



MINUTES of Aug. 30, 2021 Regular Meeting

Board of Public Works & Safety and Stormwater Board

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

Present: Member Chair (Mayor) Jeremy Stutsman, Mike Landis (acting chair), Member Mary Nichols, Member Barb Swartley, Member DeWayne Riouse

Call to Order: Mayor Stutsman called the meeting to order at 2 p.m.

Review/approval of Minutes: The minutes of the Aug. 23, 2021 Board of Works meeting were presented. **Board of Works Member DeWayne Riouse moved to approve the minutes as presented and the motion was seconded by Board of Works Member Mary Nichols. Motion passed 5-0.**

Review/approval of Agenda: Chair Stutsman presented the agenda to the Board and added a new agenda item (moved to #2) – the review of an open bid for new city vehicles. **Riouse moved to approve the revised agenda and the motion was seconded by Nichols. Motion passed 5-0.**

1. Life-saving award presentation to Goshen Fire and Goshen Police personnel

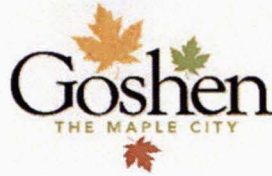
Goshen Fire Department Chief Danny Sink reported that on July 28, 2021, Lt. Shane McKerchie, Sgt. Winston Lechlitrner, Sgt. Jon Weishaupt and Firefighter Matt Stamm responded to a report of 1-year-old male choking and unresponsive. Upon arrival the crew found the child in the care of GPD Officer Stu Smith. The child was immediately moved to the ambulance for resuscitative care. Chief Sink said that due to the exemplary, rapid and appropriate critical care provided by the crew, the child arrived at the hospital breathing on his own and care was turned over to the Emergency Department staff. Chief Sink said the response of the GPD and GFD is a testament to teamwork at its best in the City of Goshen. Chief Sink thanked and gave awards to his employees for their actions.

Goshen Police Chief José D. Miller and Patrol Division Chief Mario Mora also thanked and praised GPD Officer Stu Smith for his actions to help the 1-year-old boy who was choking on food when the officer arrived. Officer Smith was also given an award.

Mayor Stutsman thanked the city staff members for their actions.

2. Open bid unsealing: For five vehicles for the Goshen Police Department

Mayor Stutsman announced and then unsealed a bid for five new vehicles for the Goshen Police Department. The bid was for five 2022 Police Interceptor Utility AWD vehicles. By today's deadline only one bid had been received. Mayor Stutsman announced that Eby Ford submitted a bid of \$207,959.50.



Stutsman/Nichols moved to refer the bid to the Legal Department for review. Motion passed 5-0.

3. Street closure requests for 23rd annual Riding to Remember event on Sept. 12 (Mary Anne Ballard)

Mary Anne Ballard, representing the Blue Knights IN VIII Law Enforcement Motorcycle Club, requested street closures, traffic control and designated no parking areas for the 23rd Annual Riding to Remember Police, Firefighter and Veteran Charity Ride on Sunday, Sept. 12, 2021. This event is a 72-mile police escorted ride arriving in Goshen about 1:40 p.m. on Sept. 12 with an estimated 1,000 motorcycles in attendance. The ride will enter Goshen from the south on State Road 15 (Main Street), turning east on 5th Street, transitioning north on 5th Street. The procession will stop at Lincoln Avenue where riders will park and dismount (30 minutes). The participants will walk to the area in front of Goshen Police Department for a memorial service (2:10 p.m.) that will last about 30 minutes. Upon conclusion of the memorial service, participants will re-mount their motorcycles (20 minutes) for the remainder of the event (3 PM). The ride will exit the city of Goshen travelling west on Lincoln Avenue, north on North 3rd Street.

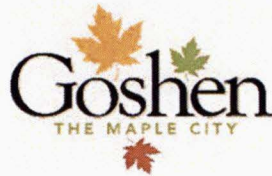
Ballard requested: Traffic control for inbound participants at all intersections from the southern Goshen city limits to Lincoln Avenue on State Road 15 (Main Street); traffic control and a street closure (NO PARKING POLICE ORDER SIGNAGE) and motorcycle parking only on 5th Street north of East Madison Street to Lincoln Avenue, with motorcycles arriving at approximately 1:40 p.m. and overflow parking on 5th Street, south of East Madison Street to Purl Street; traffic control and road closure (NO PARKING POLICE ORDER SIGNAGE) at the memorial venue (Goshen Police Department) on East Jefferson Street between South Main Street and 5th Street (100 block of east Jefferson Street); and for outbound participants, traffic control and road closure at all intersections leaving Goshen west on Lincoln Avenue and turning north on North 3rd Street (SR 15) until all riders exit the northern city limits.

Mayor Stutsman asked Chief José D. Miller if the Police Department would be able to block all street intersections as requested. Chief Miller said he would be concerned if all intersections had to be blocked during the procession. However, Miller said an escort could be arranged – as with other processions – so that traffic at intersections could be controlled until the riders begin to pass through intersections. Chief Miller said he would work with organizers to work out an acceptable system. Mayor Stutsman said he would support the request on the condition that organizers work with the Police Department to safely accommodate the riders. Mayor Stutsman asked if David Gibbs, Street Commissioner, had any concerns on behalf of the Street Department. Gibbs said he did not.

