



BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD
MINUTES OF THE MARCH 14, 2024 REGULAR MEETING
Convened in the Goshen Police & Court Building, 111 East Jefferson St., Goshen, Indiana

Present: Mayor Gina Leichty, Mike Landis, Orv Myers, Mary Nichols and Barb Swartley
Absent:

CALL TO ORDER: Mayor Gina Leichty called the meeting to order at 4:00 p.m.

REVIEW/APPROVE MINUTES: Mayor Leichty presented the minutes of the March 7, 2024, Regular Meeting as prepared by Clerk-Treasurer Aguirre. Board Member Mike Landis moved to approve the minutes as presented and the motion was seconded by Board Member Orv Myers. Motion passed 5-0.

REVIEW/APPROVE AGENDA: Mayor Leichty presented the agenda as prepared by the Clerk-Treasurer. Board member Landis moved to accept the agenda as presented. Board member Myers seconded the motion. The motion passed 5-0.

1) Police request: Approve the retirement of Officer Michael A. Miller #107, effective March 22, 2024
City Police Chief José Miller asked the Board to approve the retirement of Officer Michael A. Miller #107, effective March 22, 2024. Officer Miller's last day working will be March 21, 2024.

Chief Miller said Officer Miller submitted his retirement letter after many years of service. Officer Miller started his full-time career at the Goshen Police Department on Sept. 2 1991 and gave the community 32½ years of service. Officer Miller worked most of those years on the afternoon and midnight shifts. He has been a Field Training Officer, Sergeant, Lieutenant and Captain on patrol and served on the Emergency Response Team.

Chief Miller said Officer Miller has a great deal of knowledge and experience that will truly be missed. "He has a calming demeanor and was an excellent mentor to many younger officers throughout their careers, including myself," Chief Miller said. "I would like to thank Officer Miller for his service and commitment to this department and our community and I wish him the absolute best in his retirement and any future endeavors."

In his letter of retirement, Officer Miller wrote, "I have been with the department now for 32½ years ... and now it is time for me to hang up the gun belt."

On behalf of the Board and the entire City, Mayor Leichty thanked Officer Miller.

Landis/Myers made a motion to approve the retirement of Officer Michael A. Miller #107, effective March 22, 2024. Motion passed 5-0.

2) Police/Legal departments requests: Approve Conditional Offers of Employment for: (1) Quinten Allen Bland, (2) Darrick Leighton Braun, (3) Aaron James Dolph, (4) Preston Ryan Lancour, (5) Luis Alberto Lopez, (6) Logan Jacob Wenger and (7) Rodger Dale Wigent

On behalf of the Police Department, City Attorney Bodie Stegelmann recommended that the Board extend conditional offers of employment to seven individuals, approve each of the Conditional Offer of Employment Agreements attached to the agenda packet and authorize the Mayor to execute each agreement on behalf of the City and the Board.

The conditional employment offers were to be extended to: (1) Quinten Allen Bland, (2) Darrick Leighton Braun, (3) Aaron James Dolph, (4) Preston Ryan Lancour, (5) Luis Alberto Lopez, (6) Logan Jacob Wenger and (7) Rodger Dale Wigent.



Stegelmann said each agreement sets forth the conditions that the prospective employee must meet prior to beginning employment with the Police Department as a probationary patrol officer which includes first being approved by the board of trustees of the Indiana Public Retirement System for membership to the 1977 Police Officers' and Firefighters' Pension and Disability Fund. If approved, the Police Department will request the Board to confirm the offers of employment. Once employed, each will be required to successfully complete all training requirements, including complete the Tier I basic training requirements and obtain certification with the Indiana Law Enforcement Training Board.

Mayor Leichty said it was very exciting to have seven additional officers in development.

