BOARD OF PUBLIC WORKS AND SAFETY AND STORMWATER BOARD MEETING HELD JUNE 11, 2018, GOSHEN, INDIANA

The Board of Public Works and Safety and Stormwater Board of the City of Goshen met in the Council Chambers, 111 East Jefferson Street on June 11, 2018, 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 Assistant, City Attorney, Assistant City Planning and Zoning Administrator, Assistant Fire Chief, Police Chief, Assistant Police Chief, Assistant Building Commissioner, Building Inspector, Street Commissioner, Assistant Street Commissioner, Contracts and Claims Manager, Legal Compliance Administrator, Mayor's Administrative Assistant, Parks and Recreation Superintendent, Wastewater Superintendent, Utilities Billing Office Manager, Director of Public Works, Civil Traffic Engineer, Communications Coordinator.

Minutes of the meeting of June 4, 2018 were presented. On motion of Board Member Day and second by Board Member Landis, the minutes were approved as presented.

REQUEST TO APPROVE PROMOTION—R.R. YODER

Police Chief Wade Branson requested Board approval to promote Ronnie R. Yoder, Jr. from the rank of Patrol Officer to the rank of Detective retroactive to June 8, 2018.

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

REQUEST TO APPROVE PROMOTION—A.L. KEIM, D.T. WILSON, AND A.M. EVERAGE

Police Chief Wade Branson requested Board approval to promote Andrew L. Keim, Drew T. Wilson, and Austin M. Everage from the rank of Probationary Patrol Officers to the rank of Patrol Officers. The promotion for Officer Keim would be retroactive to May 31, 2018. The promotions for Officer Wilson and Officer Everage would be effective June 12, 2018.

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

REQUEST TO HIRE RESERVE POLICE OFFICERS—J.D. BECK, G.G. MEJIA, M.S. TORRES, AND Z.J. BECHTEL

Police Chief Wade Branson requested Board approval to hire Jordan D. Beck, Gerardo G. Mejia, Manuel A. Torres, and Zachary J. Bechtel as Reserve Patrol Officers effective June 11, 2018.

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

REQUEST TO OPEN BIDS—SOUTH NINTH STREET AND EAST JEFFERSON STREET REALIGNMENT

Mayor Stutsman opened the attached bids.

Mayor Stutsman moved to refer the request to the Engineering Department for review and recommendation. Second by Board Member Landis and motion passed unanimously.

REQUEST TO AWARD BID—SURPLUS PROPERTY

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to award a bid. On June 4, 2018 the Board of Public Works and Safety opened one bid offer for the sale of miscellaneous Fire Department surplus property. It is recommended that the Board of Public Works and Safety award the sale of the surplus property to the highest bidder, Rick Kauffman, for the total amount of \$49.00.

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

REQUEST TO CLOSE ALLEY—COMMON SPIRITS

Common Spirits representative Ryan Hawkins requested Board approval for a temporary closure of the alley north of East Lincoln Avenue, between Main Street and Fifth Street, on Saturday, June 23, 2018 between 3:00 pm until 12:00 am for a Two Year Anniversary event.

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

REQUEST TO ACCEPT EASEMENTS—HK NEW PLAN ERP PROPERTY HOLDINGS, LLC

Legal Compliance Administrator Shannon Marks requested Board approval for the acceptance of easements from HK New Plan ERP Property Holdings, LLC for Goshen City public utilities and authorize Mayor Stutsman to sign the Acceptance pages on behalf of the City. The easement are part of the real estate located at Market Centre on Elkhart Road.

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

REQUEST TO ACCEPT INGRESS/EGRESS EASEMENT FROM STATE OF INDIANA—420-422 WEST PIKE STREET

Legal Compliance Administrator Shannon Marks requested Board approval for the acceptance of ingress/egress easements. As part of the rebuilding of Pike Street, the State of Indiana initiated a condemnation lawsuit relative to the property commonly referred to as 420-422 West Pike Street. The property is located south of Pike Street, across Pike Street from the Post Office, and east of the Elkhart River. The property has been under the control of the State since December 30, 2016 as part of the construction.

The owners of the property have reached a settlement of the condemnation lawsuit. As part of the settlement, the State of Indiana constructed a drive cast to west, parallel to Pike Street, across the land. The proposed Ingress and Egress Easement document will grant to the City an easement across the land so that it can use the drive that the State constructed to access its drainage facility along the Elkhart River, south of Pike Street.

