

**BOARD OF PUBLIC WORKS AND SAFETY AND STORMWATER BOARD
MEETING HELD AUGUST 6, 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 August 6, 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: Mayor Stutsman, Board Member Landis

ABSENT: Board Member Day

OTHERS: Clerk-Treasurer Administrative Assistants, City Attorney, City Planning and Zoning Administrator, Fire Chief, Police Chief, Assistant Building Commissioner, Building Inspector, Street Commissioner, Assistant Street Commissioner, Legal Compliance Administrator, Mayor's Administrative Assistant, Parks and Recreation Superintendent, Wastewater Superintendent, Utilities Billing Office Manager, Director of Public Works, Civil Traffic Engineer, Central Garage Fleet Maintenance Manager, Communications Coordinator.

Minutes of the meeting of July 16, 23 and 30 were presented. On motion of Board Member Landis and second by Mayor Stutsman, the minutes were approved as presented.

REQUEST FOR SYNERGY DRIVEWAY EXCEPTION

Civil Traffic Engineer Leslie Biek requested on behalf of Synergy a driveway exception at 2216 E. Kercher. Synergy has asked for an exception to the driveway standards for the driveway approach width. The City's maximum throat width is 36 feet. Synergy requests a throat width of 50 feet so that trucks with trailers can move in and out without crossing each other's path. Abonmarche provided truck turning movements. Additionally there is a proposed guard shack in the middle of the approach so the guard can check vehicles coming both in and out.

Next year, the Kercher project will be widening the road to add a center turn lane and a bike path on the south side. Any consideration we make must be safe for vehicular traffic and bike and pedestrian traffic.

Because it exceeds our standard, Engineering does not recommend approving a 50 foot drive approach. However, if the Board wishes to approve this exception as a trial, we could evaluate it to see if this is a condition we could allow in the future. Striping and signage at the multi-use path is recommended to alert trucks to look for bikes and pedestrians.

Gregory Schrock and Kyle (?) of Synergy were present on behalf of Synergy to ask for approval of the waiver.

Director of Public Works Dustin Sailor clarified with Synergy that after the 2019 widening of the road that it will be Synergy's responsibility to maintain the crosswalk from that point forward.

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

REQUEST TO APPROVE ELECTRICAL LICENSE – D. BEEMER

Assistant Building Commissioner Myron Grise requested Board approval for an electrical license. David Beemer of Windemueller Electric, Inc., located at 1176 Electric Avenue, Wayland, Michigan, 49348 has met the requirements for a City of Goshen Electrical License. He received a passing score on the International Code Council (Indiana) Master Electrician test on January 17, 2013, and has also passed the Master Electrician Exam taken in 1983 in Lansing, Michigan.

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

REQUEST TO APPROVE ELECTRICAL LICENSE – T. SHAW

Assistant Building Commissioner Myron Grise requested Board approval for an electrical license. Thomas Shaw of R & S Contracting, located at 4440 S. High School Road, Suite A, Indianapolis, Indiana, 46241 has met the requirements for a City of Goshen Electrical license. He received a score of 70.4% on the Prometric Master Electrical exam taken on September 29, 2001, in Indianapolis, Indiana.

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

REQUEST TO APPROVE ROAD CLOSURE – 9th STREET & JEFFERSON (JN: 2015-0018)

Director of Public Works Dustin Sailor requested Board approval for a full closure of S. 9th Street and E. Jefferson Street for realignment. S. 9th Street from E. Jefferson Street to the first alley north and south of the intersection will be closed for the reconstruction of the roadway. The railroad crossing on E. Jefferson Street will be closed during the duration of the project and until Norfolk Southern railroad has installed the new signals and arms. A detour will be marked with signs to direct traffic around the project area. Goshen Community Schools and the affected residents have been notified of the closure.

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

**REQUEST TO APPROVE POST CONSTRUCTION PLAN – WHISPERING PINES
COURT-PHASE 1 (JN:2017-2035)**

Director of Public Works Dustin Sailor requested Board approval for the Post Construction Plan for Whispering Pines Court – Phase 1. The developer of Whispering Pines Court-Phase 1, affecting one (1) or more acres of land, has submitted a sufficient post-construction plan that is compliant with Ordinance 4329, “Uniform Requirements for Post-Construction Stormwater Management.”

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

**REQUEST TO APPROVE AGREEMENT - PATRIOT ENGINEERING FOR FIRE
DEPARTMENT TRAINING FACILITY (JN: 2017-0017)**

Director of Public Works Dustin Sailor requested Board approval for an agreement with Patriot Engineering. Goshen Engineering received proposals for geotechnical services for the Fire Department Training Facility. We received the following three proposals:

Patriot Engineering -	\$2,800.00
Alt & Witzig -	\$3,200.00
Weaver Consultants	\$5,610.00

Scott McCrindle of the GFD was present and presented a history of the facility and that it's official name is the Regional Fire Training Facility. Scott suggested getting grants and not using taxpayer monies. Dustin Sailor responded.

