

BOARD OF PUBLIC WORKS & SAFETY & STORMWATER BOARD

MINUTES OF THE JAN. 10, 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 Jan. 3, 2022 meeting of the Board of Works & Safety & Stormwater Board were presented. Board member Landis moved to approve the minutes as presented and the motion was seconded by Board member Nichols. Motion passed 5-0.

Review/approval of Agenda: Mayor Stutsman presented the Board agenda with two added items, designated as agenda items #1. Promotion of Tyler A. Schaaf to Patrol Officer and #2. Hiring of Jeff Eaton as a Special Police Officer. Board member Landis moved to approve the agenda as suggested. Board member Nichols seconded the motion. Motion passed 5-0.

1) Goshen Police Department: Promotion of Tyler A. Schaaf to Patrol Officer (Chief José Miller)

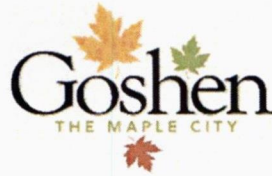
Goshen Police Chief José Miller asked the Board to approve the promotion of Tyler A. Schaaf from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective Jan. 11, 2022. Chief Miller said that as of Jan. 11, Officer Schaaf will have completed his 12-month probationary period. Chief Miller said Officer Schaaf has been a dedicated officer for the City of Goshen and will continue to be so in the future.

Note: Officer Schaaf could not be present for his promotion.

Landis/Nichols moved to approve the promotion of Tyler A. Schaaf from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective Jan. 11, 2022. Motion passed 5-0.

2) Goshen Police Department: Hiring of Jeff Eaton as a Special Police Officer (Chief José Miller)

Goshen Police Chief José Miller asked the Board to approve the hiring of Jeff Eaton for the position of Special Police Officer, effective Jan. 10, 2022. Chief Miller asked that Officer Eaton have full police authority in Elkhart County, or in any other Indiana county, where he is fulfilling his specific job description and duties assigned by the Goshen Police Department. Chief Miller also asked that Officer Eaton be granted police authority during the times he is approved to be in approved on-duty status, while wearing an on officially designated uniform, while in a police vehicle, and when responding to known emergencies, whether in uniform or not. Chief Miller said Officer Eaton will be assigned primarily as a School Resource Officer, but will be eligible for secondary employment as a police officer and may be assigned to patrol duties if needed. Chief Miller said Eaton has served for many years in the law enforcement profession and has successfully completed the Indiana Law Enforcement Academy. He also has attended many other training sessions and has received numerous certifications.



Chief Miller said Officer Eaton will be a great addition to the City Police Department.

Landis/Nichols moved to approve the hiring of Jeff Eaton for the position of Special Police Officer, effective Jan. 10, 2022. Motion passed 5-0. After his hiring was approved by the Board, Mayor Stutsman swore in Officer Eaton as a Special Police Officer for the Goshen Police Department.

3) City of Goshen Electrical License request for Michael L. Miller

City Building Commissioner Myron Grise asked the Board to approve a City Electrical License for Michael L. Miller of Morton Solect Energy LLC of LaGrange. Commissioner Grise said Miller has met the requirements for a City of Goshen Electrical License. Miller took the required Prometric exam on Oct. 13, 2020, and received a passing score of 77 percent. Commissioner Grise said Miller holds a valid electrical license with the City of Elkhart, and is requesting a reciprocal license with the City of Goshen.

Landis/Nichols moved to approve a City Electrical License for Michael L. Miller of Morton Solect Energy LLC of LaGrange. Motion passed 5-0.

4) Agreement to study the development of an Ice Rink and Tennis Bubble at Goshen College

Goshen Deputy Mayor/Community Development Director Mark Brinson asked the Board to approve an agreement with Goshen College that would provide a 50% reimbursement from the College, should the City decide to move forward with a proposal for an ice rink and tennis bubble on the campus and the Goshen College Board of Directors does not approve the plan by Dec. 31, 2022.

