

**BOARD OF PUBLIC WORKS AND SAFETY AND STORMWATER BOARD  
MEETING HELD, OCTOBER 1, 2018, GOSHEN, INDIANA**

The Board of Public Works and Safety and Stormwater Board of the City of Goshen met in the Council Chambers, 111 East Jefferson Street on, October 1, 2018, at 2:00 P.M. for their weekly Board meeting. Mayor Stutsman was the presiding officer with members of the Board present or absent as follows:

**PRESENT:** Board Member Mitch Day, Board Member Mike Landis

**ABSENT:** Mayor Jeremy Stutsman

**OTHERS:** Clerk-Treasurer Administrative Assistants, Fire Chief, Street Commissioner, Director of Public Works, Waste Water Superintendent, Police Chief, Utilities Office Manager, City Attorney, Assistant Street Commissioner, Civil Traffic Engineer, Assistant Building Commissioner, Legal Compliance Administrator, Communications Coordinator, Parks and Recreation Superintendent

Minutes of the meeting of September 24, 2018 were presented. On motion of Board Member Day and second by Board Member Landis, the minutes were approved as presented.

**REQUEST TO APPROVE MECHANICAL GREASE TRAP VARIANCE—  
THE ELECTRIC BREW**

Myron Bontrager of The Electric Brew requested Board approval for a mechanical grease trap variance. It is the Wastewater Utility's recommendation that the Board of Works approve a mechanical Grease Trap sized at a minimum of 35 gallons per minute flow according to Ordinance 4625 Section 4.07 Paragraph B(1). This is also pending the acceptance of state and local plumbing codes. This property occupies at least 95% of the real estate to install a 1000-gallon grease interceptor.

Board Member Landis moved to approve the request. Second by Board Member Day and motion passed unanimously.

**REQUEST FOR USE OF CITY RIGHTS-OF-WAY—FILMING OF A MOVIE**

Chase Crawford Producer of the feature length film "Moondance" requested in writing Board approval of the sidewalk closure of Washington Street between Main Street and 5<sup>th</sup> Street on October 7, 2018 from 5 am to 2 pm. Chase stated in his letter he would be speaking with business owners to arrange a fee to them for the temporary disturbance.

Chase Crawford was not present at the meeting.

Board Member Landis moved to approve the request as long as business owners agreed. Second by Board Member Day and motion passed unanimously.

**REQUEST FOR USE OF CITY RIGHTS-OF-WAY—RIDING TO REMEMBER  
RESCHEDULED DATE DUE TO INCLEMENT WEATHER**

Mary Anne Ballard Riding to Remember Co-Chair requested in writing for Board approval to close South Fifth Street between Lincoln Avenue to Purl Street and block off the 100 Block of East Jefferson on Sunday, October 21, 2018 for the Twentieth Annual Riding to Remember event. This date is a rescheduled date due to weather. City will provide traffic, control, and road closure signage.

Mary Anne Ballard was not present at the meeting.

Board Member Landis moved to approve the request. Second by Board Member Day and motion passed unanimously.

**REQUEST FOR USE OF CITY RIGHTS-OF-WAY—FORT WAYNE CHAPTER OF  
THE PROUD BOYS**

Schuyler Ray representative for the Fort Wayne chapter of the Proud Boys requested in writing for Board approval to use the alley between Constant Spring and Better World Books to host a community event on October 27, 2018 in where the chapter would hand out free hotdogs, chips, and pop to the community. He also wrote the chapter would be taking donations for The Window on Main Street.

Schuyler Ray was not present at the meeting.

Board Member Landis moved to table the request. Second by Board Member Day and motion passed unanimously.

**REQUEST FOR ACCEPTANCE OF EASEMENT**

Legal Compliance Administrator Shannon Marks requested Board approval for the acceptance of an attached easement from Kathleen M. Weeden and Gregory A. Weeden for Goshen City public utilities and authorize Mayor Stutsman to sign the Acceptance page on behalf of the City. The easement is part of Common Area 1 of Pickwick Village Fifth.

Board Member Landis moved to approve the request. Second by Board Member Day and motion passed unanimously.

**REQUEST TO ACCEPT REPLAT OF PICKWICK VILLAGE 4<sup>TH</sup> PUD**

City Planning and Zoning Administrator Rhonda Yoder requested Board approval for the acceptance of a replat. A six-lot major residential subdivision has been submitted, Replat of Pickwick Village 4<sup>th</sup> PUD, which is a replat of Lots 1 and 2 of Pickwick Village Fourth subdivision, with a common address of 2017 Wakefield Road, generally located on the west side of Wakefield Road and the north side of Wilden Avenue, zoned Residential R-3PUD (Planned Unit Development).

