 4:30 pm and on Saturday May 16th, 2015 from 7:30 am to 12:00 pm. Ms. Steffensen stated this event has been going on for the past few years and no changes have been made. Shred-It Days is a popular event for Interra members and is:

- To encourage Id theft prevention and recycling, Interra brings in Mountain High Shredding with their mobile truck/shredder
- Because it is a popular event, several cars are often in line to drop off their shredding materials
- Interra staff members are on hand – unloading, weighing, etc
- Interra pays for the first 50 pounds, with a nominal fee charged thereafter
- There will be directional signage to ensure orderly entrance into and exit from the parking lot
- The Powerhouse lot will enable us to move the traffic away from the more congested area
- As an example of the popularity, the total in 2014 was 21,382 pounds, as compared to 18,925 pounds in 2013

Mayor Kauffman moved to approve the request. Second by Board Member Stegelmann and motion passed unanimously.

**REQUEST TO APPROVE RESIGNATION OF PROBATIONARY PATROL OFFICER
ALEXANDRO ROSALES**

Police Chief Wade Branson requested Board approval to accept the resignation of Probationary Patrol Officer Alexandro Rosales retroactive Friday, March 13th, 2015.

Mayor Kauffman moved to approve the request. Second by Board Member Stegelmann and motion passed unanimously.

REQUEST TO APPROVE THE 2015 MEMORIAL DAY PARADE ROUTE

Fire Chief Danny Sink on behalf of the VFW and the DAV, requested Board approval for the annual Memorial Day Parade on Monday, May 25th, 2015. The planned parade route will be the usual; starting on Jefferson at the Police Department – Main Street – Pike Street – North First Street – to Oakridge Cemetery. It is also requested to close Jefferson Street in front of the Goshen Police Department and the 300 block of South 5th Street for parade staging.

Mayor Kauffman moved to approve the request. Second by Board Member Stegelmann and motion passed unanimously.

REQUEST TO APPROVE ELECTRICAL LICENSE FOR M. SMITH

Building Inspector Gary Haney requested Board approval to issue an Electrical License for Michael C. Smith, of MCS Electric located at 8 Wood Court, Hebron, IN 46341. He has met the requirements for a City of Goshen Electrical license. He achieved a score of 86% on the Master Electrical exam.

Mayor Kauffman moved to approve the request. Second by Board Member Stegelmann and motion passed unanimously.

REQUEST TO APPROVE RESOLUTION 2015-D: APPROVING AND AUTHORIZING EXECUTION OF THE SERVICE DELIVERY AGREEMENT BETWEEN COUNTY OF ELKHART AND GOSHEN POLICE DEPARTMENT FOR THE 2015 ELKHART COUNTY DRUG-FREE COMMUNITY FUND

Legal Compliance Administrator Shannon Marks requested Board approval for Resolution 2015-D – Approving and Authorizing Execution of the Service Delivery Agreement between County of Elkhart and Goshen Police Department for the 2015 Elkhart County Drug-Free Community Fund. The Goshen Police Department made applications to and was awarded grant funding from the Elkhart County Drug-Free Partnership for the purchase of a K-9. Be it resolved by the Board of Public Works and Safety that:

1. The terms and conditions of the Service Delivery Agreement between County of Elkhart and Goshen Police Department for the 2015 Elkhart County Drug-Free Community Fund attached to and made a part of this resolution are approved.
2. Mayor Allan Kauffman is authorized to execute the agreement on behalf of the City of Goshen and the Goshen Police Department.

Mayor Kauffman moved to approve the request. Second by Board Member Stegelmann and motion passed unanimously.