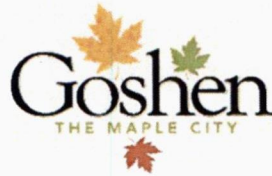
Background: The City of Goshen is exploring the possibility of constructing a tennis bubble and ice rink pavilion and parking on the Goshen College campus. The City and College are discussing an arrangement under which the City would fund the cost of the construction of the Ice Rink and the College would fund the cost of construction of the Tennis Bubble. Cripe Design LLC of Elkhart is being retained to prepare conceptual site plans showing how this project might be co-located with other recreational facilities and support facilities on the campus to reduce the cost of construction. After submission of the plans, both the City and the College will determine whether it is feasible to move forward with the project.

Deputy Mayor Brinson provided an overview of agenda items 4 and 5, proposed agreements which both relate to a proposal being considered by the City of Goshen and Goshen College. The first is an agreement with Goshen College and the second an agreement with Cripe Design LLC of Elkhart for master planning services.

Brinson said the original proposal to build the ice rink pavilion downtown, adjacent to the Goshen Millrace, is significantly over budget and this has prompted the city to consider ways to reduce the costs and get the project to a point it is fundable and get it back on track.

Brinson said one idea has been to form a partnership with Goshen College to locate the ice rink on the campus. He said a partnership could be a way to save a significant amount of construction costs if the City is able to share parking facilities, stormwater facilities, possibly concessions and restrooms with Goshen College.

Because of the opportunities for cost savings, **Brinson** said the City is seeking architectural assistance from Cripe Design LLC, which designed the college's Recreation-Fitness Center. Brinson said Cripe will be exploring several different site designs to see how a combined facility could fit on the site and will be studying utility information and existing data on the site and to see what's possible. **Brinson** stressed that no decision has been made regarding whether or not the city would move forward with the proposed ice rink pavilion to the Goshen College campus. Instead, **Brinson** said, the site is being evaluated as an alternative to the millrace location.



Brinson reiterated that the first agreement was between the City and Goshen College. He said the City is proposing to pay for the design study, which will cost \$38,000. Brinson said the college has agreed that if the City moves forward with the proposal and the college's board declines to move forward, the college will reimburse the City for half the cost of the design study. And Brinson said the second agreement on the agenda is for the design study by Cripe Design LLC.

Mayor Stutsman said the city had planned to start construction on the multi-use pavilion and ice rink beside the millrace in early 2020 and was arranging for the final financing when the project was suspended because of the COVID-19 pandemic. He said the City is now seeking to revive the project.

Mayor Stutsman said the City is looking at a second site because of the potential for significant money savings. As part of the City's due diligence, Mayor Stutsman said the City wants to assess the level of potential savings, so City staff and decision-makers can examine plans for both sites and decide which one to support. Mayor Stutsman added that current construction prices are considerably higher than what the city was expecting to pay, so there is a need to reduce the cost of the project.

Board member Swartley said she was involved with the study of the millrace location and one of the key parts of that concept is that it would not become a site for hockey league games. Instead, she said, it was decided that the ice rink would be available to children and for casual skating.

Swartley asked if the concept had changed. **Brinson** said the concept has not changed and the ice rink pavilion would remain a multi-use facility owned and operated by the City. Brinson said the City would need an agreement with Goshen College to use the property through a long-term lease or purchase. **Mayor Stutsman** said the college could also transfer the property to the City. **Brinson** said it would not be a hockey facility, but would be available for recreational use. **Mayor Stutsman** added that the site would be accessible off of 15th Street.

Brinson said another factor prompting the consideration of a second possible site stems from issues related to the millrace location. He said the property has had substantial fill material over the years and much of the soil is unstable and extensive foundations would need to be installed. Brinson said that might not be necessary at the Goshen College site. Brinson said the City would also need to build a bridge over the millrace to access the site. Still, Brinson said there are some advantages to building at the millrace location.

Mayor Stutsman asked if there were further comments from the Board or a motion.

Landis/Nichols moved to approve agreement with Goshen College for a study of the proposed ice rink and tennis bubble on the Goshen College campus.

