



MINUTES of March 1, 2021 Regular Meeting

Board of Public Works & Safety and Stormwater Board

Held 2:00 p.m. Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana

Present: Chair Jeremy Stutsman, Member Mary Nichols, Member Mike Landis

Absent: None

Minutes from February 22 were presented.

Landis/Nichols moved to approve the minutes of February 22, 2021 as presented. Passed 3-0

Mayor Stutsman asked to add Item #17 (Resignation of Officer Kyle Taylor and Officer Zachary Miller), Item #18 (Request for Unpaid Administrative Leave for Officer Joshua Owens) and Item #19 (Unpaid Water and Sewer Accounts) to the agenda.

Landis/Nichols moved to approve the agenda as amended. Passed 3-0

Phil Schrock Resignation as Active Paramedic

Fire Chief Danny Sink presented the packet memo.

Landis/Nichols moved to accept the resignation of Phil Schrock as an active paramedic effective March 1, 2021. Passed 3-0

Hiring of Catherine Jo Schrock as Probationary Patrol Officer

Chief of Police Jose' Miller presented the packet memo.

Landis/Nichols moved to approve the hiring of Catherine Jo Shrock as a Probationary Patrol Officer effective March 1, 2021. Passed 3-0

Catherine Jo Shrock was sworn in by Mayor Stutsman.



Promotion of Jeffery L. Weaver to Finance Manager, Deputy Clerk-Treasurer

Clerk-Treasurer Adam Scharf presented the packet memo.

Landis/Nichols moved to approve the promotion of Jeffrey L. Weaver to Finance Manager in the Clerk-Treasurer's Office effective March 1, 2021. Passed 3-0

Jeffery L. Weaver was sworn in by Mayor Stutsman.

Wastewater Treatment Plant Improvements, Change Order #1, JN: 2019-0025A

Administrative City Engineer Bryce Gast presented the packet memo.

Landis asked about the project status. Gast stated that the completion goal is January 2022. He estimated the project to be 30%-40% completed at present.

Landis/Nichols moved to approve Change Order No. 1 in the amount of \$64,283.00 with no change to the project schedule. Passed 3-0

Resolution 2021-06: Interlocal Agreement Elkhart County for Animal Control Services

Paralegal Brandy Henderson presented the packet memo.

Landis/Nichols moved to adopt Resolution 2021-06, Interlocal Agreement with Elkhart County for Animal Control Services. Passed 3-0

Recommendation to Award Bid for Tri-axle Dump Truck

Paralegal Carla Newcomer presented the packet memo.

City Attorney Bodie Stegelmann provided clarification on Indiana Code 5-22-16-2(1) and City Ordinance 3828 regarding vehicles being manufactured in the United States.

Mayor Stutsman commented that globalization makes this a difficult subject; wondered about law and ordinance changes in recognition.

Stegelmann stated he hopes for a clear definition of "manufactured."

Fleet Manager Carl Gaines stated Truck Centers, Inc. does not conform to bid specifications and will not have the vehicle ready for 240 days.



Landis/Nichols moved to reject Vomac Truck Sales and Services due to being unresponsive and not conforming to City Ordinances and Award the Bid to Selking International Trucks subject to March 2, 2021 City Council approval, and approve the Agreement subject to City Council approval. Passed 3-0

Grant Agreement – IDEM Volks Wagon Electric Charging Station Project Funding

Stegelmann presented the packet memo.

Environmental Resilience Director Aaron Sawatsky-Kingsley stated that the new charging stations would go in the public parking behind Interra Credit Union and Goshen Brewing Company. Kingsley also clarified that it is a single station with a double feed.

Kingsley explained that the total cost would be \$23,000-\$24,000 and the grant covers \$9,000.

Mayor Stutsman also stated that the charging station located behind City Hall is a level two charging station, the same that the grant would help fund.

Landis/Nichols moved to grant authorization for the City to accept grant funds from the Indiana Department of Environmental Management to use to pay for Level Two electric charging station and authorize Mayor Stutsman to sign the Agreement. Passed 3-0

City Court Agreement with Advanced Imaging Solutions

Stegelmann presented the packet memo.

Landis/Nichols moved to grant authorization for the City to extend the Agreement with Advanced Imaging Solutions for provision of a printer/copier/scanner/fax machine and maintenance of this machine, and authorize Judge Mehl to sign the five (5) year Agreement. Passed 3-0

Agreement with Peerless Midwest for Wellfield Expansion Investigation

Stegelmann presented the packet memo.

