



**BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD  
MINUTES OF THE DECEMBER 12, 2022 REGULAR MEETING**

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

**Present:** Mike Landis, Mary Nichols, DeWayne Riouse and Barb Swartley

**Absent:** Mayor Jeremy Stutsman

**CALL TO ORDER:** Acting Chair Mike Landis called the meeting to order at 2:00 p.m.

**REVIEW/APPROVE MINUTES:** Acting Chair Landis presented the minutes of the Dec. 5, 2022 Regular Meeting with a correction that the minutes that were approved on Dec. 5 were for the Nov. 21 meeting and not Dec. 5. **Board member DeWayne Riouse moved to approve the minutes as amended and the motion was seconded by Board member Mary Nichols. Motion passed 4-0.**

**REVIEW/APPROVE AGENDA:** Acting Chair Landis presented the agenda with the addition of new agenda item #9) Engineering Department: Authorize the City's Director of Public Works and Utilities to sign the Customer/Municipality Profile questionnaire issued by Federal Signal. **Board member Riouse moved to approve the agenda as changed. Board member Nichols seconded the motion. Motion passed 4-0.**

**1) OPENING OF BIDS: 2022 or newer Compact Excavator** (bids were due 1:45 p.m., Dec. 12, 2022)  
**Opportunity:** A 2022 or newer 6-Ton Class Compactor Excavator that meets the needs of the City of Goshen's Water/Sewer Department. Besides the Compact Excavator (Item No. 1), offers were also solicited for these optional items: Item 2, 6-in-1 Dozer blade; Item 3, Angle Blade; and Item 4, Extra Counter Weight.

**Acting Chair Landis opened the bids received for the 6-Ton Class Compactor Excavator. Bids were received from two companies in the following bid amounts**

**Bobcat of Michiana, Elkhart, Indiana** submitted these bids: 1. \$91,646.75 (2022 Bobcat E63); 2. Not available (6-in-1 Dozer blade); 3. \$2,597.76 (Angle Blade); 4. \$2,477.62 (Extra Counter Weight).

**McCann Industries, Inc. of Addison, Illinois** submitted these bids: 1. \$73,908 (2023 Case); 2. Not available (6-in-1 Dozer blade); 3. \$3,300 (Angle Blade); 4. \$792 (Extra Counter Weight). \$78,000 grand total.

**Acting Chair Landis/Nichols moved to refer the bids to the Legal Department for review. Motion passed 4-0.**

**2) Legal Department: Approve and authorize Mayor Stutsman to execute an agreement with Q-mation, Inc. for the management of software licensing upgrades for the City's SCADA system, in the amount of \$21,924**  
**Brandy Toms, a paralegal with the City Legal Department,** asked the Board to approve and authorize Mayor Stutsman to execute an agreement with Q-mation, Inc. for the management of software licensing upgrades for the City's SCADA system, in the amount of \$21,924.

**Riouse/Nichols moved to approve and authorize Mayor Stutsman to execute an agreement with Q mation, Inc. for the management of software licensing upgrades for the City's SCADA system, in the amount of \$21,924. Motion passed 4-0.**



**3) Legal Department: Resolution 2022-38 – Declaring Surplus and Authorizing the Disposal of Personal Property**

**Shannon Marks, the Legal Compliance Administrator for the City Legal Department, asked the Board to pass Resolution 2022-38, Declaring Surplus and Authorizing the Disposal of Personal Property.**

**Marks** said the City Information Technology Department wants to dispose of 17 custom computer towers that are no longer needed or are unfit for the purpose for which they were intended. Components will be reused or recycled.

Resolution 2022-38 declares the property as surplus and authorizes its disposal in accordance with the provisions of Indiana Code § 5-22-22-8 by demolishing or junking property that is worthless or of no market value.

**Riouse/Nichols moved to pass Resolution 2022-38, Declaring Surplus and Authorizing the Disposal of Personal Property. Motion passed 4-0.**

**4) Engineering Department: Approve and authorize the Mayor to execute agreements with Serving Hand Ministries and B&B Homebuilders for the completion of the construction project at 1502 Hay Parkway**

**City Director of Public Works & Utilities Dustin Sailor** asked the Board to approve and authorize the Mayor to execute the agreements with Serving Hand Ministries and B&B Homebuilders for the Completion of the Construction Project at 1502 Hay Parkway.