Mayor Stutsman invited public comment on the proposed agreement at 2:13 p.m.

Scott Woldruff, owner of Woldruff's Footwear in downtown Goshen and a member of the Downtown Goshen Economic Improvement District Board, asked the Board to continue considering the millrace site for the pavilion and ice rink. He said he would prefer it remain in the heart of downtown so it could complement local restaurants and businesses and strengthen and enhance the central part of the community. More importantly, Woldruff said, the millrace site would benefit children, with St. John's School and four elementary schools, the Boys & Girls Club, and neighborhoods within walking distance, and where people could enjoy the facility for generations.

Mayor Stutsman responded, "I can say I share every one of those statements you just made. But like I said, we're just looking at making sure we're representing tax dollars correctly. And the only reason we've selected this second site is it is on the trolley system. So, there is public transportation that could help people get there. But for every reason you mentioned, that's why we want to be downtown, but we're just trying to figure out how to make the project actually work."



Scott Woldruff responded that perhaps the Downtown Goshen Economic Improvement District could contribute to additional study of the millrace location. Mayor Stutsman thanked Woldruff for his comments.

Jonathan Wieand, a retired Certified Public Accountant and a member of the Downtown Goshen Economic Improvement District Board, questioned why the City was considering a location that was not adjacent to the downtown business district and Shanklin Park. He said the Downtown Goshen Economic Improvement District Board continues to favor the millrace location. Wieand said that site would help ensure the economic viability of downtown while serving the entire community and attracting visitors to downtown shops and restaurants.

Wieand said several years ago, he, city leaders and other interested parties visited the City of Valparaiso's Central Park Plaza ice rink and pavilion downtown. He said the Valparaiso mayor and staff said the facility has been an asset for its downtown. Wieand said he has learned that the facility has continued to deliver year-round benefits to Valparaiso and spurred renovation downtown.

Wieand said that if City leaders are having second thoughts about the millrace location because of the cost of building the ice rink pavilion there, he hopes leaders will consider the long-term economic benefits of locating it adjacent to downtown. Wieand also repeated Woldruff's offer that perhaps the Downtown Goshen Economic Improvement District could contribute to development of the millrace location.

In response, **Mayor Stutsman** restated that the City is just considering a second location for the ice rink pavilion because of the cost of the millrace site. The Mayor said the City needs several million dollars to make the original plan a reality and that the Economic Improvement District does not have a very large budget.

Wieand responded that the city's investment in the millrace site could be recovered over a number of years. **Mayor Stutsman** said he didn't disagree, but that the City wanted to examine a second location to ensure City funds were being used appropriately. Wieand noted the \$38,000 cost of the study. The Mayor the expenditure was a matter of due diligence and that he planned to advance a study of the Goshen College site.

There were no further comments from the public or the Board. So, at 2:20 p.m., Mayor Stutsman called for a Board vote on the motion to approve the agreement with Goshen College for a study of the proposed ice rink and tennis bubble on the Goshen College campus. The motion passed 5-0.

5) Agreement with Cripe Design, LLC for master planning services for a tennis bubble and ice rink

Goshen Deputy Mayor/Community Development Director Mark Brinson asked the Board to approve and execute an agreement with Cripe Design, LLC of Elkhart for master planning services for a Tennis Bubble, Ice Rink and Parking. The City is collaborating with Goshen College to explore options to locate a Tennis Bubble and Ice Rink on the Goshen College Campus.

Background: The City is proposing an agreement with Cripe Design LLC of Elkhart to conduct a Master Plan Study for a proposed six-court enclosed Tennis Bubble, an Ice Rink Pavilion and parking on the Goshen College campus at a cost of \$38,000. The study will also determine locations for shared parking serving the Pavilion, Goshen College Sports & Recreation facilities, and events and locations for a new 24,000 square feet Goshen College Physical Plant and evaluate a possible new campus vehicular entrance from 15th Street, according to a Dec. 27, 2021 Proposal for Master Planning Services by Cripe. Potential locations for the Tennis Bubble, Pavilion and new Physical Plant includes the existing Goshen College campus, east of the railroad track and the vacant field located directly east of the Goshen College track & field and soccer complex and which borders 15th Street.



