



BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD

MINUTES OF THE JAN. 3, 2022 REGULAR MEETING

Convened at 2 p.m. at Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana

Present: Mayor Jeremy Stutsman and members Mike Landis, Mary Nichols, DeWayne Riouse and Barb Swartley

Absent: None

Call to Order: Mayor Stutsman called the meeting to order at 2 p.m.

Review/approval of Minutes: Minutes of the Dec. 20, 2021 meeting of the Board of Works & Safety & Stormwater Board were presented. **Board member Nichols moved to approve the minutes as presented and the motion was seconded by Board member Riouse. Motion passed 5-0.**

Review/approval of Agenda: Mayor Stutsman presented the Board agenda with one added item, designated as agenda item #7. **Closure of Wilden Avenue, between Jan. 6 to Jan. 14, for the removal of trees. Nichols moved to approve the agenda as suggested. Riouse seconded the motion. Motion passed 5-0.**

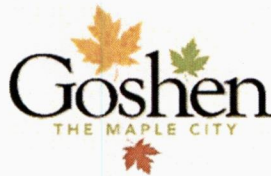
1) Request to park 28 ft. U-Pack Trailer in front of 804 S. 11th Street (Susana Cabezas)

Via email, **Susana Cabezas** and **Alfonso Jiménez** of 804 S 11th St. in Goshen asked the Board for permission to park a 28-foot trailer in front of the address on Jan. 5 and 6, 2022 so they can load household items to be shipped to another state. They asked the City to lend or allow them to rent safety barricades to place in front and behind the trailer for the increased safety of drivers. They also said the trailer would not be a traffic inconvenience because it would not block any driveways or sidewalks and neighbors have already given their permission and the traffic on our street is very limited due to the school holidays. City Street Commissioner David Gibbs asked that Cabezas and Jiménez offset the container from the parked cars across the street to allow maximum drive lanes to be open now that snow season has arrived.

Nichols/Riouse moved to allow Susana Cabezas and Alfonso Jiménez to place a 28-foot trailer in front of 804 South 11th St. in Goshen on Jan. 5 and 6, 2022 provided they offset the container from the parked cars across the street. Motion passed 5-0.

2) Resolution 2022-01: Documenting the submission of the 2021 Annual Certifications by City of Goshen elected officers

Shannon Marks, a paralegal with the City Legal Department, asked the Board to approve and execute Resolution 2022-01, *Documenting the Submission of the 2021 Annual Certifications by City of Goshen elected officers*. Marks said each city elected officer must annually certify in writing that the elected officer has not violated Indiana Code § 36-1-20.2 et seq. or the city's policy regulating the employment of relatives (Council Resolution 2012-14) and that the elected officer is in compliance with Indiana Code §36-1-21 et seq. and the city's policy regulating contracting with the city (Council Resolution 2012-15).



Resolution 2022-01 is intended to document the annual submission of these certifications by the following elected officials: Jeremy P. Stutsman, Mayor; Richard R. Aguirre, Clerk-Treasurer; Richard L. Mehl, City Court Judge; Donald Riegsecker, Council Member – District 1; Doug Nisley, Council Member – District 2; Matt Schrock, Council Member – District 3; Megan Eichorn, Council Member – District 4; Gilberto Perez, Jr., Council Member – District 5; Brett Weddell, Council Member – At-Large; and Julia King, Council Member – At-Large.

Nichols/Riouse moved to approve and execute Resolution 2022-01, Documenting the Submission of the 2021 Annual Certifications by City of Goshen elected officials. Motion passed 5-0.

