

**BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD
MEETING HELD NOVEMBER 7, 2016 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 November 7, 2016, 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 Landis

ABSENT: Board Member Day

OTHERS: Clerk-Treasurer Administrative Assistants, City Attorney, Building Inspectors – Bice and Grise, Street Commissioner, Legal Contracts and Claims Manager, Legal Administrative Assistant, Mayor’s Administrative Assistant Lung, Park Superintendent, Assistant Superintendent of Waste Water, Superintendent of Water and Sewer, Utilities Billing Office Assistant, Engineering Project Manager, Civil Traffic Engineer, Central Garage Fleet Manager, Communications Coordinator, Maintenance Manager, Division Police Chief, Assistant Fire Chief.

Minutes of the meeting of September 26, 2016 were presented. On motion of Mayor Stutsman and second by Board Member Landis, the minutes were approved as presented.

**REQUEST TO EXTEND PIKE STREET ROAD CLOSURE FOR WATER MAIN
REPLACEMENT AT THE ELKHART RIVER JN: 25015-0010**

Engineering Project Manager Khylei Boyer requested Board approval of the extension of Pike Street road closure to continue drilling for a new water main at the Elkhart River.

The original road closures at Chicago Avenue, Oakland Avenue, Alley 125, Denver Street, and Alley 123 was previously passed by the Board to be November 1 to November 8, 2016. HRP will be directional drilling a new 24” water main underneath the Elkhart River and need the road closures to remain closed until November 16, 2016. Goshen Engineering has been out to meet with the affected businesses and has explained the pending closure.

Mayor Stutsman moved to approve the request and expressed the urgency to complete. Second by Board Member Landis and motion passed unanimously.

**REQUEST TO APPROVE CLOSING OF THE SIDEWALK, A PARKING SPOT
IN LOT D, AND STREET PARKING IN FRONT OF CITY HALL**

Maintenance Manager Jeff Halsey requested Board to approve the closing of the sidewalk and parking spaces for the week of November 14, 2016 for concrete step repair at the front of City Hall.

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

**REQUEST AUTHORIZATION OF PEDDLER'S VILLAGE EASEMENT
ACQUISITION - JN: 2012-0032**

Engineering Project Manager Khylei Boyer requested Board approval of Peddler's Village Easement Acquisition.

The Goshen Engineering Department has been working for the past 6 years to acquire the water main that runs through the Peddler's Village Shopping Center. Although this water main is 38 years old, it provides service to multiple businesses and forms an important water main loop along Leedy Ditch. An opportunity arose to reopen the discussion, an agreement was reached with Mr. Straw, who is one of the property owners. For compensation equal to an 8 inch pipe water main tap, Mr. Straw and his partners have agreed to dedicate the 630 feet of 8 inch pipe that runs through their property along with a 15 foot wide utility easement.

Goshen Engineering requests Board's acceptance of the water main and easement and also requests the Board's authorization to compensate Mr. Straw and his partners \$3,277.00 for the easement.

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

**REQUEST ACCEPTANCE OF EASEMENT FROM GENESIS PRODUCTS FOR
CONSTRUCTION OF A STORM SEWER – JN: 2007-2076**

Engineering Project Manager Khylei Boyer requested Board approval of a Genesis Products building addition at 2515 Industrial Park Drive easement dedication from Jonathan Apple LLC and authorized the Mayor to sign the documents.

The City has plans to construct a storm sewer on Industrial Park Drive in the next couple of years. With Genesis' new building expansion at 2515 Industrial Park Drive, they have provided the City a 30 foot utility easement along their North property line to allow for the City's storm pipe to reach the new Kercher stormwater retention area. As compensation for the easement, the City will allow Genesis to discharge stormwater into the Kercher retention area.

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

**PUBLIC HEARINGS TO REVIEW THE ORDER OF BOARD OF BUILDING
COMMISSIONER**

Mayor Stutsman opened the public hearings:

Premises at 628 S. 6th Street, Goshen, Indiana

City Attorney Larry Barkes requested the Board approve a two (2) week continuance because the property is 95% done with meeting compliance.