Cripe has proposed doing all work on the Master Plan concluding with the development and refinement of a favored design and the creation of polished presentation graphics, including a manual that compiles all information gathered and produced in the Master Plan Study. The favored design will be presented to the stakeholders in a final meeting. **Mayor Stutsman noted that Deputy Mayor Mark Brinson had already presented adequate information about this agreement. City Attorney Bodie Stegelmann said there still would need to be a separate vote to approve the agreement with Cripe Design LLC of Elkhart.**

Landis/Nichols moved to approve and execute an agreement with Cripe Design, LLC for master planning services for a Tennis Bubble, Ice Rink and Parking at a cost of \$38,000. There were no further comments from the public or the Board. Motion passed 5-0.

6) Agreement with Barkes, Kolbus, Rife & Shuler, LLP for attorney services for 2022

Goshen City Attorney Bodie Stegelmann asked the Board to approve and execute an agreement with Barkes, Kolbus, Rife & Shuler, LLP for attorney services for 2022. Under the agreement, the bi-weekly salary to Jim Kolbus will be increased \$318.69 to act as Planning and Zoning Attorney. The firm will be paid \$197 per hour for all other services rendered on behalf of the City or its departments, provided such services are not covered by the compensation paid to Jim Kolbus as Planning and Zoning Attorney or the legal services provided to Redevelopment and the Civil City covered by the monthly payments. The firm will be compensated \$245 per hour for projects where City's legal fees are paid from a non-City funding source. The monthly payments to the firm beginning January 2022 for an attorney to provide legal services to Redevelopment will be \$4,487 and for the Civil City they will be \$2,987.

Landis/Nichols moved to approve and execute an agreement with Barkes, Kolbus, Rife & Shuler, LLP for 2022 attorney services. Motion passed 5-0.

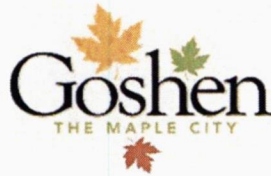
7) Agreement for the completion of the construction project 1933 Whispering Pines (JN: 2017-2035)

City Stormwater Specialist Mattie Lehman asked the Board to approve and authorize the Mayor to execute the agreement with Greencroft Goshen, Inc. for the Completion of the Construction Project at 1933 Whispering Pines. Lehman indicated the home at 1933 Whispering Pines (Greencroft) has passed its final building inspection and the project is substantially complete except for seeding and otherwise stabilizing disturbed areas. These final requirements cannot be completed at this time due to weather conditions. The Stormwater Department submitted an Agreement for the Completion of the Construction Project for approval and authorization for the Mayor to execute. The property owner, Greencroft Goshen, Inc. agrees to stabilize 4,100 square feet of disturbed area with seed and a temporary stabilization measure by June 15, 2022. The expected cost of work is under \$2,000 and no hard surface needs to be installed, so, no surety amount is required.

Landis/Nichols moved to approve and authorize the Mayor to execute the agreement with Greencroft Goshen, Inc. for the Completion of the Construction Project at 1933 Whispering Pines. Motion passed 5-0.

8) Agreements for the completion of the construction project at 2005 and 2007 Wakefield Road (JN: 2017-2047)

City Stormwater Specialist Mattie Lehman asked the Board to approve and authorize the Mayor to execute two agreements with Spring Run Partners LLC for the Completion of the Construction Project at 2005 and 2007 Wakefield Road.



Lehman said the duplex units at 2005 and 2007 Wakefield Road (Pickwick Village) have passed their final building inspections and are substantially complete except for seeding and otherwise stabilizing disturbed areas. These final requirements cannot be completed at this time due to weather conditions. The Stormwater Department has submitted two (one for each address) Agreements for the Completion of the Construction Project for approval and authorization for the Mayor to execute. The property owner, Spring Run Partners LLC agrees to stabilize approximately 4,500 square feet of disturbed area in each lot with seed and a temporary stabilization measure by June 15, 2022. The expected cost of work for each address is under \$2,000 and no hard surface needs to be installed, so, no surety amount is required.