Landis/Myers made a motion to extend a conditional offers of employment to **Quinten Allen Bland, Darrick Leighton Braun, Aaron James Dolph, Preston Ryan Lancour, Luis Alberto Lopez, Logan Jacob Wenger and Rodger Dale Wigent** as probationary patrol officers, approve the Conditional Offer of Employment Agreements with them, and authorize the Mayor to execute the agreements. Motion passed 5-0.

3) Organization request: Approve Resolution 2024-06, Interlocal Agreement with the County of Elkhart for Animal Control Services

City Attorney Bodie Stegelmann asked the Board to approve Resolution 2024-06, to approve the terms and conditions and authorize the execution of an Interlocal Agreement with the County of Elkhart for Animal Control Services.

Stegelmann said Elkhart County has negotiated a contract with the Humane Society of Elkhart County, Inc. to provide animal shelter management and animal control services for 2024 for certain areas of the county, including within the Goshen city limits. Under this agreement, the City would contribute \$93,940 to reimburse the County for the cost of providing animal shelter management and animal control services within the Goshen city limits.

Under the agreement, communities will pay the following amounts for animal control services:

City of Elkhart	\$153,065
City of Goshen	\$93,940
Town of Middlebury	\$6,534.
Town of Wakarusa	\$7,260
Town of Bristol	\$4,840
Town of Nappanee	\$12,688

Board member Landis asked if the \$93,940 cost to the City was similar to last year. **Stegelmann** said he believed it was a 10% increase and there was an increase last year after years of fairly stable costs.

Asked by **Board member Landis** who negotiated the agreement, **Stegelmann** said he was unsure. **Board member Landis** and **Mayor Leichty** said the City has contracted for these services for years and it was an important service. **Landis/Myers** made a motion to adopt Resolution 2024-06, Interlocal Agreement with the County of Elkhart for Animal Control Services. Motion passed 5-0.

4) Legal Department request: Approve Resolution 2024-11, Approving Certain Revised City of Goshen Police Department Policies and Repealing Various Policies, effective March 21, 2024

City Attorney Bodie Stegelmann said the Board previously approved City of Goshen Police Department Policies developed in coordination with Lexipol, LLC. The Police Department and Lexipol LLC staff have identified certain additional revisions to policies deemed appropriate due to legislative or other changed circumstances.

Stegelmann said attached to Resolution 2024-11 were redlined portions of policies to show the revisions suggested. If the Board approves Resolution 2024-32, he said the redlines will be removed and the policies will be inserted into the Policy Manual in final form.



According to Resolution 2024-11:

- On Dec. 7, 2020, the Board approved an agreement with Lexipol LLC to review, revise, and keep up-to-date the City of Goshen Police Department's policies;
- The Board has previously approved new Police Department policies developed and suggested by Lexipol LLC, as well as revisions thereto;
- As part of the process of keeping its policies up-to-date, the Police Department and Lexipol LLC staff have identified certain revisions to current policies deemed appropriate due to legislative or other changed circumstances; and
- The Board was being asked to find that it was appropriate to approve the revisions to policies identified below, and to repeal policies previously approved, separately identified below.

If Resolution 2024-11 was approved, the following revised City of Goshen Police Department Policies, red-line versions of which were attached hereto and made a part hereof, would be hereby approved, as amended March 14, 2024, effective March 21, 2024:

- 200 Organizational Structure and Responsibility
- 202 Training
- 209 LETB Uniform Statewide Defensive Tactics Training Program
- 300 Response to Resistance
- 301 Response to Resistance Review Boards
- 302 Handcuffing and Restraints
- 303 Control Devices
- 304 Conducted Energy Device
- 305 Officer-Involved Deadly Force Incidents
- 306 Firearms
- 307 Vehicle Pursuits
- 308 Foot Pursuits
- 310 Canines
- 313 Child Abuse
- 314 Adult Abuse
- 322 Report Preparations
- 336 LETB Uniform Statewide Police on Deadly Force
- 401 Bias-Based Policing
- 405 Ride-Alongs
- 409 Crisis Intervention Incidents
- 410 Involuntary Detentions
- 427 Medical Aid and Response
- 428 First Amendment Assemblies
- 432 Bicycle Patrol
- 606 Warrant Service
- 703 Vehicle Use
- 800 Evidence Storage
- 801 Records Section
- 900 Temporary Custody of Adults
- 902 Custodial Searches



