



MINUTES of April 12, 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

No minutes were presented.

Mayor Stutsman suggested removing Item #11, Olive St. Closure, and replacing it with a Housing Authority Request.

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

Fire Department Resignation: Josh Ortiz

Assistant Fire Chief Mike Happer presented the packet memo.

Landis/Nichols moved to accept the resignation of Josh Ortiz effective April 16, 2021. Passed 3-0

Request for Sewer Charge Relief: 1120 South Main Street

Water and Sewer Superintendent Kent Holdren presented new findings for sewer charge relief as identified by Water and Sewer staff after the April 5 Board discussion.

Utility Billing Office Manager Kelly Saenz stated the presented amount is for a three month billing cycle. Added that the petitioner would not need to submit another sewer relief request.

Landis/Nichols moved to approve Sewer Charge Relief at 1120 South Main Street for \$517.85 and \$52.98 for late charges. Passed 3-0

Request for Sewer Charge Relief: 234 The Willows

Saenz presented the packet memo.

Saenz stated that the petitioner, Charles Fitzgerald, does not actively live at the house and could not be reached to notify about the leak. Added the Homeowners Association was contacted and water was turned off at the residence.



Saenz stated that a \$500 relief has already been granted administratively, therefore the Board need only approve the remaining \$151.73 balance.

Landis/Nichols moved to approve sewer relief for \$151.73 at 234 The Willows. Passed 3-0

Request for Partial Sidewalk Closure: The Goshen News, 114 South Main Street

Tricia Johnston, publisher for The Goshen News, presented request to block off part of the sidewalk due to debris falling off the façade; until a contractor can be hired to perform repairs.

Johnston stated that barricades have been placed to mark off the area, however more could be added with guidance from the Street Department.

Director of Public Works Dustin Sailor stated the ADA 5-foot passable width standard must be followed.

Landis/Nichols moved to approve the partial sidewalk closure at 114 South Main Street until a permanent solution has been found; have the Street Department inspect and add barricades if need; follow ADA sidewalk requirements. Passed 3-0

Water and Sewer Unpaid Final Accounts

Saenz presented the packet memo.

Saenz stated that due to COVID-19 guidelines in restricting water and sewer shut-offs, unpaid amounts have continued to accumulate. Added that even though funds were made available by the City and County to assist with Utility payments, a small amount of those funds have been distributed.

Landis/Nichols moved to approve moving \$6,067.28 from active to collections Sewer Liens and Write offs from the Utility Department. Passed 3-0

Post-Construction Plan Approval: Lassus Fuel and Convenience Store, JN: 2019-0037

Sailor presented the packet memo.

Sailor added no opening date of the store has been announced.

Landis/Nichols moved to accept the post-construction Stormwater management plan for Lassus Fuel and Convenience Store as it has been found to meet the requirements of City Ordinance 4329. Passed 3-0



Brownfield Grant Agreement, Redevelopment Commission: 223 South Main / 113 West Jefferson

Redevelopment Project Manager Becky Hutsell presented the packet memo.

Hutsell stated that approximately \$50,000 has been spent out of the Brownfield Revolving Loan Fund with approximately \$200,000 deposited back into the fund.

Landis/Nichols moved to approve the Brownfield Revolving Loan Fund Grant Agreement with the Goshen Redevelopment Commission. Passed 3-0

Agreement with The Airmarking Co., Inc. for 2021 Road Striping

Paralegal Brandy Henderson presented the packet memo.

Street Commissioner David Gibbs stated the project cost was approximately the same as last year.

Landis/Nichols moved to enter into an agreement with The Airmarking Co., Inc. to provide road striping of certain City streets at a cost not to exceed \$46,614.30 with all work to be completed by August 30, 2021. Passed 3-0

Resolution 2021-08: Interlocal Agreement, Elkhart County Consolidated Court Site

Legal Compliance Administrator Shannon Marks presented the packet memo.

Marks provided a revised memo (*Attached as Exhibit B*) and discussed details therein. Discussion on how funding is shared between City and County.

Landis asked why the City was to pay a million dollars more than the County. Mayor Stutsman stated that is was known at the time that the City was to pay more in order to bring the project to Goshen.

Landis/Nichols moved to adopt Resolution 2021-08, Interlocal Agreement with the County of Elkhart for the Consolidated County Court Site. Passed 3-0

Resolution 2021-10: 2021 City Holiday Schedule

Marks presented the packet memo.

Clerk-Treasurer Adam Scharf noted that the last observed holiday is New Year's Day, which is a 2022 holiday.

Landis/Nichols moved to adopt Resolution 2021-10, 2021 City Holiday Schedule, and note the last holiday is a 2022 holiday. Passed 3-0



Goshen Housing Authority

Mayor Stutsman presented the request for release of funds from Goshen Housing Authority. (*Attached as Exhibit A*)

Mayor Stutsman stated that the Housing Authority has requested two vouchers be used for a new eight-unit complex for disabled families transitioning from group homes. Added this is a joint project between Oaklawn Mental Health Services and LaCasa, Inc.

Landis/Nichols moved to grant approval for the Mayor to sign the request for release of funds and certifications from the HUD for vouchers. Passed 3-0

Privilege of the Floor

Mayor Stutsman announced, with agreement from the Board, a more centralized and gathered seating arrangement with be but back in place unless any health and safety concerns are presented.

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

Adjournment at 2:34 p.m.

