



**BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD
MINUTES OF THE JUNE 27, 2024 REGULAR MEETING**

Convened in the Goshen Police & Court Building, 111 East Jefferson St., Goshen, Indiana

Present: Mayor Gina Leichty, Orv Myers and Mary Nichols

Absent: Mike Landis and Barb Swartley

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

REVIEW/APPROVE MINUTES: Mayor Leichty presented the minutes of the June 13, 2024 Regular Meeting as prepared by Clerk-Treasurer Richard R. Aguirre. Board member Mary Nichols moved to approve the minutes as presented. The motion was seconded by Board member Orv Myers. The motion passed 3-0.

REVIEW/APPROVE AGENDA: Mayor Leichty presented the agenda as prepared by the Clerk-Treasurer. Board member Nichols moved to approve the agenda as presented. Board member Myers seconded the motion. The motion passed 3-0.

1) Open sealed bids: For the purchase of a 2024 or newer street sweeper for the City Street Department
On behalf of the City Street Department and City Fleet Manager, the Board was tasked with opening sealed bids submitted for the purchase of a 2024 or newer street sweeper.

All bids were due to be submitted to the Clerk-Treasurer's Office by 3:45 p.m. on June 27, 2024 or by 4 p.m. of the date of the meeting at the City Court Room/Council Chamber. Mayor Leichty announced the two bids received:

- Hoosier Equipment, LLC of Plymouth, Indiana: \$356,980.
- Jack Doheny Company, Northville, Michigan: \$363,710.

Nichols/Myers made a motion that the bids be referred to the City Legal Department for review. Motion passed 3-0.

2) College Farm Neighborhood request: Approve closure of the 1800 block of South 13th Street and use of street barricades on Aug. 3, 2023 for the neighborhood's annual block party

On behalf of the College Farm Neighborhood, consisting of the area South of College Avenue from 12th Street to 15th Street, Clerk-Treasurer Richard R. Aguirre requested permission to hold a Neighborhood Block Party in the 1800 block of South 13th Street, between Mervin Avenue and Leroy Street, on Saturday, Aug. 3, 2024, from 6:30 to 9 p.m. In a written request, Craig Yoder wrote that the College Farm Neighborhood Committee asked that this one block be closed during this time. The committee asked that street barricades be dropped off at 13th Street and Leroy Avenue and at 13th Street and Mervin Avenue for the event. Yoder also wrote that if the area police officer would be available to stop by the party, committee members would like to introduce the officer to residents and express their thanks.

City Street Commissioner David Gibbs said he would coordinate the use of barricades with neighborhood representatives. Assistant Police Chief Shawn Turner said he would forward the request for a police officer.

Nichols/Myers moved to approve the closure of the 1800 block of South 13th Street, between Mervin Avenue and Leroy Street, on Saturday Aug. 3, 2024 from 6:30 to 9 p.m., for the neighborhood block party and for the use of street barricades. Motion passed 3-0.

3) Goshen Soccer Academy request: Approve the closure of parking lot adjacent to Goshen Brewing Co. for a pickleball tournament on Aug. 23-24, 2024



Tavisak “Tavi” Mounsithiraj of Goshen, the owner and operator of the Goshen Soccer Academy, requested permission from the Board to again stage a pickleball tournament on a portion of a City parking lot in August. With the City’s approval, he said the 2023 tournament was successful and he is hoping to attract more people to participate in this year’s edition of the Cobblestone Pickleball Challenge.

In his written request, **Mounsithiraj** sought Board approval to partially close a portion of the City parking lot on West Washington Street, north of Goshen Brewing Company, on Friday August 23 and Saturday, August 24, 2024. He asked for permission to close and use that portion of the parking lot starting at 8 a.m. on Aug 23 and continuing until 8 p.m. on Saturday Aug 24.

Mounsithiraj further wrote that pickleball is a combination of tennis, badminton and ping pong and it is one of the fastest growing sports in the country. He added that sponsors are hosting this event on the cobblestone parking lot “because we want this to be the toughest pickleball tournament in the country.”

City Street Commissioner David Gibbs said he was aware of the request for the use of street barricades.