Landis/Nichols moved to approve and authorize the Mayor to execute two agreements with Spring Run Partners LLC for the Completion of the Construction Project at 2005 and 2007 Wakefield Road. Motion passed 5-0.

9) Annual Plan Commission Appointment – Richard Worsham

Mayor Stutsman asked the Board to approve the reappointment of Richard Worsham to serve as the Board of Public Works and Safety's appointee to the Goshen Plan Commission for 2022.

Landis/Nichols moved to reappoint Richard Worsham to the Plan Commission. Motion passed 5-0.

10) Reschedule Board of Public Works & Safety and Stormwater Board meeting from 1/17/22 to 1/18/22 due to the City Holiday Observance of Martin Luther King, Jr.'s Birthday

Mayor Stutsman reminded the Board that next Monday is Martin Luther King, Jr. Day, so the regular meeting of the Board of Works & Safety and Stormwater Board will be moved to Tuesday, Jan. 18, 2022, at 2 p.m...

CITY OF GOSHEN STORMWATER BOARD

MINUTES OF THE Jan. 10, 2022 REGULAR MEETING

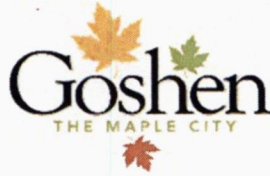
Convened at 2 p.m. at Goshen Police & Court Building, 111 East Jefferson Street, Goshen, Indiana

Present: Mayor Stutsman and members Mike Landis and Mary Nichols

Mayor Stutsman convened the Board to consider one agenda item.

1) Post-construction plan approval for Lippert Components, Inc. Skyview Road Amendment #3 (JN: 2019-2043 & 2021-2012)

City Stormwater Specialist Mattie Lehman asked the Board to accept the post-construction stormwater management plan for Lippert Components, Inc. Skyview Road Amendment #3 as it has been found to meet the requirements of City Ordinance 4329. Lehman said the developer of Lippert Components, Inc. Skyview Road Amendment #3 located at 3048, 3055, 3135, and 3152 Skyview Road, 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."



Landis/Nichols moved to accept the post-construction stormwater management plan for Lippert Components, Inc. Skyview Road Amendment #3 as it has been found to meet the requirements of City Ordinance 4329. Motion passed 5-0.

Privilege of the Floor:

Mayor Stutsman opened Privilege of the Floor at 2:27 p.m.

Goshen City Attorney Bodie Stegelmann informed the Board that he believes the City of Goshen's revised policies for City employees will be presented to the Board for consideration next week. He suggested that Board members review the draft policies before the Jan. 18 meeting.

Mayor Stutsman said it has been a long process to revise the policies and bring them to the Board for approval.

No one else asked to speak, so the Mayor closed Privilege of the Floor at 2:28 p.m.

As there were no further matters before the Board, Mayor Stutsman/Landis moved to approve Civil City and Utility claims and to adjourn the meeting. Motion passed 5-0. The meeting was adjourned at 2:28 p.m.

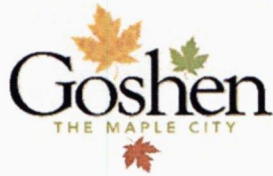
***EXHIBIT #1:** Memorandum from Goshen Police Chief José Miller requesting that the Board of Works & Safety approve the promotion of Tyler A. Schaaf from the position of Probationary Patrol Officer to the rank of Patrol Officer, effective Jan. 11, 2022.*

***EXHIBIT #2:** Memorandum from Goshen Police Chief José Miller requesting that the Board of Works & Safety approve the hiring of Jeff Eaton for the position of Special Police Officer, effective Jan. 10, 2022.*

