

**BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD
MEETING HELD NOVEMBER 21, 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 21, 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 Day, Board Member Landis

ABSENT:

OTHERS: Clerk-Treasurer, Clerk-Treasurer Administrative Assistant, City Attorney, City Planner, Assistant City Planner, Fire Inspector, Police Division Chief, Building Inspector-Grise, Street Commissioner, Assistant Street Commissioner, Legal Compliance Administrator, Mayor's Administrative Assistant Lung, Park Recreation Supervisor, Superintendent of Waste Water, Superintendent of Water and Sewer, Assistant Superintendent of Water and Sewer, Utilities Billing Office Supervisor, Director of Public Works, Central Garage Fleet Manager, Communications Coordinator, Legal Administrative Assistant.

Minutes of the meeting of October 3 and October 7, 2016 were presented. On motion of Board Member Landis and second by Board Member Day, the minutes were approved as presented.

**REQUEST TO APPROVE RELIEF OF DRIVEWAY SURFACE STANDARDS
AT 517 OLIVE STREET**

Paul Miller resident at 517 Olive Street requested Board approval for relief of driveway standards at 431 Olive Street. Mr. Miller wishes to construct a park and drive area consisting of gravel at this parcel which is used mainly as a seasonal agricultural use and hard surface is not practical or affordable.

Right of Way permit will be needed and building cannot be started until the stone is purchased.

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

**REQUEST TO APPROVE COMMISSARY OPERATION OFF REAR ALLEY
AT 127 S. MAIN STREET-JN:STREET-MAIN STREET**

Mr. Bobby Singh owner of Maple Indian Cuisine requested Board approval for commissary operation off rear alley at 127 S. Main Street.

Mark Brinson, Denny Long, and Dustin Sailor met with Mr. Singh on November 16, 2016 to discuss staff concerns. Staff concerns and the responses provided by Mr. Singh are:

- 1) The extension of the awning into the alley right-of-way and the awning height are maintenance concerns.
 - a) Mr. Singh will provide a retractable awning that is at least 11 feet off the ground.
 - b) This response satisfied Street Commissioner Denny Long.

- 2) The amount of time the alley will be closed to allow loading and unloading and cleaning of the food truck is a concern as well as the potential to push public traffic movements onto private property.
 - a) Mr. Singh noted that he has two (2) food service trucks and that loading the trucks in the morning should only take 30 minutes each. In the evening, Mr. Singh commented that cleanup could take up to an hour each truck, but he could have the cleanup scheduled for later in the day when there is less demand for the alley. Mr. Singh also commented that if there is a need to access the alley his employees will move the food truck.
 - b) Although staff continues to be concerned about the amount of time the alley will be closed (up to 3 hours per day), because blockage of the alley is a public perception concern, as opposed to an operations or safety concern, staff believes the Board will need to make the final determination of what limits, if any, are placed on the use of the alley.
- 3) There is concern about the storm drain located outside the back door of the restaurant, which is connected to a waterway.
 - a) Mr. Singh stated that he will educate his employees to use best practices to protect the inlet from any pollutants related to his operation.
 - b) With Mr. Singh's commitment to protect the storm drain along with a conversation staff had with Mike Hoover, with the Elkhart County Health Department, who will monitor the storm drain inlet as part of his inspections, the Goshen Stormwater Utility will not contest the proposed operation and will monitor the storm drain for potential concerns.

Approval would be for one year at which time Mr. Singh would need to reappear before the Board to address any concerns. Mr. Singh would also assume all liability for any damage that may occur to the awning.

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

REQUEST TO APPROVE MECHANICAL LICENSE FOR MARK MCDEVITT

Building Inspector Grise requested Board approval to issue a mechanical license to Mark McDevitt.

Mark McDevitt of Airco Heating & Air d/b/a AireServe of NE Indiana located at 9321 St. Joe Center Road, Fort Wayne, Indiana, 46835 has met the requirements for a City of Goshen Mechanical License.

He achieved a score of 71.2% on the Prometric examination for an Air Conditioning "A" license on January 10, 1989.