3) Resolution 2022-02: Approving the Establishment of and Compensation for a Special Firefighter

Shannon Marks, a paralegal with the City Legal Department, asked the Board to approve and execute Resolution 2022-02, *Approving the Establishment of and Compensation for a Special Firefighter*. Marks said Resolution 2022-02 is intended to approve the establishment of and compensation for a new Special Firefighter position within the Fire Department. Similar to the Special Police Officer position within the Police Department, Marks said this new position, being offered to a former Elkhart County Township Fire Department employee, will be a full-time civilian position appointed by the Board of Public Works and Safety. This will be a civilian position covered by the annual salary ordinance for employees of the Civil City of Goshen and is not covered by the collective bargaining agreement between the City of Goshen and Goshen Firefighters Association, Local No. 1443, International Association of Firefighters. The position will have a 2022 maximum wage of \$27.96 per hour. Marks said the person appointed to this position may be removed by the Board at any time without notice and without assigning any cause, and is not covered by Indiana Code § 36-8-3-4. At its Jan. 4, 2022 meeting, the Common Council will be presented an ordinance to amend 2022 Compensation Ordinance 5101 for Civil City and Utilities Employees to include this new Special Firefighter position. In response to a question from Landis, Marks said the Special Firefighter will be eligible to the benefits offered other city employees – a package the Mayor estimated is worth about \$21,000 a year.

Nichols/Riouse moved to approve and execute Resolution 2022-02, Approving the Establishment of and Compensation for a Special Firefighter. Motion passed 5-0.

4) Resolution 2022-03: Ratify Certification of Compliance with EEO Program and Submission of EEO Utilization Report

Shannon Marks, a paralegal with the City Legal Department, asked the Board to approve and execute Resolution 2022-023, *Ratify Certification of Compliance with EEO Program and Submission of EEO Utilization Report*. Marks said that since the Goshen Police Department is a recipient of federal financial assistance, it is required to implement and maintain an Equal Employment Opportunity Program (EEO Program) in accordance with federal regulations. The department is required to complete an EEO Utilization Report and certify that the EEO Program and all records used are on file. This must be done prior to receiving any new federal grant funding. On Dec. 28, 2021, the department developed and reviewed its EEO Utilization Report and the Clerk-Treasurer certified that the EEO Program is on file for review. Resolution 2022-03 is intended to ratify the City's certification of compliance with the EEO Program and the submission of the EEO Utilization Report. The Police Department was awarded a 2022 Edward Byrne Memorial Justice Assistance Grant in the amount of \$34,602.32 for the purchase of a Crime Lite AUTO forensic digital camera.

Nichols/Riouse moved to approve and execute Resolution 2022-023, Ratify Certification of Compliance with EEO Program and Submission of EEO Utilization Report. Motion passed 5-0.



5) Agreement with Alexander Chemical Corporation for Purchase of Chlorine

City Attorney Bodie Stegelmann asked the Board to approve and execute an agreement with Alexander Chemical Corporation for the purchase of chlorine. Stegelmann said Goshen Utilities has recommended that the City enter into an agreement with Alexander Chemical Corporation for the purchase of chlorine for its water treatment process. This agreement is for a three (3) month term through March 31, 2022, and is renewable, by mutual agreement, for up to three (3) additional terms of three (3) months based on the same terms and conditions as the original agreement. He said the term is so short because of volatility in the chlorine market. In response to a question from Landis, Stegelmann said the amounts purchased did not require bids but various prices were provided. **Kent Holdren**, Superintendent of Goshen Water and Sewer Collections, provided further information on the purchase process. **Nichols/Riouse moved to approve and execute an agreement with Alexander Chemical Corporation for the purchase of chlorine. Motion passed 5-0.**

6) Request to Hire Doug Gadson, Special Firefighter for Goshen Fire Department

Via a memorandum, **Goshen Fire Chief Danny Sink** asked the Board to approve the hiring of Doug Gadson as a special firefighter for the Goshen Fire Department. According to Chief Sinks, Gadson will be assigned typical firefighter duties as the City transitions to providing fire coverage for Elkhart Township through the previously approved Interlocal agreement. Gadson's hiring is subject to Board of Works approving the establishment of compensation for a Special Firefighter, and subject to the Goshen Common Council adopting Ordinance 5110 to include a Special Firefighter position in the 2022 Civil City and Utilities Employees Salary Ordinance. **Mayor Stutsman** said Gadson will help maintain equipment and drive the tanker and will be an asset to the department. **Nichols/Riouse moved to approve the hiring of Doug Gadson as a special firefighter for the Goshen Fire Department. Motion passed 5-0.**

7) Closure of Wilden Avenue, for one day between Jan. 6 to Jan. 14, for the removal of trees (JN: 2014-0035)

City Director of Public Works and Utilities Dustin Sailor asked the Board to approve the closure of Wilden Avenue, between north First Street and north Third Street, for the removal of trees within the right-of-way for one day between Jan. 6 and Jan. 14, 2022. Sailor said Michiana Tree Works will maintain open access for Wilden Avenue residents. He said the closure date will depend on the weather.

