



MINUTES of May 17, 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 of May 10, 2021 were presented.

Landis/Nichols moved to approve the minutes of May 10, 2021 as presented. Passed 3-0

Mayor Stutsman suggested adding Open Bids for 217 Wilden Purchase.

Landis/Nichols moved to add Bids for 217 Wilden Avenue and approve the agenda as amended. Passed 3-0

Open Bids: 217 Wilden Avenue

Mayor Stutsman opened the sealed bids:

Habitat for Humanity of Elkhart County, Inc. - \$8,500.00

Lloyd and Phyllis Yoder of Middlebury, Indiana - \$16,100.00

Mayor Stutsman/Landis moved to refer bids to the Legal Department. Passed 3-0

Special Event Tabled from May 3: "Move for the Movement"

Sarah Virgil, Founder/President of Roller-skate to Liberate, was present to discuss route changes presented by Mayor Stutsman.

Landis/Nichols moved to approve "Move for the Movement" on June 12 from 1 p.m. to 3:30 p.m. to use City Park trails and coordinate with the Parks Department and to use the City Parking lot located by Goshen Brewing Co. Passed 3-0



213 South Main Street Parking Spaces Use Request

Rebecca Haab, representing Twisted Britches Boutique, presented the request.

Landis asked if this would affect any of the surrounding businesses. Haab stated that most of the surrounding businesses would be closed on Sunday and the storefront directly beside her is not open yet.

Street Commissioner David Gibbs stated he would bring and set up cones to block off the spaces.

Landis/Nichols moved to approve the closure of five parking spaces in front of 231 South Main Street on Sunday June 6, 2021 from 10 a.m. to 5 p.m. for a business anniversary celebration. Passed 3-0

Agreement for Purchase of Six Electric-assisted Bicycles

Paralegal Carla Newcomer presented the packet memo.

Grant Writer/Public Educator Theresa Sailor spoke about the function of the bikes, their intended purpose. Encouraged all City staff to experience the electric-assisted bikes. Added that a policy regarding the bikes will be brought to the Board.

Landis asked why six bikes were purchased. Sailor replied the department was confident that it was a good starting number.

Danny Jones of Lincoln Ave. Cycling and Fitness demonstrated one of the e-bikes. Clerk-Treasurer Adam Scharf asked his recommendation on indoor or outdoor storage. Jones said, like any bicycle, indoor storage is recommended.

Landis/Nichols moved to approve and execute the Agreement for six Electric Assisted Bicycles with Lincoln Avenue Cycling and Fitness, Inc. Passed 3-0

Agreement with Peerless Midwest for Well Cleaning and Maintenance

Newcomer presented the packet memo.

Water and Sewer Superintendent Kent Holdren stated this is an annual well cleaning; separate from another recent agreement.

Landis/Nichols moved to approve and execute the Agreement for Well Cleaning and Maintenance with Peerless Midwest, Inc. for \$45,575.00. Passed 3-0



Resolution 2021-14: Waste Disposal Form Authorization

City Attorney Bodie Stegelmann presented the packet memo.

Landis/Nichols moved to approve Resolution 2021-14 authorizing Jim Kerezman to execute a certain Waste/Material Profile Form associated with the disposal of potassium cyanide. Passed 3-0

Acceptance of Temporary Easement at 217 West Wilden Avenue

Legal Compliance Administrator Shannon Marks presented the packet memo.

Landis/Nichols moved to accept the Temporary Easement at 217 West Wilden Avenue from the City of Goshen, Indiana, for the Use and Benefit of its Department of Redevelopment, and authorize the Mayor to execute the Acceptance. Passed 3-0

Resolution 2021-13: InDOT Local Roads and Bridges Matching Grant Agreement

Marks presented the packet memo.

Landis/Nichols moved to pass and adopt Resolution 2021-13 – Local Roads and Bridges Matching Grant Agreement with InDOT for Reconstruction Work along Madison Street and College Avenue. Passed 3-0

Agreement for Network Installation at Police Training Facility, JN: 2018-0014

Director of Public Works Dustin Sailor presented the packet memo.

Stegelmann explained that a bid from Teledata was received after the deadline due to a death in the family of a Teledata employee. Added that the Small Purchase Policy states that the Board of Public Works and Safety determines if a late bid may be accepted. Bid was received on May 12, 2021 and the amount was well below the other bids. Members and counsel agreed that the large difference between Teledata bid and next lowest bid made collusion seem very unlikely.

