

**BOARD OF PUBLIC WORKS AND SAFETY AND STORMWATER BOARD MEETING  
HELD, AUGUST 5, 2019, GOSHEN, INDIANA**

The Board of Public Works and Safety and Stormwater Board of the City of Goshen met in the Council Chambers, 111 E. Jefferson St., on August 5, 2019, at 2 p.m. for their weekly Board meeting. Mayor Jeremy Stutsman was the presiding officer with members of the Board present or absent as follows:

**PRESENT:** Mayor Jeremy Stutsman, Board Member Mitch Day, Board Member Mike Landis

**ABSENT:**

**OTHERS:**

Clerk-Treas. Admin Assistants  
~~Asst. Brownfield Coordinator~~  
Central Fleet Maint. Manager  
Fire Chief  
Street Commissioner  
~~Human Resources~~  
Director of Public Works  
Wastewater Superintendent  
Mayor's Admin Assistant

Police Chief  
Utilities Office Manager  
~~Contracts & Claims Manager~~  
Water & Sewer Superintendent  
City Attorney  
~~Asst. Street Commissioner~~  
~~Civil Traffic Engineer~~  
~~Brownfield Coordinator~~  
~~Assistant Fire Chief~~

Asst. Building Commissioner  
City Planner  
Assistant City Planner  
Legal Compliance Administrator  
Communications Coordinator  
~~Assistant Police Chief~~  
~~Building Inspector~~  
Parks Superintendent

Minutes of meetings of July 15, 22 and 29, 2019, were presented. On motion of Board Member Day and second by Board Member Landis, the minutes were approved as presented.

**OLD BUSINESS – THE BIG “O”**

Mayor Stutsman reminded the Board of the original request for storm sewer access from The Big O that was tabled until today's date of 8.5.19. Both sides are still negotiating and have asked for this matter to be tabled indefinitely.

\*\*Agenda correction – City Attorney Barkes listed as presenting for The Big O. Mayor Stutsman corrected that Larry Barkes does not represent The Big O.

Mayor Stutsman moved to table the request. Second by Board Member Landis and motion passed unanimously. Review date will be set once Staff brings it back as an agenda item.

**REQUEST TO APPROVE RIGHT OF WAY**

K. Nissley, President of Goshen High School Band Boosters was not present.

Agenda item was not discussed. Holding for one week to see if representation from the Crimson Band appears.

### **REQUEST TO APPROVE RIGHT OF WAY**

Jo Ellen Davis, Manager of the Goshen Farmers Market, would like to close off part of Washington Street for the Salsa Festival taking place Saturday, September 14, 2019. The request is a partial closure of Washington between the corner of 2<sup>nd</sup> St & Washington to 3<sup>rd</sup> St. & Washington between the hours of 5 a.m. to 4 p.m. The intersection at 2<sup>nd</sup> & Washington will stay open for traffic to continue to access the parking lots of Interra, Goshen Brewing and Goshen Farmers Market. Traffic would also be able to access the parking lot off 3<sup>rd</sup> Street from Washington.

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

### **REQUEST TO APPROVE RIGHT OF WAY**

Kirk Stiffney requested Board approval to replace the front steps at 405-405.5 East Jefferson. The current steps are collapsing. The steps are currently in the City's Right of Way. According to Assistant City Planner Rossa Deegan the city's right of way is "The right of way on Jefferson at this point is 82.5', so half of that from the center of the street." An engineering/zoning application was made on 7/26/19.

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

### **REQUEST TO APPROVE CHANGE ORDER 48**

Director of Public Works Dustin Sailor requested Board approval for INDOT Change Order No. 48 for the US Highway 33 reconstruction project. INDOT Change Order No. 48 is for the lining of a City of Goshen Manhole in Madison Street. The total value of the change order is \$4,486.00. INDOT construction staff believes the City will receive a refund in the future from the project as there are unused participatory funds that have not been used.

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

### **REQUEST TO APPROVE ROLLING CLOSURES**

Director of Public Works Dustin Sailor on behalf of Niblock has requested Board approval to implement a rolling sidewalk and parking space closure along Main Street.

Niblock Excavating has received Notice to Proceed to begin work on Main Street between Madison Street and Pike Street. It is their intent to mobilize the week of August 19<sup>th</sup> and they anticipate beginning with sidewalk work on the south end of the project corridor.

The closure may also include a restriction of the outside travel lanes, but two-way traffic will remain in place during this stage of construction. The rolling closure is anticipated to occur between August 19, 2019 and the end of September.

To allow for construction staging, Goshen Engineering is requesting permission for Niblock to utilize the property along North Main Street, formally addressed 313, 315, 321 and 323 N. Main Street for construction staging.

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

### **REQUEST TO APPROVE RESOLUTION 2019-23**

Legal Compliance Administrator Shannon Marks requested Board approval for Resolution 2019-23 entitled "APPROVING THE WATER AND SEWER AGREEMENT WITH GREG E. SMITH AND CAROL J. SMITH."