Landis asked if the City owned the property. Water and Sewer Superintendent Kent Holdren stated it would most likely require additional property.

Landis/Nichols moved to enter into an Agreement with Peerless Midwest, Inc. d/b/a Suez Advance Solutions to investigate soil and groundwater conditions at or near the City's Kercher Wellfield at a cost not to exceed \$125,380.00 with services to be completed within 25 to 180 days from notice to proceed. Passed 3-0



Agreement with Roberts Environmental for Soil/Water Conditions Investigation

Stegelmann presented the packet memo.

Stegelmann stated that this is the first step through the work Peerless Midwest will analyze.

Landis/Nichols moved to enter into an Agreement with Roberts Environmental Services, LLC to investigate soil and groundwater conditions at or near the City's Kercher Wellfield at a cost not to exceed \$15,650.00 with all services to be completed within 90 days after notice to proceed. Passed 3-0

Extension of Lincoln Avenue and Olive Street Lane Restrictions, JN: 2019-0046

Director of Public Works Dustin Sailor presented the packet memo.

Sailor requested to combine items #11 and #12 into one motion.

Landis/Nichols moved to approve the extension of the Olive Street road closure, just north of Lincoln Avenue, from March 1, 2021 until March 5, 2021 and approve an extension of lane restrictions along Lincoln Avenue and Olive Street until March 19, 2021. Passed 3-0

North Main Lane Restrictions – North Main Street Improvements, JN: 2016-0020

Sailor presented the packet memo.

Landis/Nichols moved to approve the North Main Street partial lane restrictions between Middlebury Street and Pike Street from March 2, 2021 through March 4, 2021. Passed 3-0

Pedestrian Path Closure, Rock Run Creek Improvements, JN: 2019-0025

Sailor presented the packet memo.

Landis/Nichols moved to approve the pedestrian path closure in Kauffman Park March 2 and 3, reopening in the morning of March 4, 2021. Passed 3-0

Request for No Parking – Bridge Street

Civil City Engineer Josh Corwin presented the packet memo.

Landis/Nichols moved to approve the installation of "No Parking" signs along the south side of Bridge Street and the removal of "No Parking" signs along the east side of North 8th Street. Passed 3-0



Request for School Zone Signs

Corwin presented the packet memo.

Landis/Nichols moved to approve the installation of the necessary signs to comply with State Code requirements for school zone speed signs. Passed 3-0

Police Department Resignation of Kyle Taylor

Miller presented the resignation Officer Kyle Taylor effective March 5, 2021. *(Attached as Exhibit A)*

Landis/Nichols moved to accept the resignation of Officer Kyle Taylor from the Goshen Police Department effective March 5, 2021. Passed 3-0

Police Department Resignation of Zachary Miller

Miller presented the resignation of Officer Zachary Miller effective March 11, 2021. *(Attached as Exhibit B)*

Landis/Nichols moved to accept the resignation of Officer Zachary Miller effective March 11, 2021.

Passed 3-0

Unpaid Administrative Leave for Joshua A. Owens

Miller presented request to place Officer Joshua Owens on administrative leave without pay. *(Attached as Exhibit C)*

Miller stated that Owens has waived his right to present his case in front of the Board.

Mayor Stutsman explained that Goshen Police Department policy is that once an investigation on an officer begins, the officer is placed on paid administrative leave; if a charge has been filed against an officer, the officer is placed on unpaid administrative leave.

Landis/Nichols moved to approve that Joshua A. Owens is placed on unpaid administrative leave effective March 1, 2021. Passed 3-0

Unpaid Water and Sewer Accounts

Utilities Business Office Manager Kelly Saenz presented the packet memo.

Landis/Nichols moved to approve moving uncollected final amounts from active to collections sewer liens and write offs for the amount of \$10,139.18. Passed 3-0



Privilege of the Floor

No one spoke.

Stutsman/Landis moved to approve Civil City and Utility claims and adjourn. Passed 3-0

Adjournment at 2:43 p.m.