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

REQUEST TO APPROVE CONDITIONAL OFFER OF EMPLOYMENT

Legal Compliance Administrator Shannon Marks requested Board approval on behalf of the Police Department to extend a conditional offer of employment to Zachary J. Bechtel and execute the Conditional Offer of Employment Agreement which sets forth the prerequisites to beginning employment as a probationary patrol officer. Zachary must first complete and pass the baseline statewide physical and mental examinations. The Board will be requested to confirm the offer of employment when a position opening becomes available in the Police Department.

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

REQUEST TO APPROVE RESOLUTION 2018-22

Legal Compliance Administrator Shannon Marks requested Board approval for Resolution 2018-22 entitled, "INTERLOCAL AGREEMENT WITH ELKHART COUNTY TO HEAR AND DISPOSE OF COUNTY ORDINANCE VIOLATIONS."

WHEREAS effective July 1, 2018, Indiana Code 33-36-2-5 permits a county to enter into an interlocal agreement with a city for use of the city's ordinance violations bureau or use of the city's court to hear and dispose of ordinance violations that would otherwise come under the jurisdiction of an ordinance violations bureau established by a county.

WHEREAS the City of Goshen has an ordinance violations bureau.

WHEREAS Elkhart County wishes to use the City of Goshen's ordinance violations bureau and Goshen City Court to hear and dispose of ordinance violations.

BE IT RESOLVED that the Goshen Board of Public Works and Safety approves the terms and conditions of the Interlocal Agreement with Elkhart County to use the City of Goshen's ordinance violations bureau and Goshen City Court to hear and dispose of ordinance violations. A copy of the Interlocal Agreement is attached to and made a part of this resolution.

Resolution 2018-22 will be presented at Goshen Common Council meeting on August 7, 2018 for Council approval.

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

REQUEST TO APPROVE RESOLUTION 2018-23

Legal Compliance Administrator Shannon Marks requested Board approval for Resolution 2018-23 entitled, "INTERLOCAL MEMORANDUM OF UNDERSTANDING FOR 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FORMULA PROGRAM AWARD."

WHEREAS in accordance with the Edward Byrne Memorial Justice Assistance Grant (JAG) Program, the County of Elkhart, City of Elkhart and City of Goshen wish to submit a joint application for fiscal year 2018 JAG funding to be used for permissible criminal justice purposes;

WHEREAS pursuant to Indiana Code 36-1-7 et seq., a power that may be exercised by one governmental entity may be exercised by one entity on behalf of another entity of the entities enter into a written agreement; and

WHEREAS the attached Interlocal Memorandum of Understanding between the three participating units of local government identifies the County of Elkhart as the fiscal agent for the JAG funding, and sets for the amount of funding to be distributed to each unit.

BE IT RESOLVED that the Goshen Board of Public Works and Safety approves the terms and conditions of the Interlocal Memorandum of Understanding for 2018 Edward Byrne Memorial Justice Assistance Grant Formula Program Award between County of Elkhart, City of Elkhart and City of Goshen attached to and make a part of this resolution.

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

REQUEST TO APPROVE AGREEMENT—VANGILST FAMILY TRUST

City Attorney Larry Barks requested Board approval to enter into an agreement between City of Goshen and VanGilst Family Trust, Carl W. VanGilst and Shirley A. VanGilst Trustees (VanGilst Trust), Donald Riegsecker and Darryl Riegsecker. A parcel of real estate owned by VanGilst Trust located south and east of the intersection of Bashor Road and Old County Road 17 was annexed into the city of Goshen. A sewer and water project connecting Bashor Home to the city water and city sewer was constructed enabling VanGilst to connect his real estate to city water and city sewer. VanGilst divided his real estate into the three parcels after the real estate was annexed by City (collectively VanGilst Estates). The approval of VanGilst Estates was conditioned upon approval of plan to extend water and sewer to the two southern lots. It appears no resolution was approved by the Goshen Board of Public Works and Safety or otherwise documented. However, the buildings on the southern lots were connected to City sewer but not in accordance with City standards and in ways that make the subdivision lots dependent on each other. Donald Riegsecker is proposing to add a substantial addition to his residence on one of the lots which will require the new construction to connect to the City's sewer system in a more traditional manner.

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

PRIVILEGE OF THE FLOOR

Civil Traffic Engineer Leslic Biek requested on behalf of INDOT lane restrictions on 3rd Street. The lane restrictions would begin on August 7, 2018 and last for 7-10 days and would include 3rd Street from Lincoln to Washington.

Mayor Stutsman moved to approve the request. 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 and motion passed unanimously.

BOARD OF PUBLIC WORKS AND SAFETY AND STORMWATER BOARD:

MAYOR JEREMY STUTSMAN _____

BOARD MEMBER MITCHELL DAY *Mitchell Day*

BOARD MEMBER MICHAEL A. LANDIS *Michael A Landis*

ATTEST *Angie McKee*
CLERK-TREASURER ANGIE MCKEE