

BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD

MINUTES OF THE NOV. 22, 2021 REGULAR MEETING

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

Present: Mayor Jeremy Stutsman and members Mike Landis, Mary Nichols, and Barb Swartley

Absent: DeWayne Riouse

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

Review/approval of Minutes: The minutes of the Nov. 15, 2021 meeting of the Board of Works & Safety & Stormwater Board were presented. **Board member Mary Nichols moved to approve the minutes as presented and the motion was seconded by Board member Barb Swartley. Motion passed 4-0.**

Review/approval of Agenda: Mayor Stutsman presented the Board agenda. **Nichols moved to approve the agenda as submitted. Swartley seconded the motion. Motion passed 4-0.**

1) Hiring and Swearing in of Megan J. Berry as Probationary Firefighter (Chief Sink)

Fire Department Chief Dan Sink asked the Board to hire Megan J. Berry as a Probationary Firefighter for the Goshen Fire Department effective today, Nov. 22, 2021. Sink reported that Berry has passed all of pension requirements for the State of Indiana.

Nichols/Swartley moved to hire Megan J. Berry as a Probationary Firefighter for the Goshen Fire Department, effective Nov. 22, 2021. Motion passed 4-0. Mayor Stutsman then swore Berry into office.

2) Hiring and Swearing in of Hannah M. Estes as Probationary Firefighter (Chief Sink)

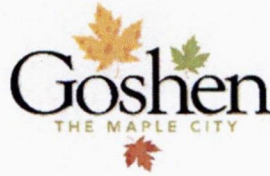
Fire Department Chief Dan Sink asked the Board to hire Hannah M. Estes as a Probationary Firefighter for the Goshen Fire Department effective today, Nov. 22, 2021. Sink reported that Estes has passed all of pension requirements for the State of Indiana.

Nichols/Swartley moved to hire Hannah M. Estes as a Probationary Firefighter for the Goshen Fire Department, effective Nov. 22, 2021. Motion passed 4-0. Mayor Stutsman then swore Estes into office.

3) Electrical License Request for David E. Sloan of Indianapolis (Myron Grise)

City Building Commissioner Myron Grise asked the Board to approve a City of Goshen electrical license for David E. Sloan with Indy Voltage LLC of Indianapolis. Grise reported that Sloan has met the requirements for a City of Goshen Electrical License. Grise said Sloan took the required Prometric exam on July 15, 2000, and received a passing score of 82.5%. Grise said Sloan holds a valid electrical license with the City of Indianapolis, and is requesting a reciprocal license with the City of Goshen.

Nichols/Swartley moved to approve a City of Goshen electrical license for David E. Sloan with Indy Voltage LLC of Indianapolis. Motion passed 4-0.



4) Amendment to LPA-Consulting Contract with Abonmarche Consultants, Inc. (Carla Newcomer)

Carla Newcomer, a paralegal with the City Legal Department, asked the Board to approve and execute the Amendment to the LPA-Consulting Contract with Abonmarche Consultants, Inc. for preliminary engineering services for the reconstruction of Wilden Avenue from Rock Run Creek Bridge to 6th Street. Newcomer said the contract was originally executed Dec. 15, 2014 and amended June 1, 2020. This amendment adds asbestos inspection services of five structures to be demolished for an additional cost of \$3,100, and staking of right-of-way and the location of each curb inlet structure for an additional cost of \$4,800. This Amendment increases the compensation due under the contract to a total fee not to exceed \$337,900.

Nichols/Swartley moved to approve and execute the Amendment to the LPA-Consulting Contract with Abonmarche Consultants, Inc. for preliminary engineering services for the reconstruction of Wilden Avenue from Rock Run Creek Bridge to 6th Street. Motion passed 4-0.

5) Economic Development Corporation of Elkhart County Funds Agreement (Brandy Henderson)

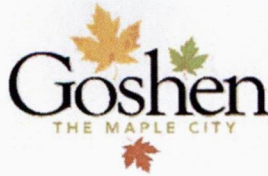
Brandy Henderson, a paralegal with the City Legal Department, told the Board that the City of Goshen has various community service organizations that provide services or programs to its residents in a manner more efficient than what the City could provide. She said the City has supported these organizations with funds in the past and wishes to continue to do so. These organizations were subject to an application process requiring specific documentation regarding their organization, a detailed description of how these funds will be used, and the organizations will need to account for how the funds were used. Henderson said the Economic Development Corporation of Elkhart County is one such community service organization that has applied for these funds. It has requested \$65,219 for economic development and operations efficiency. Henderson said the Economic Development Corporation of Elkhart County has provided all the required information and an agreement is now being brought to the Board for consideration and approval.