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

Premises at 312 Park Avenue, Goshen, Indiana

City Attorney Larry Barkes asked if anyone from Bank of America was present on behalf of 312 Park Avenue. Building Inspector Steve Bice stated that this is a vacant property belonging to the bank and nothing has changed from the original order of the City of Goshen Building Commissioner and awaiting a response from the bank. City Attorney Larry Barkes noted that with past experience a response most likely will not be given and he suggests the property go into receivership to get the repairs done and hopefully the bank will come forward.

After a brief discussion and review of the inspection pictures Mayor Stutsman moved to find the following items unsafe to all the structures on the property.

1. Severe roof leakage in the kitchen area. Excessive water has rotted the surrounding structural members and eliminated the roof support rafters – Section 6.3.1.1 (3).
2. The roof over the kitchen was not constructed with enough slope to properly remove snow, ice and water – Section 6.3.1.1 (3).
3. The electric breaker panel is improperly installed and does not conform to the accessibility portion of the electrical code – Section 6.3.1.1 (1).

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

Mayor Stutsman also moved to find the following items are non-compliant with the Neighborhood Preservation Code.

1. The electric meter mast has broken away from the house and is lying on the ground – Section 6.3.1.1 (1).
2. There is a large hole in the roof soffit that is allowing raccoons to enter the front of the house – Section 6.3.1.1 (1).
3. There are several holes in the second story ceilings where raccoons chewed through – Section 6.3.1.1 (1).
4. The insulation in the attic area is damaged and matted down from raccoon nesting – Section 6.3.1.1 (1).

Second by Board Member Landis and motion passed unanimously.

Mayor Stutsman made a motion to refer this matter over to the Legal Department to proceed with litigation to establish receivership. Second by Board Member Landis and motion passed unanimously.

Premises at 611 N. Second Street, Goshen, Indiana

City Attorney Larry Barkes gives the Board a procedural background on where this property stands. Jacob Folker and Carolyn Woltz owners of the property are both deceased. The property had previous funding from the State of Indiana, and LaCasa was involved with a remodel in 2004. At this point in time it appears all the loans have been forgiven or disposed of due to the timeframe. Another group had filed a mortgage foreclosure and recently the foreclosure has been dismissed and the mortgage has been released. A couple of judgement lien holders are still

listed but it is highly unlikely anyone will step forward immediately to see the repairs are completed.

It was suggested that if the Board finds there are unsafe conditions at this location then receivership may be the only real option to get the repairs done. Also the property is not a candidate for demolition and can be repaired.

Mayor Stutsman moved to find the following items are identified as unsafe.

1. Open and damaged window frames on the South and West sides – violation of Section 6.3.1.1 (2).
2. Interior of property needs to be cleaned; All plumbing fixtures are unsanitary – violation of Section 6.3.1.1 (1).
3. The property is not secure – violation of Section 6.3.1.1 (26).

Second by Board Member Landis and motion passed unanimously.

Mayor Stutsman also moved to find that under the Neighborhood Preservation Code the property needs to fix any missing shingles for the South side roof. Second by Board Member Landis and motion passed unanimously.

Mayor Stutsman made a motion to refer this matter over to the Legal Department to proceed with litigation to establish receivership. Second by Board Member Landis and motion passed unanimously.

PRIVILEGE OF THE FLOOR

Mayor Stutsman announced the City's new Civil Traffic Engineer was present at the Board of Works meeting and wanted to welcome Leslie Biek and invited all to introduce themselves to her.

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 STORM WATER BOARD:

MAYOR JEREMY STUTSMAN _____

BOARD MEMBER MITCHELL DAY _____

BOARD MEMBER MICHAEL A. LANDIS _____

ATTEST _____
CLERK-TREASURER TINA M. BONTRAGER