

**BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD  
MEETING HELD APRIL 6, 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 April 6, 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, City Planner, Fire Chief, Police Chief, Building Inspector Haney, Street Commissioner, Legal Contracts and Claims Manager, Legal Administrative Assistant, Park Maintenance Director, Superintendent of Waste Water, Water & Sewer Distribution Technician, Utilities 1<sup>st</sup> Deputy, Administrative City Engineer, Central Garage Fleet Manager.

**OPEN BIDS FOR THE CITY’S SALE OF 2004 HARLEY DAVIDSON MOTORCYCLE**

The Board had no bids for the sale of the 2004 Harley Davidson Motorcycle. The Board discussed how to dispose of the motorcycle. The Board Members agree to table the sale of the motorcycle until further notice.

**REQUEST TO AWARD BID FOR THE WATER LEAK SURVEY**

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to award the bid for the Water Leak Survey. On March 23<sup>rd</sup>, 2015, the Board opened quotes for a Water Leak Survey for the City’s Water Department.

	<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

It is recommended that the Board of Public Works and Safety award the contract to AQUA-LINE, Inc. as the lowest responsible and responsive bidder for a lump sum of \$28,293.00, plus the daily rate of \$1,226.00 for retesting repaired main line valves.

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

**REQUEST PERMISSION TO BLOCK PARKING SPACES AT 109 EAST CLINTON STREET FOR RECEPTION**

Mayor Kauffman questioned if Liz Larimer was present for the request and received no response. Mayor Kauffman stated he is not comfortable approving this request without an answer from the businesses surrounding the area. Mayor Kauffman stated he will table this again until Ms. Larimer can provide more information.

**REQUEST RELIEF FROM SEWER CHARGES AT 133 THE WILLOWS**

Charles Fort, owner of 133 The Willows, requested Board approval for relief of sewer charges. Mr. Fort explained that in early January they discovered the water pipes under the manufactured home were frozen, and the Water and Sewer office called them about excessive usage. The leak from the frozen pipes let water drain into the soil under their house and not into the sewer. Mr. Fort stated they had the leak repaired.

Distribution Technician Supervisor of Water and Sewer John Hutsell explained to Board Members that when they went to inspect the property, Mr. Fort denied permission for them to verify the leak. Mr. Hutsell stated that since Mr. Fort had a leak in 2014 and one in 2015, they could not determine verification. At this point the Utilities Department is asking the Board to make a determination on approval or denial.

Mayor Kauffman explained to Mr. Fort that he needed to go and get verification for this year from the maintenance person from The Willows or a company that says they had fixed it.

Mayor Kauffman tabled this request until verification of the leak repair is brought forth for the Board's review.

**REQUEST TO APPROVE CONDITIONAL OFFER OF EMPLOYMENT FOR THE FIRE DEPARTMENT**

Fire Chief Danny Sink requested Board approval to present a conditional offer of employment to Michael Stephen Masbaum for the Fire Department.

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

**REQUEST TO APPROVE PLACEMENT OF SIGN FOR THE WEST GOSHEN NEIGHBORHOOD ASSOCIATION AT 914 WEST LINCOLN AVENUE**

Park and Recreation Maintenance Director Richard Kindel requested Board approval on behalf of the West Goshen Neighborhood Association to put a sign at 914 West Lincoln Avenue, also known as Five Points. The association has adopted the area and they will mow and take care of the landscaped areas. The sign will be the typical neighborhood sign which is 4' x 2'. The association will pay for the sign, pick it up and install it under the supervision of the Parks Department. The association had copies of the signs they would like to use for review for the Board along with two locations marked on a map and wished the Board to determine the best spot for the sign. Mayor Kauffman stated he would approve the request for the sign if they used the new Goshen logo as they used an older Goshen logo. City Planner Rhonda Yoder stated they would have to decide where the placement of the sign would be and discussed the two choices.

Board Members selected the first choice for the placement of the sign, with the first choice of how the sign will look with the stipulation that the logo will be the new Goshen logo

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

**REQUEST TO APPROVE ELECTRICAL LICENSE**

Building Inspector Gary Haney requested Board approval to issue an Electrical License to Nathaniel G. Jacobs, of Jacobs Electric located at 160 Village Drive, Mishawaka, IN, 46545. He has met the requirements for a City of Goshen Electrical license. He achieved a score of 77% on the Master Electrical exam.

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

**REQUEST TO APPROVE CDBG REDUCED PAYOFF AND RELEASE OF MORTGAGE ON ACTIVITY #149**

City Planner and CDBG Administrator Rhonda Yoder requested Board approval for Reduced Payoff and Release of Mortgage. In lieu of foreclosure, Wells Fargo Bank is willing to proceed with a short sale, and has requested that the City of Goshen accept payment of \$187.40 in place of the \$1,874.00 owed for the City's mortgage, which is in second position.

The City of Goshen mortgage is a deferred mortgage in the amount of \$1,874.00, resulting from CDBG owner-occupied housing rehabilitation assistance provided in Program Year 2006, Activity #149.

When the foreclosure was filed in October 2014, the City determined that pursuing the CDBG mortgage through the foreclosure process was not a wise use of City resources, as the asset value was below the amount owed on the first mortgage, and the sale price was likely to also be below the amount due:

- \$59,300.00, assessed value
- \$67,543.88 Wells Fargo mortgage balance (in first position)
- \$1,874.00, City of Goshen mortgage balance (in second position)

Because the foreclosure process would likely result in no proceeds available to pay the City's mortgage, and would incur costs to the City, it is recommended that the proposed payment of \$187.40 in place of the \$1,874.00 owed for the City's mortgage be accepted. Approval will also likely decrease the period of time that the house is vacant.