- 1000 Recruitment and Selection
- 1001 Performance Evaluations
- 1023 Line-of-Duty Deaths
- 1024 Wellness Program

Upon approval of Resolution 2024-11, the following current City of Goshen Police Department policies would be hereby repealed, effective March 21, 2024:

- 200 Organizational Structure and Responsibility
- 202 Training
- 209 LETB Uniform Statewide Defensive Tactics Training Program
- 300 Response to Resistance
- 301 Response to Resistance Review Boards
- 302 Handcuffing and Restraints
- 303 Control Devices
- 304 Conducted Energy Device
- 305 Officer-Involved Deadly Force Incidents
- 306 Firearms
- 307 Vehicle Pursuits
- 308 Foot Pursuits
- 310 Canines
- 313 Child Abuse
- 314 Adult Abuse
- 322 Report Preparations
- 336 LETB Uniform Statewide Police on Deadly Force
- 401 Bias-Based Policing
- 405 Ride-Alongs
- 409 Crisis Intervention Incidents
- 410 Involuntary Detentions
- 427 Medical Aid and Response
- 428 First Amendment Assemblies
- 432 Bicycle Patrol
- 606 Warrant Service
- 703 Vehicle Use
- 800 Evidence Room
- 801 Records Section
- 900 Temporary Custody of Adults
- 902 Custodial Searches
- 1000 Recruitment and Selection
- 1001 Performance Evaluations
- 1023 Line-of-Duty Deaths
- 1024 Wellness Program

Board member Landis asked about the mandated review of the Police Department's organization chart. **Chief Miller** said this policy was to allow changes in the structure of the department.

Landis/Myers made a motion to approve Resolution 2024-11, Approving Certain Revised City of Goshen Police Department Policies and Repealing Various Policies, effective March 21, 2024. Motion passed 5-0.



5) Legal Department request: Approve Resolution 2024-12, Declaring Surplus and Authorizing the Disposal of Brass Meters

City Attorney Bodie Stegelmann said the City Water Department wanted to dispose of brass meters that have been removed from the distribution system due to poor performance or age. He said these meters may have a scrap value estimated to be less than \$2,000.

Stegelmann said Resolution 2024-12 would declare the meters as surplus and authorize the disposal by selling the meters for scrap. In the meters have no scrap value, authorization would be given to demolish or junk the meters.

Pursuant to Resolution 2024-12, the following brass meters would be declared as surplus property:

Quantity	Meter Size
92	5/8"
317	3/4"
19	1"
2	1-1/2"
4	2"
3	3"
1	4"

(438 Total)

Board member Landis asked about the value of the meters. Superintendent of the City Water Treatment and Sewer Department Marvin Shepherd said the meters were only valued at about 75 cents per pound.

Landis/Myers made a motion to pass Resolution 2024-12, Declaring Surplus and Authorizing the Disposal of Brass Meters. Motion passed 5-0.

6) Legal Department request: Approve the Agreement with Cripe Design LLC for the study of a potential use and renovation of the City Police/Courts Building, the Goshen Chamber of Commerce building, the Goshen News building located on 5th Street, and City Hall

City Attorney Bodie Stegelmann said the City wants to enter into an agreement with Cripe Design, LLC for the study of potential use and renovation of the City Police/Courts Building, the Goshen Chamber of Commerce building, the Goshen News building located on 5th Street, and City Hall. Compensation will be \$13,000.00, with any optional Construction Cost Predictions billed at \$180 per hour.

