



**Board of Public Works & Safety and Stormwater Board**

Claims Approval Meeting Agenda

**4:00 p.m., April 17, 2025**

Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana

*To access online streaming of the meeting, go to <https://goshenindiana.org/calendar>*

**Call to Order by Mayor Gina Leichty**

**Approval of Minutes:** April 3, 2025 Regular Meeting

**Approval of Agenda**

**Privilege of the Floor**

**Approval of Civil City and Utility Claims**

***Adjournment***



## **BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD**

### **MINUTES OF THE APRIL 3, 2025 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:** None

**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 March 13 and March 27, 2025 Regular Meetings as prepared by Clerk-Treasurer Aguirre. Board member Barb Swartley made a motion to approve the minutes as presented. Board member Mike Landis seconded the motion. The motion passed 5-0.

**REVIEW/APPROVE AGENDA:** Mayor Leichty presented the agenda as prepared by the Clerk-Treasurer. Board member Swartley made a motion to approve the agenda as presented. Board member Landis seconded the motion. The motion passed 5-0.

**1) Lacasa request: To facilitate interior demolition, approve the placement a roll-off dumpster in the street parking in front of The Shoots Apartments, 112 E. Lincoln Ave., April 14-18, 2025**

**Brad Hunsberger, the Vice President for Real Estate Development at Lacasa, Inc.,** requested the temporary placement a roll-off dumpster in the street parking in front of The Shoots Apartments, 112 East Lincoln Ave. for some interior demolition, April 14-18.

In a written request, **Hunsberger** indicated that Lacasa will only need one dumpster at this time. He also wrote that Lacasa will follow the City's instructions for the dumpster, and will close the dumpster each evening and clean up all debris and trash from the pathway between the dumpster and the building. Lacasa also has notified the adjacent building owners and commercial tenants of the dumpster placement.

**Hunsberger** said Lacasa is working with the Mayor's Office on a longer-term temporary solution for a needed dumpster location and materials storage area for the upcoming renovation work.

**Clerk-Treasurer Aguirre** asked **Hunsberger** to describe the scope of the renovation work. **Hunsberger** said it will involve the replacement of 18-year-old HVAC (Heating, Ventilation, and Air Conditioning) system and some of the building's 88 windows. He said there also would be roof tuck pointing and some interior improvements, which will include removing carpeting from living rooms.

In response to another question from the **Clerk-Treasurer**, **Hunsberger** said the building has 16 apartments. He said a few tenants accepted Lacasa's relocation plan and just moved out, but otherwise the building is fully occupied.

**Swartley/Landis made a motion to approve the placement of a dumpster temporarily in the street parking in front of The Shoots Apartments, 112 East Lincoln Ave., from April 14-18. The motion passed 5-0.**

**2) Legal Department request: Approve the Memorandum of Understanding (MOU) between the City and Goshen Firefighters Association Local No. 1443 and authorize the Mayor to execute the MOU**

**City Attorney Bodie Stegelmann** said provided to the Board for its consideration and approval was a Memorandum of Understanding (MOU) between the City and the Goshen Firefighters Association Local No. 1443.

**Stegelmann** said this MOU would revise the current overtime call-in procedures for paramedics and firefighters outlined in Article XVII, Section Two of the existing Collective Bargaining Agreement (CBA). The purpose of these adjustments was to enhance operational efficiency, ensure equitable scheduling, and manage mandatory overtime while maintaining adequate staffing levels. The revised procedures in the MOU will be effective through the expiration of the current CBA on Dec. 31, 2026. The Union has approved and agreed to these changes.



**Swartley/Landis made a motion to approve the Memorandum of Understanding between the City and Goshen Firefighters Association Local No. 1443 and authorize the Mayor to execute the MOU. The motion passed 5-0.**

**3) Legal Department request: Approve and authorize Mayor Leichty to execute an amendment agreement with Christopher B. Burke & Associates for additional services necessary for the preparation of the City of Goshen's Flood Response Plan at a cost of \$8,000**

**City Attorney Bodie Stegelmann** said in 2024, the City entered into agreement with Christopher Burke Engineering, LLC for the creation of a Flood Response Plan at the cost of \$40,000. In January 2025, Christopher Burke notified the City of additional, unanticipated work, and requested an agreement amendment of \$8,000.

**Stegelmann** said the additional work was required in order to correct inaccuracies in FEMA flood depth information for Leady Ditch, Rock Run Creek, and Horn Ditch. He said these corrections were necessary to create accurate, working plans for the City.