The subject property was originally identified as Tract B in the first Pickwick Village subdivision phase, and was zoned Commercial B-1PUD by ordinance 2954. An office building was built in 1986 on the single tract. In 2001, Tract B was divided into two lots, recorded as

Pickwick Village 4<sup>th</sup> subdivision. In March 2018, the subject property was rezoned from Commercial B-1PUD to Residential R-3PUD.

The subdivision meets the Zoning and Subdivision Ordinance and Pickwick Village PUD requirements.

A subdivision drainage plan was accepted by the Board of Works on September 17, 2018.

Public infrastructure for water and sanitary sewer will be constructed and accepted for maintenance before secondary subdivision approval is granted, so no surety/performance bond is being provided. The plat will not be recorded until the public infrastructure is accepted for maintenance.

The right of way is existing, so the plat does not include dedication of right of way, but there are a number of easements.

Please accept the Replat of Pickwick Village 4<sup>th</sup> PUD with easements and sign the plat.

Board Member Landis moved to approve the request. Second by Board Member Day and motion passed unanimously.

**REQUEST TO APPROVE TRAFFIC COMMISSION**  
**MAPLE CITY GREENWAY BICYCLE/PEDESTRIAN CROSSING**  
**(JN: 2018-0007)**

Civil Traffic Engineer Leslie Biek requested Board approval for additional signage, pavement markings and to lower the speed limit on 15<sup>th</sup> Street at the Maple City Greenway bike and pedestrian crossing on 15<sup>th</sup> Street. At the September 20, 2018 Traffic Commission meeting, the Commission voted to add additional signage, pavement markings and lower the speed limit on 15<sup>th</sup> St at the Maple City Greenway bike and pedestrian crossing on 15<sup>th</sup> St.

An incident involving a bicyclist and vehicle occurred on September 11, 2018 at the Winona Trail Crossing on 15<sup>th</sup> St resulting in a fatality. The police report obtained from the accident appears from the documented information that the accident was not caused by lack of adequate signage, but a miscommunication between a motorist and the bicyclist. However the area was evaluated to see if there is anything that could be done to make the crossing safer for bikes and pedestrians.

Traffic Commission Recommendations include:

- Changing the striping from the typical two white lines to the “Continental” striping to make the crossing more visible to motorists.
- Replacing the pedestrian warning signs with bike/ped warning signs.



- Adding additional advanced bike/ped warning signs 125 feet in advance of the crossing.
- Add a bike and pedestrian stop sign on the east side of the crossing.
- Add “Cross Traffic Does not Stop” underneath both bike/ped stop signs for both directions
- Reduce the speed limit from 40 mph to 30 mph from Eisenhower to College. Changing the speed limit will require Council approval.

Board Member Landis moved to approve the request. Second by Board Member Day and motion passed unanimously.

**REQUEST TO APPROVE TRAFFIC COMMISSION**  
**HAY PARKWAY AND NORTHSTONE DRIVE.**  
**(JN: 2018-0007)**

Civil Traffic Engineer Leslie Biek requested Board approval for Hay Parkway and Northstone Drive additional signage. At the September 20, 2018 Traffic Commission meeting, the Commission voted to Cross Traffic Does not Stop underneath the existing Stop signs at Hay Parkway and Northstone Dr.

Currently there are stop signs on Hay Parkway but not on Northstone Dr. Since Northstone Dr “T”s into Hay Parkway, this is counter intuitive to most “T” intersections. Once the neighborhood is built out and this becomes a typical 4 leg intersection, it will make more sense.

In the meantime, it is requested the “Cross Traffic Does Not Stop” on the existing Stop signs on Hay Parkway at Northstone Dr.

Board Member Landis moved to table the request. Second by Board Member Day and motion passed unanimously.

**REQUEST TO APPROVE TRAFFIC COMMISSION**  
**ADVANCED WARNING SIGN—RIGHT TURN ONLY**  
**(JN: 2018-0007)**

Civil Traffic Engineer Leslie Biek requested Board approval for advanced warning sign right turn only cross traffic not to stop. At the September 20, 2018 Traffic Commission meeting, the Commission voted to install a Right Turn Only Ahead warning sign at 5<sup>th</sup> and Clinton for

northbound traffic. The sign will alert motorists in advance of Pike St so they can turn on Clinton if they need to. INDOT will be placing No Left Turn signs at 5<sup>th</sup> and Pike in the near future.

Board Member Landis moved to approve the request. Second by Board Member Day and motion passed unanimously.

**REQUEST TO APPROVE LOGAN STREET & MONROE STREET & COTTAGE AVENUE WATER MAIN REPLACEMENT CHANGE ORDER #5, BALANCING**  
**IN: 2014-0072**

Director of Public Works Dustin Sailor requested Board approval for the Logan Street and Monroe Street and Cottage Avenue water main replacement Change Order #5 is a balancing change order. The original contract amount was \$3,894,289.28. Change Order #5 decreased the contract amount by \$392,289.22 for a revised contract amount of \$3,963,872.05 or a 1.79% increase over the original contract price.