Nichols/Swartley moved to approve the agreement with Center for Business Excellence, Inc. to support the project or projects outlined in its submitted application. Motion passed 4-0.

6) Amend Uniform Service Contract with Wildman Business Group, Inc. (Brandy Henderson)

Brandy Henderson, a paralegal with the City Legal Department, asked the Board to approve an agreement amendment with Wildman Business Group, Inc. and authorize Mayor Stutsman to execute it. She said the City entered into a contract with Wildman Business Group, Inc., dated Sept. 11, 2017, to provide a Uniform Service for City employees for the unit cost amounts in accordance with the supplier's itemized quote and based on the quantities required by the City. The contract allows for two additional two-year terms under the same terms and conditions. The City desires to renew the term of the contract for the third two-year term from Jan. 1, 2022 through Dec. 31, 2023. The City has asked, and Wildman has agreed, to add to the scope of services under this amended agreement uniforms for the Parks and Recreation Department's 6-person team. Also added to the scope of services is entryway mat services to the Annex Building, City Hall, Police and Courts Building, and the Utilities Building. This service will begin Nov. 30, 2021. All other terms and conditions of the Sept. 11, 2017 contract remain the same.

Nichols/Swartley moved to approve the attached agreement amendment with Wildman Business Group, Inc. and authorize Mayor Stutsman to execute the same. Motion passed 4-0.



7) Agreement with Eaton Corporation (Brandy Henderson)

Brandy Henderson, a paralegal with the City Legal Department, asked the Board to approve and authorize Mayor Stutsman to execute the agreement with Eaton Corporation for the evaluation of five (5) breakers for the purpose of reconditioning with the total cost being \$5,600 and said costs to be applied to any expenses for reconditioning in the future. She said should the evaluation determine that the breakers can be reconditioned, the Waste Water Treatment Plant intends on keeping these breakers as emergency replacements should the need ever arise. Henderson said Eaton will be paid \$1,120 per breaker with a total sum of \$5,600 and this expense will be applied to the reconditioning expenses should the City proceed in that direction.

Nichols/Swartley moved to approve and authorize Mayor Stutsman to execute the agreement with Eaton Corporation for the evaluation of five (5) breakers for the purpose of reconditioning with the total cost being \$5,600 and said costs to be applied to any expenses for reconditioning in the future. Motion passed 4-0.

8) Agreement with Design Group International (Brandy Henderson)

Brandy Henderson, a paralegal with the City Legal Department, asked the Board to approve and authorize the Mayor to execute the agreement with Design Group International for consulting services on organizational, visional, and workload management planning for the Department of Environmental Resilience Henderson said Design Group International will be paid \$8,750 for these for the services.

Nichols/Swartley moved to approve and authorize the Mayor to execute the agreement with Design Group International for consulting services on organizational, visional, and workload management planning for the Department of Environmental Resilience at a cost of \$8,750. Motion passed 4-0.

9) Agreement with Aquascapes of Michiana, LLC (Carla Newcomer)

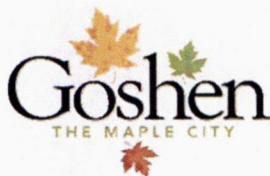
Carla Newcomer, a paralegal with the City Legal Department, asked the Board to approve and execute the agreement with Aquascapes of Michiana, LLC for snow removal within the Goshen Downtown Economic Improvement District. Aquascapes will be paid at an hourly rate of \$85 per hour for the removal of snow within the downtown Economic Improvement District. In response to a question from **Mayor Stutsman** about the higher rate than in the past, **City Attorney Bodie Stegelmann** confirmed the company will be using its own equipment this winter. The **Mayor** said now pushed to the curbs will be removed by City crews.

Nichols/Swartley moved to approve and execute the agreement with Aquascapes of Michiana, LLC for snow removal in the Goshen Downtown Economic Improvement District. Motion passed 4-0.