Nichols/Myers moved to allow Goshen Soccer Academy to close the center portion of the West Washington Street parking lot to stage a pickleball academy from 8 a.m. August 23, 2024 through 8 p.m. August 24, 2024. Motion passed 3-0.

4) Downtown Goshen, Inc. request: Approve the use of two parking spaces in front of Elephant Bar for over-the-weekend parking of a beer trailer for July-September First Fridays

Amanda Rose, the director and event coordinator of First Fridays, asked the Board for additional parking space closures for First Friday activities from July through September for use as a beer garden.

In addition to the organization’s original requests, **Rose** asked for the closure of two parking spaces in front of the Elephant Bar, 227 South Main Street, from 1 p.m. on the First Friday of each month to 11 a.m. the following Monday, July 8, Aug. 5 and Sept. 9, 2024. The spaces will be used for the over-the-weekend parking of a beer trailer.

Nichols/Myers moved to approve the closure of two parking spaces at 227 South Main Street, from 1 p.m. on Friday July 5, Aug. 2 and Sept. 6, 2024 and to 11 a.m. the following Mondays. Motion passed 3-0.

5) Elkhart County 4H Fair request: Approve street closures and traditional City support services for the annual fair parade on July 21, 2024

Boyd Smith, director of the Elkhart County 4-H Fair Parade, requested Board approval to stage the 2024 Fair Parade, along with traditional support services from the City. He said the parade is scheduled for July 21, 2024 with no changes to the traditional route.

In a written request, **Smith** asked the Board to have the City Police Department close streets as they deem appropriate for the staging and running of the parade. He also requested assistance from the City Street Department with street barricades and trash pickup. He noted that that the City has provided these services for over 20 years.

Smith also indicated that the staging areas will be Linway Plaza, Kroger Plaza and Rogers Park. Parade registration begins at 10:30 a.m. and the parade will step off promptly at 1:30 p.m.; some units will arrive as early as 9 a.m.

Mayor Leichty said she looked forward to another fun parade.

Nichols/Myers moved to approve the staging and street closures for the 2024 Fair Parade on July 21, 2024 Motion passed 3-0.

6) Legal Department request: Award the bid for the purchase of 2024 skid steer for the Water & Sewer Department to Bobcat of Michiana as the lowest responsive and responsible bidder and authorize Mayor Leichty to execute the purchase agreement for \$59,836.88



City Attorney Bodie Stegelmann told the Board that the City solicited sealed bids for the purchase of 2024 or newer skid steer for the Water & Sewer Department.

Stegelmann said the bid tabulation was as follows: Bobcat of Michiana, \$66,336.88 purchase price, \$6,000 trade-in value for Bobcat 763, \$500 trade-in value for Melroe Soil Conditioner, and a total bid purchase price of \$59,836.88. **Stegelmann** recommended that Bobcat of Michiana be awarded the bid, and the Board authorize Mayor Leichty to execute the attached purchase agreement in the total cost of \$59,836.88.

Nichols/Myers made a motion to award the bid for the purchase of 2024 skid steer to Bobcat of Michiana as the lowest responsive and responsible bidder and approve and authorize Mayor Leichty to execute the purchase agreement regarding the same at a cost to the City of \$59,836.88. The motion passed 3-0.

7) Legal Department request: Approve and authorize Chief Jose Miller to execute the grant agreement with the Indiana Criminal Justice Institute for the SoToxa Instrument Program

City Attorney Bodie Stegelmann told the Board that attached to the Board's agenda packet for the Board's approval and authorization for Chief Jose Miller to execute was a Grant Agreement with the Indiana Criminal Justice Institute (ICJI) for the SoToxa Instrument Program.

The ICJI has purchased SoToxa Oral Fluid Testing Instruments with federal and state funds. Under this agreement, that is effective through Sept. 30, 2026, ICJI will provide the Goshen Police Department a minimum of one instrument and the test cartridges to conduct roadside screening tests to assist with the enforcement of impaired driving violations. There is no cost to the GPD for the instruments or test cartridges, but the GPD must ensure that at least one staff member is trained by the ICJI on the proper use and care of the instruments and the administration of tests in order to train other officers. The GPD must also complete monthly electronic reporting to the ICJI.