**Sailor** said the home at 1502 Hay Parkway has passed its final building inspection and the project is substantially complete except for exterior concrete work. This final requirement cannot be completed at this time due to weather conditions. The Stormwater Department has submitted Agreements for the Completion of the Construction Project for approval and authorizations for the Mayor to execute. The property owner, Serving Hand Ministries, and builder, B&B Homebuilders, agree to complete all concrete work by June 15, 2023. The expected cost of work is \$2,900 and a surety check for that amount has been remitted to the Clerk-Treasurer's Office.

**Riouse/Nichols moved to approve and authorize the Mayor to execute the agreements with Serving Hand Ministries and B&B Homebuilders for the Completion of the Construction Project at 1502 Hay Parkway. Motion passed 4-0.**

**5) Engineering Department: Approve the lane restrictions on Greene Road on Dec. 13-14 for the installation of Comcast fiber optic cable**

**City Director of Public Works & Utilities Dustin Sailor** asked the Board to approve the lane restrictions on Greene Road on December 13-14 for the installation of Comcast fiber.

**Sailor** said Comcast has requested lane restrictions on Greene Road on Dec. 13-14 for the installation of fiber optic cable. The lane restrictions will follow MUTCD guidance and will restrict traffic to one lane with the use of flaggers as depicted on an exhibit attached to the Board's meeting packet.

**Board member Landis** asked if Comcast would be installing fiber optic cable across the City as Surf Internet and Frontier Communications have been doing. **Sailor** said he didn't assume Comcast would be doing the same as anyone else. **Sailor** clarified that Comcast would likely be installing extensive fiber optic cable in the City.

**Riouse/Nichols moved to approve the lane restrictions on Greene Road on December 13-14 for the installation of Comcast fiber optic cable. Motion passed 4-0.**



**6) Engineering Department: Approve agreement amendment No. 1 with Abonmarche Consultants for The Crossing Subdivision Drainage project design for an additional \$31,506**

**City Director of Public Works & Utilities Dustin Sailor** asked the Board to approve Agreement Amendment No. 1 with Abonmarche Consultants for The Crossing Subdivision Drainage project design for an additional \$31,506.

**Sailor** said Abonmarche completed the initial design and found additional tasks that are required to complete the project, which include additional drainage easements, staking of utility potholing locations, incorporating the golf course pond into drainage modeling. This increases the contract price \$31,506, for a total contract price of \$77,806.00.

In response to a question from **Board member Landis**, **Sailor** confirmed that there has been previous Board action for the contractor.

**Riouse/Nichols** moved to approve Agreement Amendment No. 1 with Abonmarche Consultants for The Crossing Subdivision Drainage project design for an additional \$31,506. Motion passed 4-0.

**7) Engineering Department: Approve the balancing Change Order No. 2 for the Concrete Paving Project (JN: 2022-0002), increasing the Rieth Riley contract by \$40,940.69, for a final contract amount of \$1,014,485.94.**

**City Director of Public Works & Utilities Dustin Sailor** asked the Board to approve the balancing Change Order No. 2 for the Concrete Paving Project (JN: 2022-0002), increasing the Rieth Riley contract by \$40,940.69, for a final contract amount of \$1,014,485.94.

**Sailor** said the City Engineering Department found a few additional areas with unsuitable soils which requires undercutting and placing #2 crushed/recycled concrete. The Engineering Department also directed Rieth Riley to replace the pavement in front of driveways in half/sections to ease the parking for residents, which required the use of more dowel bars. He said Change Order No. 2 increases the current contract price by \$40,940.69, making the final contract amount \$1,014,485.94, a 4.21% increase over the original contract of \$973,545.25.

**Riouse/Nichols** moved to approve the balancing Change Order No. 2 for the Concrete Paving Project (JN: 2022-0002), increasing the Rieth Riley, increasing the contract by \$40,940.69, for a final contract amount of \$1,014,485.94. Motion passed 4-0.