Under the Agreement & Release of Liability document, the City will release the State of Indiana from its responsibility to construct the drive described in the preceding paragraph. One condition of signing this second document is that the City is not obligated to provide this document to the State until the Ingress and Egress Easement is fully executed and recorded.

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

REQUEST TO APPROVE OCCUPANCY PERMIT EXTENSIONS

Goshen Stormwater Coordinator Jason Kauffman requested Board approval for Occupancy Permit Agreement deadline extensions. During the colder months of November 2017 to April 2018, the City of Goshen entered into 18 Occupancy Permit Agreements with property owners and contractors to allow for occupancy of buildings to occur even though certain exterior work had yet to be completed due to weather conditions. Of these 18 Agreements, ten (10) are complete, three (3) have requested a deadline extension, and five may or may not be complete by the June 15, 2018 deadline. The three (3) requesting a deadline extension are:

- Keystone RV Facility Expansion—3414, 3420, and 3426 Corrie Drive (extension granted on May 7, 2018)
- LionsHead Specialty Tire Building Addition and Stormwater Improvements—305 Steury Avenue (deadline extension request of July 13, 2018)
- North Meadow Self Storage—165 West Hackett Road (deadline extension request of July 6, 2018)

The five (5) outstanding Agreements that may or may not be completed by the June 15, 2018 deadline are:

- Affinity RV Service Center (Synergy RV) -- 2380 East Kercher Road
- Ridgewood Place Lot 25—915 Ridgeview Drive
- The Green House Village of Goshen—1627 Autumn Blaze Lanc
- The Green House Village of Goshen—1480 and 1510 Sandpiper Lane
- Walnut Hill Child Care—1700 Shasta Drive

Mayor Stutsman moved to extend the deadline for all referenced Agreements until July 13, 2018. Second by Board Member Landis and motion passed unanimously.

REQUEST TO APPROVE EASEMENT RELINQUISHMENT—718 SOUTH INDIANA AVENUE JN: 1996-8002

Mayor Stutsman recused himself from the following discussion and Board vote.

Director of Public Works Dustin Sailor requested Board approval for an easement relinquishment. The City has been requested to release a portion of a public Stormwater utility easement along the north side of Dr. Gene Stutsman's property, which is east of Indiana Avenue and immediately south of Mullet Park. The Stormwater easement is used by the City to direct Stormwater from Indiana Avenue to the Elkhart River through a combination of pipe and open channel. Dr. Stutsman made the request to the City to release a portion of the easement because he is converting portions of his land into a conservation easement and a conservation easement cannot be established in an area where an easement already exists.

Dr. Stutsman requested the easement be relinquished up to the Stormwater ditch's top of bank on the south side. For maintenance purposes, Goshen Engineering would not be comfortable with any relinquishment unless a minimum of 25' top of bank setback was maintained. To be prepared so that Goshen Legal can draft the appropriate legal documentation, Dr. Stutsman has requested the City complete the necessary survey work. Goshen Engineering is not comfortable proceeding with this request unless directed to do so by the Board of Public Works and Safety for the following reasons:

- 1. The easement is existing and is in favor of the City.
- 2. The Board must be willing to proceed with the easement relinquishment in the future. If the request would be denied, the money spent on professional services would subsequently be wasted.

Board Member Day moved to Table the request until the June 18, 2018 meeting. Second by Board Member Landis and motion passed unanimously.

REQUEST TO APPROVE EIGHTH STREET CLOSURE EXTENSION JN: 2011-0041

Director of Public Works Dustin Sailor requested Board approval for a road closure extension. On April 16, 2018, Goshen Engineering requested the closure of Eighth Street on behalf of Rieth-Riley Construction. The closure was to extend until May 7, 2018. Due to some complications, a segment of the pipe was removed and replaced. The additional work required Eighth Street between Lincoln Avenue and Washington Street to remain closed until June 11, 2018. Rieth-Riley is still working on restorations to Eighth Street and anticipates opening the intersection by Monday, June 18, 2018. While work occurs, the lane shift on Lincoln Avenue will remain in place.

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

REQUEST TO APPROVE 2018 BRIDGE INSPECTION REPORT JN: 2016-0010

Civil Traffic Engineer Leslie Bick requested Board approval for the 2018 Bridge Inspection Report prepared by DLZ.

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

REQUEST TO DECLARE AS AND DISPOSE OF SURPLUS PROPERTY

Legal Contracts and Claims Manager Keitha Windsor requested Board approval to declare as and dispose of the following surplus property:

Light pole

HP Deskjet Printer 2650 Serial #CN45U3B1MY

1997 KME Renegade Fire Truck VIN #1K9AF4286VN058564

Also permission is requested for the Board of Public Works and Safety to sign Resolution 2018-18 "JOINT RESOLUTION BETWEEN BENTON TOWNSHIP AND THE CITY OF GOSHEN FOR THE PURCHASE OF A FIRE TRUCK."