Assistant City Police Chief Shawn Turner said much like portable breath testing equipment for alcoholic beverages, the SoToxa Oral Fluid Testing Instrument tests for drugs that may have been ingested by a person and may be influencing the person's driving.

Nichols/Myers made a motion to approve and authorize Chief Jose Miller to execute the Grant Agreement with the Indiana Criminal Justice Institute for the SoToxa Instrument Program. The motion passed 3-0.

8) Legal Department request: Amend Agreement with Cathy's Cleaning to add Reith Interpretive Center

City Attorney Bodie Stegelmann told the Board that the City solicited quotes for cleaning of the Annex Building, City Hall and the Utilities Billing Office, and Cathy's Cleaning was awarded the bid.

Stegelmann said that at the time the City solicited quotes, the Legal Department was not aware that Cathy's Cleaning was also cleaning the Reith Interpretive Center and should have been included in that contract.

Cathy's Cleaning and the City have now agreed to amend the current agreement to expand cleaning services to Reith Interpretive Center. Under an agreement, which will take effect the first weekend of August 2024, Cathy's Cleaning will charge \$115 a week, \$498.34 a month and \$7,830 a year, including for window cleaning.

Stegelmann recommended that the Board approve and authorize Mayor Leichty to execute an Agreement Amendment with Cathy's Cleaning Service to extend cleaning services for the Reith Interpretive Center with services to start the first weekend of August 2024 at an estimated yearly cost of \$7,830.00.

Mayor Leichty said she has heard that Cathy's Cleaning has been doing a great job at City buildings.

Nichols/Myers made a motion to approve and authorize Mayor Leichty to execute an Agreement Amendment with Cathy's Cleaning Service to extend cleaning services for the Reith Interpretive Center with services to start the first weekend of August 2024 at an estimated yearly cost of \$7,830. The motion passed 3-0.



9) Legal Department request: Resolution 2024-15: Ratify Agreement with Comcast for Internet Services at Fire Station #4, located at 1728 Reliance Road, Goshen, Indiana

City Attorney Bodie Stegelmann told the Board that in early May 2024, the internet and phone service equipment at City Fire Station #4 at 1728 Reliance Road failed and was determined to be too outdated to maintain or repair, leaving the station without phone and internet service and requiring an immediate replacement.

So, **Stegelmann** said the Goshen Fire Department entered into a one-year services agreement with Comcast Business Services, on an emergency basis, to provide internet and communication services until the Elkhart County Courts facility is completed and its fiber optic communications services became available. He asked the Board to ratify the Comcast agreement, which calls for a monthly service charge of \$276.90.

Nichols/Myers made a motion to ratify the agreement with Comcast for internet service at Fire Station #4, 1728 Reliance Road, thus passing and adopting Resolution 2024-15, Ratify Agreement with Comcast for Internet Services at Fire Station #4, located at 1728 Reliance Road, Goshen, Indiana. The motion passed 3-0.

10) Environmental Resilience Department request: Approve USDA Forest Service Grant

Theresa Sailor, the Grant Writer and Educator for the City Environmental Resilience Department, told the Board that approval was being sought for a U.S. Department of Agriculture Forest Service grant of \$1 million with no match required.

Sailor said the grant will provide resources to expand regional inventories of trees and plants to support urban forestry and food forests, deliver public and business education programs on arboriculture training topics, positive health aspects of trees, and classes focused on growing, preparing, and enjoying fresh locally grown foods.

Sailor said one of the methods for increasing local tree inventories is to provide resources to start arboriculture employment training programs focused on at-risk youth to increase the number of professionals who can support growing regional urban tree canopy programs.

So, as part of the program, **Sailor** said the City will partner with The Crossing School of Entrepreneurship, which will receive funding for a teacher for three years. The students will develop a tree nursery micro-business using private funds for supplies and materials and begin growing and selling trees locally.

Sailor said the City also will partner with Bushelcraft Farm, an after-school workforce development non-profit program. Bushelcraft will receive funding to develop a tree nursery and hire students for after-school employment. They will follow a three-year employment and training track and focus on developing a tree nursery and learning arboriculture and horticulture skills.