Exhibit A: Goshen Housing Authority Request (1 page)

Exhibit B: Revised Memo: Resolution 2021-08 Interlocal Agreement, Elkhart County Consolidated Court Site (1 page)

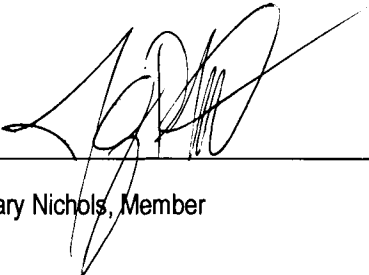
APPROVED

A handwritten signature in black ink, appearing to be "J. Stutsman", is written over a horizontal line. The signature is stylized and cursive.

Jeremy Stutsman, Chair

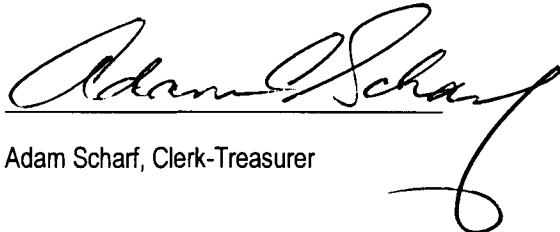
Michael Landis, Member





Mary Nichols, Member

ATTEST



Adam Scharf, Clerk-Treasurer

Exhibit A: Housing Authority Request, 1 page

Request for Release of Funds and Certification

U.S. Department of Housing
and Urban Development
Office of Community Planning
and Development

OMB No. 2506-0087
(exp. 08/31/2023)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s) Project Based Vouchers	2. HUD/State Identification Number 8536/5HPH	3. Recipient Identification Number (optional) IN060
4. OMB Catalog Number(s) 14.871	5. Name and address of responsible entity City of Goshen 202 S 5th Street Goshen IN 46528	
6. For information about this request, contact (name & phone number) Pamela Kennedy, Executive Director Warsaw Housing Authority (574)269-7641	7. Name and address of recipient (if different than responsible entity) Warsaw Housing Authority P O Box 387 Milford IN 46542	
8. HUD or State Agency and office unit to receive request Indianapolis HUD Office IndianapolisPublicHousing@hud.gov	9. Program Activity(ies)/Project Name(s) PBV - Units for disabled families leaving residential housing	
10. Location (Street address, city, county, State) 1789 Westplains Drive Goshen IN 46528		11. Program Activity/Project Description Enter into a contract between the Warsaw Housing Authority and LaCasa Inc. to provide 2 project based vouchers for a newly constructed 8 unit complex for disabled families coming out of group home living. This new building brings 8 new units to this site, which was built with a HOME grant. They will be ready to lease up on May 1, 2021. LaCasa built this complex in partnership with Oaklawn Community Mental Health Center. Oaklawn will be providing case workers for each of the occupants. The Warsaw Housing Authority is providing Rental Education to those with PBV and vouchers to enhance their skills for living independently. Six families have been approved to occupy the units by LaCasa, Oaklawn and the Warsaw Housing authority to date.

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. The responsible entity has assumed responsibility for and complied with and will continue to comply with Section 106 of the National Historic Preservation Act, and its implementing regulations 36 CFR 800, including consultation with the State Historic Preservation Officer, Indian tribes and Native Hawaiian organizations, and the public.
4. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal did did not require the preparation and dissemination of an environmental impact statement.
5. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
6. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
7. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

8. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
9. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity	Title of Certifying Officer City of Goshen, Mayor
	Date signed April 12, 2021

Address of Certifying Officer
202 S 5th Street Goshen IN 46528

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient	Title of Authorized Officer Executive Director, WHA
	Date signed April 12, 2021

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

Exhibit B: Revised Memo Resolution 2021-08, 1 page



CITY OF GOSHEN LEGAL DEPARTMENT

City Annex
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Goshen, Indiana 46528-3405

Phone (574) 537-3820 • Fax (574) 537-3817 • TDD (574) 534-3185
www.goshenindiana.org

April 12, 2021

To: Board of Public Works and Safety

From: Shannon Marks

Subject: Resolution 2021-08, Interlocal Agreement with the County of Elkhart for the Consolidated County Court Site

Attached to Resolution 2021-08 is an Interlocal Agreement with the County of Elkhart that sets forth the duties and responsibilities of the parties to extend and/or improve needed infrastructure to the proposed Consolidated County Court Site located in the area of US 33, Reliance Road and County Road 17.

The Interlocal Agreement provides that the City and County will share the costs to construct road improvements along Reliance Road between US 33 and Peddler's Village Road and along Peddler's Village Road to the County Road 17 overpass. The road improvements will include center turn lanes, acceleration/deceleration lanes and intersection improvements. In addition, storm piping will be constructed to take stormwater run off from Reliance Road to an approved outlet.

After the design engineering has been completed for the joint projects, if the estimated costs of the joint projects exceed \$3,000,000, either party may give notice to the other party to withdraw from participation in the joint projects. The parties shall each pay 50% of the design engineering costs. If either party is contractually obligated for any costs other than design engineering costs at the time of withdrawal, the withdrawing party shall pay 75% and the non-withdrawing party shall pay 25% of such other costs.

In the event neither party withdraws from participation in the joint projects, then the City will pay the first \$1,500,000 of all direct and indirect costs of the joint projects. The County will pay the next \$500,000 of all direct and indirect costs of the joint projects. The City and County will each pay 50% of all direct and indirect costs which exceed \$2,000,000.

The Redevelopment Commission will be considering a resolution to approve the terms and conditions of the Interlocal Agreement on April 13, 2021, and the Common Council will also be considering a resolution on April 20, 2021.

Suggested Motion:

Move to adopt Resolution 2021-08, Interlocal Agreement with the County of Elkhart for the Consolidated County Court Site.