

**BOARD OF PUBLIC WORKS AND SAFETY AND STORM WATER BOARD  
MEETING HELD MARCH 20, 2017 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 20, 2017, 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 Administrative Assistants, City Attorney, Assistant City Planner, Assistant Fire Chief, Police Chief, Assistant Police Chief, Building Inspector, Assistant Street Commissioner, Legal Contracts and Claims Manager, Legal Compliance Administrator, Mayor’s Administrative Assistant Lung, Park Superintendent, Assistant Superintendent of Waste Water, Utilities Billing Office Supervisor, Director of Public Works, Civil Traffic Engineer, Central Garage Fleet Manager, Communications Coordinator.

Minutes of the meeting of March 13, 2017 were presented. On motion of Board Member Day and second by Board Member Landis, the minutes were approved as presented.

**REQUEST TO OPEN QUOTES—409 S. 3<sup>RD</sup> STREET**

Mayor Stutsman opened the following quotes:

John Ward Concrete	\$7,680.00
J. Shoffner General Contractor, Inc.	\$9,990.00
Jerry Reed Excavating	\$6,800.00
Martin Enterprises	\$9,750.00

Mayor Stutsman moved to refer the quotes to the Legal Department for referral and recommendation. Second by Board Member Landis and motion passed unanimously.

**REQUEST TO USE CITY OWNED PARKING SPACE—LOS PRIMOS  
MEXICAN GRILL**

Los Primos Mexican Grill representative Martin Lopez submitted a written request for Board approval to install a retractable awning and to use one City owned parking space to load, unload, and clean a food service truck. The awning would extend a maximum distance of 6 feet over the parking space and would be retracted when not in use. The food truck would occupy the City owned parking space on Fridays, Saturdays, and Sundays, from 2-4 A.M. and from 2-6 P.M. for loading, unloading and cleaning. Mr. Carlos Maldonado appeared on behalf of Los Primos Mexican Grill at the March 13, 2017 Board of Public Works and Safety.

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

**REQUEST TO AWARD QUOTE—MC EQUIPMENT, INC. D/B/A W.A. JONES  
TRUCK BODIES AND EQUIPMENT**

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to award the quote for a truck bed replacement and VBox spreaders to W.A. Jones. On March 13, 2017, the Board of Public Works and Safety opened quotes for Truck Bed Replacement & New VBox Spreaders Q17-02-003. Quotes were solicited from Auto Truck Group, Lindco Equipment, Hoosier Trailer and Truck, W.A. Jones Truck Bodies and Equipment, and Hoosier Equipment.

Only one quote was received from MC Equipment, Inc. d/b/a W.A. Jones Truck Bodies and Equipment who took an exception to the City’s specifications:

City requested that the Supplier will furnish all parts and maintenance at no charge for a period of at least two (2) years or the manufacturer’s standard warranty, whichever is longer.

City agrees and Supplier shall provide a two (2) year parts and labor warranty that does not include any wear items (hoses, filters, etc.) or maintenance items (hydraulic filters, oil, etc.).

It is recommended that the Board of Public Works and Safety award the contract to MC Equipment, Inc. d/b/a W.A. Jones Truck Bodies and Equipment as the lowest responsible and responsive quoter for a total contract price of \$76, 832.00.

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

**REQUEST TO DISPOSE OF UNPAID FINALED ACCOUNTS—UTILITIES**

Utilities Office Manager Kelly Saenz requested Board approval to dispose of unpaid finaled accounts. The original amount of unpaid final Water/Sewer accounts for this period was \$21,269.42. Collection letters were sent out and payments of \$6,472.42 have been collected. The uncollected amount equals \$14,797.00. The Utilities Office requests permission to move the uncollected finaled accounts from Active to Collection, Sewer Liens, and Write-Offs. These accounts were, for the most part, finaled through December 31, 2016.