The City will support the two local arboriculture education programs by providing arborist professional knowledge and skills training to both The Crossing and Bushelcraft students. The City's professionals will teach tree biology, tree identification and selection, tree propagation, pruning, installation, the value of trees, insects and diseases, diagnosis and treatment, urban forestry, and other topics in line with the certified arborist curriculum.

Sailor said the big goal is to increase the tree canopy in the region, focusing on Goshen and Elkhart and helping disadvantaged communities. She asked the Board to authorize Mayor Leichty to sign and approve the agreement.

Nichols/Myers made a motion to authorize Mayor Leichty to sign the U.S. Forest Service Grant. The motion passed 3-0.

11) Engineering Department request: Authorize INDOT Road Closure Permit for 2024 4H Fair Parade

City Project Manager Andrew Lund said the Elkhart County 4H-Fair has requested the closure of various City streets, including a section of U.S. 33 between Madison and Monroe streets on July 21, 2024 for the Elkhart County Fair Parade.



Lund said the Engineering Department will submit the request to INDOT upon the Board of Public Works & Safety approval and ask the Board to authorize the Mayor to sign the State permit's Hold Harmless indemnity form.

Nichols/Myers made a motion to authorize the Mayor to sign the State permit's Hold Harmless Indemnity form for the Elkhart County 4H Fair Parade. The motion passed 3-0.

12) Engineering Department request: Approve Redesign of the Tenth Street Corridor, Design Agreement Amendment No. 1 (Job Number: 2022-0037)

City Director of Public Works & Utilities Dustin Sailor told the Board that the owner of a vacant lot on Reynolds Street has made a development inquiry about making sewer service available to the property.

Sailor said the lot does not have independent access to a sewer main but could if the new Tenth Street sewer were extended east along Reynolds Street from Tenth Street to the first alley east. He said this extension would also resolve an issue with multiple adjoining properties sharing a sewer lateral.

Sailor asked the Board to approve contract Amendment No. 1 with Jones Petrie Rafinski to design and permit a short sewer extension east on Reynold Street for a lump sum price of \$11,400.

Nichols/Myers made a motion to approve contract Amendment No. 1 with Jones Petrie Rafinski for the Redesign of the Tenth Street Corridor for a lump sum fee of \$11,400. The motion passed 3-0.

**13) Engineering Department request: Approve SR 119 Street Closure for Kids & Teens Triathlon
City Project Manager Andrew Lund**

On behalf of the Parks Department, **City Project Manager Andrew Lund** asked the Board to approve the closure of State Route 119 on Saturday, July 6, 2024, from 7 a.m. to noon, for the Kids' & Teens' Triathlon event.

Lund said the closure of SR 119 will be from South 3rd Street to Indiana Avenue. The Goshen Street Department will be assisting in the set up and removal of the barricades. He said the Engineering Department has submitted a permit request to INDOT and will include the hold harmless form once it is signed by the Mayor.

Nichols/Myers made a motion to approve the road closures on Saturday, July 6, 2024, associated with the Kid's & Teens Triathlon and approve the Mayor to sign the State permit's Hold Harmless indemnity form. The motion passed 3-0.

14) Engineering Department request: Center Street Crosswalk – Traffic Commission Recommendation (Job Number: 2024-0007)

City Project Manager Andrew Lund told the Board that the Engineering Department received a request from the Boys and Girls Club to help improve the safety of the 300-plus students in attendance each day during the school year. A crosswalk was also requested from the parking lot to the front door area.

Lund said the request was brought to the June 20, 2024, Traffic Commission meeting, and Commissioners voted unanimously with a positive recommendation to make Center Street a one-way street between Summit Street and 7th Street, with striping to be worked out with the Boys and Girls Club.

The Commission also voted unanimously with a positive recommendation to install a crosswalk with pedestrian crosswalk warning signs, after the Boys and Girls Club installs an ADA-detectable warning panel. However, the location of warning signs depends on whether Center Street will be one way.

Lund said the City Engineering Department will follow up with residents in the area prior to seeking approval from the Board of Public Works and Safety for the designation of Center Street as a one-way road and the installation of crosswalk and signs. He added that additional information will be provided at the Aug. 8, 2024 Board meeting.



No Board action was requested or taken pending a final recommendation on the crosswalk and one-way street requests.