Original Contract Amount	\$3,894,289.28
Change Orders #1 - #5	<u>\$ 69,582.77</u>
Revised Amount	\$3,963,872.05

Board Member Landis moved to approve the request. Second by Mayor Stutsman and motion passed unanimously.

**PRIVILEGE OF THE FLOOR**

Chief Jose Miller and the legal department have been working together updating policies and procedures for the police department. They have provided the board a copy of the revised policies and procedures to review over the next couple of weeks. They will put this on the agenda for request of approval once the Board Members have had enough time to review.

Board Member Landis moved to approve the request. Second by Board Member Day and motion passed unanimously.

**PUBLIC HEARING ON ORDER OF THE BOARD OF PUBLIC WORKS AND SAFETY:**  
**910 N. 7<sup>th</sup> STREET**

City Attorney Larry Barkes asked if anyone was present on behalf of the property located at 910 North Seventh Street. Mr. Nelson Orellana was present and accompanied by Cindy Arano for translation. This property originally came before the Board of Works in March of this year and the owner was given until October 1, 2018 to have the property in compliance or to sell the property.

Building Inspector Travis Eash reported that the property was sold to Marcos Garcia Guevara in August. Travis Eash sent Marcos Garcia Guevara a letter and a copy of the previous report to request a consultation at the property.

Inspector Steve Bice and Travis Eash met the new owner at the property on September 25<sup>th</sup> where the owner informed them that he was not notified of the violations prior to purchasing the property and was planning on moving his family in to the house soon.

There are still numerous violations that remain that make the property unsafe. The Building Department requests these violations be corrected prior to occupancy of the home. These unsafe violations are:

1. Install roof underlayment correctly and install flashing to prevent water intrusion.
2. Install proper footers at the rear of the house.
3. Install a frost line footer for the front porch gable to rest on.
4. Install a proper header above the rear door to support the load.
5. Install proper sized bedroom windows for egress.
6. Make certain windows are easily and properly functioning.
7. Properly construct the rear porch roof with 4x6's to enable the porch roof to carry the 30# snow load as required by code.
8. Install proper rear header over rear door.
9. Remove front porch and construct properly to allow solid wood-to-wood contact (cannot be built on top of old shingles as is currently).
10. Install proper frost line footers for enclosed rear porch.
11. Make certain plumbing pipes have proper venting.

Board Member Landis moved to find all items are in violation, that the building is unsafe and that the building be repaired prior to new owner's moving in. Second by Board Member Day and motion passed unanimously.

**PUBLIC HEARING ON ORDER OF THE BOARD OF PUBLIC WORKS AND SAFETY:**  
**421 N. 5<sup>TH</sup> STREET**

City Attorney Larry Barks asked if anyone was present on behalf of James and Cheryl Erb 421 North 5<sup>th</sup> Street, Goshen, Indiana. No one was present to represent this property. This property originally came to Board of Works on August 20, 2018. During that meeting Building Inspector Travis Eash reported that some of the violations had been repaired, and a hearing was reset for October 1, 2018.

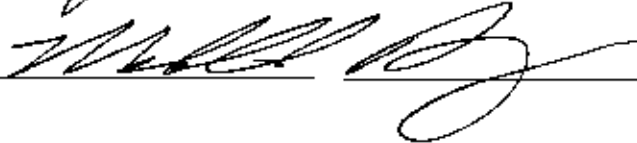
On September 26, 2018 Travis Eash called the owner in attempt to schedule an inspection to determine if any or all remaining violations had been repaired. Travis Eash left a voicemail requesting a call in return to set up a time for an inspection. Travis did not receive a return call and hasn't had a recent inspection of the property to confirm if any more work has been completed. Travis also stated there is a for sale by owner sign in front of the house that has been up for a couple of weeks and according to the Building Department this home has been vacant since 2012.

Board Member Day moved to refer the request to the Legal Department for review and recommendation. Second by Board Member Landis and motion passed unanimously.

There being no further business Mayor Stutsman moved to process claims and then to adjourn. Second by Board Member Landis and motion passed unanimously.

**BOARD OF PUBLIC WORKS AND SAFETY AND STORMWATER BOARD:**

**MAYOR JEREMY STUTSMAN** \_\_\_\_\_  


**BOARD MEMBER MITCHELL DAY** \_\_\_\_\_  


**BOARD MEMBER MICHAEL A. LANDIS** \_\_\_\_\_

**ATTEST**  \_\_\_\_\_  
**CLERK-TREASURER ANGIE MCKEE**