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

REQUEST TO APPROVE REVISED PLAT FOR VILLAS AT WATERFORD COMMONS SECOND PUD

Planning and Zoning Administrator Rhonda Yoder requested Board approval for the revised plat for Villas at Waterford Commons Second PUD. On November 9, 2015, the Board of Public

Works & Safety accepted the plat, with dedications and easements, and signed the plat, for Villas at Waterford Commons Second PUD, a 37-lot, major residential subdivision, generally located on the south side of Regent Street, west of Dierdorff Road and zoned Residential R-1 PUD (Planned Urban Development).

Subsequent to that acceptance, in mid-September 2016 while reviewing a site layout for the one permit that is allowed prior to recording of the subdivision, it came to the attention of the Planning office that additional easements had been added to the plat.

These additions require that a revised plat be reviewed and accepted. Goshen Engineering and Planning have reviewed the changes, and the revised plat is being provided to the Board of Works for acceptance.

As with the previous acceptance, the Plan Commission's primary approval is contingent upon the Board of Public Works & Safety accepting the dedication of right of way easements. In this case, there is dedication of right of way for a new street, Newbury Circle, and easements.

The Villas at Waterford Commons Second PUD subdivision revised plat is consistent with the primary subdivision approval and the PUD (Ordinance 4353), and the proposed lots and subdivision meet the requirements of the Subdivision Ordinance, Zoning Ordinance, and PUD.

Sidewalks are required along both sides of Newbury Circle, constructed at the expense of the developer.

The overall subdivision drainage plan was accepted by the Board of Works on October 19, 2015.

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

**REQUEST TO APPROVE 2016 COMMUNITY DEVELOPMENT BLOCK GRANT
(CDBG) SUB-RECIPIENT AGREEMENT FOR OWNER-OCCUPIED HOUSING
REHABILITATION**

CDBG Administrator Rhonda Yoder requested approval for the CDBG sub-recipient agreement with LaCasa for the owner-occupied housing rehabilitation program.

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

**REQUEST TO APPROVE PURCHASE CONTRACT WITH SUBSURFACE
LOCATORS, INC. FOR LEAK DETECTOR SYSTEM**

Legal Compliance Administrator Shannon Marks requested Board approval to enter into a contract with SubSurface Locators, Inc.

The City solicited quotes for the purchase of a leak detector system from SubSurface Locators, Inc., Everett J, Prescott, and from Pollard water. Quotes received were:

Everett J. Prescott	\$20,438.00
SubSurface Locators, Inc.	\$19,990.00
Pollard Water did not submit a quote	

The City wishes to contract with SubSurface Locators, Inc. to provide a digital leak detector system for the City's Utilities by December 31, 2016 for the total cost of \$19,990.00.

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

REQUEST TO ADVERTISE FOR BIDS FOR DOWNTOWN FIBER

Director of Public Works Dustin Sailor requested permission to accept bids for downtown fiber.

Goshen Engineering is requesting permission to advertise for the installation of communication fiber and termination equipment to be placed in the downtown conduit and structures between the Goshen Police Department, the Goshen Fire Department, and the County Administration Building on Second Street. Additionally, the communication fiber extension work will include the Goshen Street Department and the City's Central Garage on Steury Avenue.

The work will be advertised on Friday, November 25, and Friday, December 2, 2016 with bids due Monday, December 12, 2016.

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

REQUEST TO PURCHASE WHEEL LOADER

Legal Compliance Administrator Shannon Marks requested permission to purchase without sealed bids a wheel loader from Brandeis Machinery & Supply Company.

Brandeis Machinery and Supply Company has offered to sell a used 2014 Komatsu WA320-7 wheel loader with 359 hours, including all standard equipment plus JRB hydraulic coupler, JRB GP bucket, 3rd spool valve and piping, and Komatrix health monitoring system to the Goshen Street Department for \$147,877.00, plus an extended 24-months/2,000 hours power train warranty for \$5,435.00.

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

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 ANGIE MCKEE