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

**REQUEST TO DECLARE AS AND DISPOSE OF SURPLUS PROPERTY**

Legal Contracts and Claims Manager Keitha Windsor requested Board approval on behalf of Central Garage to have the following 10 vehicles and 3 generators declared as surplus property and to dispose of the surplus property in accordance with Indiana Code § 5-22-22:

10 Vehicles

2002 Ford Ranger	1FTYR10D22PB32401
2003 Chevrolet Impala	2G1WF55K539255536
1992 Chevrolet C3500	1GCHC34K2NE178154
1990 International 4900	1HTSDZ7R0LH277231
2007 Chevrolet Impala	2G1WS55R579297140
2003 Chevrolet Impala	2G1WF55K839254395
2002 Dodge Ram 2500	3B7KF26Z82M267668
1996 Ford Ranger	1FTCR14U7TPA65011
2004 Ford E250	1FTNE24L94HB10897
2001 Jeep Cherokee	1J4FF48S91L625433

3 Generators

Model # 30.0 EK-15R/9182D	Serial # 0872481564
Model # 30.0 EK-15R/9182D	Serial # 0872481563
Model # 30.0 EK-15R/9182D	Serial # 0872481566

Additionally, permission is requested for the Mayor to sign a Limited Power of Attorney for the Fort Wayne Auto Truck Auction to sell the 10 City vehicles and 3 generators.

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

**REQUEST TO SUBMIT UNIFORM CONFLICT OF INTEREST DISCLOSURE STATEMENT—M. WHITFORD**

Legal Compliance Administrator Shannon Marks requested Board approval to submit a Uniform Conflict of Interest Disclosure statement for Fire Department employee Matthew Whitford in accordance with Indiana Code § 35-44.1-1-4. Mr. Whitford’s business, Infinitus Computer, LLC, sells the City various computer accessories, systems, and other technology products.

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

**REQUEST TO AMEND AGREEMENT FOR KERCHER ROAD RECONSTRUCTION  
FROM RAILROAD TO DEIRDORFF ROAD DES NO. 1400713**

Director of Public Works Dustin Sailor requested Board approval to amend an agreement for the Kercher Road Reconstruction from Railroad to Dierdorff Road. American Structurepoint has submitted Agreement Amendment #2 INDOT Right-of-Way Acquisition fee schedule implemented July 1, 2016. This work will be done according to the INDOT Fee Schedule and will increase the appraisal, review appraisal, buying, and right-of-way management fees by \$72,135.00, for a total contract of \$376,350.00. The design fees will be 80% federally funded with the Surface Transportation Project (STP) grant and 20% locally funded.

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

**REQUEST TO APPROVE POST-CONSTRUCTION PLAN—GOSHEN HEALTH  
NEUROSCIENCES BUILDING—2832 ELKHART ROAD JN: 2017-2004**

Director of Public Works Dustin Sailor requested Board approval to accept the Post-Construction Plan for the Goshen Health Neurosciences Building. The developer of Goshen Health Neurosciences Building, affecting one (1) or more acres of land, has submitted a sufficient post-construction plan amendment that is compliant with Ordinance 4329, “Uniform Requirements for Post-Construction Stormwater Management.” The post-construction plan amendment is to the post-construction plan approved on June 27, 2016 for the Goshen Health Family Care and Urgent Care facility.

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

**REQUEST TO APPROVE PARTIAL CLOSURE OF WILDEN AVENUE  
OVER ROCK RUN CREEK**

Director of Public Works Dustin Sailor requested Board approval for a partial closure of Wilden Avenue over Rock Run Creek. The County needs to do some repairs to the bridge on Wilden Avenue over Rock Run Creek. The guardrail on the south side of the bridge was damaged due to a recent accident. They would like to start the work on 3/21/17 at 8:30 A.M. and would be completed by noon on the same day. They will need to close the eastbound lane and will have flaggers to direct traffic in both directions.