Engineering Inspector Andrew Lund verified that Teledata has been to the site since the revised extent of the work and stated he did not share any bid amount or information regarding the other bidders.

Discussion on the bid followed.

Landis/Nichols moved to approve the Agreement with Teledata for the Network Installation at the Goshen Police Training Facility in the amount of \$15,760.40. Passed 3-0



Change Order No. 1 for Douglas, Reynolds, and 16th Street, JN: 2020-0017

D. Sailor presented the packet memo with a power point presentation explain the work that has been done. (*Attached as Exhibit C*)

D. Sailor explained the change was due to areas of soil under the asphalt being an unsuitable subgrade.

Landis/Nichols moved to approve Change Order No. 1 for the Douglas, Reynolds, and 16th Streets projects in the amount of an additional \$153,803.50 and three additional days. Passed 3-0

Eisenhower Drive North and South Closures, JN: 2020-0013

D. Sailor presented the packet memo.

Landis/Nichols moved to approve the separate road closure and lane closures of Eisenhower Drive North and Eisenhower Drive South, west of Dierdorff Road, from May 18 until July 30, 2021. Passed 3-0

Pickwick Manor Lane Restrictions for Concrete Paving, JN: 2021-002

D. Sailor presented the packet memo.

Landis/Nichols moved to approve the Concrete Paving Project lane restrictions in Pickwick Manor on May 17 thru June 18, 2021. Passed 3-0

Goshen Hospital – High Park Water Tap Termination

D. Sailor presented the packet memo.

Clerk-Treasurer Adam Scharf added that work has already begun.

No formal action was taken.

Privilege of the Floor

No one spoke.



Building Commissioner Order: 308 East Plymouth Avenue

Building Department and Planning/Zoning Inspector Travis Eash presented the violations. (*Memo and photographs attached as Exhibit A*)

Eash and Assistant Building Commissioner Myron Grise spoke on the issues still remaining at the property. Grise added that some of the repairs do not comply with state code and more problems are known but were not stated in the Order. Added that workmanship was poor.

Property Owner Cecil Bontrager stated that the issues presented in the Order have been fixed and presented his own pictures of repairs he completed. (*Attached as Exhibit B*) Bontrager stated that he has owned the house for approximately 20 years and plans to rent out the house. Bontrager commented that it would not be a house "you or I would live in." Said he believes the repairs done have met what the Order stated. Added that he would prefer 60 days to make further repairs.

Landis asked about any continued water damage that may occur and how long the repairs to the roof are expected to last. Stated that not every problem can be listed on an Order and that the current Order gives enough of an explanation for all of the issues at the residence for Bontrager to repair. Landis commented that City Ordinances are in place to keep the City looking nice and create a beautiful neighborhood for everyone to enjoy.

Stegemann explained the actions the Board can vote on; discussion followed on the extent and quality of the repairs done at the property.

Mayor Stutsman/Nichols moved to extend the hearing until the July 12 Board of Public Works and Safety and Stormwater meeting under the conditions that the owner pull the correct permits. Passed 3-0

Reschedule Meeting from May 31 to June 1, 2021

Mayor Stutsman/Nichols moved to reschedule the May 31 meeting to June 1, 2021 at 2 p.m. Passed 3-0

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

Adjournment at 3:24 p.m.

Exhibit A: Order of the Building Commissioner (21 pages)

Exhibit B: Documentation provided by Cecil Bontrager (14 pages)

Exhibit C: Slide presentation for Douglas/Reynolds reconstruction soil stabilization change order (8 pages)

[Signatures on following page]



APPROVED

A handwritten signature in black ink, appearing to be "J. Stutsman", written over a horizontal line.

Jeremy Stutsman, Chair

A handwritten signature in black ink, appearing to be "Michael A. Landis", written over a horizontal line.

Michael Landis, Member

A handwritten signature in black ink, appearing to be "Mary Nichols", written over a horizontal line.

Mary Nichols, Member

ATTEST

A handwritten signature in black ink, appearing to be "Adam Scharf", written over a horizontal line.

For Adam Scharf, Clerk-Treasurer