**Stegelmann** recommended that the Board approve and authorize Mayor Leichty to execute the attached Amendment Agreement with Christopher Burke and Associates (CBB) for the additional professional services necessary for the preparation of the City's Flood Response Plan.

**Swartley/Landis made a motion to approve and authorize Mayor Leichty to execute the attached Amendment Agreement with Christopher B Burke and Associates (CBB) for the additional professional services necessary for the preparation of the City of Goshen's Flood Response Plan at a cost of \$8,000. The motion passed 5-0.**

**4) Legal Department request: Approve Amendment No. 1 to contract for City of Goshen lawn services with Colin Avila, doing business as Yardshark**

**City Attorney Bodie Stegelmann** said the City and Colin Avila d/b/a Yardshark entered into a contract on March 12, 2024 for Yardshark to provide lawn mowing and maintenance services for certain City of Goshen properties.

**Stegelmann** said this amendment was to renew the Contract for the 2025 mowing season, as well as add one new location for services and discontinue services at six locations. The original contract provided for a 2% price increase in the costs for services to a location for a subsequent mowing season.

According to the revised contract, Yardshark will provide lawn services to the: following new area: 208 West Washington Street in the same manner as provided to 210 West Washington Street. The contractor will discontinue lawn services to the following services areas: City Hall, 202 South Fifth St.; Utilities Billing Office, 203 South Fifth St.; City Annex Building, 204 East Jefferson St.; Goshen Police & Court Building, 111 East Jefferson St.; Goshen Police Training Facility, 713 East Lincoln Ave.; and the Northeast Corner of East Lincoln Avenue and Olive Street.

**Swartley/Landis made a motion to approve the terms and conditions and authorize Mayor Leichty to execute Amendment No. 1 to 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. The motion passed 5-0.**

**5) Engineering Department request: Approve the closure of the Millrace Canal pedestrian path, from Murray Street to Waverly Avenue, April 7 to May 23, for the removal of Wellington Ditch logjams**

**City Stormwater Coordinator Jason Kauffman** told the Board that the upcoming removal of logjams along the Wellington Ditch by the Davey Resource Group will require a section of the Millrace Canal pedestrian path to be completely closed from Murray Street to West Waverly Avenue for the duration of the project.

**Kauffman** said the use of the pedestrian path from Murray Street to Rieth Park will occasionally be restricted when Davey Resource Group is driving equipment on the path. During those times a flagger will be present to protect pedestrian safety. Davey Resource Group intends to begin logjam removal on April 9 or 10 and complete the work by Friday, May 16, depending on the weather.



**Kauffman** said the City Stormwater Department was requesting that the Board approve the closure of the Millrace Canal Pedestrian Path from Monday, April 7th to Friday, May 23rd with the understanding that the closure will not take place until the work begins. He said as soon as the work is completed and any damage to the pathway has been repaired, the path will be reopened for public use.

**Kauffman** said City staff "understands the impact the proposed closure of this section of the Millrace Canal pedestrian path will have on the community and asks for the public's patience as this necessary maintenance work is undertaken. The removal of the accumulated logjams will help to keep the canal bank in good condition."

To minimize the closure, **Mayor Leichty** asked if it would be acceptable to delay the closure until the work actually begins on April 9 or 10. **Kauffman** said that would be fine. He added that work at eight of the 13 work sites can't begin yet because of flooding from recent storms.

**Board member Swartley** asked if her motion should note that the path closure will not begin until work is started. The **Mayor** said that would be good.

**Swartley/Landis made a motion to approve the closure of the Millrace Canal pedestrian path from Murray Street to West Waverly Avenue, from April 7 to May 23, 2025, to allow for the removal of accumulated logjams in the Wellington Ditch with the understanding that the pedestrian path will not be closed until the actual work proceeds.**

**Mayor Leichty opened a public comment period at 4:13 p.m.**

**City Councilor Linda Gerber** said she understood the need for the project, but was concerned about the impact of the path closure on the public. From an engineering perspective, she asked why the logjam removal needed to take place during the peak walking period instead of November. She asked for an explanation on behalf of the public.

**Kauffman** responded, "that was part of our consideration, but the issue that was brought to our attention is that the canal bank is starting to erode. And so, in order to minimize the amount of erosion, we wanted to correct it as quickly as possible. And we know that this is going have an impact, but we want to minimize that erosion and protect the bank as much as we can so that it doesn't get any worse."

**Councilor Gerber** asked if there would be City outreach to the neighborhood associations that are adjacent to the pedestrian path. **Mayor Leichty** responded, "We don't have a communication plan at this point, but it's certainly something that we can do." **Councilor Gerber** said neighbors would probably appreciate being informed.