Riouse/Nichols moved to approve the requested street closures, traffic control and designated no parking areas for the 23rd Annual Riding to Remember Police, Firefighter and Veteran Charity Ride on Sept. 12, 2021 contingent on organizers working out safety issues with the Police Department. Motion passed 5-0.

4. Request to close alley for a Pizzeria Venturi event (Stacy Dechnik)

Stacy Dechnik, Business Manager for Pizzeria Venturi, requested closure of the alley between 119 East Lincoln Avenue and 113 East Lincoln Avenue (with the connecting streets of Clinton and Lincoln) from noon until midnight for an event on Sept. 25, 2021. Although the event will end at 11 p.m., closure was requested until midnight to allow time for tear down and clean up. Dechnik said the business owners that regularly use the alley had no objections to the request. Mayor Stutsman asked if any city departments had any concerns about the request. None did.



Landis/Nichols/Swartley moved to approve the request to close the alley between 119 East Lincoln Avenue and 113 East Lincoln Avenue from noon until midnight for an event on Sept. 25, 2021. Motion passed 5-0.

5. Request for parking and partial street closure on Aug. 31 (Adam Scharf)

Adam Scharf of Rethinking Buildings, LLC requested the closure of three parking spaces (all day) and the northernmost lane of westbound traffic (only while crane is present) in front of 109/111 East Lincoln Avenue on Tuesday, Aug. 31. Scharf said a crane will be positioned at that location to place mechanical equipment on the roofs. Outriggers for the crane will extend onto structurally sound locations on the sidewalk and in the northernmost traffic lane while the job is completed. Work should take less than one hour. Scharf indicated workers can provide traffic cones, or if other more substantial barriers are appropriate, he would request the use of Street Department traffic control items. Mayor Stutsman asked the Street Department to work with Scharf to accommodate the request.

Riouse/Nichols moved to approve the request for the closure of three parking spaces (all day) and the northernmost lane of westbound traffic (only while crane is present) in front of 109/111 East Lincoln Avenue on Tuesday, Aug. 31. Motion passed 5-0.

6. Police Department: Conditional employment offer to David Michael Stump as probationary patrol officer

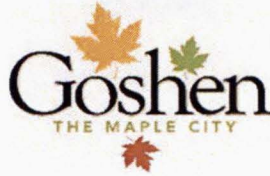
On behalf of the Police Department, Carla Newcomer, a paralegal with the city Legal Department recommended that the Board of Works & Safety extend a conditional offer of employment to David Michael Stump, as well as approve and authorize the Mayor to execute a Conditional Offer of Employment Agreement. The agreement, which was included with the Board packet, set forth the conditions that Stump must meet prior to beginning employment with the Police Department as a probationary patrol officer, and requires Stump to successfully complete all training requirements once employed. The Police Department will request that the Board confirm the offer of employment when a position opening becomes available in the Department.

Riouse/Nichols moved to extend a conditional offer of employment to David Michael Stump as a probationary patrol officer and to approve and authorize Mayor Stutsman to execute the Conditional Offer of Employment Agreement with Stump. Motion passed 5-0.

7. Police Department: Resignation of Lt. Lloyd C. Waddell

Goshen Police Chief Jose Miller requested that the Board of Public Works and Safety approve the resignation of Lt. Lloyd C. Waddell, effective Sept. 7, 2021. Miller said Lt. Waddell has accepted a position with the Nappanee Police Department. Miller said Lt. Waddell advised that he is grateful for the experience and knowledge he received while working at the Goshen Police Department. However, Lt. Waddell said this move is in the best interest of his family. Miller also said Lt. Waddell and his experience will be missed. Chief Miller said Lt. Waddell has served in various supervisory positions as well as one of the department instructors. Lt. Waddell's letter of resignation was included in the Board packet. Mayor Stutsman expressed appreciation for Lt. Waddell's service.

Riouse/Nichols moved to approve the resignation of Lt. Lloyd C. Waddell, effective Sept. 7, 2021. Motion passed 5-0.



8. Rock Run Creek Improvements Balancing Change Order (JN: 2019-0025C)

Director of Public Works Dustin Sailor asked the Board to approve and authorize the Mayor to sign the Balancing Change Order attached to the agenda packet for \$16,553.21, with no change to the schedule, for the Rock Run Sewer Improvements Project. Sailor indicated that Selge Construction has completed all process work for the project. The change order was described in the agenda packet. In summary, Sailor said the change order is for a cost increase of \$16,553.21, which raises the total project cost to \$1,745,289.81. Sailor said this is the only change order for the project and is an increase of only 1 percent. He said the Engineering Department recommended approval.

Board member Mike Landis said that a change order in the amount of only 1 percent for a project this large was to be commended. Landis asked the reason for the six foot to seven foot manhole change. Sailor said there was a need for a larger sidewall to allow the pipe to enter the structure. Sailor also said the project has gone well.