10) Agreement with Mechanical Man, Inc. (Carla Newcomer)

Carla Newcomer, a paralegal with the City Legal Department, asked the Board to approve and execute the agreement with Mechanical Man, Inc. for the demineralization of the boiler water at the Police Department. Mechanical Man will be paid \$9,983 to demineralize water in boiler system to the manufacturer's water quality specification, install a 55-gallon feeder reservoir; disconnect the boiler system from the City water feed; bleed the boiler system, as necessary; and provide a disposable demineralizer.

Nichols/Swartley moved to approve and execute the agreement with Mechanical Man, Inc. for the demineralization of the boiler water at the Police Department in the amount of \$9,983. Motion passed 4-0.



11) Agreement with OJS Building Services, Inc. (Carla Newcomer)

Carla Newcomer, a paralegal with the City Legal Department, asked the Board to approve and execute the agreement with OJS Building Services, Inc. to provide and install hot water valves at the Goshen Police Department for \$27,750. Newcomer said attached to the agreement was an amendment to the Aug. 28, 2018 agreement with OJS Building Services, Inc. for the replacement of hot water valves at the Police Department. OJS Building Services, Inc. will install 40 Belimo modulating valves, piping materials, and provide testing. **City Director of Public Works and Utilities Dustin Sailor** provided further information on the purpose of the work.

Nichols/Swartley moved to approve and execute the agreement with OJS Building Services, Inc. to provide and install hot water valves at the Goshen City Police Department for \$27,750. Motion passed 4-0.

12) Agreement for the Completion of the Construction Project 1211 Camelot Drive (JN: 2017-2045) (Mattie Lehman)

City Stormwater Specialist Mattie Lehman asked the Board to approve the agreement for the completion of the construction project at 1211 Camelot Drive with Kadd Acquisitions LLC. She said builder Schrock Homes has passed its final building inspection for 1211 Camelot Drive and the project is substantially complete except for seeding disturbed areas. This final Stormwater Department requirement cannot be completed at this time due to weather conditions. So, the Stormwater Department has submitted an Agreement for the Completion of the Construction Project for approval and authorization for the Mayor to execute. The property owner, Kadd Acquisitions LLC (land holding company related to Schrock Homes), has agreed to permanently stabilize 7,000 square feet of disturbed area with seed and a temporary stabilization measure by June 15, 2022. The expected cost of work is less than \$2,000; thus, no surety amount is required. This is the first such agreement under the new Board of Works and Public Safety Resolution 2021-29 "A Policy for the Issuance of Certificate of Occupancy Prior to Completion of Construction Project." More agreements of this kind are expected in the coming months.

Nichols/Swartley moved to approve the agreement for the completion of the construction project at 1211 Camelot Drive with Kadd Acquisitions LLC. Motion passed 4-0.

CITY OF GOSHEN STORMWATER BOARD

MINUTES OF THE NOV. 22, 2021 REGULAR MEETING

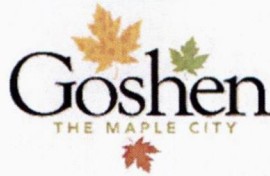
Convened at 2 p.m. at Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana

Present: Mayor Jeremy Stutsman and members Mike Landis and Mary Nichols

Absent: None

13) Post-Construction Plan Approval Keystone RV Building Additions and Parking Expansion (JN: 2021-2010 and 2021-2032) (Jason Kauffman)

City Stormwater Coordinator Jason Kauffman asked the Board accept the post-construction stormwater management plan for Keystone RV Building Additions and Parking Expansion as it has been found to meet the requirements of City Ordinance 4329.



Kauffman said the developer of the Keystone RV Parking Lot Expansion, located at 2442 East Kercher Road, and Keystone RV Additions, located at 2525 Linden Drive affecting one or more acres of land, has submitted a sufficient post-construction plan that is compliant with Ordinance 4329, "Uniform Requirements for Post-Construction Stormwater Management."

Nichols/Landis moved to accept the post-construction stormwater management plan for Keystone RV Building Additions and Parking Expansion as it has been found to meet the requirements of City Ordinance 4329. Motion passed 3-0.