Under the agreement, Cripe Design, LLC will provide the City with the following architectural services:

- Schematic Design Study for the City of Goshen Police Department, Evidence Lab & Storage, City Court and Clerk's Offices, Maintenance, Police & Courts Building, Goshen Chamber of Commerce Building, and Goshen News Building. which services are more particularly described in Cripe Design's proposal (attached as Exhibit A)
- Schematic Design Study for City Hall, which services are more particularly described in Cripe Design's proposal (attached as Exhibit B)

Landis/Myers made a motion to approve the Agreement with Cripe Design LLC for the study of a potential use and renovation of the City Police/Courts Building, the Goshen Chamber of Commerce building, the Goshen News building located on 5th Street, and City Hall. Motion passed 5-0.

7) Legal Department request: Award the contract to PVS Technologies, Inc. as the lowest responsive and responsible quoter and authorize the issuance of a purchase order for the purchase of Ferric Chloride at a cost of \$1.53 per pound Fe. for the 2024 calendar year

City Attorney Bodie Stegelmann said the City solicited quotes for the purchase of Ferric Chloride, a chemical required for the Waste Water Treatment Plant, in accordance with Indiana Code §5-22-8-3.



Below is a summary of the quotes received for the supply of Ferric Chloride for the 2024 calendar year:

Vendor	Unit Price per/lb Fe	Notes
Kemira Water Solutions, Inc Lawrence, KS 66049 1	1.538	
PVS Technologies, Inc. Detroit, MI 48213 W3T Churubusco, IN 46723	1.53	Did not provide a quote.

Stegelmann said PVS Technologies, Inc. was the lowest responsive and responsible quoter and it was recommended that the Board award the contract to supply the City with Ferric Chloride for the 2024 calendar year to PVS Technologies, Inc.

Landis/Myers made a motion to award the contract to PVS Technologies, Inc. as the lowest responsive and responsible quoter, and authorize the issuance of a purchase order for the purchase of Ferric Chloride at a cost of \$1.53 per lb. Fe. for the 2024 calendar year. Motion passed 5-0.

8) **Legal Department request:** Award the contract to Rowell Chemical Corp. as the lowest responsive and responsible quoter and authorize the issuance of a purchase order for the purchase of Sodium Hypochlorite at a cost of \$1.79 per gallon for the 2024 calendar year

City Attorney Bodie Stegelmann said the City solicited quotes for the purchase of Sodium Hypochlorite, a chemical required for the Waste Water Treatment Plant, in accordance with Indiana Code §5-22-8-3.

Below is a summary of the quotes received for Sodium Hypochlorite for the 2024 calendar year:

Vendor	Unit Price per/gal	Notes
Haviland Products 421 Ann Ste, N.W. Grand Rapids, MI 49501		Declined to bid
Olin Chemical Lemont, IL		Did not provide a quote
Rowell Chemical Corp	\$1.79	
Hinsdale, IL Alexander Chemical Corp	\$1.81	
Peru, IL		

Stegelmann said Rowell Chemical Corp was the lowest responsive and responsible quoter and it was recommended that the Board award the contract to supply the City with sodium hypochlorite for the 2024 calendar year to Rowell Chemical Corp.

Clerk-Treasurer Aguirre said that in recent years the City has had a number of short-term agreements with companies to provide certain chemicals to the Water and Sewer Department because of supply issues. He wanted to know if these supply issues have continued.

Superintendent of the City Wastewater Treatment Plant Jim Kerezman said the cost of some caustic chemicals needed for water treatment has increased, but not for chemicals needed for wastewater treatment. **Superintendent of the City Water Treatment and Sewer Department Marvin Shepherd** added that the costs of chlorine and fluoride, which are needed for water treatment, continue to fluctuate.

Landis/Myers made a motion to award the contract to Rowell Chemical Corp. as the lowest responsive and responsible quoter and authorize the issuance of a purchase order for the purchase of Sodium Hypochlorite at a cost of \$1.79 per gallon for the 2024 calendar year. Motion passed 5-0.