Riouse/Nichols moved to approve and authorize the Mayor to sign the Balancing Change Order and increase the project cost from \$16,553.21 to \$1,745,289.81 (increase of \$16,553.21) for the Rock Run Sewer Improvements Project. Motion passed 5-0.

9. Resolution authorizing the execution of lease/purchase agreement

Carla Newcomer, a paralegal with the city Legal Department, requested approval of Resolution 2021-21 Authorizing the Execution of a Master Equipment Lease/Purchase Agreement and approval and authorization for the Mayor to execute the Master Lease/Purchase Agreement with U.S. Bancorp Government Leasing and Finance, Inc. including all accompanying documents. Newcomer indicated City Utilities is purchasing a new combination sewer truck for \$486,155.00 and wishes to finance \$401,755.00 through U.S. Bancorp Government Leasing and Finance, Inc. The Lease/Purchase Agreement is for five annual payments of \$83,245.58 at an interest rate of 1.53% with the first payment due Jan. 9, 2022.

Riouse/Nichols moved to approve Resolution 2021-21 Authorizing the Execution of a Master Equipment Lease/Purchase Agreement and approval and authorization for the Mayor to execute the Master Lease/Purchase Agreement with U.S. Bancorp Government Leasing and Finance, Inc. including all accompanying documents. Motion passed 5-0.

10. Reschedule Sept. 6 Board of Works, Safety and Stormwater Board to Sept. 7 because of city holiday (Labor Day)

Mayor Stutsman indicated that because of a city holiday (Labor Day), the Board of Works, Safety and Stormwater Board cannot meet on Monday, Sept. 6. He announced that the meeting be rescheduled to Tuesday, Sept. 7.

Privilege of the Floor: No one asked to speak



Board of Public Works and Safety Order: 309 E. Plymouth Avenue

Mayor Stutsman opened a hearing on Board of Public Works and Safety Order: 309 E. Plymouth Avenue.

As indicated in the order, as a person holding a substantial property interest in the real estate at 308 E. Plymouth Avenue, Goshen, Indiana, Cecil Bontrager was served with an Order of the City of Goshen Building Department dated May 17, 2021 by Carla Newcomer. Paralegal, who mailed the Order by certified mail with return receipt requested and by first class mail on May 20, 2021. This matter came for a hearing before the Board of Public Works and Safety on July 12, 2021 to review the May 17, 2021 Order of the Board of Public Works and Safety. The City of Goshen Building Department appeared by Building Inspectors Travis Eash. Cecil Bontrager was also present.

At the hearing, evidence was presented and arguments heard. The Board of Public Works and Safety, being duly advised of the condition of the buildings and/or premises at 308 E. Plymouth Ave, continued the hearing to Aug. 30, 2021 at 2:00 p.m. relative to whether the present condition of the buildings and/or premises are unsafe because the buildings and/or premises are in an impaired structural condition that makes it unsafe to a person or persons, and /or whether the property is vacant and not maintained in a manner that would allow human habitation, occupancy, or use under the requirements of a statute or ordinance.

After opening the hearing (on Aug. 30), Mayor Stutsman asked if the Building Department had a positive update. Code Enforcement Officer Travis Eash responded that he did. Eash said that earlier in the day he re-inspected 303 E. Plymouth Ave. He said the owner provided documentation from Moreno Roofing which indicated that the roof has an 8-10-year lifespan remaining. Eash said he called Moreno Roofing, which confirmed the assessment. Eash said an electrical permit was pulled two or three weeks ago for the electrical panel that was installed and has passed inspection from the Building Department. Eash said the plumbing has been assessed and improved by a licensed plumber. Eash said the drywall and painting have been done to a satisfactory level. Eash said the only remaining item that needs to be addressed is the furnace. Eash said the owner has agreed to make progress to replacing the furnace within a month. Eash said he told the owner he did not need to be present for today's hearing.

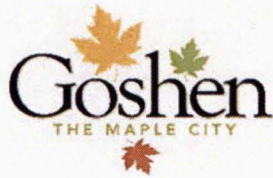
In response to Mayor Stutsman's request for a recommendation for next steps, City Attorney Bodie Stegelmann recommended that the hearing be continued for 30 days to allow the remaining work to be completed.

Stutsman/Nichols moved continue the public hearing on Board of Public Works and Safety Order: 309 E. Plymouth Avenue for 30 days. Passed 5-0.

Mayor Stutsman closed the hearing on Board of Public Works and Safety Order: 309 E. Plymouth Avenue.

Stutsman/Nichols moved to approve Civil City and Utility claims and adjourn. Passed 5-0

Mayor Stutsman declared the meeting adjourned at 2:26 p.m.



MINUTES 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

A handwritten signature in blue ink, appearing to be "Barb Swartley", written over a horizontal line.

Barb Swartley, Member

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

DeWayne Riouse, Member

ATTEST

A handwritten signature in black ink, appearing to be "Richard R. Aguirre", written over a horizontal line.

Richard R. Aguirre, Clerk-Treasurer