14) Post-Construction Plan Approval Westoria Eighth P.U.D. (JN: 2021-2002) (Jason Kauffman)
City Stormwater Coordinator Jason Kauffman asked the Board to accept the post-construction stormwater management plan for Westoria Eighth P.U.D. as it has been found to meet the requirements of City Ordinance 4329. **Nichols/Landis moved to accept the post-construction stormwater management plan for Westoria Eighth P.U.D. as it has been found to meet the requirements of City Ordinance 4329. Motion passed 3-0.**

BOARD OF PUBLIC WORKS & SAFETY

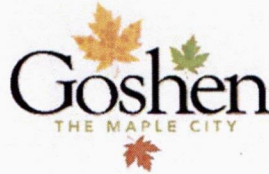
CONTINUED MINUTES OF THE NOV. 22, 2021 REGULAR MEETING

Present: Mayor Jeremy Stutsman and members Mike Landis, Mary Nichols, and Barb Swartley

Absent: DeWayne Riouse

15) WWTP Improvements Project – Change Order No. 4 (JN: 2019-0025A) (Bryce Gast)

Administrative City Engineer Bryce Gast asked the Board to approve Change Order No. 4 for a cost reduction of \$172,286, with no change to the project schedule, for the Wastewater Treatment Plant Improvement Project. A change order prepared by Donohue and Associates includes a total of seven changes to the project: five are additional costs and two are cost reductions. HE said the changes include the following: addition of a sidewalk to the vector truck receiving facility to improve access for an additional cost of \$9,917; modification of the new digester gas piping to improve moisture control in the process for an additional cost of \$3,172; addition of a pipe fitting to the aeration process piping after the original was deemed to be unsuitable for reuse for an additional cost of \$930; replacement of diffuser o-rings in the aeration tanks for an additional cost of \$2,382; modification of the diffuser grid in the existing aeration tanks to better match the diffuser grid in the new aeration tank for an additional cost of \$3,086; removal of the sludge lagoon decommissioning from the project scope for a cost reduction of \$178,256.00 (Note: This cost is removed from the project scope but will still be incurred by the Wastewater Utility); removal of a substantial portion of painting scope from the secondary clarifiers and upflow clarifiers for a cost reduction of \$13,517. The change order is for a cost decrease of \$172,286, which reduces the total project cost to \$18,970,526. This change order is a decrease of 0.9% and lowers the project cost below the original bid cost by 0.1 %. The change order adds no time to the project schedule, though Kokosing has reserved the right to request additional time at a later date. Asked by **Mayor Stutsman** if the price included the cost to haul away sludge from the lagoon, **Gast** said it did not. **Gast** said the city will have to pay that as well as costs to decommission the lagoon. **Mayor Stutsman** said any further time extensions of additional costs not requested by the City will need to be requested by Kokosing. In response to a question by Board member **Landis**, **Gast** said another company will decommission the lagoon. **Nichols/Swartley moved to approve Change Order No. 4, for a cost reduction of \$172,286, with no change to the project schedule, for the Wastewater Treatment Plant Improvement Project. Motion passed 4-0.**



Privilege of the Floor:

Mayor Stutsman opened Privilege of the Floor at 2:28 p.m. No one asked to speak, so the Mayor closed Privilege of the Floor.

Clerk-Treasurer Aguirre advised **Mayor Stutsman** that there was a discrepancy on agenda item #5 in the intended name of the entity and the entity mentioned in actual Board motion. The agreement is/was between the City of Goshen and the Economic Development Corporation of Elkhart County. However, the Board's motion stated that the agreement was between the City of Goshen and the Center for Business Excellence, Inc. **Brandy Henderson**, a paralegal with the City Legal Department, who presented the item to the Board, stated that the suggested motion in her packet memo was incorrect. She stated that entity involved is/was the Economic Development Corporation of Elkhart County and that the actual agreement is correct. In repose to a question from Mayor Stutsman, Board members said they were not confused in approving the agreement. They knew it was the Economic Development Corporation of Elkhart County.

With no further matters before the Board, Mayor Stutsman/Nichols moved to approve Civil City and Utility claims and to adjourn the meeting. Motion passed 4-0. Meeting was adjourned at 2:30 p.m.

APPROVED

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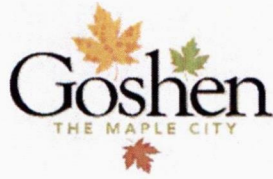
Jeremy Stutsman, Chair

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



Barb Swartley

Barb Swartley, Member

DeWayne Riouse

DeWayne Riouse, Member

ATTEST

Richard R. Aguirre

Richard R. Aguirre, Clerk-Treasurer