9) Legal Department request: Approve the terms and conditions and authorize Mayor Leichty to execute the contract for City of Goshen lawn services with Colin Avila d/b/a Yardshark on behalf of the City of Goshen and the Goshen Board of Public Works and Safety

City Attorney Bodie Stegelmann said attached to the meeting agenda packet for the Board's approval and authorization for the Mayor to execute was a contract for City of Goshen Lawn Services with Colin Avila, doing business as "Yardshark".

Stegelmann said Yardshark has agreed to provide the City with lawn mowing and maintenance services for 18 City "service areas" for the 2024 mowing season with the option to renew the Contract for up to two additional mowing seasons. The City will pay Yardshark for the services provided based on the established unit cost for each service area as set forth in Exhibit B, which was attached to the contract.

Stegelmann said the compensation for some services areas were based on a lump sum monthly cost (or prorated portion thereof) or based on a unit cost for each mow. He said the Goshen Redevelopment Commission approved and authorized execution of the contract at the City Redevelopment Commission's March 12, 2024 meeting as seven (7) of the services areas are owned or controlled by the Commission.

Board member Landis said in the past there have been multiple bids for this service. He asked if this was an extension of a contract or a change in procedures. Stegelmann said the City contracted with Yardshark two years ago and it was a good experience. He said there was a consensus among City staff to contract with Yardshark.

Mayor Leichty said Yardshark did an exceptional job and the City did not receive good service last year.

Landis/Myers made a motion to approve the terms and conditions and authorize Mayor Leichty to execute the contract for City of Goshen lawn services with Colin Avila, doing business as Yardshark, on behalf of the City of Goshen and the Goshen Board of Public Works and Safety. Motion passed 5-0.

10) Engineering Department request: Approve the extension of the closure of Douglas Street, west of 10th Street, until Sept. 30, 2024

City Director of Public Works & Utilities Dustin Sailor said Niblock Excavating has requested permission to extend the closure of East Douglas Street, west of South 10th Street, until Sept. 30, 2024. This is a dead-end street, and Niblock will coordinate access for necessary deliveries for Gleason Industries.

Sailor said Niblock Excavating has encountered delays with weather and necessary underground utility changes. Sailor said the road will remain closed to protect the storm system until completion of the project.

Landis/Myers made a motion to approve the extension of the closure of Douglas Street west of 10th Street until Sept. 30, 2024. Motion passed 5-0.

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

Mayor Leichty opened Privilege of the Floor at 4:22 p.m. There were no comments.

Approval of Civil City and Utility Claims

As all matters before the Board of Public Works & Safety were concluded, Mayor Leichty/Board member Landis moved to approve Civil City and Utility claims and adjourn the meeting. Motion passed 5-0.

Adjournment

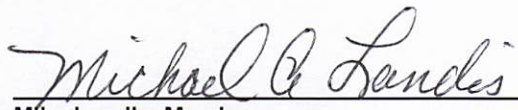
Mayor Leichty adjourned the Board of Works meeting at 4:23 p.m.




APPROVED:



Mayor Gina Leichty

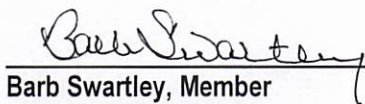


Mike Landis, Member



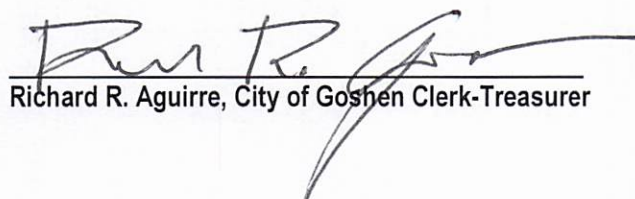
Orv Myers, Member

Mary Nichols, Member



Barb Swartley, Member

ATTEST:



Richard R. Aguirre, City of Goshen Clerk-Treasurer