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

**REQUEST TO APPROVE AGREEMENT WITH EMERGENCY RADIO SERVICE INC.**

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to enter into an agreement with Emergency Radio Services, Inc. The City's Utilities wishes to have a radio

system for everyday use, and for emergency purposes and desires to contract with Emergency Radio Services, Inc. to provide the radios and equipment, program the radios and reconfiguring the Park's Department repeater so that the City's Utilities can communicate.

Work on the project shall be completed within 30 calendar days from receipt of a notice to proceed from the City and the total cost is \$10,366.51.

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

**REQUEST TO APPROVE AGREEMENT WITH DN TANKS, INC.**

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to enter into an agreement with DN Tanks, Inc. The City wishes to have a preventative maintenance inspection performed on the concrete water storage tank at 111 Hilltop Street, Goshen, that is 15 years old.

Work on the project shall be completed within 30 days of a notice to proceed and the total cost is a lump sum of \$3,000.00

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

**REQUEST TO APPROVE US HIGHWAY 33 WATER AND SEWER  
RELOCATION DESIGN (JN: 2011-0041)**

Administrative City Engineer Mary Cripe requested Board approval of a professional service agreement with DLZ Indiana, LLC, to provide utility design work in conjunction with their preparation of roadway plans for INDOT's US Highway 33 realignment project. INDOT's roadway work will have some impact on the City's roadway infrastructure, but the utility impact will be more significant. Because the new highway alignment will pass just south of the City's North Water Plant, now is the Water Utilities opportunity to upgrade its water main infrastructure coming out of the water plant and to address utility conflicts created by the roadway work.

The most economical way for these improvements to be completed is for them to be included with INDOT's roadway project already under design with DLZ Indiana, LLC. For that reason, Goshen Utilities requests the Board of Works and Safety approve the contract with DLZ Indiana, LLC, for a not to exceed fee of \$122,000.00. The proposed improvements will include new water main from Third Street to Lincoln Avenue and from Monroe Street north and west to Madison Street and include Madison Street from the new US Highway 33 alignment to Tenth Street. There will also be new sanitary realignment work required for the area around Madison Street and Lincolnway East.

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

**REQUEST TO APPROVE AGREEMENT TO VACATE 313 NORTH FIFTH STREET**

City Attorney Larry Barkes requested Board approval of an agreement with Ollie Jaco and Stephanie Jaco to vacate 313 North 5<sup>th</sup> Street. This property is across from the water plant and has been acquired by the City through eminent domain and owner Ronald Davidhizar and the City have reached an agreement on the terms of the sale which have permitted for the Jaco's to continue to reside at 313 North 5<sup>th</sup> Street until May 1<sup>st</sup>, 2015. The City also agrees to pay the Jaco's \$200.00 as a dislocation allowance, \$300.00 for moving expenses and \$2,500.00 for future rent or down payment at another location. The total payment from the City to the Jaco's is \$3,000.00. The payment will occur within seven days after the closing on the premises at 313 North 5<sup>th</sup> Street, which the closing is expected to occur before April 15<sup>th</sup>, 2015.

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

**NOTIFICATION OF COMMISSION APPOINTMENTS**

Mayor Kauffman stated that he is pleased to announce the following mayoral appointment and re-appointment to the Goshen Housing Authority:

- Amber Wolfer has been re-appointed for another four-year term, ending March 13<sup>th</sup>, 2019; she was originally appointed in September 2010.
- Jillian DeMoya is being appointed as the program participant member of the Board of Directors. She is completing a term recently vacated, to end March 13<sup>th</sup>, 2016.

**NOTIFICATION OF NORFOLK SOUTHERN RAILROAD CROSSING CLOSURE**

Administrative City Engineer Mary Cripe requested Board approval on behalf of representatives from Norfolk Southern for permission to close the Indiana Avenue railroad crossing at 8:00 am on Saturday, April 25<sup>th</sup>, 2015 through 8:00 pm on Monday, April 27<sup>th</sup>, 2015. This closure is being requested to stage equipment and machinery for the big cutover for the third track. There will be no construction associated with the actual Indiana Avenue crossing. The Indiana Avenue closure will be between River Avenue and Wilden Avenue.

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

**PUBLIC HEARING ON ORDER OF THE BOARD OF WORKS AND SAFETY: 123 NORTH SIXTH STREET AND 216 & 216 ½ EAST CLINTON STREET**

Mayor Kauffman opened the public hearing:

City Attorney Larry Barkes stated the Board Members received a stipulation agreement between the City and Ronald Davidhizar regarding these properties. The stipulation finds that both properties are in an unsafe condition and that they should be demolished. There is currently an ongoing proposal to sell these properties to LaCasa and LaCasa is attempting to obtain funding to do the demolition of the two properties and then LaCasa will end up with the properties. This agreement establishes all of that but does not have a date set for the demolitions as of yet but it does provide that the date will be established either at the time that LaCasa obtains it or when LaCasa informs the City they are no longer pursuing it, the date will be set at that particular time.

Mayor Kauffman stated this started in 2013 but it was stayed because of the US 33 project and whether it would affect these properties. The City knows now that the project is not going to take these properties and LaCasa may take them and either repairs them or demolishes them, do something with them. Board Members further discuss with Attorney Barkes about a time table about the properties and the funding that LaCasa needs to do that.

Board Member Landis moved to approve the Order of the City of Goshen and accept and acknowledge the stipulation for 123 N. 6<sup>th</sup> Street and 216 & 216 ½ East Clinton Street. 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**