

BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD
MINUTES OF THE MAY 8, 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 4:01 p.m.

REVIEW/APPROVE MINUTES: Mayor Leichty presented the minutes of the May 8, 2025 Regular Meeting 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) Police Department request: Approve the temporary closure of the 100 block of East Jefferson Street on Tuesday, May 13, 2025, from 10 a.m. until 2 p.m., for a National Police Week Ceremony by the Goshen Police Department

City Police Chief José Miller asked the Board to approve a temporary closure of the 100 block of East Jefferson Street on Tuesday, May 13, 2025, from 10 a.m. until 2 p.m. He requested the closure to accommodate a ceremony being conducted by the Goshen Police Department in observance of National Police Week, which will take place in front of the Goshen Police Department headquarters.

Chief Miller said the ceremony will begin promptly at 12:00 p.m. and the department was extending an invitation to the general public to attend this observance to honor the service and sacrifice of law enforcement officers.

To ensure the safety of participants and the public, Chief Miller also requested the placement of barricades at each end of the 100 block of East Jefferson Street and "No Parking" signs installed for the block during the duration of the closure.

Swartley / Landis made a motion to approve a temporary closure of the 100 block of East Jefferson Street on Tuesday, May 13, 2025, from 10 a.m. until 2 p.m., for a National Police Week ceremony as well as street barricades and no parking signs. Motion passed 5-0.

2) Cortado Café request: Approve blocking public parking spaces with a 20-yard dumpster in the parking lot behind Snyder's Men's Shop for two days during the week of May 11, 2025 to dispose of trash from 132 South Main Street

Victoria Brenneman of Goshen asked the Board to approve blocking public parking spaces with a 20-yard dumpster in the parking lot behind Snyder's Men's Shop for two days during the week of May 11, 2025 to dispose of trash from 132 South Main Street, the Cortado Café.

Brenneman, the owner of the Cortado Café, said she has cleaned out the basement and the entire back of the building is filled with trash bags of junk. The dumpster is to be rented from Budget Dumpster and would arrive toward the beginning of the week of May 11 and be removed by no later than Friday, May 16. She said the plan is to have the dumpster on site for a total of two days.



Brenneman said the dumpster is a 20-yard size with the following dimensions: 22' long, 7'6" wide and 4'6" tall. She proposed putting it across five or so parking spots facing Snyder's rear entrance and the other downtown businesses or it could be placed the long way across two lengths of spots.

Mayor Leichty asked if the Street Department approved of the request, and **Streets Commissioner Gibbs** confirmed that the request meets his approval. **Brenneman** said that she will reach out to businesses close by to make them aware of the dumpster.

Swartley / Landis made a motion to approve blocking four public parking spaces with a 20-yard dumpster in the parking lot behind Snyder's Men's Shop for two days on May 12-13, 2025 and to be removed May 14, 2025 to dispose of trash from 132 South Main Street. Mayor Leichty recused herself from the vote, and the Motion passed 4-0.

3) Maple City Market request: Approve the closure of the sidewalk and three parking spaces at Maple City Market, 314 South Main St., starting May 9, to replace a sidewalk slab

Brad Alstrom, General Manager of Maple City Market, 314 South Main Street, told the Board that a sidewalk panel or slab has heaved up due to the adjacent tree root system and the market plans to replace it.

Ahlstrom said he expects to commence work as early as Friday, May 9 and that the work will be completed within no more than 10-days and likely much sooner. In addition, Ahlstrom said:

- Sidewalk usage will be restricted from the time at which the existing concrete slab is removed until the concrete is poured and dried, within 2-3 days.
- He will need 2-3 parking spaces to allow for the concrete truck directly in front of the slab to be replaced.
- The concrete pour should last less than a 2-hour time period. He will aim for an early morning pour so as to avoid peak customer traffic hours.
- Maple City plans to use its own orange cones to restrict pedestrian traffic on the sidewalk and also to block off the parking spaces when needed.

Swartley / Landis made a motion to approve the closure of the sidewalk and three parking spaces at Maple City Market, 314 South Main St., starting May 9 for up to 10 days, to replace a sidewalk slab. Motion passed 5-0.

4) Business request: Approve sewer relief for Donald L. Shaum, partner, DJSJ, LLC

Donald L. Shaum, partner, DJSJ, LLC., asked the Board to grant an appeal of sewer and water bills – one totaling \$1,209.94 and another for \$1,254.05. He said he was not in the area when the pipe burst and was notified of the problem by the Water/Sewer billing office.

Kelly Saenz, Manager of the Goshen City Utilities Office, said that it appears the water started running on Saturday, Jan. 28 and ran through the following Monday. Her office notified Shaum of the potential leak, looked in the building and confirmed that floor drains existed in the building.

Utility staff do not have evidence that the water went anywhere other than the drains, and therefore cannot justify providing Sewer relief. There were two meters running into the building and the break opened leaks out of both lines resulting in about 10,000 ccf of water usage on the domestic line, and 44,000 ccf of water usage on the sprinkler line.

Board member Landis asked about the floor size of the building, **Shaum** said that the basement floor is 7,000 square feet. **Board member Landis** said that if the water had not gone somewhere, the basement would have been eight feet high of water. **Shaum** said that the basement was empty, but wet, when he found it.

Marvin Shepherd, Superintendent of the City Water Treatment and Sewer Department, said that he got to the basement on the 31st and the basement was mostly dry at that time.



Board member Landis said that it appears the water went down the drains and that it is very difficult to see any other way the water escaped the basement. He said that the bill only includes the sewer portion allocated to 10,000 ccf and doesn't even include any sewer portion for the sprinkler line, which means that Shaum already received a break on his billing.