APPROVED

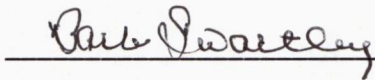
Jeremy Stutsman, Chair

Michael Landis, Member

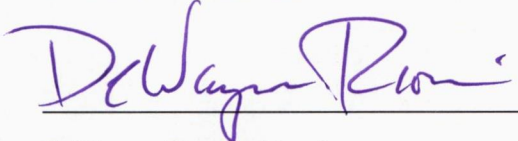




Mary Nichols, Member

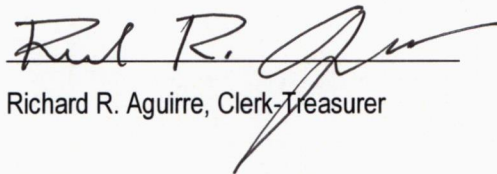


Barb Swartley, Member



DeWayne Riouse, Member

ATTEST



Richard R. Aguirre, Clerk-Treasurer



Exhibit #1

Jose' D. Miller

Chief of Police

111 E Jefferson St

Goshen, Indiana 46528

TO: Goshen Board of Public Works & Safety

Mayor Jeremy Stutsman

Member Mary Nichols

Member Mike Landis

Member Barb Swartley

Member DeWayne Riouse

Date: January 10th, 2022

From: Jose' Miller, Chief of Police

Reference: Promotion of Tyler A. Schaaf from Probationary Patrol Officer to Patrol Officer

I am requesting the Goshen Board of Public Works and Safety approve the promotion of Tyler A. Schaaf from the position of Probationary Patrol Officer, to the rank of Patrol Officer, effective Tuesday January 11th, 2022. As of January 11th, Officer Schaaf will have completed his twelve (12) month probationary period. Officer Schaaf has been a dedicated officer to the City of Goshen and will continue to be so in the future.

****Tyler may or may not be present for the promotion.****

A handwritten signature in black ink, appearing to be "Jose' Miller".

Jose' Miller #116

Chief of Police

Goshen City Police Department

111 E. Jefferson Street

Goshen, IN. 46528

Telephone: (574) 533-8661

Hearing Impaired: (574) 533-1826

FAX: (574) 533-1826



Exhibit #2

Jose' D. Miller

Chief of Police

111 E Jefferson St

Goshen, Indiana 46528

TO: Goshen Board of Public Works & Safety

Mayor Jeremy Stutsman

Member Mary Nichols

Member Mike Landis

Member Barb Swartley

Member DeWayne Riouse

Date: January 10th, 2022

From: Jose' Miller, Chief of Police

Reference: The hiring of Jeff Eaton as a Special Police Officer.

I am requesting that the Board of Public Works and Safety approve the hiring of Jeff Eaton for the position of Special Police Officer. I am requesting Eaton have full police authority in Elkhart County, or any other Indiana county where he is fulfilling his specific job description or duties assigned to him by the Goshen Police Department. I am requesting police authority be granted to him during the times when he is considered to be in approved on-duty status with the Goshen Police Department, while wearing an official designated uniform, or while in a police vehicle. Jeff Eaton will be considered to be on approved on-duty status when responding to known emergencies whether uniformed or not. Jeff Eaton will be assigned primarily to the position of School Resource Officer (SRO). However, Eaton will be eligible for secondary employment as a police officer and may be assigned to patrol duties, if needed, both according to Department Policies, Directives, and Agreements.

Jeff Eaton has served many years in the law enforcement profession and has successfully completed the Indiana Law Enforcement Academy. He has attended many other trainings and has received numerous certifications during his years in this profession. I believe Jeff Eaton will be a great addition to the Goshen Police Department as a Full-time Special Police Officer serving our community. I would like this hiring to be effective today Monday January 10th, 2022.

Jeff will be present for the Board of Works Meeting.

Jose' Miller #116

Chief of Police

Goshen City Police Department

111 E. Jefferson Street

Goshen, IN. 46528

Telephone: (574) 533-8661

Hearing Impaired: (574) 533-1826

FAX: (574) 533-1826