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

**REQUEST TO APPROVE AND ACCEPT INFRASTRUCTURE FOR  
PARK WEST 8<sup>TH</sup> JN: 2015-2046**

Director of Public Works Dustin Sailor requested Board approval to accept the infrastructure at Park West 8<sup>th</sup>. The installation of infrastructure (water main, sanitary and storm sewer, curb, and roadway) has been satisfactorily completed for the above listed project. The Engineering Department recommends that the infrastructure be accepted for maintenance. The three-year maintenance bonds (10% of the construction costs) for the infrastructure have been submitted to the City of Goshen Engineering Department.

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

**PROJECT UPDATE—LOGAN STREET, MONROE STREET, AND COTTAGE  
AVENUE WATER MAIN REPLACEMENT JN: 2014-0072**

Director of Public Works Dustin Sailor presented an update to the Logan Street, Monroe Street, and Cottage Avenue water main replacement project. During the week of June 6, 2016, the City’s Brownfield Coordinator advised the Goshen Engineering Department that Johnson Controls had released updated groundwater contamination information on the State’s virtual file cabinet. The particular contaminate of concern is trichloroethylene (TCE) and the area of concern in Monroe Street, between Lincolnway East and Logan Street, where the water main and water services are being replaced. TCE is a concern for City’s utility infrastructure because the chemical can permeate a typical water main gasket and high density polyethylene water service if it is in direct contact. Little research could be found regarding entry of the chemical via fumes in the soil. In discussion of the contaminate concern with a gasket manufacturer, the City was

advised to use every precaution when dealing with TCE. Based upon soil boring information, it is known that there will be a portion of the Monroe Street water main installation that will have the pipe laid in the zone of the season high groundwater table.

The Goshen Engineering Department, Goshen Utilities and Brownfield met with a Johnson Controls representative during the week of March 13, 2017 to discuss the issue and to explore the payment of upcharges for chemical resistant gaskets and copper water services along Monroe Street. The Johnson Controls representative was not able to provide a definitive answer regarding the level of concern for the water utility nor was the representative authorized to negotiate on behalf of Johnson Controls. The anticipated response time to the City's concern was identified as two (2) weeks.

To avoid claims for construction delays by HRP Construction that amounted to \$7,000.00 per day, a field work directive was issued on Friday, March 17, 2017 for the contractor to order and install a chemical resistant Viton gasket and copper water services. The exact increase to the project has not been determined as of March 17, 2016 end of business due to uncalculated freight costs and incidentals. The preliminary cost increase is anticipated to be between \$150,000.00 and \$180,000.00.

A final change order will be brought to the Board of Public Works and Safety in the very near future for authorization. In the meantime, the Goshen Engineering Department will continue to negotiate reimbursement with Johnson Controls.

#### **ANNOUNCEMENT—GOOD OF GOSHEN AWARD**

Mayor Stutsman was pleased to announce that he had the pleasure of awarding the second Allan J. Kauffman Good of Goshen Award to Aileac Deegan on Saturday, March 18, 2017. Her name has also been inscribed on the perpetual plaque which hangs in the Mayor's office.

The award is presented to community members who have enriched Goshen's quality of life through collaborative leadership. Ms. Deegan's particular award honors her for a lifetime of caring for children and families, including her time (2005-present) as Executive Director of Ryan's Place, acknowledging that there is no greater investment that can be made than caring for others.

Ryan's Place's mission is to provide support where all grieving children, teens, and families can share their experience—no child or family should grieve the death of a loved one alone. Ryan's Place serves eight (8) counties in Indiana and two (2) in Michigan.

Before her tenure with Ryan's Place, she worked with several organizations in the U.S. and in her home country. She helped to establish the North Dublin National School Project, a co-educational primary school, in her native Ireland.

#### **PRIVILEGE OF THE FLOOR**

Misty Yoder Photography owner Misty Yoder requested Board approval to close one parking spot in front of the Goshen Theater for a charity event for Ryan's Place. The "Lovely & Bold Fashion Show" is a mobile boutique that will park in front of the theater from 11:30 A.M. until 4:30 P.M on March 25, 2017. All proceeds will benefit Ryan's Place.

Mayor Stutsman moved to approve the request. Second by Board Member Landis 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**