15) Engineering Department request: Request for Advance Warning Sign for Drive – 2120 Rieth Blvd (Goshen Family Medicine, Job Number: 2024-0007)

City Project Manager Andrew Lund said that the Engineering Department received a request to install a sign warning traffic of a driveway at 2120 Rieth Boulevard that is around a corner, hidden by trees, westbound on Rieth. **Lund** said Engineering staff assessed the necessary stopping distance and found that if brush was cleared from the side of the road, then a safe sight distance can be achieved for stopping. Although the "Blind Drive" and "Hidden Drive" signs have been installed previously, there is no sign currently at that location.

According to the 2003 Indiana Manual on Uniform Traffic Control Devices, the "Hidden Drive" sign was to be used on a "limited basis and only after a field investigation reveals the need."

Lund said the signage request was brought to the June 20, 2024 Traffic Commission meeting. The Commission voted unanimously to recommend against installing the advance warning sign. **Lund** said the Engineering Department will reach out to encourage the property owner to clear brush to improve sight distance.

Nichols/Myers made a motion to deny the request to install a sign warning of an obscured drive on Rieth Boulevard. The motion passed 3-0.

16) Engineering Department request: Violet Cemetery Subdivision, Phase II, Acceptance of Drainage Plan (JN: 2023-0021)

City Director of Public Works & Utilities Dustin Sailor told the Board that in accordance with the City's Subdivision Control Ordinance No. 3196 Section 512 "Drainage Plan", the City's Engineering Department has reviewed the drainage plan for Violet Cemetery Subdivision, Phase II, located south of Kercher Road and north of Egbert Road. He said the drainage plan addresses the drainage needs with a combination of drywells, conveyance pipes, and a stormwater retention basin that will provide 1.05 acre-feet of storage.

After due consideration of the proposed drainage plan, **Sailor** said the City Engineering Department recommends the Board of Public Works and Safety and Stormwater Board's acceptance of the development's drainage plan.

Sailor said the record should show the City of Goshen in no way guarantees the proposed drainage improvements will adequately function as designed by the developer's licensed professional. However, in this case he said the City is responsible for the property.

Nichols/Myers made a motion to accept the drainage plan for the Violet Cemetery Subdivision, Phase II. The motion passed 3-0.

17) Planning Department request: Acceptance of Violet Cemetery Phase Two Plat

City Planning & Zoning Administrator Rhonda Yoder told the Board that the secondary subdivision has been submitted and reviewed for Violet Cemetery Phase Two. The purpose of the subdivision is to plat another section of Violet Cemetery as required by State statute.

Yoder said the plat for Violet Cemetery Phase Two meets the requirements of the Subdivision and Zoning Ordinances and is consistent with the primary subdivision approved by the Plan Commission in September and October 2012.

The plat for Violet Cemetery Phase Two does not contain dedication of right of way or easements, and there are no improvements associated with the plat, so no bonds were required.

Yoder asked the Board to accept Violet Cemetery Phase Two and sign the plat.



Nichols/Myers made a motion to accept the Violett Cemetery Phase Two plat. The motion passed 3-0.

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

Mayor Leichty opened Privilege of the Floor at 4:29 p.m.

City Project Manager Andrew Lund said the Engineering Department received notice that Norfolk Southern Railroad is planning to close numerous crossings between approximately July 8 and July 31, 2024, for installation of new rails. Each crossing is expected to be closed to traffic over one to four days (**EXHIBIT #1**)

Lund said Engineering staff have been in communication with the railroad's safety contractor to emphasize the need to avoid simultaneous major crossing closures, limit crossing closure duration, and avoid impacting traffic for the Elkhart County 4H Fair.

A more detailed schedule is expected from Norfolk Southern in a few days, which **Lund** said would be communicated to Goshen residents and businesses via the City's website and social media. Closure schedule:

Crossing Closures Expected – Mainline Tracks

Ferndale Road / CR 15
Peddlers Village Road / CR 28
Greene Road
Beaver Lane
Indiana Avenue
1st Street
Main Street
Cottage Avenue
Lincoln Avenue
Monroe Street

Crossing Closures Expected – Marion Branch

Jefferson St
Purl St
Reynolds St
Plymouth Ave
Jackson St
Burdick St
New York St
College Ave
Kercher Rd

Mayor Leichty requested that a copy be provided to the *Goshen News*. She and **Lund** indicated the schedule may be modified to reduce the impact on the City.