Indiana Code §5- 22-22- 10 permits the transfer or exchange of property between governmental entities upon terms and conditions agreed upon by the entities as evidenced by the adoption of a substantially identical resolution by each entity;

Benton Township, Indiana and the City of Goshen, Indiana are jointly adopting this resolution to satisfy the requirements of Indiana Code §5-22-22-10;

The City of Goshen, Indiana desires to transfer for the sum of Fifteen Thousand Dollars (\$15,000.00) one 1997 KME Renegade Fire Truck (VIN No. 1K9AF4286VN058564) to Benton Township, Indiana for the use and benefit of the Benton Township Fire Department;

Benton Township, Indiana desires to accept the transfer of the 1997 KME Renegade Fire Truck for and on behalf of the Benton Township Fire Department;

NOW, THEREFORE, BE IT RESOLVED that the City of Goshen, Indiana hereby transfers to Benton Township, Indiana for the sum of Fifteen Thousand Dollars (\$15,000.00) its 1997 KME Renegade Fire Truck (VIN No. 1K9AF4286VN058564) in "AS IS" condition for the use and benefit of the Benton Township Fire Department in accordance with this Resolution with such transfer to be made within thirty (30) days of both parties signing this Resolution;

NOW, THEREFORE, BE IT RESOLVED that Benton Township, Indiana hereby accepts the transfer upon Benton Township's payment of Fifteen Thousand Dollars (\$15,000.00), the 1997 KME Renegade Fire Truck (VIN No. 1K9AF4286VN058564) in "AS IS" condition from the City of Goshen, Indiana for the use and benefit of the Benton Township Fire Department effective on the date such transfer is made;

BE IT FURTHER RESOLVED by Benton Township, Indiana that the Benton Township Board of Trustees are hereby authorized to execute any necessary certificate of title or other transfer papers to effectuate and carry out the intent of this Resolution;

BE IT FURTHER RESOLVED by Benton Township, Indiana that, in consideration of the transfer of and payment for the 1997 KME Renegade Fire Truck, Benton Township, Indiana hereby forever releases and discharges the City of Goshen, Indiana and its representatives, successors, insurers, agents, employees, officers, and/or directors, from any and all dues, debts, claims, demands, actions, or causes of action, at law or in equity, and howsoever arising, and pertaining in any fashion to or associated with Benton Township's ownership, use, operation, maintenance, and possession of said 1997 KME Renegade Fire Truck; Benton Township, Indiana further agrees to indemnify and hold harmless the City of Goshen, Indiana and its representatives, successors, insurers, agents, employees, officers and/or directors, with respect to such matters, including court costs and attorney fees.

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

REQUEST TO APPROVE AIR CONDITIONER INSTALLATION—LOS PRIMOS MEXICAN GRILL

Los Primos Mexican Grill Owner Marilu Lopez requested Board approval to install an air conditioning unit in the right-of-way at Los Promos Mexican Grill, located at 124 West Jefferson Street. Because the air conditioner does not protrude farther than the existing appliance, City staff had no issue with the installation.

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

PRIVILEGE OF THE FLOOR

First United Methodist Church representative Gary Anglemeyer requested Board approval to close five parking spaces for five weeks to allow power washing, sealing, and tuck pointing of the brick for First United Methodist Church. Trucks will be moved when not working and sidewalks would be blocked in order to protect pedestrians.

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

REQUEST TO APPROVE AMAZING RACE ROUTE

Amazing Race Director Jenny Yordy requested Board approval for race routes for the Amazing Race. Ms.Yordy was not present for the meeting.

Mayor Stutsman moved to Table the request until Ms. Yordy or another representative could be available for questions. 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 STORMWATER BOARD:

MAYOR JEREMY STUTSMAN	
BOARD MEMBER MITCHELL DAY	
	_
BOARD MEMBER MICHAEL A. LANDIS <u>Whichael G. Fandlo</u>	
ATTEST CLERK-TREASURER ANGIE MCKEE	_

SYD Concrete Drive Approach, Residential, 6"

SUM Centerline Delineators (E. Jefferson St.)