REQUEST TO APPROVE RESOLUTION TO DECLARE SURPLUS AND APPROVAL OF DISPOSAL SURPLUS PROPERTY

Legal Contracts and Claims Manager Keitha Windsor requested Board approval for the Resolution to Declare Surplus and Approval of Disposal of Surplus Property. The City's Police Department wishes to have a 2004 Harley Davidson FLHT motorcycle VIN # 1HD1FMW164Y618987 declared as surplus property and wishes to dispose of the surplus property in accordance with IC 5-22-22. The Board of Public Works and Safety is requested to:

1. Declare the above equipment as surplus property; and
2. Resolve to dispose of the surplus property in accordance with IC 5-22-22

Mayor Kauffman moved to approve the request. Second by Board Member Stegelmann and motion passed unanimously.

REQUEST TO APPROVE AGREEMENT WITH KINDIG & SLOAT, PC.

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to enter into an agreement with Kindig & Sloat, PC. The City needs legal counsel for a petition at the March 24th, 2015 Board of Zoning Appeals (BZA) because the City's legal counsel is an adjacent property owner and cannot represent the City for this case. The City wishes to contract with Kindig & Sloat, PC. To provide professional legal services for the petition of a developmental variance for being brought to the City's BZA. Work on the project shall be completed after the variance has been granted or denied. Total cost for all work shall not exceed \$1,600.00.

Mayor Kauffman moved to approve the request. Second by Board Member Stegelmann and motion passed unanimously.

REQUEST TO APPROVE OCCUPANCY PERMIT AGREEMENT WITH GOSHEN IN (2482 CENTURY) LLC

Legal Compliance Administrator Shannon Marks requested Board approval and authorization for Mayor Kauffman to execute is an Occupancy Permit Agreement with Goshen IN (2482 Century) LLC. Under this agreement, the City agrees to issue a certificate of occupancy for the new building constructed at 2482 Century Drive once all requirements of the building code have been met and upon the property owner's delivery to the City the executed agreement and surety in the amount of \$70,000.00. The surety is to insure the timely completion of the yard stabilization landscaping, removal of the concrete apron at existing entrance and installation of curb at Century Drive, and completion of asphalt parking lot to complete compliance with the City's Stormwater construction ordinance. All work must be completed by June 30, 2015.

Mayor Kauffman moved to approve the request. Second by Board Member Stegelmann and motion passed unanimously.

REQUEST TO APPROVE LIFTING FREEZE WARNING TO CUSTOMERS AND GIVE RELIEF FOR PORTION OF WATER & SEWER BILLS

Water & Sewer Superintendent Kent Holdren requested Board approval to lift the freeze warning to customers and give relief for portion of water and sewer bills. The City of Goshen Water Department has determined the frost line has risen to a height that is no longer a threat to the previously identified services that are prone to freezing. Therefore, the Water Department is asking the Board's permission to lift the freeze warning to these customers and give relief for a portion of their Water and Sewer bill, based on their average consumption for the period from March 3rd, 2015 to March 17th, 2015.

Mayor Kauffman moved to approve the request. Second by Board Member Stegelmann and motion passed unanimously.

PRIVILEGE OF THE FLOOR

Fire Chief Danny Sink stated to the Board that March 15th thru the 21st is severe weather preparedness week in Indiana and the annual statewide tornado test will be this Thursday, March 19th from 10:00 to 10:30 am and then again from 7:00 to 7:30 pm.

Mayor Kauffman stated the Board met in an Executive Session on Friday, March 13th, 2015 to discuss the disciplinary action in the Police Department. He wanted to emphasize that the Board did not make a decision in the Executive Session and in fact cannot make a decision in an Executive Session. They will continue the discussion when all three Board Members are here next Monday at the regular Board of Works and Safety meeting and hopefully make a decision at that public meeting.

There being no further business Mayor Kauffman moved to process claims and then to adjourn. Second by Board Member Stegelmann and motion passed unanimously.

BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD:

MAYOR ALLAN KAUFFMAN _____

BOARD MEMBER RUDY STEGELMANN _____

BOARD MEMBER MICHAEL A. LANDIS _____

ATTEST _____
CLERK-TREASURER TINA M. BONTRAGER