**Mayor Leichty** asked if the pedestrian path could be open on weekends. **Kauffman** said the contractor plans to minimize the impact on the public by taking away material removed from the logjams and opening the path to pedestrian use on weekends.

**Board member Landis** asked about the possibility of amending the motion to require the path to be kept open except when work is in progress. He asked why the path could not be open unless it was not traversable. **Kauffman** said he could discuss that possibility with the contractor, but added that the City didn't want pedestrians to trip on any equipment used for the project.

**Mayor Leichty** said it would be great to minimize the path closure because many people use it to commute to school as well as to exercise. She requested that the contractor be asked to "reopen the path at the end of each workday unless there's some reason for safety that it would be necessary for them to keep it barricaded."

**Board member Swartley** asked if a nearby alley could be used as a detour route. **Kauffman** said the alley does not extend to Waverly Avenue and is on private property. He said that is why the detour will go to Main Street.

**Clerk-Treasurer Richard Aguirre** said he was glad this discussion has been so detailed, and appreciated that **Mayor Leichty, Councilor Gerber, Board members** and **Kauffman** have discussed ways to minimize the path closure.



**Aguirre** said he lives adjacent to the Millrace and has a bird's eye view of how much it's used. He said the upcoming closure period is the absolute prime time for walking on the path because the surface is not too muddy and it's not too hot this time of year. He said residents would be frustrated if work took too long or there was no continual work. "When there's not active work going on, people who want to use the Millrace path will walk around whatever obstruction is there or get very impatient about why it's still closed." To minimize resident frustration, **Aguirre** recommended that City communication staff disseminate as much detailed information about the project and the closure period as possible "because I know I'm going to be bombarded by questions from my neighbors as to why so long. Why can't we use it on the weekend? Why can't we use it after hours?"

**City Communication Manager Amanda Guzman** responded that she and **City Director of Administrative Affairs Michael Wanbaugh** met with **Kauffman** earlier in the day and were preparing a news release on the project for the news media. She added, "We are wanting to do as much communication about it as we can, so that people are aware. And then, obviously, when it's open we'll make sure that that's highlighted, so that people are excited. As far as the answers to the questions that Richard has, I don't have those, but we are communicating, and we do have a plan in place to communicate this to public."

**Mayor Leichty** responded, "So, thanks for setting me straight, Amanda. I have a great team. They're on it."

**Kauffman** said he would talk with the Davey Resource Group about the path closure, adding, "The intent is not to take that entire time, the entire six weeks; it's all weather dependent, And these severe storms have pulled some of their staff and equipment to other areas of the state and around our region. But once they start, the two crew members that Davey will have on site will stay there the entire time." He said there would be no breaks in the work, except for weather, and the path will be repaired promptly so it can be reopened.

**Kauffman** said Davey intends to first remove the logjams along the pedestrian path and if they finish that before moving on to logjams closer to the Elkhart River, they may be able to reopen the path. **Board member Swartley** said it would be good if the contractor could be encouraged to do that.

**Mayor Leichty, Board members** and **Kauffman** also briefly discussed the impact and need to communication with others who might be impacted by the closure of the path, including **Red Tail Farm**, the **City Parks and Recreation Department** and the **Goshen Millrace Dam Beer Run Club**, whose members run on the path Thursday nights.

There also was discussion on how to proceed procedurally since a motion was already pending, but there was an interest to add other aspects to the motion before approval. **City Attorney Bodie Stegelmann** suggested the motion be withdrawn and a new motion made.

**Board member Swartley** made a motion to withdraw the previous motion. **Board member Landis** seconded the motion. The motion to withdraw the previous motion passed 5-0.

**Swartley/Landis** made a motion to approve the closure of the Millrace Canal pedestrian path from **Murray Street** to **West Waverly Avenue**, from **April 7** to **May 23, 2025**, to allow for the removal of accumulated logjams and further that the Millrace path be left open until the work begins and also that the path be left open if it is safe during evenings and weekends during the time of the closure. The motion passed 5-0.

6) **Engineering Department request: Approve Change Order No. 2 for the North Goshen Neighborhoods Tree Removal project in the amount of \$2,932**

**City Engineering Project Manager Andrew Lund** presented Change Order No. 2 for the North Goshen Neighborhoods Tree Removal project.





**Lund** said this Change Order includes costs related to the removal of three bushes and three existing tree stumps (i.e. stumps from trees previously cut down by others) **Lund** said the bushes and stumps were in conflict with future utility upgrades and street construction for the North Goshen Service Line and Utility Improvements project but were not anticipated in the scope of the bid package. Adding the removal of these bushes and stumps had no impact on the project schedule.