LFT Line, Thermoplestic, Solid, White/Yell., 4"

EA Payement Message, RxR Crossing, White

LFT Line, Thermoplestic, Solid, White, 24"

LFT Pavement Marking, 4*, Remove
BID AMOUNT TOTAL:

Concrete Curb and Gutter, Depressed

LFT 6", Concrete Curb, Straight

Casting. Adjust to Grade

LSUM Landscape Restoration LSUM Casting, Adjust to Grad

Street/Treffic Signs

EA Utility Pole Removal

BAŜE BID			Niblock Excavating		Walsh & Kelly		Seige Construction		HRP Construction		Rieth-Rijay		
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Rem No.	Quentity			<u>Unit Price</u>	<u>Amount</u>	<u>Unit Price</u>	<u>Amount</u>	Unit Price	<u>Amount</u>	Unit Price	Amount	Unit Price	Amount
1	1		Mobilization 8. Demobilization	\$5,000.00	\$5,000.00	\$14,000.00	\$14,000.00	\$8,500,00	\$9,500.00	\$18,450.00	\$18,450.00	\$5,500.00	\$5,500.00
2	1	LSŲM	Construction Engineering & Record Dwg.	\$9,800.00	\$8,600.00	\$2,500 00	\$2,500.00	\$5,500.00	\$5.500.00	\$8,000.00	\$8,000,00	\$10,000.00	\$10,000.00
3	11		Maintenance of Traffic	\$4,196.00	\$4, 196.00	\$3,200.00	\$3,200,00	\$3,700,00	\$3,700,00	\$3,108.00	\$3,108.00	\$3,108.00	\$3,109,00
4	1		Construction Natice Board	\$675.00	\$675.00	\$500.00	\$500.00	\$1,500.00	\$1,500.00	\$500.00	\$500.00	\$1,500.00	\$1,500,00
5	1		Clearing of Right-of-way	\$12,395.00	\$12,395,00	\$13,500,00	\$13,500.00	\$11,000.00	\$11,000,00	\$10,000.00	\$10,000.00	\$70,000.00	\$70,000.00
6	2		Tree Removal, 8" to 14"	\$875.00	\$1,350.00	\$350 00	\$700.00	\$900.00	\$1,800.00	\$840.00	\$1,880.00	\$800.00	\$1,600.00
7	1		Erosion & Sediment Control	\$7,213.00	\$7,213.00	\$1,250.00	\$1,250.00	\$500.00	\$500.00	\$4,000.00	\$4,000.00	\$7,000.00	\$7,000,00
В	1		Refroed projective Liability Insurance	\$1,000,00	\$1,000.00	\$1,000,00	\$1,000.00	\$1,000.00	\$1.000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00
9	7		Norfolk-Southern, Co-site Representative	8750.00	\$5,250.00	\$750,00	\$5,250.00	\$750.00	\$ 5.250.00	\$750.00	\$5,250.00	\$750.00	\$5,250.0D
10	. 1		Site Grading	\$13,541.00	\$13,541.00	\$26,000.00	\$28,000.00	\$35,000.00	\$35,000.00	\$43,800.00	\$43,800.00	\$15,000,00	\$15,000.00
11	450	Ċ,	Common Excavating	\$26.00	\$11,700.00	\$40.00	\$18,000.00	\$25.75	\$11,587.50		\$6,750.00	\$53.DD	\$23,850,00
12A	163	LFT	12' SDR-35, PVC, Perforated	\$54.00	\$8,802.00	\$95.00	\$15,485.00	\$85.00	\$13.855.00	\$20.00	\$3,260.00	\$73.18	\$11,928,34
129	68		12" SDR-35, PVC, Solid	\$40 CO	\$2,720.00	\$43 00	\$2,924.00	\$60.00	\$4,080.00		\$1,380,00		\$3,406,12
12C	325	LFT	6" SDR-35 PVC w/ Cleanout	\$98 CO	\$31,850.00	\$85.00	\$21,125.00	\$64.00	\$20,800.00	\$40.00	\$13,000.00		\$21,680,75
120	260		Gravel, Washed, 1 1/2" to 3"	\$14.00	\$3,840.00	\$25.00	\$8,500.00	\$29.00	\$7,540.00	\$27.25	\$7,085,00	\$40.65	\$10.569.00
13	- 8	ĘĄ	3050 Gallon Drywell w/ Casting	\$4,422.00	\$35,376.00	\$5,700.00	\$45,600.00	\$6,250.00	\$50,000.00	\$13,000,00	\$104,000.00	\$ 8,197,89	\$49 583.12
14	100	TON	Treck Ballasi	\$55.00	\$5,500.00	\$75.00	\$7,500.00	\$71.50	\$7,160,00	\$50,001	\$5,000.00	\$103.57	\$10 357.00
15	1	EA	Fire Hydrant Assembly	\$5,028.00	\$5,028.00	\$6,000.00	\$6,000.00	\$4,300.00	\$4,300.00	\$8,000,000	\$8,000,00	\$7,283,84	\$7,283,84
18A	8	EÁ	Corporation, Stop. 11	\$109.00	\$872 00	\$500.00	\$4,000.00	\$275.00	\$2,200.00	\$250.00	\$2,000,00	\$992.47	\$7.939.7B
16B	8	EΑ	Curb Stop, Box & Stationary Rod, 1*	\$255.00	\$2,040.00	\$500.00	\$4,000.00	\$350 00	\$2,800.00	\$1,000.00	\$8,000.00	\$1,102.63	\$9 921.04
16C	220	LFT	Water Service, HDPE, OR 9, CT\$ w/tracer	\$33.00	\$7,260.00	\$40.00	\$8,800.00	\$32.50	\$7,160.00	\$15,00		524.13	\$5,309,60
17	625	TON	6" Compacted Aggregate Subbase, No. 53	\$25.00	\$15,625.00	\$25.00	\$15,625.00	\$25.75	\$16,083.75	\$35.00			\$17.687.5D
1BA	190	TON	1.5" HAC Surface, 9.5 mm, Type B	00.B8\$	516,720.00	\$80.00	\$15,200.00	\$38.00	\$16,720.00	\$80.00		\$104.00	
188	271	TON	2.5" HAC Bilder, 8 or 9 mm, Type 9	\$70.00	\$18,970.00	\$68.00	\$18,428.00	\$70 00	\$18,970,00	\$68.00	\$18,428.00	\$89.00	\$24,119.00
18C	2 9 0	TON	3" HCA Bese, 19.0 mm, Type 8	\$68.00	\$19,720.00	\$64.00	\$18,580.00	\$68.00	\$19,720.00	\$84.00			\$25.810.00
18D	1	TON	Teck Coet	\$1,037,00	\$1,037,00	\$250.00	\$250.00	\$1,050.00	\$1,050.00	\$250.00	\$250.00	\$1,500.00	\$1,500.00
19A	315	SYD	Concrete Sidewalk, 4"	\$53.00	\$18,895.00	\$48 00		\$64.50		\$48.DD	\$15,120.00		\$23,625.00
199	22	SYD	Concrete Sidewalk, ADA Ramp	\$149.00	\$3,278.00	\$83.00	51,828.00	\$289 00	\$6,359.00	\$83.00		\$176.00	\$3.872.00
19C	76	CVD	Cookrala Orive American Registration 6"	tua on	\$2 DZS 00	•no on	#2 300 DO	E127 5A	62 107 60	202.00			