Exhibit A (2 pages): Resignation of Officer Kyle Taylor

Exhibit B (2 pages): Resignation of Officer Zachary Miller

Exhibit C (1 page): Request for unpaid administrative leave of Officer Joshua A. Owens

APPROVED

(ABSENT) JS

Jeremy Stutsman, Chair

Michael A Landis

Michael Landis, Member

Mary Nichols

Mary Nichols, Member

ATTEST

Adam Scharf

Adam Scharf, Clerk-Treasurer



Jose' D. Miller

Chief of Police

111 E Jefferson St

Goshen, Indiana 46528

TO: Goshen Board of Public Works & Safety
Mayor Jeremy Stutsman
Member Mike Landis
Member Mary Nichols

Date: March 1st, 2021

From: Jose' Miller, Chief of Police

Reference: Request to Accept Resignation of Officer Kyle Taylor

I am requesting that the Board of Public Works and Safety approve the resignation of Officer Kyle Taylor effective March 5, 2021. Officer Taylor has submitted his resignation from the Goshen Police Department. Kyle intends on leaving law enforcement to work in the private sector for a local staircase company in Goshen. I would like to thank Kyle for his hard work and dedication to the police department and our community during these last five years. I hope his new career path is everything he expects it to be and wish him the best.

Respectfully,

Jose' Miller #116

Chief of Police

Goshen City Police Department

111 E. Jefferson Street

Goshen, IN. 46528

Telephone: (574) 533-8661

Hearing Impaired: (574) 533-1826

FAX: (574) 533-1826

Dear Chief Miller

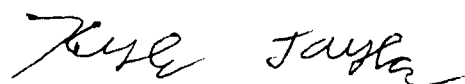
I write this letter to inform you of my resignation effective March 5th, 2021.

It has been great working as a police officer for nearly 5 years. This was a tough decision but ultimately a decision that will benefit myself and my family.

I'm thankful for the opportunity to serve the community of Goshen. I wish you all the best, and please let me know if you need anything else from me.

Regards,

Ptln. Kyle Taylor

A handwritten signature in black ink that reads "Kyle Taylor". The signature is written in a cursive, flowing style.



Jose' D. Miller

Chief of Police

111 E Jefferson St
Goshen, Indiana 46528

TO: Goshen Board of Public Works & Safety
Mayor Jeremy Stutsman
Member Mike Landis
Member Mary Nichols

Date: March 1st, 2021

From: Jose' Miller, Chief of Police

Reference: Request to Accept Resignation of Officer Zachary Miller

I am requesting that the Board of Public Works and Safety approve the resignation of Officer Zachary Miller effective March 11, 2021. Officer Miller has submitted his resignation from the Goshen Police Department. Zach intends on leaving law enforcement to work in the private sector. He feels this decision is best for he and his family. I would like to thank Zach for his work and commitment to our community and department for these last 7 ½ years of service. I wish Zach and his family the best with his new path.

Respectfully,

Jose' Miller #116
Chief of Police
Goshen City Police Department
111 E. Jefferson Street
Goshen, IN. 46528

Telephone: (574) 533-8661

Hearing Impaired: (574) 533-1826

FAX: (574) 533-1826

Dear Division Chief Mora,

Please accept this letter as a formal notice of my resignation from the Goshen Police Department, effective March 11, 2021.

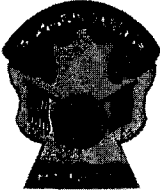
This has been a difficult decision for me. However, I believe it is what is best for my family and me. I am extremely grateful to be given the opportunity to serve my community and fulfill a lifelong goal of being a Police Officer.

I wish the department and all members the best for the future. Be safe out there.

Sincerely,

A handwritten signature in black ink, appearing to read 'Zach Miller', with a long horizontal flourish extending to the right.

Zach Miller



Jose' D. Miller

Chief of Police

111 E Jefferson St

Goshen, Indiana 46528

TO: Goshen Board of Public Works & Safety
Mayor Jeremy Stutsman
Member Mike Landis
Member Mary Nichols

Date: March 1st, 2021

From: Jose' Miller, Chief of Police

Reference: Request to Place Officer Joshua Owens on Administrative Leave Without Pay

I am requesting that the Board of Public Works and Safety approve the request to place Officer Joshua A. Owens on Administrative Leave without Pay. On February 22, 2021, the Goshen Police Department was informed that criminal charges were filed against Officer Joshua Owens as a result of an incident occurring in early November 2020. As a result of the criminal charges being filed, I recommend that the Board of Public Works and Safety place Officer Owens on administrative leave without pay until disposition of the criminal charges in accordance with Indiana Code 36-8-3-4(c) and (n). The Legal Department has provided notice to Officer Owens and informed him that he has a right to a hearing before the Board. Officer Owens has waived his right to a hearing and does not object to being placed on administrative leave without pay until after the disposition of the criminal charges currently pending.

Respectfully,

Jose' Miller #116

Chief of Police

Goshen City Police Department
111 E. Jefferson Street
Goshen, IN. 46528

Telephone: (574) 533-8661

Hearing Impaired: (574) 533-1826

FAX: (574) 533-1826