Swartley / Landis made a motion to deny the refund request from DJSJ, LLC on the property at 1423 Lincolnway East. Motion passed 5-0.

5) Legal Department request: Approve the Maintenance Agreement with Cherry Creek, LLC as presented, and authorize the Mayor to execute the Agreement on the City's behalf

Assistant City Attorney Don Shuler said that attached to the agenda packet for the Board's consideration was a Maintenance Agreement with Cherry Creek, LLC, which supplements the developer's obligations under the Economic Development Agreement (EDA), dated August 2, 2023, between the City and Cherry Creek, LLC.

Shuler said the Agreement formalizes Cherry Creek's responsibility for the design, installation, and ongoing maintenance of certain public improvements within the development area, including trailways, stormwater infrastructure, landscaping, street lighting, and snow removal.

The Agreement includes enforcement mechanisms in the event of noncompliance and clarifies that no public funds will be used for the developer's responsibilities unless otherwise provided in the EDA.

Board member Landis asked about the "project area" and whether the contractor's responsibilities reduce as sections of the project are completed. **Shuler** said that there may be subsequent agreements as the project is built out, but the current project area is "Phase 1, Section 1" according to the legal description in the agreement. **Shuler** also said that the agreement will be recorded with the County.

Swartley / Landis made a motion to approve the Maintenance Agreement with Cherry Creek, LLC as presented, and authorize the Mayor to execute the Agreement on the City's behalf. Motion passed 5-0.

6) Legal Department request: Approve and authorize the Mayor to execute the Amended and Restated Client Service Agreement with Utility Associates, Inc. for the supply of equipment, software and services for use of the Goshen Police Department for a yearly cost of \$107,857.60

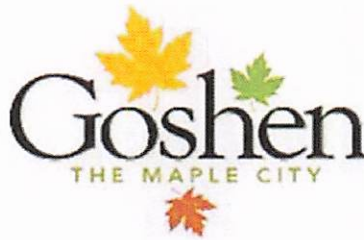
City Attorney Bodie Stegelmann told the Board that in December 2019, the City of Goshen entered into a Service Agreement with Utility Associates, Inc. to provide video recording cameras and related equipment for Police Department officers, vehicles, and interview rooms, along with software, secure cloud storage, employee training, warranties and technical support.

Stegelmann said the City and Utility Associates, Inc. wish to renew the Service Agreement for an additional 5- year term to begin June 1, 2025 through May 31, 2030, for an annual cost of \$107,857.60. Attached to the agenda packet was an Amended and Restated Client Service Agreement for this purpose.

Swartley / Landis made a motion to approve and authorize the Mayor to execute the Amended and Restated Client Service Agreement with Utility Associates, Inc. for the supply of equipment, software and services for use of the Goshen Police Department. Motion passed 5-0.

7) Legal Department request: Approve and authorize Mayor Leichty to execute the agreement with H2O Towers LLC for the Cleaning of Sherk Water Tower at a cost of \$7,450

City Attorney Bodie Stegelmann recommended that the Board approve and authorize **Mayor Leichty** to execute the agreement with H2O Towers LLC of Saline, Michigan for the Cleaning of Sherk Water Tower. H2O Towers LLC will be paid \$7,450 for this service.



According to the agreement, H2O Towers LLC will supply all labor and materials necessary in order to clean the exterior of the City of Goshen's 1,500,000 gallon, 130' high Composite Elevated Water Storage Tank (Caragana Court) located at 2109 Caragana Court. This will include:

- Apply fungicide (from high side walls to the concrete) using United Weather-Zyme 727 cleaner in order to kill mildew spores and remove atmospheric carbons. (1 part United Weather-Zyme 727, 3 part chlorine and 1 part water).
- The Tank will be pressure washed cleaned (high side walls to the concrete).
- The Tank will be rinsed with water.

Swartley / Landis made a motion to approve and authorize Mayor Leichty to execute the agreement with H2O Towers LLC for the Cleaning of Sherk Water Tower at a cost of \$7,450. Motion passed 5-0.

8) Engineering Department request: Authorize the Mayor to sign the professional service agreement with JPR for \$15,785 for the development of the City's standard specifications

City Director of Public Works & Utilities Dustin Sailor told the Board that in April 2025, the Board of Public Works and Safety approved new construction standard details for the City of Goshen. A remaining task is the development of the City's standard specifications.

For the assembly of the standard specifications, Sailor said Goshen Engineering was requesting permission to retain the professional services of JPR for a lump sum fee of \$15,785. Once approved, the specifications are anticipated to be complete within three (3) months.

Swartley / Landis made a motion to authorize the Mayor to sign the professional service agreement with JPR in the amount of \$15,785 for the development of the City's standard specifications. 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 4:27 p.m. There were no public comments.

Mayor Leichty closed the public comment period at 4:28 p.m.

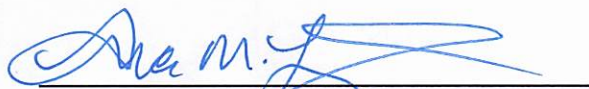
APPROVAL OF CIVIL & UTILITY CLAIMS

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

ADJOURNMENT

Mayor Leichty adjourned the meeting at 4:28 p.m.

APPROVED:


Mayor Gina Leichty



Michael A. Landis

Mike Landis, Member

Orv Myers, Member

Mary Nichols

Mary Nichols, Member

Barb Swartley, Member

ATTEST:

Jeffery Weaver

Jeffery Weaver, Deputy Clerk-Treasurer