**8) Engineering Department: Approve the agreement with Niblock Excavating for the 2023 Asphalt Paving project in the amount of \$2,477,613.50**

**City Civil Traffic Engineer Josh Corwin** asked the Board to approve the agreement with Niblock Excavating for the 2023 Asphalt Paving project (JN: 2023-0002A) in the amount of \$2,477,613.50.

**Corwin** said on Dec. 5, 2022, the City Engineering Department received proposals for the above referenced project. Following are the results: Niblock Excavating, -\$2,477,613.50 and Rieth-Riley -\$2,999,420.00. **Corwin** said the Engineering Department was requesting that the Board of Public Works and Safety award the contract to Niblock Excavating as the lowest responsive and responsible bidder.

In response to a question from **Board member Landis**, **Corwin** said that Niblock specified lower costs for traffic control because the company believes it can meet the requirements more inexpensively than Rieth Riley.

**Riouse/Nichols** moved to approve the agreement with Niblock Excavating for the 2023 Asphalt Paving project (JN: 2023-0002A) in the amount of \$2,477,613.50. Motion passed 4-0.



**9) Engineering Department: Authorize the City's Director of Public Works and Utilities to sign the Customer-Municipality Profile questionnaire issued by Federal Signal**

**City Director of Public Works & Utilities Dustin Sailor** said on Nov. 21, 2022, the Board authorized the purchase and installation of an outdoor warning siren for 29<sup>th</sup> Street in East Goshen from Federal Signal. After the agreement was signed. Sailor said Federal Signal forwarded the City a Customer/Municipality Profile questionnaire that requires the signature of the City's authorized representative. He requested authorization to sign the document.

**Riouse/Nichols** moved to authorize the City's Director of Public Works and Utilities to sign the Customer-Municipality Profile questionnaire issued by Federal Signal. Motion passed 4-0.

**10) Clerk-Treasurer's Office: Review draft Board of Works calendar for 2023**

**Clerk-Treasurer Richard R. Aguirre** presented the Board of Works with a draft meeting calendar for 2023. He asked Board members to review the calendar and let him know this week if they anticipate being absent on any of the planned meeting days. If there are scheduled meeting days when the Board will not have a quorum, Aguirre said the decision can be made now to not schedule a meeting on those dates. Aguirre said he will be asking the Board to approve the 2023 meeting calendar on Dec. 19, 2022. **Information-only item; no Board action.**

**Privilege of the Floor (opportunity for public comment for matters not on the agenda):**

**Acting Chair Landis** opened Privilege of the Floor at 2:16 p.m.

There were no public comments, so Acting Chair Landis closed Privilege of the Floor.

As all matters before the Board of Public Works & Safety were concluded, Acting Chair Landis/Board member Nichols moved to approve Civil City and Utility claims and adjourn the meeting. Motion passed 4-0.

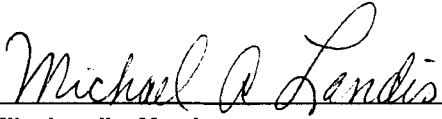
Acting Chair Landis adjourned the Board of Works meeting at 2:16 p.m.

**EXHIBIT #1: Memorandum, dated Dec. 12, 2022 from Director of Public Works & Utilities Dustin Sailor to the Board providing background and context for new agenda item #9. Authorize the City's Director of Public Works and Utilities to sign the Customer-Municipality Profile questionnaire issued by Federal Signal.**


APPROVED

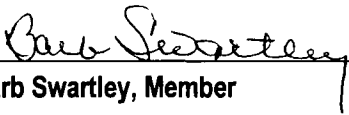
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Mayor Jeremy Stutsman



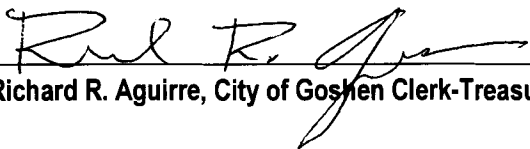
  
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**Mike Landis, Member**

  
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**Mary Nichols, Member**

  
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**DeWayne Riouse, Member**

  
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**Barb Swartley, Member**

**ATTEST**

  
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**Richard R. Aguirre, City of Goshen Clerk-Treasurer**