**Lund** said the original contract amount was \$62,700. Change Order No. 1 increased the total contract by \$2,100 to \$64,800. He said Change Order No. 2 would increase the total contract by an additional \$2,932 for a revised contract total of \$67,732. These two changes represent an increase of 8% over the original contract amount.

**Swartley/Landis made a motion to approve Change Order No.2 for the North Goshen Neighborhoods Tree Removal project in the amount of \$2,932. The motion passed 5-0.**

**7) Engineering Department request: Award the Annex Building re-roofing contract to E Lee Construction for \$1,290,107 with additional approval for City staff to manage a \$69,000 allowance to account for unforeseen work and materials needed to complete the project**

**City Engineering Project Manager Andrew Lund** said the City has been evaluating the replacement of the Annex Building Roof for many years. In 2024, the City hired Kil Architecture to evaluate roof replacement options and develop plans and a bid package.

**Bids for the replacement of the roof were received on Feb. 13, 2025 from:**

E. Lee Construction		DJ Construction		Slatile Roofing	
Unit Price	Amount	Unit Price	Amount	Unit Price	Amount
\$976,960.00	\$976,960.00	\$1,052,660.00	\$1,052,660.00	\$2,888,812.00	\$2,888,812.00
\$639.90	\$83,187.00	\$128.77	\$16,740.10	\$777.00	\$101,010.00
	<b>\$1,060,147.00</b>		<b>\$1,069,400.10</b>		<b>\$2,89,822.00</b>

**Lund** said that following additional negotiations with the lowest responsive and responsible bidder, it was determined that value-added items needed to be added to the contract to preserve the roof for many more years into the future.

The value-added work includes two plies of high-temperature ice and water shield over all areas of the re-roof, copper flashing, and relining the gutters with soldered copper. The added work was quoted at \$229,960.

**Lund** said the existing Ludowici terracotta tiles will be removed and re-laid to maintain the historic appearance of the Annex Building. In the process of working with the centennial terracotta tiles, some specialty tiles are expected to be damaged. He said the approval of a \$69,000 allowance was being requested to allow for the fabrication of new terracotta tiles and unforeseen work and materials necessary to complete the project.

**Lund** said the City Engineering Department recommends the Board of Works and Utilities award the contract to E. Lee Construction for the replacement of the Annex Building roof in the amount of \$1,290,107 with the additional approval of a \$69,000 construction allowance.

In response to a question from **Mayor Leichty**, **Lund** said this is intended to be a 100-year roof. He said the original roof lasted 100 years in good condition.

**City Attorney Bodie Stegelmann** clarified that the value-added work, including the copper flashing and relining the gutters with copper, were added as a voluntary alternate which was allowed by the bid documents. He said the original specifications had rubber in the gutters but the Public Works Director preferred copper as it will last longer.

In response to a question from the **Mayor**, **Lund** clarified the Board's motion.

**Board member Landis** commented on the \$69,000 allowance that will be used to pay for new tiles that are broken. He asked if anything would be done to prevent the workers from hastening the work, even if they broke tiles, because they know any broken tiles can be easily replaced with new tiles.

**City Attorney Stegelmann** said some of the cap tiles cost as much as \$2,500 apiece. He said there was discussion about how much to allow for breakage and a compromise was reached to allow for a maximum of \$69,000.



Board member Landis joked that perhaps he should volunteer to observe the tile removal. The Mayor said she would encourage him to observe the process.

Swartley/Landis made a motion to award the Annex Building Re-roofing contract to E. Lee Construction in the amount of \$1,290,107 with additional approval for City staff to manage a \$69,000 allowance to account for unforeseen work and materials needed to complete the project. The 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 4:36 p.m.

Mayor Leichty asked Goshen News reporter Vanessa Padilla if she had been in contact with City staff about impending flooding in the City. Padilla said she had been in touch.

The Mayor closed opened Privilege of the Floor at 4:37 p.m.

**APPROVAL OF CIVIL & UTILITY CLAIMS**

Mayor Leichty made a motion to approve Civil City and Utility claims and adjourn the meeting. Board member Landis seconded the motion. The motion passed 5-0.

**ADJOURNMENT**

Mayor Leichty adjourned the meeting at 4:37 p.m.

APPROVED:

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Mayor Gina Leichty

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Mike Landis, Member



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Orv Myers, Member

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Mary Nichols, Member

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Barb Swartley, Member

ATTEST:

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Richard R. Aguirre, Clerk-Treasurer