BE IT RESOLVED that the Goshen Board of Public Works and Safety that:

- (1) The terms and conditions of the Water and Sewer Agreement with Greg E. Smith and Carol J. Smith attached to and made part of this resolution are approved.
- (2) The owner of the real estate waives and releases any right to remonstrate against any pending or future annexation of all or any portion of the subject real estate by connecting to the City's sewer system or water system.
- (3) Mayor Jeremy P. Stutsman is authorized to execute the Water and Sewer Agreement attached to and made a part of this resolution on behalf of the Goshen Board of Public Works and Safety and City of Goshen.

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

### **REQUEST TO APPROVE AGREEMENT AMENDMENT**

Legal Compliance Administrator Shannon Marks requested Board approval for an amendment to Agreement with AccuMed Billing, Inc.

The City entered into an Agreement with AccuMed Billing, Inc. on August 14, 2014 to provide the Fire Department with ambulance billing, consultation, reporting and collection services. The initial term of the Agreement is for five years through August 31, 2019, and compensation to AccuMed for services rendered is based on 7.25% of the total actual collected.

The Amendment, which would be effective July 1, 2019, would extend the term of the Agreement five years. The rate of compensation to AccuMed for services rendered is reduced 0.75% and will be based on 6.5% of the total amount collected each month. It is recommended that Mayor Stutsman be authorized to execute the Amendment on behalf of the City of Goshen.

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

**REQUEST TO APPROVE ACCEPTANCE OF REPLAT**

Planning and Zoning Administrator Rhonda Yoder requested Board approval for the Replat of Pickwick Village 4<sup>th</sup> PUD.

On October 1, 2018, the Board of Works accepted the plat for a six-lot major residential subdivision, Replat of Pickwick Village 4<sup>th</sup> PUD, a replat of Lots 1 & 2 of Pickwick Village Fourth subdivision, with a common address of 2017 Wakefield Road, generally located on the west side of Wakefield Road and north side of Wilden Avenue, zoned Residential R-3PUD (Planned Unit Development)

After acceptance, the owner/developer proceeded with infrastructure construction without surety, so the plat was not recorded, as without surety the plat may not be granted secondary approval by Staff and recorded until the public infrastructure is accepted with a maintenance bond.

Subsequently, a revision has been made to change the utility easement located in the southwest corner of Lot 6, reducing it in size. The Goshen Engineering Department reviewed and approved revised site and utility plans associated with the easement change, so that plat needs to be changed to match the revised site and utility plans.

Because the plat was not granted secondary approval by Staff and not recorded after initial acceptance, the Board of Works may accept the revised plat as a change within the review process.

Public infrastructure for water and sanitary sewer has been partially constructed and must either be completed and accepted with a maintenance bond before secondary subdivision approval is granted, or surety must be provided for the infrastructure that has not been completed, with surety reviewed by Goshen Engineering and accepted by the Board of Works.

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

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

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

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

**ANNOUNCEMENT—2018 TRICK-OR-TREATING HOURS**

Mayor Stutsman announced that the recommended Trick-or-Treating hours for 2019 would be from 5:30 p.m. until 8:00 p.m. on Thursday, October 31<sup>st</sup>. These are the same hours as the last three years.

**PRIVILEGE OF THE FLOOR**

Citizen Gary Yoder inquired as to what the City is doing with the windfall from roof permits from storm damage and why we have roof permits on old houses when we don't inspect new houses for the ice and water shield. Mayor Stutsman said there was no windfall. Mr. Yoder argued approximately 1000 homes with damage that insurance companies are replacing and at \$51 per permit is approximately \$51,000 the City is collecting. Mr. Yoder commented Building department is behind on inspections and doesn't seem consistent on ice and water shield.

Second inquiry was about curb removal by Goshen Engineering Department. Homeowners are requesting different curbs in subdivision. Mr. Yoder said in the past he could cut curbs 2 inches above the street and pour a new driveway with no problems with cracking or anything. Then it changed to \$600 for a professional curb cutting company. Now he went for permits and found he has to cut all the way and remove the curb completely. He stated it is costing Goshen homeowners unnecessary money. He would like to see Building permits require builders to remove the curbs on new homes.

**PRIVILEGE OF THE FLOOR**

Citizen Brenda Donat of 407 Glenwood Drive requested a trailer/dumpster parked in the street for 2-4 days (August 6-9, 2019). The dumpster is too large for the driveway.

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

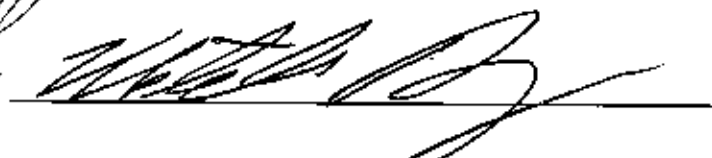
There being no further business Mayor Jeremy Stutsman moved to process claims and then to adjourn. Second by Board Member Day and motion passed unanimously.

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

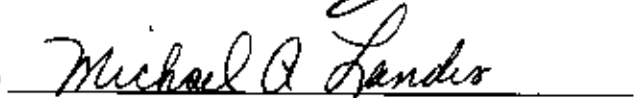
**MAYOR JEREMY STUTSMAN**



**BOARD MEMBER MITCHELL DAY**



**BOARD MEMBER MICHAEL A. LANDIS**



**ATTEST**

**CLERK-TREASURER ANGIE MCKEE**