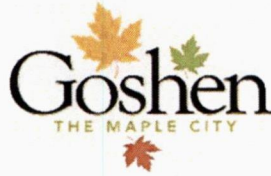
Nichols/Riouse moved to approve the closure of Wilden Avenue, between north First Street and north Third Street, for the removal of trees within the right-of-way for one day between Jan. 6 and Jan. 14, 2022. Motion passed 5-0.

Privilege of the Floor:

Mayor Stutsman opened Privilege of the Floor at 2:15 p.m.

Goshen Street Commissioner David Gibbs announced that the Christmas Tree Pickup began today, Jan. 3, 2022, and will continued until Feb. 4, 2022. **Mayor Stutsman** thanked Gibbs and congratulated the Street Department for doing a good job on snow removal the past few days.

No one else asked to speak, so the Mayor closed Privilege of the Floor at 2:16 p.m.



As there were no further matters before the Board, Mayor Stutsman/Riouse moved to approve Civil City and Utility claims and to adjourn the meeting. Motion passed 5-0. The meeting was adjourned at 2:16 p.m.

EXHIBIT #1: Added agenda item #7 – a Jan. 3, 2022 Memorandum by the City Engineering Department requesting the closure of Wilden Avenue, for one day between Jan. 6 to Jan. 14, for the removal of trees (JN: 2014-0035)

APPROVED

A handwritten signature in black ink, appearing to be "J. Stutsman", written over a horizontal line.

Jeremy Stutsman, Chair

A handwritten signature in black ink, appearing to be "Michael Landis", written over a horizontal line.

Michael Landis, Member

A handwritten signature in black ink, appearing to be "Mary Nichols", written over a horizontal line.

Mary Nichols, Member

A handwritten signature in black ink, appearing to be "Barb Swartley", written over a horizontal line.

Barb Swartley, Member

A handwritten signature in purple ink, appearing to be "DeWayne Riouse", written over a horizontal line.

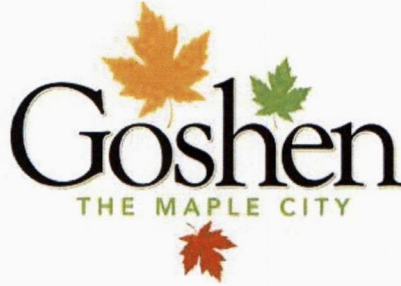
DeWayne Riouse, Member

ATTEST

A handwritten signature in blue ink, appearing to be "Richard R. Aguirre", written over a horizontal line.

Richard R. Aguirre, Clerk-Treasurer

Exhibit #1



**Engineering Department
CITY OF GOSHEN**

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MEMORANDUM

TO: Board of Works Public and Safety

FROM: Engineering

RE: **WILDEN AVENUE RECONSTRUCTION -TREE REMOVAL
(JN: 2014-0035)**

DATE: January 03, 2022

Michiana Tree Works will be performing work to remove trees within the right of way on Wilden Avenue. The work will require a one day road closure along Wilden Avenue between north 1st Street and north 3rd Street. Michiana tree Works will maintain open access for the residents on Wilden Avenue. The closure is weather dependent and will occur between January 6, and January 14, 2022.

Requested motion: Move to approve the Wilden Avenue one day, weather dependent closure between north 1st Street and north 3rd Street for the removal of trees within the right of way between Thursday January 6 and January 14, 2022.

**APPROVED:
BOARD OF PUBLIC WORKS & SAFETY
CITY OF GOSHEN, INDIANA**

Jeremy Stutsman, Mayor

Barb Swartley, Member

Mary Nichols, Member

DeWayne Riouse, Member

Michael Landis, Member