

**BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD  
MEETING HELD MARCH 23, 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 23, 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, Board Member Landis

ABSENT:

OTHERS: Clerk-Treasurer Office Assistants, City Attorney, Assistant City Planner, Assistant Fire Chief Miller, Police Chief, Assistant Police Chief Miller, Building Inspector Haney, Street Commissioner, Assistant Street Commissioner, Legal Contracts and Claims Manager, Legal Compliance Administrator, Mayor's Administrative Assistant Lung, Park & Recreation Coordinator, Superintendent of Water and Sewer, Utilities 1<sup>st</sup> Deputy, Administrative Utilities Engineer, Central Garage Fleet Manager.

Minutes of the meeting of February 16<sup>th</sup> and February 23<sup>rd</sup>, 2015 were presented. On motion of Board Member Stegelmann and second by Board Member Landis, the minutes were approved as presented.

**REQUEST TO APPROVE HIRING OF J. YODER AS  
PROBATIONARY FIREFIGHTER**

Assistant Fire Chief Mervin Miller requested Board approval for the hiring of John J. Yoder as a Probationary Firefighter for the Goshen Fire Department. John J. Yoder has passed all of the pension requirements for the State of Indiana and it is requested to make the hiring effective March 24<sup>th</sup>, 2015.

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

Mayor Kauffman swore in John J. Yoder as a Probationary Firefighter.

**REQUEST TO APPROVE CONDITIONAL HIRING OF J. MCKALIPS AS  
PROBATIONARY PATROL OFFICER**

Police Chief Wade Branson requested Board approval for the conditional hiring of Jonathan D. McKalips for the position of Probationary Patrol Officer; with the condition that he successfully passes the PERF physical and psychological examinations and is approved by both local and State Pension Boards.

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

**OPEN BIDS FOR THE WATER LEAK SURVEY**

Mayor Kauffman opened the following bids:

	<b>Item 1 Water Leak Survey</b>	<b>Item 2 Retest of Repaired Main Line Valve</b>
M.E. Simpson Co. Inc	\$ 34,740.00	\$1,650 per day
Utility Service Assoc.	\$ 33,470.00	n/c
Aqua-Line Inc.	\$ 28,293.00	\$1,226 per day
Hydromax USA	\$ 32,000.00	n/c

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

**OPEN BIDS FOR THE RIVERSIDE BOULEVARD INTERSECTION  
IMPROVEMENTS: PROJECT NO. 2014-0077**

Mayor Kauffman opened the following bids:

Phend & Brown:	\$64,490.50
Reith-Riley:	\$93,212.50
Walsh & Kelly:	\$50,975.00
Niblock Excavating:	\$73,522.00

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

**REQUEST TO APPROVE ACCEPTANCE OF EASEMENTS**

Legal Compliance Administrator Shannon Marks requested Board approval to accept the three attached Easements and authorize Mayor Kauffman to execute the Acceptance on behalf of the City. Two easements are for public utility purposes. One is from Lars Laboratories, Inc. along West Waverly Avenue and the other is from T. Leonard Gross and Irene E. Gross along the westerly side of their real estate at 405 Gra Roy Drive. The City is planning to extend utilities from Gra Roy, under the canal, and to the residences at the end of Waverly Avenue.

The third easement is for public pedestrian/bicycle trail purposes along the east side of 1721 Realty, LLC's real estate adjacent at 1723 E. Monroe Street. The pedestrian/bicycle trail extends north of Monroe Street adjacent to Blackport Drive.

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

**REQUEST TO APPROVE OCCUPANCY PERMIT AGREEMENT WITH  
TCSJ PROPERTIES, LLC**

Legal Compliance Administrator Shannon Marks requested Board approval and authorization for Mayor Kauffman to execute an Occupancy Permit Agreement with TCSJ Properties, LLC. Under this agreement, the City agrees to issue a certificate of occupancy for the new building

constructed at 1820 West Lincoln Avenue 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 \$21,057.00. The surety is to insure the timely completion of the yard stabilization landscaping to complete compliance with the City's Stormwater construction ordinance. All work must be completed by May 31<sup>st</sup>, 2015.

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

**REQUEST TO APPROVE RIGHT-OF-WAY ASSURANCE LETTER FOR US 33 NEW ALIGNMENT PROJECT: DES. NO. 9222424**

Administrative Utilities Engineer Dustin Sailor requested Board approval of a Right-of-Way Assurance Letter for the US 33 New Alignment Project. This letter states that in compliance with the Uniform Assistance and Real Property Acquisition Policies Act of 1970, as amended, the following assurance is made. Where federal funds are involved in any project or program which results in real property acquisition or displacement, the City of Goshen will comply with said Act and Regulations.

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

**REQUEST TO APPROVE REVISED CHANGE ORDER NO. 2 FOR THE FIFTH STREET INFRASTRUCTURE IMPROVEMENTS – PHASE I PROJECT JN: 2013-0037**

Administrative Utilities Engineer Dustin Sailor requested Board approval for a revised change order number 2 for the Fifth Street Infrastructure Improvements Phase I project. The original contract amount was \$447,373.44. This change order increases the project by \$45,054.80 (10.07%) for a total project cost of \$492,428.24. Changes from the previous revision of change order 2 are the corrections for mathematical errors on items CO2.3 and CO2.26 and the awarding of Alternate A from the original bid received by the Board on July 28<sup>th</sup>, 2014 (Alternate A was not included in the contract signed by the Board, which is in the amount of \$447,373.44; however, the award of Alternate A was presented in the memorandum to the Board on August 4<sup>th</sup>, 2014 and award the contract in the amount of \$442,073.44.

Board Members discussed with Administrative Utilities Engineer Dustin Sailor about the errors and corrections with the change order and the amounts of the change order. The Board Members decided to table the request until it can be clarified further.

**NOTIFICATION FOR DIAL-A-TRUCK/TRAILER PROGRAM FOR BRUSH AND TRASH**

Street Commissioner Denny Long stated the Street Department has been getting a lot of calls about the Dial-A-Truck/Trailer program for brush and the Street Department will not be picking up brush until the end of April, so the Street Department will start Dial-A-Truck/Trailer program on April 1<sup>st</sup> for brush and then Dial-A-Truck for trash starting on May 18<sup>th</sup>, 2015.

**CONTINUATION OF DISCIPLINARY ACTION PROCEEDINGS**

Mayor Kauffman started the Continuation of Disciplinary Action Proceedings hearing and asked City Attorney Larry Barks if he wanted to say anything before they start. City Attorney Larry Barks stated he didn't have anything to add.

Mayor Kauffman stated this hearing is a continuation for the disciplinary actions which the Board Members had not come to a conclusion on. Board Members spoke out during the discussion on the issues at hand and their thoughts of how each one felt of what should be done to carry out the disciplinary action against Detective Priem. Board Members discussed the evidence and testimony of witnesses and what would be best for the people of Goshen.

Board Member Landis moved to approve the demotion of Detective Stephen Priem to Patrol Officer, reducing his pay to patrolman but allowing him to test for higher rank when available. Second by Board Member Stegelmann.

Board Members discussed the motion but Mayor Kauffman was not ready to support the other Board Members' decision, Mayor Kauffman suggested amending the motion. Board Members further discussed a motion along with City Attorney Larry Barks.

Board Member Landis moved to demote Detective Stephen Priem to the rank of Patrol Officer in the Patrol Division. Officer Priem can test for any position within the Patrol Division at any time. Officer Priem cannot test for the position of Detective in the Investigative Division for a period of two years. Second by Board Member Stegelmann and motion passed unanimously.

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**