Matt Schrock of Goshen thanked the Mayor for holding her ground and affirming a demolition order for a home and garage at 205/207 Middlebury Street at the Board's last meeting on June 13. Although he could not be present, **Schrock** said he read the minutes of the meeting and wanted to thank the Mayor "for doing what needed to be done." The **Mayor** thanked **Schrock** and said the outcome was part of a larger "team effort" by the Board and City staff to reduce the number of uninhabitable homes and that the City is making good progress.

Mayor Leichty closed Privilege of the Floor at 4:33 p.m.

Approval of Civil City and Utility Claims

As all matters before the Board of Public Works & Safety were concluded, Mayor Leichty/Board member Nichols moved to approve Civil City and Utility claims and adjourn the meeting. Motion passed 3-0.

Adjournment

Mayor Leichty adjourned the Board of Public Works and Safety meeting at 4:34 p.m.


**Engineering Department
CITY OF GOSHEN**

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 engineering@goshencity.com • www.goshenindiana.org

MEMORANDUM

TO: Goshen Board of Public Works & Safety

FROM: Goshen Engineering

RE: **NOTIFICATION OF NORFOLK SOUTHERN TRACK CLOSURES
(JN: GENERAL, RAILROAD, 2024)**

DATE: June 27, 2024

The engineering department received notice that Norfolk Southern is planning to close the following crossings between approximately July 8 and July 31, 2024, for installation of new rails. Each crossing is expected to be closed to traffic over one to four days. Engineering staff have been in communication with the railroad's safety contractor to emphasize the need to avoid simultaneous major crossing closures, limit crossing closure duration, and avoid impacting traffic for the Elkhart County 4H Fair. A more detailed schedule is expected from Norfolk Southern early next week, which will be communicated to Goshen residents and businesses via the City's website and social media.

Railroad Crossing Closures Expected – Mainline Tracks	Railroad Crossing Closures Expected – Marion Branch
Ferndale Road / CR 15	Jefferson St
Peddlers Village Road / CR 28	Purl St
Greene Road	Reynolds St
Beaver Lane	Plymouth Ave
Indiana Avenue	Jackson St
1st Street	Burdick St
Main Street	New York St
Cottage Avenue	College Ave
Lincoln Avenue	Kercher Rd
Monroe Street	

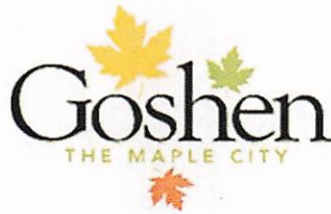

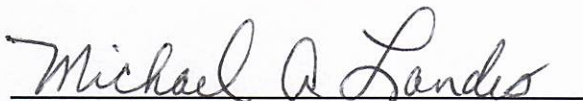


EXHIBIT #1: Memorandum from City Project Manager Andrew Lund about planned railroad crossing closures by Norfolk Southern, between July 8-31, 2024, to install new rails. The memorandum was presented during Privilege of the Floor to inform the public of this scheduled traffic disruption.


APPROVED:



Mayor Gina Leichty



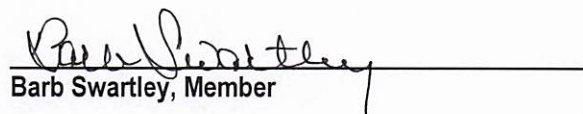
Mike Landis, Member



Orv Myers, Member

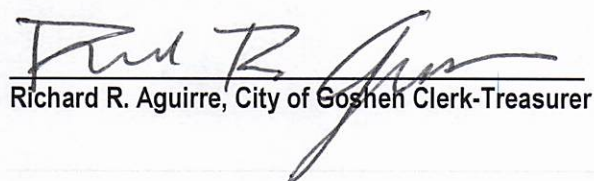


Mary Nichols, Member



Barb Swartley, Member

ATTEST:



Richard R. Aguirre, City of Goshen Clerk-Treasurer