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ALTERNATE A				Niblock Excavating		Walah & Kelly		Seige Construction		HRP Construction		Rieth-Riley	
Item No.	Ę <u>ar</u>	Man	Dana dalla a	Hall Berg		U-24 P-2		U-6 D		hh-la 6 -1			
	_			Unit Price	<u>Amount</u>	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
A1	520		12" SDR-35 PVC Sanitary Sewer	\$38.00	\$18,720.00	*	V - 1		\$30,810.00	\$27.00	\$14,040,00	\$48.02	\$24,970.40
A2	2	EA	Sanitary Manhole 48" dia, Type C	\$3,499,00	\$6,998.00	\$8,000,00	\$12,000.00	\$6,400.00	\$12,800.00	\$5,400.00	\$10.800.00	\$3,414 09	\$6,928.18
A3	1	EA	Doghouse Sanitary Manhole, 48" dia.	\$4,282.00	\$4.2B2 00	\$8,500.00	\$6,500.00	\$6,350.00	\$8,350.00	\$6,500.00	\$8.500.00	\$3,819.04	\$3,619.04
A4	18	ËΑ	12' x 6" Tee	\$358.00	\$6,462.00	\$150.00	\$2,700.00	\$250 CO	\$4,500.00	\$800.00	\$14,400.00	\$859.03	\$11,862.54
			ALTERNATE A TOTAL:		\$38,442.00		\$45,180.00		\$54,460.00		\$45,740.00	3	\$47,210.16
		OTAL	. AMOUNT OF BASE BID + ALTERNATE A:		\$336,679.00		\$375,338.00		\$418,002.25		425,936.26		\$507,004.25

I certify that this bid tab is true and accurate, and the contractors submitted all the required bid information.

Leslie Blak, PE Traffic Engineer City of Goshen, Indiana

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